



Transcript – Webinar, ASQA’s Regulatory Approach

Steve Maillet:

Well hello! Welcome everybody, my name is Steve Maillet and I'm responsible for the Regulatory Engagement and Education Team at ASQA.

I would like to start off by acknowledging the traditional owners of the land on which we meet today, and pay my respects to Elders, past, present and emerging.

I'd also like to extend that respect to any Aboriginal or Torres Strait Islander peoples who have joined us today.

Well, thanks again for attending. I understand we have over 3,000 registrations for this webinar, which is, in fact, an ASQA record. A Guinness record, in fact, for our attendance at a webinar, which is great. And apologies for that technical difficulty we had, having to send out a new link and many people are still just joining.

Many of you have likely participated in other ASQA webinars, including our recent *Spotlight On* series. And if you haven't, well, you're probably missing out. But they are posted on our website, as will this one, as it's being recorded today.

Today, we'll be covering a number of topics, and we'll hear soon from Christina Bolger, our Deputy Chief Executive Officer, but what we'll be covering is our regulatory practices and what that means for you.

We'll also be looking at how we work together to manage risks and enhance quality outcomes.

We'll take you through our Regulatory Framework.

And then, we'll be looking at our approach to performance assessment, compliance and reviewing decisions.

Today's session will run for about an hour and, as I mentioned, it is recorded for those who can't make it today.

What we plan to do is Christina will deliver shortly a presentation, and then that will be followed by a question-and-answer session at the end.

For your awareness, all participants have been muted, so you should only hear either myself or Christina throughout the hour.

In 2021, we're all pretty familiar with the use of QR codes, but up on the screen is the QR code to 'Slido', which is the system that we'll use to help manage your questions. And it also gives an opportunity for other participants to 'like' a question.

You can enter a question at any time during the session.

We won't be able to answer all of the specific individual situations. So, if you can, please try to keep your questions broad and relevant to the entire audience.

Over the course of this session, we'll be trying to group questions into themes, so we can cover as many as possible. And we will be collating them live as they come through.

Those of you who use Slido regularly will know that you can add your 'up vote' or 'like' to questions that have already been submitted to show that you're interested in hearing the response to that question.

Two final things I'll note.

We'll be gathering a short feedback survey at the end of the webinar.

And this is a real opportunity for you to let us know what you thought of this webinar, as well as to submit any suggestions for future topics.

Now I'd like to introduce and hand over to ASQA's Deputy CEO, Christina Bolger, who's been at the forefront of a lot of the work ASQA's been doing to reform our regulatory approach and the way we engage with you in the VET (Vocational Education and Training) sector.

Christina, our birthday girl, over to you.

Christina Bolger:

Thank you, Steve and thanks, everyone for joining us today to hear about our regulatory approach.

It is really fabulous to have such a strong turnout, and I think it reflects the shared interest and the commitment to quality.

So I know that some of you are very familiar with ASQA and the work that we do, but for those of you who have had less to do with us, I'll just start with a very quick overview of who we are and what our role is.

The Australian Skills Quality Authority is the national regulator for Australia's Vocational Education and Training sector - the VET sector.

As many of you know, it's diverse, big and a very high-value sector, rich in more than four million students undertaking that training each year across more than 4,000 providers.

The value for this industry reaches far into people's lives, the goals and aspirations of students, the enterprises of employees right across the country, and the growth and prosperity of the industry.

ASQA's important job is really to work across the full range of our regulatory functions, together with yourselves and other partners in the broader VET architecture to ensure that we're doing as much as we can to ensure quality, vocational education and training. So that those students, those employers, the community and our governments have confidence in the integrity of those national qualifications issued by training providers.

We're doing this by engaging and collaborating with the sector, including in our expectations, and consistent in our regulatory approach, and holding providers to account for the standards of VET.

We're promoting continuous improvement and self-assurance by providers of training.

And we've really defined these values, which you'll see there in the slide – the consistency, the collaboration and the continuous improvement. And we've captured those in our work. They drive everything we do at ASQA because we believe they lead to quality outcomes for our sector and for every VET student.

So just putting all of this in the broader context because I know there's a lot going on in the VET sector, and I don't want to spend a lot of time on this slide, but I just wanted to position the work that ASQA is doing and our reforms to regulatory culture and practice, and how they're aligned to this broader, national VET reform agenda.

You can see there in the slide that broader VET reforms are underpinned by the Heads of Agreement between Commonwealth, State and Territory governments. A real broad commitment, and the priority of government is to ensure that our system is delivering for students and employers and equipping Australians with what they need – skills for emerging jobs. And some of the key focuses of those reforms are strengthening the quality standards.

You've probably heard some of that work is underway, being led by the Department (The Department of Education, Skills and Employment [DESE]), including to focus more on training outcomes, developing the VET quality strategy, streamlining the development of training packages and improving the availability of data and information on the performance of that system as a whole.

We're very conscious, perhaps more than ever, particularly in the light of recent budget announcements, as we look to rebuild from the impact of the COVID-19 pandemic, the really important role that the VET sector has to play in driving economic growth and prosperity.

So, we know the job market is changing, and we know that VET reform is needed to support that upskilling of the Australian workforce, and because vocational education remains the primary way that Australians upskill.

The Commonwealth is also partnering with states and territories, as you will have heard, to deliver the 'JobTrainer' program and provide more Australians with access to low-cost training places, particularly in areas of identified skills need.

So, there's certainly a lot going on in the VET sector. And ASQA, through its regulatory functions, is supporting these reforms and initiatives and, through our work, coming into alignment with government's intent.

The piece that I really wanted to focus on today is the way in which we're changing our regulatory approach and practices to support those broader outcomes in the VET sector. So that's really that pink section on the slide that you can see.

Firstly, I wanted to let you know that the way we engage with you, with the sector, and improving the guidance and education that we offer to VET providers is one of our key priorities.

We're really committed to providing more genuine opportunities for VET providers, industry stakeholders and other partners to understand the work we're doing, understanding our expectations, understand where we're seeing risks and how we are responding to ensure the quality of VET. I must really note that the openness and the engagement that we're seeing in return in forums like this is really encouraging.

Some of the other platforms that we've established, that some of you may have already engaged with to work more collaboratively with the sector and to improve that dialogue with you and other key partners, is the Stakeholder Liaison Forum. This group was formed in July last year, and it really does provide a very effective means for ASQA to engage and consult directly with providers, and other stakeholders, in relation to our engagement in education, our response to key operational factors and risks that providers might be facing.

Of course, there's our monthly ASQA update, which I hope you're all subscribed to. We've just put out our May update – The Provider Roundtable. I'll be having a responsive information line, and our new *Spotlight On* series, which has really gone from strength to strength, and it really is a hallmark of the new way in which ASQA is engaging with providers, focusing on key areas of risk, supporting and promoting continuous improvement.

And during COVID, I think it's fair to say that we've also learned a lot about more tailored responses and engagement with the sector. And I think our COVID-19 support resources for providers are a good example of some of the new ways that we're working and building on that.

We are busy working on the further development of this education program.

And that is fundamentally a primary regulatory tool to ensure that providers are aware of our expectations, the requirements that are set in the Standards and the legislation and have the support they need to meet them.

We'll be providing more information about this in coming months.

We're the national regulator, but we know that we don't have a monopoly when it comes to interest in high-quality VET. This seminar is a testimony to that.

So, we're listening. We're listening to you all when you tell us what's important, the risks that you're seeing – both current and emerging risks. And the way in which we define those problems and come to solutions.

All of this is a backdrop to our new approach to regulation, and fundamentally if I was going to describe it in a nutshell, it is this intent to shift over time our regulatory approach from being prescriptive and process-based compliance to a broader focus on self-assurance, by training providers and excellence in training outcomes.

And I want to be clear about this. It doesn't mean that we're stepping away from the regulatory measures that we have to hold providers to account when they're not meeting expected standards. But we want to emphasise that the standards are there as a condition of registration to ensure that, on any given day, registered providers are meeting the expectations and providing all of that, not just to satisfy the regulator during an audit (performance assessment (audit)).

So, whenever possible, we want to support providers to identify and rectify issues without undue regulatory intervention, and to really focus on building that capacity for continuous improvement.

We'll see this right through our regulatory model.

The changes that we've made and continue to make, to both our regulatory culture and our practices, are underpinned by this fundamental principle.

They deliver on the recommendations of the 2020 'Rapid Review' to ASQA and really are our aspiration and our reforms to be a best practice regulator.

I'm going to be talking about a number of new improvements to our regulatory approach and, in particular, those that have come into effect from 6 April – so, very recently.

Those reforms helped us to strengthen our risk-based approach by focusing more on outcomes in education and engagement as a core regulatory platform.

Helping providers, themselves, understand and assure themselves that they're meeting standards and delivering quality outcomes. And ensuring that we are transparent about our regulatory activity and that it is proportionate to the level of risk. Strengthening and providing more meaningful reporting on provider performance through our audit reports and continuously improving our practices.

I'll offer a bit more detail of some of those things.

So, what that means to you, is that with these changes you can expect more opportunities to engage with us.

I think it's fair to say that there will be fairer regulatory processes and more consistent outcomes, more information about performance assessment, new accountabilities for standards and the expectations of ASQA. And, ultimately, all supporting, as it says in the slide, that enhanced confidence in the quality and integrity of the qualifications that are issued in the Australian VET system.

I'm going to go now to our operating model, and we have a published document that sets this out in some detail. But I thought it was worthwhile just touching on it because it's really how we deliver our regulatory approach as an integrated system. And, I'll take you through how that system works. As you can see, the top of our regulatory model is really about focusing on outcomes.

We've clearly defined the outcomes we seek, and you'll see that right through the interactions that we have with you. On the left-hand side, strengthening our use of data and intelligence to understand risks. That's both in terms of the analysis of data that we have but also working with others across the regulatory system to understand what they know about risks and to use that regulatory intelligence to inform our practice.

That's supported across the middle band with our provider engagement. So, engaging with providers and other stakeholders in the system, sharing information, making sure we understand the risks, inviting feedback and support so the providers, themselves, can test their own governance and quality assurance practices so that they can improve their practices in relation to risk.

Really, looking to make sure that we are joining up with other regulators, government and state and territory colleagues to make sure we've got the problem definition right and designing our regulatory responses to respond to risk.

So, that really goes to that middle section there, which talks about tailoring the best use of our tools. We've got a regulatory toolkit, whether it's engagement, education or regulatory operational activities, getting the right combination and seeking to be as effective as possible in that space.

On the right-hand side of this model are all our interactions with providers, education, registration approvals, course accreditation, monitoring and performance assessments, and to the way in which we respond and manage non-compliance, we're seeking to apply risk-based principles and proportionate fit-for-purposes responses.

And, importantly, across the bottom —and this is an area that we really are seeking to strengthen —is understanding our impact.

We're setting up mechanisms and processes to better understand the output and impact of our regulatory activities and our effectiveness there, and continuously improving our approaches.

There is a feedback loop into our regulatory design and how we can improve.

Please have a look on the ASQA website where you can find the document or Regulatory Risk Framework, which is underpinned by this operating model, for further detail.

Let me now step you through some of the key changes that we know you're interested in, and we'd like you to know about, and those changes, as I mentioned, were introduced on April 6.

And for some providers, we understand that those changes may not be evident for some time, particularly when the next audit is some way off.

But hopefully you'll already be starting to see these changes in the way we engage with you.

Our regulatory practice guide sets out our approach to assessing provider performance. And I really want to step you through some of the changes in this area.

The first kind of key change is this concept of a performance assessment, which is a cultural change as much as anything, really positioning the activity of an audit as a performance assessment.

So, rather than detecting a deficiency, really getting an overview of the provider's performance against the Standards.

We're calling our auditors 'assessors', and the audit reports 'Performance Assessment reports', to support the intent of this change.

I think that they better reflect the purpose of that assessment process, which is to assess the performance of providers against the relevant standards, which are a condition of registration, and to ensure that quality outcomes are achieved for students in industry.

And when deficiencies are identified during that process, they continue to be reported as non-compliant against those relevant clauses of the Standards.

So, that's the first area of change.

And the second one I want to highlight is that when we conduct an 'assessment', aka 'audit', we'll increasingly focus on provider systems of self-assurance.

I mentioned earlier that when we're talking about self-assurance, we're referring to how providers manage their own operations to ensure a focus on quality, continuous improvement, and ongoing compliance with the Standards.

I'm not talking about self-regulation; I'm not talking about a light touch approach.

Only that should result from the efforts made by providers themselves. The monitoring of continuous improvement, the training, assessment and outcome for students – you know it's just a part of good business practice.

The reason that we're focusing on self-assurance in a performance assessment is because we want to promote those behaviours with providers; we want you to be managing risk in your business, identifying opportunities for improvement and driving those quality improvements.

Self-assurance enables providers to identify and address all those deficiencies without waiting for the regulator to detect these and direct compliance.

It is a much more effective way of identifying and fixing issues as they arise, managing risks to quality outcomes, improving the quality of VET, as a whole, and impressing your own confidence that you're meeting those regulatory obligations.

This leans into that point, which is strengthening the interaction between practices, systems and continuous improvement.

You will see our assessors focusing more strongly on your own understanding of your obligations, how you demonstrate that on practices and systems, how you review your practice, how that aligns, and how you monitor and continuously improve.

During the assessment process, we'll be talking with you about how you demonstrate this to us.

There are three key questions that may be considered. Does your practice align with the requirements of the standard?

Do you have a system for ensuring ongoing compliance with the standard?

Do you monitor and continuously improve?

Do you self-assure, in order to ensure compliance with the Standards on an ongoing basis on any given day?

That means our assistance will be focusing much more systematically on how you're monitoring, evaluating, and continuously improving planning and assessment strategies and practices.

And finally, the last thing to emphasise here, in the assessment space, is that we are improving the way that we engage with you during the assessment process, to be more collaborative, more efficient and effective.

And you'll remember that we did introduce some changes in this regard last year to improve the way that we engage with RTOs (providers) during an audit (performance assessment) process.

We really have got some good feedback following those changes.

Requesting additional information in advance of the interviews with management, and the others, so that we have a better sense of your organisation prior to those interviews, and the feedback isn't placing pressure on the staff during our site visits.

Changing audit (performance assessment) reports to include more comprehensive evidence and reasoning where there is a finding of non-compliance. Documenting minor deficiencies separately. And this is important. Where these are easily fixed, non-systemic and not significant enough to warrant a finding of non-compliance, they're documented separately so that you can adjust those. Ensuring a fit-for-purpose assessment tool and making sure that our methodologies are consistent and using response to risk.

So, further to those changes, we added these elements that I mentioned in this slide, which is the way we engage with you during an audit (performance assessment) and increasingly using open-ended questions to allow you to demonstrate your understanding of the requirements and how that relates to your own practice.

Our focus is on outcomes, so that means moving away from the search to detect instances of non-compliance, to focusing much more on the weight of effort across the Standards. For sampling methodology that allows an assessment of whether our standard is met. Looking at how you demonstrate that, how your systems and practice aligns with the Standards, and how you monitor and review and improve.

Lastly, I think, the effort is being made to ensure that our reports aim to capture those findings in a way that supports clarity.

We want to communicate back to you in a way that helps you understand areas for the Standards that are not being met and to take the appropriate action.

Just putting this in the broader context of regulatory approach in dealing with non-compliance, this is set out in a practice guide, which I would again refer to you in some detail. And I'd like to briefly summarise our approach that's described there, which is a foundational piece for us as a regulator, in terms of how we draw on data and intelligence from many sources to understand risks in performance of the sector and providers, determinants that are priorities around those risks and ensure that our monitoring focus is tuned to this same sector.

When we find that a provider does not meet the requirements of the Standards or the legislation in an audit (performance assessment), we respond to that similarly in a way that's proportionate to the level of risk.

You can see our regulatory approach set out here in what may be described as a regulatory pyramid. And we know that most providers are compliant, and so the bottom level of the pyramid is that broad base of engagement, education and encouragement activities that is directed to all providers to support understanding of what's required and to continuously improve outcomes.

And then, moving up the pyramid, when we decide what action to take if a provider is non-compliant, our response is based on a number of factors, including the nature and seriousness of the non-compliance, the profile and the demonstrated behaviour and history of the provider, and other relevant matters that are set out in our compliance practice guide.

It's about using the right tools and the right response to manage risk. And I've set this out leading into this next slide because I want you to understand the new measure of the 'agreement to rectify' in this context, and I wanted to briefly discuss that in this next slide.

The 'agreement to rectify', which was introduced on 6 April, is a voluntary agreement. It's one of our new regulatory tools and it sits in the regulatory pyramid that I just described.

You know that previously providers had 20 working days in which to address non-compliance as identified by ASQA, and that compliance can often be addressed in this time frame, but sometimes that leads to adverse behaviour or a quick fix.

And the more systemic review, understanding whether it's a problem elsewhere in the provider and more significant changes to ensure a systemic and a sustained approach. Those opportunities can be missed.

When a provider has demonstrated that they can be committed and they're capable, and their non-compliance is of a nature that is open to offer an agreement to rectify, then this is a new measure that is available. And ASQA may give providers the option of entering into that agreement that will then really enable providers to remedy the non-compliance within an agreed period, which is proposed by the provider, but it would be a time period of up to three months.

We really feel this is an important opportunity because it does encourage providers to consider their response to the non-compliance in a more systemic and sustained way, which is consistent with where we are trying to shift the focus to self-assurance, systemic controls and continuous quality improvement rather than a quick fix.

We think it will support providers to better self-identify the actions and consider how they can address the non-compliance and permit that longer period which is to get in and make sustainable long-term changes to your systems.

So, accepting an agreement to rectify really means that ASQA has confidence in the provider's own ability to remedy the non-compliance within the agreed timeframes, and that the provider has been able to demonstrate their willingness to take those effective actions to efficiently resolve the matter.

And we're continuing to engage with providers during that agreement to rectify period, as part of the compliance management approach, to ensure things are on track and satisfy ourselves that the provider is returning to compliance.

I might just move from this to a broader slide around compliance monitoring and our compliance case-management approach.

We feel that we are supporting a fairer, more balanced review process. This is actually an introduction of the new area within ASQA that is separately dealing with internal review (review of decisions). That this process will establish a genuine opportunity to engage with providers when decisions that we've made are disputed. It will look at all the evidence that's available to ensure a sound decision making process and are committed to really using procedural fairness when a decision adversely affects a provider.

This internal review (review of decisions) function also stood up on 6 April. And we're really seeing this enhanced review process as a key plank in helping us ensure that our decisions are fair and transparent.

Our approach to monitoring and our own approach to understanding the impact of our regulatory performance, if you like, and how we are continuously improving.

We have a commitment to a structured and consistent focus on monitoring and reporting on the impact of our regulatory activities and continuously improving those approaches.

We know we won't get it right 100 per cent of the time, but we'll be open and learn and continuously improve. We are monitoring, in a number of ways, service standards to understand where we can improve the quality and timeliness of our service delivery, and also undertaking quality assurance ourselves, to ensure we're consistent in the application of the Regulatory Framework, and that these new measures are being implemented as intended.

Really, this brings me close to the end of my presentation. I know that we actually covered a fair bit today, but I did want to point you to our practice guides.

A lot of this information is in our regulatory practice guides that can be found on the ASQA website, and that includes information that I covered today on assessing performance. The dealing with non-compliance and the new measures around the agreements to rectify, and our new approach to review of decisions through that independent area that's looking at that.

I strongly encourage everyone to have a look at those new guides to help understand and fill out your understanding of what has changed.

I think we're going to have an opportunity now, and then I'll pass back to Steve to facilitate some of the questions that I'm sure you have on all of this. So, thank you Steve.

Steve Maillet:

Thank you, Christina. That was great. And there have been literally hundreds of questions flowing in. As I mentioned earlier, the team are working to try and theme the questions to try and see how we can best tackle some of these. But one of the top-rating questions to kick us off, Christina, is: 'How will ASQA address the perception of inconsistencies between auditors (assessors) in their decision-making?'

Christina Bolger:

Thanks, Steve. That's a really good question, and I think you were saying at the beginning of the presentation that we are seeing consistency as one of our core principles and that goes to a) – instantly communicating our expectations. So, it does go across beyond the regulatory functions into how we engage with you and communicate more broadly.

But in terms of the assessors, we have established assurance processes. So, we're moderating those through sessions that support assessors in the assessment against the Standards – and that is an ongoing process.

We've also established and are working with the provider roundtable and Stakeholder Liaison Group to co-design an impact evaluation, which will help us to understand, through a whole range of inputs, how we're going and seek that feedback on the sector.

We anticipate that will be some time in the last quarter of this calendar year in order for us to build an evidence base, and we'll see some of those cases coming through.

We are very alert to the need to continue to evaluate our own performance and hold ourselves accountable.

Steve Maillet:

Great, thank you. A number of questions coming in are related to self-assurance, which is great. Importantly: 'Will ASQA publish more support tools and information for providers on self-assurance?'

Christina Bolger:

Yes, we will. So, we've had some really good engagement last year around self-assurance through webinars, and also through some working groups that were established under the Stakeholder Liaison Group. They have helped us to surface some case studies and material that we will be sharing with the sector around different ways in which providers are self-assuring.

We're also working with our state and territory colleagues to bring together some of the language around self-assurance so that we are presenting our clear expectations and the model, if you like, to self-assurance in a way that can help support providers to make these changes to their practices.

And the other piece here is the self-assessment tool, which has been refreshed with self-assurance in mind. It's definitely a rich space that we will continue to populate, to help providers understand ways in which they can be self-assuring quality.

I think it's fair to say that because the focus of our performance assessments is going to be in this space. We ourselves will learn to a greater extent what providers are doing to self-assure quality, so

that insight will come into the regulatory system also through the performance assessments and we'll be able to share some of that back to the sector, as well.

Steve Maillet:

Terrific. Thank you.

Next one here relates to data and insights, And the question says: 'You've mentioned using data and insights to understand risk in the sector. Where are these data and insights coming from?'

Christina Bolger:

Yes, another good question. So as a regulator, we draw our information and insights around risk from a whole range of sources. Primarily, there are insights from provider performance, but there's also ways in which we get these insights from engaging with you and through the forums that we've set up around what are the risks in the sector. What are the categories of risk? How do we understand the prevalence in the sector, and what data can we rely on to inform that?

A very important piece of that is the activity that we've just kicked off for the 2021–22 financial year, which is the e-scan, which is an environmental scan, supported through a very broad base of engagement with providers and other stakeholders in the VET sector to understand current and emerging risk.

And we do have a strong appreciation of the fact that not all of this is in data and that with the pace of change in the VET sector, we'll need to be very alert to emerging risk that may not yet have made its way into a database. That's why the engagement is so critical for us to be alert to these risks and to be recognising them and responding to them in a proportionate way.

I think you could probably also add to that picture, Steve, the insights that we get through the points of reference that we have with students as consumers of the system. And we do receive complaints from consumers as well, which forms part of that understanding about trends and also information that might support an assessment of risk.

Steve Maillet:

Excellent, and for people's awareness, they'll also be a provider survey coming out in the not-too-distant future as well, which I would really encourage you to participate in.

This next one, Christina, is about managing self-assurance, and the question is around whether ASQA will publish practice guidance on things like governance practice and structures that might assist an RTO (provider) in helping them to manage their self-assurance activities?

Christina Bolger:

Yes, I think that goes to some of the examples that we might draw on by way of case studies. You know, you've got that primary assurance around the work that you do to ensure that training and assessment outcomes are delivering the intended results. You've got the work that sits at the next level around your quality assurance processes and mechanisms, understanding feedback from students, industry, the checks and balances that you have on your business. And then there's the

level that you refer to around the governance of the business and the way in which information about risk is reported and responded to by the organisation as a whole.

There is some material there that we can put together. I think that this is a co-design piece, though, because I don't think it should be the regulator preaching to you about self-assurance.

It's really about us listening about what is in place, what's working, what's not working, where the gaps are, how we can point to the gaps and help hold a mirror up to that in a way that supports the sector to improve.

It has to be a dialogue and our part of that is to understand the information that we'll be collecting, and I think we'll have rich insights through our performance assessment.

Now focusing on self-assurance, but also through the ways in which providers, who have been found to be non-compliant, return to compliance through those undertakings to rectify because that will give us further insights about how providers can, themselves, assure that those quality outcomes will continue to be met.

The short answer is that we're really looking forward to a continued dialogue around self-assurance.

Steve Maillet:

Fantastic. We've also had a whole number of questions related to the agreements to rectify.

I think this one captures the sentiment. 'Will everyone be given the opportunity to undertake an agreement to rectify and will they need to apply for it?'

Christina Bolger:

I think going back to, a compliance approach, which is risk-based and proportionate. It will be based on an understanding of the capability and commitment of the provider, as well as the nature and extent of the non-compliance, and other factors that might be relevant. There might be other considerations that are relevant as to whether an agreement to rectify is appropriate.

And all of that is set out in our compliance practice guide.

Not all providers will be offered an agreement to rectify.

And we want to be certain that we're offering this in a way that continues to assure quality outcomes.

It will be an informed decision of the delegate as to whether or not that is offered, and then the response comes from the provider, in terms of how they will respond to the non-compliance, what measures they're proposing to take and so on.

Steve Maillet:

Great, thank you. There's also been a number of questions coming in related to the annual declaration of compliance. And this question, I think, summarises that well.

'Are there any planned changes to the annual declaration going forward, including as early as this next period in March?'

Christina Bolger:

Yes. Look, I think it's fair to say that the answer to that question is yes.

And we have actually made a commitment to review and co-design with the sector that annual process.

It can add greater value than it currently does, and you can think about how it may support a shift to culture and systems of self-assurance that possibly would lean more to seeking an assurance of how providers, themselves, understand that they're meeting the Standards, and what assurances they have of that. So, I think we can look forward to some real improvements in that annual statement of compliance in the next year.

Steve Maillet:

Great, thank you. Next question is: 'If the audit process is now a performance assessment, will ASQA be adopting a compliant, or 'not yet compliant' mindset?'

Christina Bolger:

At the moment we're required to make an assessment of whether or not the Standards are met. So, we're not differentiating. It is either that the Standards are being met or not met. But I think what we will be doing in that performance assessment is, through a broad sampling across the Standards, focus on student outcomes, and our assurance that providers are committed to continuous improvement, that we will have a broader assessment of the provider's performance against the Standards.

Steve Maillet:

Fantastic. The next question here is: 'Will ASQA develop an industry or stakeholder engagement framework or strategy for the sector?'

Christina Bolger:

Is that Dorothy Dixier, or is that a real question?

Steve Maillet:

That's a real one.

We have literally just a pre-publication, a pre-consultation version that we want to take out to the sector to engage with you on the way in which we're setting up our education and engagement functions.

Christina Bolger:

I think Steve, you know, that's your bailiwick and I know very close to your heart. And this is a piece that, just like we've got regulatory practice guides, it's just as important to us that we get our education and engagement right.

The intent is that this is one of those sentinel pieces for us to test with you and understand that we've got that right.

So, yes.

Steve Maillet:

There's sort of a general theme around questions related to the Standards, and people are aware that the Standards are currently under review. But there's a specific question on whether they may focus on self-assurance, in particular.

Christina Bolger:

Yes, look I think that's one of the things that, we'll certainly be really seeking to see out of the reforms to the Standards. To focus on outcomes and what providers, themselves, are doing in that space.

The Department (DESE) has run a really broad consultation on the new process for revision of the Standards, and we'll be providing that type of input to the Department.

Steve Maillet:

Terrific. This next one, I think, goes in part to that notion of proportionality.

And, you know, it's a question around recognising that RTOs (providers) come in all different shapes and sizes. And the question here is around how will ASQA manage this when thinking and talking about best practice as that could be quite different, depending on your size or your area of focus.

Christina Bolger:

Yes, I recognise that, and I think that is really underpinning a move to focusing on outcomes because it's not for the regulator to prescribe how an outcome is achieved.

Really, the intent is that providers, themselves, can demonstrate that and the thought that's been put into the design and the assurance of the approaches that they're taking.

And that is as varied as the sector is varied. So, it's not a template that we're looking for; it's an account. It's a way in which you can demonstrate to us, through a range of evidence, that those standards are being met.

Steve Maillet:

This next one here is related to self-assurance, but it's a question specifically around whether a provider would need to engage an external contractor or an external consultant, if you will, to be able to complete self-assurance for them.

Are there any comments you could make around that please?

Christina Bolger:

Look, only just that it probably remains a business decision for the provider, but we do know that there's a range of capability and maturity in the self-assurance space. And some may be looking for more support and assistance than others.

Again, I think it's not an answer for the regulator, but how businesses satisfy themselves that they're self-assuring can take a range of forms and input from others is an independent set of eyes is often valued.

Steve Maillet:

Terrific. Thank you.

I think we have time for probably one more because we're running pretty close to being out of time here.

Somebody mentioning that they've recently been through a quality assessment process and there's some feedback here that they thought it was a very collaborative and worthwhile experience working together – which isn't quite a question, more of a statement, but lovely feedback there.

Another questioner is asking about the differentiation between what is a performance assessment and what we previously referred to as audits.

The questioning quite rightly is: 'Is that just about semantics or what's kind of sitting behind that change in language?'

Christina Bolger:

We're still exercising the authority that is vested in the audit. You can call it semantics, but it's actually the cultural underpinning of what it is that our assessors are doing. We are seeking to encourage that broad assessment of performance, and the way in which that's done for sampling methodology, plus the range of standards, focusing on student outcomes, assuring that providers are continuously improving.

It just signals a change in behaviour really, and the way in which that will be represented also in our audit (performance assessment) reports, where we can give a fuller account of the performance of the provider against the Standards.

So, it's more than semantics; that's what I'm saying.

Steve Maillet:

Fantastic.

Well, we're reaching the end of our hour, just for people's awareness.

As I mentioned at the beginning, this session is being recorded, so we will be having this available online, and it will also be sent out to everyone who's registered as well.

Just a big thank you to Christina for your time today and, most importantly, the audience. As I mentioned, we had over 3,000 people registered to attend today, which is fantastic.

There's certainly plenty of information available on our website. You can see our contact details available here.

You'll see that we've been gradually increasing our presence on social media as well.

So, do try and follow us on LinkedIn and Twitter, in particular, and we will undertake to try and look through all of the questions that have been coming in. As I mentioned, unfortunately, we couldn't get to all of them today, but we will try and have a good look at them, and use that to inform some of our educational and guidance materials coming out over the coming months as well.

Just one last plug. Stay tuned for the next *Spotlight On* series. I think you'll find that of interest. We're looking at the topic of 'assessment validation', and that series will conclude with another webinar.

Look forward to that over the coming weeks. Thanks again for your time. There will be a short survey that will come out to you. We look forward to hearing your thoughts about what

Thanks everybody.