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# Inquiry into access to TAFE for learners with disability – AEU Victoria Submission.

## Introduction

The Victorian Branch of the Australian Education Union (AEU) welcomes this opportunity to contribute to the Inquiry into Access to TAFE For Learners with Disability (The Inquiry). The AEU is well placed to provide insights into the provision of Vocational Education and Training (VET) and senior secondary education for TAFE students with disability in Victoria, representing thousands of TAFE teachers across all TAFE institutes and dual sector universities. AEU members experience the daily realities of TAFE delivery for these students and offer a unique and valuable perspective on the policies and practices that work effectively and efficiently, or otherwise.

For more than a decade, Commonwealth and state policies around the provision of vocational education and training (VET) have tended to erode the capacity of TAFEs as the public VET provider to support the individual needs of students with disability. An emphasis on increasing the role of the private sector, competitive funding arrangements and an associated reduction of funding have all worked to make the provision of appropriate adjustments for students with disability a more challenging proposition for public TAFEs. Whilst the introduction of free TAFE courses and other recent funding packages from the State Government have gone some way to address TAFE's financial challenges, TAFE institute's most recent annual reports show the sector is still struggling. It is not a reduction in funding alone that has produced this situation; legislative changes designed to increase the profitability of private providers have meant that the legal requirements and the institutional capacity that have supported students with disability have been diminished. How this has occurred and recommendations for restoring and extending the ability of the TAFE system to ensure that students with disability have the same opportunities as other students will be outlined in this submission to The Inquiry.

As Victoria moves towards a post-pandemic world it will be crucial to ensure that its workers are equipped with the skills and qualifications required to benefit the economy as a whole and to enrich their own lives. It will be crucial that access to TAFE, as well as the outcomes and experience of TAFE for students with disability is markedly improved if all Victorians are to share in increased prosperity and quality of life.

The submission is structured with headings from the Terms of Reference although where there is significant overlap in content, the headings have been combined. Many of the recommendations

that follow have been made in previous AEU submissions on VET and TAFE delivery, particularly to the Skills for Victoria's Growing Economy Review (Macklin Review).

## The social and economic benefits of improving access to TAFE for learners with disability

It is well known that a successful engagement with VET produces a range of personal, social and economic benefits for individuals, communities and the broader economy. A recent report produced by The Australia Institute's Centre for Future Work demonstrates a range of benefits accruing to individuals and society from VET qualifications. These include increased earnings, better employment outcomes, increased productivity, a reduction in welfare costs, higher taxation revenue and other social and health benefits.<sup>1</sup> This report estimated that the national financial benefits from TAFE equated to \$92.5 billion in 2019 at a cost of just \$5.7 billion.

The importance of sharing access to the benefits of TAFE with people with disability was emphasised by the submission to the National Inquiry into Employment Discrimination against Older Australians and Australians with Disability from People with Disability Australia (PWDA) in 2015:

People with disability remain some of the most vulnerable and marginalised in our community. The inefficient social safety net compounded by persistent inequity in social, educational and economic opportunity means that 45% of people with disability in Australia live in or near poverty. For people with disability, everyday life is more expensive, and the current rate of income support, including the Disability Support Pension (DSP), does little to compensate for the additional cost of disability.<sup>2</sup>

The raft of positive outcomes provided by TAFE qualifications, described above, are of great potential benefit for people with disability. Census data from 2016 shows that employment levels were higher for labour force participants needing 'assistance with a core activity' who had a VET qualification higher than Certificate II compared to such people whose highest qualification was in senior secondary education (84 per cent and 80 per cent, respectively).<sup>3</sup> One in five of these employees with a VET qualification higher than Certificate II earned more than \$650 per week whilst this was true only for one in 10 employees needing 'assistance with a core activity' whose highest qualification was in senior secondary education.<sup>4</sup>

As part of the AEU's TAFE4All campaign, a parent of special needs students summarised how TAFE is so crucial for students with disability:

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<sup>1</sup> Pennington, A., 2020, 'An investment in productivity and inclusion: the economic and social benefits of the TAFE system', Centre for Future Work, Australia Institute, Canberra, viewed 18 Oct 2020, [https://www.futurework.org.au/rebuilding\\_tafe\\_critical\\_to\\_economic\\_recovery](https://www.futurework.org.au/rebuilding_tafe_critical_to_economic_recovery)

<sup>2</sup> People with Disability Australia, 2015, *Submission to the Willing to Work: National Inquiry into Employment Discrimination against Older Australians and Australians with Disability*, viewed 18 Oct 2020, [https://pwd.org.au/wp-content/uploads/2018/11/Submission\\_to\\_Willing\\_to\\_Work\\_Inquiry\\_Dec15.doc](https://pwd.org.au/wp-content/uploads/2018/11/Submission_to_Willing_to_Work_Inquiry_Dec15.doc), p3

<sup>3</sup> Australian Bureau of Statistics. (2018), HEAP - 1 Digit Level by LFSP Labour Force Status by ASSNP Core Activity Need for Assistance, 2016 Census – Employment, Income and Education [Table Builder], viewed 18 Oct 2020, <https://auth.censusdata.abs.gov.au/webapi/jsf/tableView/tableView.xhtml>

<sup>4</sup> Australian Bureau of Statistics. (2018), HEAP - 1 Digit Level by INCP Total Personal Income (weekly) by ASSNP Core Activity Need for Assistance, 2016 Census – Employment, Income and Education [Table Builder], viewed 18 Oct 2020, <https://auth.censusdata.abs.gov.au/webapi/jsf/tableView/tableView.xhtml>

As a parent of two special needs students, I have seen them progress because of the courses which were specifically designed to enable high-functioning students such as they are to transition to the workforce. Take away that opportunity and you are increasing a dependency on the welfare system. Education in Australia must remain affordable and inclusive. Discrimination on any level is not allowed in employment, nor should it be in education. Parent, Hoppers Crossing<sup>5</sup>

As well as improved employment and earnings associated with VET qualifications, participating in TAFE offers a range of other wellbeing benefits including intrinsic returns to education and training. As noted by PWDA:

... the social benefits of VET must not be underestimated. "Education is central to nurturing citizens' capability to flourish in all spheres of life," and TAFEs in particular tend to provide the greater share of these benefits by serving a disproportionate share of students with disability.<sup>6</sup>

In Victoria in 2019, 52 per cent of all government funded VET enrolments for students with disability were at standalone TAFE institutes whilst their total share of all enrolments was 49 per cent. The proportion of government-funded enrolments from students with disability at standalone TAFEs was 11 per cent in 2019 (up from 7 per cent in 2009). In comparison, the proportion of learners with disability enrolled with private providers was just 7 per cent in 2019. The highest proportion of enrolments of students with disability was at community education providers (24 per cent) although they accounted for just 27 per cent of enrolments overall compared to 49 per cent for standalone TAFEs.<sup>7</sup>

## The experiences of learners with disability accessing and participating in TAFE programs

Whilst the benefits of TAFE for students with disability are clear, there is evidence that some of these students may not be reaping the best possible outcomes from their experiences at TAFE. Changes to the level and structure of funding for TAFEs over the last 10 to 15 years (described below), as well as the competitive funding environment that TAFEs now operate in, all work to make the provision of appropriate services for students with disability more challenging. As noted in the *Issues Paper* produced in conjunction with the Macklin Review:

Increasing access to education and training for under-represented students is not enough. They must also be supported to succeed in their course in a way that meets their unique aspirations and goals. Current data suggests inequalities in the outcomes and experiences of students in Victorian RTOs [registered training organisations].<sup>8</sup>

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<sup>5</sup> AEU Victoria, 2014, *AEU Victoria TAFE Inquiry - stories submitted to TAFE4ALL*, viewed 18 Oct 2020, <https://www.apf.gov.au/DocumentStore.ashx?id=d4cd986f-2347-4b8c-82f1-6b851b9f163e> p.71

<sup>6</sup> People with Disability Australia, 2015, *Submission to The NSW Legislative Council Inquiry Into Vocational Education And Training*, viewed 18 Oct 2020, [https://pwd.org.au/wp-content/uploads/2018/11/SUB210815LCGPSC6\\_VET.doc](https://pwd.org.au/wp-content/uploads/2018/11/SUB210815LCGPSC6_VET.doc), p.2

<sup>7</sup> NCVER, 2020, *VET Program Enrolments*, viewed 18 Oct 2020, <http://vocstats.ncver.edu.au/webapi/jsf/tableView/tableView.xhtml>

<sup>8</sup> Skills for Victoria Review, 2020, *Issues Paper*, Viewed 18 Oct 2020, <https://engage.vic.gov.au/skillsforvictoria>, p.37

The *Issues Paper* reported that only 29.3 per cent of Victorian students with a disability reported an improved employment status after completing their VET study, compared to a state average for all students of 45.2 per cent in 2019. Just 64.7 per cent of students with a disability reported that they achieved their main reason for training; overall this proportion was 73.5 per cent in 2019. A smaller proportion of students with disability were satisfied with assessment and generic skills in the Victorian VET system in 2019 in comparison to overall levels of satisfaction.<sup>9</sup>

Students with disability also make up a much smaller proportion of students undertaking apprenticeships or traineeships, comprising just six per cent of these students in 2019. This proportion has fallen from eight per cent in 2010.<sup>10</sup> In light of recent announcements around wage subsidies for apprentices and trainees from the Commonwealth it is possible that the number of learners with disabilities undertaking such positions may grow. To protect their interests and those of other apprentices and trainees the AEU makes the following recommendations.

## Recommendations

### *Support for apprentices and trainees*

- Develop regulations, including auditing employers that have rolling traineeships, to prevent employers utilising traineeships as a form of cheap labour rather than quality skills development. These could work in conjunction with financial incentives for employers to retain employees for a period after completion of their traineeships
- Mandate an increased role for Apprenticeship Support Officers to support apprentices and employers including support to promote reasonable adjustments for apprentices with disability.

## Barriers to learners with disability accessing TAFE and ideas for addressing these

Apart from insufficient resources and structures to appropriately support all students with disability at TAFE, other potential barriers to access include potentially prohibitive fees and complexity around enrolment procedures including challenges in navigating the eligibility criteria for subsidised training. In 2008 the maximum annual fee that a subsidised student would pay for VET was \$877. A subsequent move to use fees to control the demand for specific courses saw fee increases and an uncapping of fees with some courses costing many thousands of dollars per year. As one TAFE student reported to the AEU in 2014:

I am a disabled adult in rural Victoria. What little hope of employment I have lies in being able to retrain myself in some of the emerging technologies at my own expense. In the last 12 months I have had to save up over \$2000 from my pension just to pay my [TAFE] fees. This has meant cutting back on heating and mobility. I simply cannot afford to continue if the fees go up. This will effectively kill any chance I have of getting my life back. TAFE Student, Moe.<sup>11</sup>

Whilst the introduction of free TAFE courses also employs a cost mechanism to control demand for courses, at least it has done so without creating cost barriers and there is evidence that students with disability are taking up the free courses. However, the problem of a mismatch between the

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<sup>9</sup> Ibid

<sup>10</sup> NCVER, 2020, Government-funded student outcomes 2010-2019, Viewed 18 Oct 2020, <http://vocstats.ncver.edu.au/webapi/jsf/tableView/tableView.xhtml>

<sup>11</sup> AEU Victoria, 2014, *AEU Victoria TAFE Inquiry - stories submitted to TAFE4ALL*, viewed 18 Oct 2020, <https://www.apf.gov.au/DocumentStore.ashx?id=d4cd986f-2347-4b8c-82f1-6b851b9f163e> p.33

costs of delivery for TAFEs and the value of subsidies remains. This issue will be further addressed with funding, below.

Whilst the requirement to “upskill” in order to be eligible for subsidised training has been softened recently, the principle is still not supportive of the concept of life-long learning and may have added disincentives for students with disability returning to the workforce or seeking to change careers. Similarly, time-limits for course completions at subsidised fee-levels potentially discriminate against students with disabilities who may, for a range of reasons, take longer to complete courses.

Finally, the expanded role of the private sector in the delivery of publicly subsidised VET has not helped the reputation of the VET system overall. Widely publicised rorts by unscrupulous private providers have often targeted students with disabilities<sup>12</sup> and a profit motive might not be compatible with the provision of the most appropriate supports for some students with disability or other potentially vulnerable students.<sup>13</sup>

### Strategies to increase the participation of learners with disability in TAFE programs, including initiatives that have proven successful in Victoria and interstate

Obvious strategies to increase the participation of students with disabilities involve policies that remove some of the barriers identified in the previous section. The following recommendations are made to that end.

#### Recommendations

##### *Access to TAFE*

- Increase opportunities for students to access qualification levels that are not higher than those they already possess without losing fee subsidies
- At least 70% of state government VET funding to be quarantined for public provision through TAFE, with the remaining 30% allocated on a contestable basis to providers, including TAFE
- Further expand the range of free courses whilst ensuring that the means to deliver them is met by appropriate resources for TAFE institutions and policies to ensure industries have the capacity to supply necessary placement opportunities
- Course subsidies should not be employed as a mechanism for course ‘rationing’ and should reflect the cost of provision. System-wide caps on enrolments for particular courses or the re-introduction of block grants would be more transparent and consistent methods of allocating resources.

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<sup>12</sup> ABC News Online, 2016, Collapsed training college owners had long-term plan to escape sector, paid themselves \$20m, viewed 18 Oct 2020, <https://www.abc.net.au/news/2016-03-14/collapsed-training-college-owners-always-planned-to-cut-and-run/7239372>

<sup>13</sup> Mary Leahy, 2015, Reforming vocational education: it’s time to end the exploitation of vulnerable people, *The Conversation*, Viewed 18 Oct 2020, <https://theconversation.com/reforming-vocational-education-its-time-to-end-the-exploitation-of-vulnerable-people-51396>

The support learners with disability need to maximise their learning experience at TAFE

The training and practical, policy and curriculum support TAFE teachers need to maximise the learning experiences of learners with disability

Improving the level of support available to learners with disability at TAFE is intrinsically connected to increasing the training, practical, policy and curriculum support that TAFE teachers are able to provide. This is largely related to interconnected resourcing and industrial issues.

Substantial improvements to the quality of TAFE available to students with disability cannot be achieved without an appropriate investment in resources. The *Issues Paper* produced in conjunction with the Macklin Review provides a good summary of some of the issues that have affected VET funding in Victoria:

TAFE funding needs to be sufficient to meet the costs associated with TAFEs' unique public role, including workforce arrangements, public asset maintenance, and public sector compliance requirements. Funding for TAFEs is a patchwork of different sources from subsidies, community service grants, loadings, infrastructure programs, and other targeted funding streams.<sup>14</sup>

Importantly, the Issues Paper recognises that:

Subsidies have remained constant since 2017, and there is still no annual indexation on subsidies, nor is there a process for regular review of subsidy rates to reflect the real cost of delivery. There is also no available data that demonstrates a quality-benchmarked 'underlying cost per place' to help guide subsidy rates and an efficient price for delivery of VET courses.<sup>15</sup>

The failure to increase hourly funding rates over two years represents a real funding cut to the one resource component that can be mapped to the cost of delivery. Figure 1 shows that funding per hour of VET delivery (and this is inclusive of funding sources beyond the hourly course subsidy rates) was lower in Victoria in 2018 than in 2009 and considerably lower than the national average.

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<sup>14</sup> Skills for Victoria Review (2020) *Issues Paper* @ <https://engage.vic.gov.au/skillsforvictoria>, p.17

<sup>15</sup> Ibid

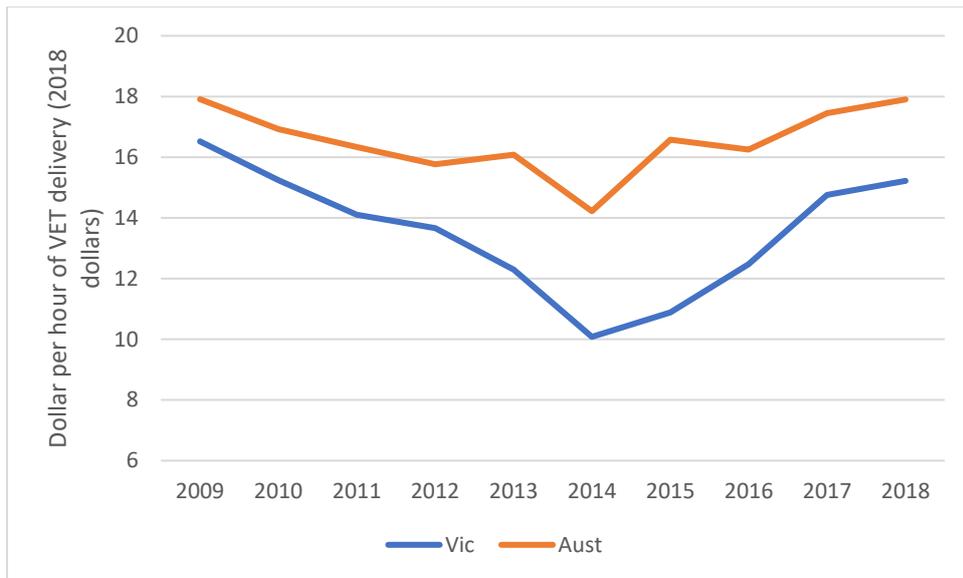


Figure 1 Real funding per hour of VET delivery in 2018 dollars. Source: Productivity Commission<sup>16</sup>

Research from the Mitchell Institute shows that overall funding for VET in Victoria has decreased from \$1 billion to \$847 million between 2006 and 2018 (in 2018 dollars). It is likely that more recent initiatives from the State Government will grow these amounts for 2019 and 2020.<sup>17</sup> It should also be noted, however, that the Victorian Auditor General reported that 8 of the 12 standalone TAFEs were in deficit in 2019 and that the sector average net result margin was -5.16 per cent – the worst result in the last five years, at least.<sup>18</sup> In short, VET funding in Victoria is lower than previous years and less than in other states; this is reflected in TAFE’s financial results. This situation is not conducive to developing, maintaining and improving the resources (both human and physical) required to ensure that students with disability have the same opportunity to thrive at TAFE as other students.

The experience of students with disabilities in TAFE is also dependent on the working conditions experienced by TAFE staff. Large class sizes and insufficient time for curriculum development including teaching and learning, and assessment strategies are not in the interest of students with disabilities who may require more attention from staff. AEU TAFE members have reported management requirements to compress the delivery of course content in order to reduce hours of delivery. This is not in the interests of students who may take longer to cover course material. Similarly, students with disability will be best served by staff who have access to up-to-date and industry-relevant professional development, particularly where it develops their capacity to support students with disability.

The ability to best teach students with diverse capabilities can only be guaranteed by suitably qualified teaching staff. The Certificate IV in Training and Assessment is not sufficient to ensure that teachers have the appropriate pedagogic skills to accommodate diverse learning needs. The AEU

<sup>16</sup> Productivity Commission (2020) *Report on Government Services*, Viewed on Oct 18 2020, <https://www.pc.gov.au/research/ongoing/report-on-government-services/2020/child-care-education-and-training/vocational-education-and-training>

<sup>17</sup> Hurley, P., & Van Dyke, N. (2019). *Australian investment in education: vocational education and training*. Mitchell Institute, Melbourne, Viewed on Oct 18 2020, <https://www.vu.edu.au/sites/default/files/australian-investment-in-education-vet-mitchell-institute.pdf>

<sup>18</sup> Victorian Auditor General’s Office (2020) *Tertiary and Further Education Institutes: Results of the 2019 Audits*, Viewed on Oct 18 2020, <https://www.audit.vic.gov.au/report/results-2019-audits-technical-and-further-education-institutes?section=>

supports a transition to an AQF6+ qualification requirement for TAFE teaching with a scholarship to support the recruitment of industry professionals.

## Recommendations

### *Funding*

- At least 70% of state government VET funding to be quarantined for public provision through TAFE, with the remaining 30% allocated on a contestable basis to providers, including TAFE
- Develop a 'Unified TAFE System' to allow for efficiencies of scale and aligned and strengthened governance
- Government to provide additional funding to TAFEs in recognition of the greater costs the public system carries, compared to private providers
- Victoria's recurrent expenditure per annual hour to increase to at least the national average

### *Teacher qualifications and supply*

- Minimum teacher education qualification levels for VET teachers must be raised and regulatory oversight of the awarding of those qualifications strengthened. The minimum standard should be AQF Level 5, with a phased introduction to a Level 6 or above over three years. Teaching qualifications must contain substantial content on the needs of students with disability
- Teachers delivering vocational education and training should be fully qualified and registered as a TAFE teacher through the Victorian Institute of Teaching (VIT). This will ensure no provider is able to conduct training without employing a qualified teacher and remove inconsistencies around registration requirements for the teaching of school age students
- The Department of Education and Training should work with TAFE institutes to undertake comprehensive workforce planning and development, to ensure the ongoing workforce needs of the future are met
- The government must provide financial incentives, such as bursaries or scholarships (which would enable teachers and industry professionals to make the transition without experiencing personal financial hardship) for prospective teachers to undertake study to become qualified teachers, so they can study while gaining on-the-job experience.

## The effectiveness of current government and TAFE policies and programs in supporting learners with disability and suggestions for improvement.

The effectiveness of current and future policies and programs in supporting learners with disability will be improved by the adoption of the recommendations made above but also by improving the legal framework and system design that shapes the Victorian VET and TAFE system. An important first step would be to re-legislate community service obligations. In 2012 an obligation for TAFE boards to have 'adequate arrangements for persons and groups which have not had or do not have adequate access to technical and further education programs and services' was removed from the *Education and Training Reform Act (2006)*. The Victorian TAFE Association (VTA) estimated that the removal of funding for 'full service provision' from the start of 2013 cost TAFEs \$170 million

annually.<sup>19</sup> This obligation should be re-legislated, resourced adequately to cover the costs associated with supporting higher needs students, and funded in an ongoing manner. The VTA has suggested the potential development of a loadings-based model for funding VET students with a disability.<sup>20</sup> Such a funding system could consist of a stable block grant base to maintain and improve systems and resources, and a needs-based component to accommodate fluctuating enrolments and student need profiles.

## Recommendation

### *Dedicated community service obligation funding*

- Develop and implement an additional, ongoing funding stream to support the needs of students with disability in TAFE.

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<sup>19</sup> Victorian TAFE Association, 2012, *Victorian TAFE Demands Federal Intervention 500-1,200 Jobs Lost*, media release, 3/5/12

<sup>20</sup> Victorian TAFE Association, 2018, TAFE for Victoria. *Five Policy Priorities for a strong VET sector*, Viewed on 20 Oct 2020, <https://www.vta.vic.edu.au/doctest/research-applied/835-vta-policyplatform-april2018-final/file>