

**Senate Committee: Education and Employment**

**QUESTION ON NOTICE  
Budget Estimates 2017 - 2018**

**Outcome: Agency: ASQA**

**Department of Education and Training Question No. SQ17-001038**

Senator Cameron, Doug provided in writing

***ASQA: Australasian College Broadway***

**Question**

Do you have any way of knowing if the records are correct or what the quality of the teaching or student assessments was?

Do we need legislative change or changes in regulation to stop providers like this one and Sage holding student records to ransom?

**Answer**

*The Australian Skills Quality Authority (ASQA) has provided the following response:*

***Records & Quality of Teaching / Assessing***

When ASQA retrieves records at the time of closure of a Registered Training Organisation (RTO), ASQA is reliant on the RTO providing correct records. ASQA does not independently verify the accuracy of records obtained from a closed RTO.

ASQA had concerns in relation to the quality of teaching and student assessments conducted by MHM Australasia Pty Ltd (trading as Australasian College Broadway).

In April 2015 ASQA conducted a targeted audit of the Australasian College Broadway and the RTO was found to be non-compliant with the Standards for RTO's 2015 in relation to Clauses 1.1, 1.8 and 4.1.

Clauses 1.1 and 1.8 relate to assessment strategies and practices, including the amount of training provided, and the RTO's assessment system.

The RTO was afforded an opportunity to rectify the non-compliance and provided evidence of planned improvements to its assessment system that, if implemented, would demonstrate compliance.

However, ASQA considered it necessary to monitor the RTO's implementation of the improved assessment procedures and imposed conditions requiring the RTO to retain assessment records for 12 months and report data to ASQA on a regular basis. Further, a compliance audit was considered warranted and was conducted on 8 September 2016.

The RTO did not demonstrate at this second audit that its assessment system complied with the assessment requirements of the relevant training package or that assessment was conducted in accordance with the Principles of Assessment or Rules of Evidence.

ASQA had commenced regulatory action in relation to the non-compliances but was notified on 23 December 2016 that the RTO had been placed into Administration. On 8 February 2017 the RTO went into Liquidation. On 22 March 2017 ASQA cancelled the registration of the MHM Australasia Pty Ltd (trading as Australasian College Broadway).

### ***Changes to Legislation / Regulation***

There are a number of changes that could assist in securing student records, including:

- resolving the conflict that exists between Section 545 of the Corporations Act and the NVR Act whereby Liquidators can refuse to pay for the provision of records to ASQA
- clarifying requirements under the NVR Act for all data to be submitted in electronic format
- strengthening the requirement under the NVR Act for RTO's to use approved records management providers and software, thereby setting a standard that could be regulated by ASQA.