

TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

T Nos 5044 and 5110 of 1994

IN THE MATTER OF applications by
the Health Services Union of
Australia, Tasmania No. 1 Branch
and the Tasmanian Chamber of
Commerce and Industry Limited to
vary the Welfare and Voluntary
Agencies Award

re Clause 7 - Definitions and
restructure of the award

DEPUTY PRESIDENT ROBINSON

HOBART, 8 July 1994
continued from 7/7/94

TRANSCRIPT OF PROCEEDINGS

Unedited

DEPUTY PRESIDENT ROBINSON: Thank you. No formal matters, I hope?

MR FITZGERALD: Not today.

DEPUTY PRESIDENT ROBINSON: Mr Brown?

5 MR BROWN: Just before we call the witness, Mr Deputy President,
there was one omission that I made from yesterday's statements. It is more
by way of examples than anything else, but it does show how the sorts of
things that I am talking about are creeping into mainstream operations
10 within industry. If I could just refer you briefly to exhibit HSUA2, outline
of the industry, and tab 11 - - -

MR FITZGERALD: I was anticipating we did not need to go back to that.

MR BROWN: Yes. No, it is only a minor one, Bill.

MR FITZGERALD: What colour is it?

15 MR BROWN: It is dark green, yes, that is it. Tab 11, and the last, no,
page 18.

DEPUTY PRESIDENT ROBINSON: It is the last page, is it not?

MR BROWN: It is the last page, yes. Mr Deputy President, yesterday
I outlined NFROT, the National Framework for the Recognition of
20 Training, which is the new accreditation mechanism for all states and
territories in Australia and I was referring to it in relation to workers
within the disability services industry and that all of their training would
be accredited onto this National Framework for the Recognition of Training
system. If I could just refer you to 11.10 on page 18, which states that the
25 agency is taking steps - sorry, these are the Commonwealth Outcome
Standards and these ones in particular are the enhanced supporting
standards for employment skills development. And 11.10 states that:

*The agency is taking steps to accredit courses
National Framework for the Registration of Training, ie NFROT.*

30 And then again, in 11.11 down below:

*Any training, including on-the-job training is in accord with the
objectives of the National Framework for the -*

and they have registration, I assume that that is a typographical error, that should be Recognition of Training, NFROT. It is just interesting to note that those type of requirements on people working in the industry will be that if they are undertaking training, not at this stage because these are only
5 enhancing standards, but eventually it is evident that they are going to have to meet the requirements of trainers and be registered as private trainers to be able to continue doing some of the work they are doing so there is a whole lot of quality controls being placed on them as a result of that.

10 DEPUTY PRESIDENT ROBINSON: Right. Otherwise they will not be recognised.

MR BROWN: That is right. And the other implication, of course, which is a positive one of this, is that the training that the people that they are working with becomes accredited, therefore those people actually get some accredited qualifications that obviously they can then take and use in
15 employment in other settings. So it is a development that is just not for the workers within the disability services industry but also the clients are going to be impacted on by this at some stage. I just thought I would point that out to you because it is directly related.

20 Mr Deputy President, I would like to call David Kearney as an expert witness, if I may?

DEPUTY PRESIDENT ROBINSON: Yes.

DAVID JOHN KEARNEY, affirmed:

DEPUTY PRESIDENT ROBINSON: Yes. We are in your hands.

MR BROWN: Thank you, Mr Deputy President.

25 Could you please state your name and address for the record?---David John Kearney, 41 Richards Avenue, Lewisham.

Mr Deputy President, I would like to put forward an exhibit.

DEPUTY PRESIDENT ROBINSON: Yes. I think the exhibit should be marked?

30 MR BROWN: I think it should be too, Mr Deputy President, and following Ms Harvey's protocols it is WS3.

DEPUTY PRESIDENT ROBINSON: WS3.

MR BROWN: Witness statements 3.

DEPUTY PRESIDENT ROBINSON: Oh, right. Very logical.

5 MR BROWN: We will probably need to write a manual on numbering exhibits after this case.

DEPUTY PRESIDENT ROBINSON: Yes, well, I wonder if I could enrol in the class?

MR BROWN: Mr Kearney, do you have this document in front of you?---I do.

10 Can you please state what this document is?---This is a witness statement prepared by myself outlining specifics concerning opinions and - - -

That is fine. We will got through it and see what is in it in a sec?---Okay.

15 Perhaps you would like to start by reading out your witness statements, starting on page 1?---Okay. As stated, my name is David Kearney, and I have given my address. My qualifications are I have a Social Trainer Certificate from Western Australia and a Graduate Diploma from Victoria and Diploma in Special Education and Diploma of Teaching from Tasmania. Also a TAFE Certificate of Teaching and a Bachelor of Education from Tasmania. I have also attached a copy of my Curriculum
20 Vitae which is in tab 2 and continues - - -

25 Could I take you to tab 2, Mr Deputy President, to your Curriculum Vitae, and perhaps you could just run through a bit of your employment history to give the commission a bit of an indication of your involvement and perhaps some of the consultancies that you have been involved in?---Over the last - - -

TAPE ALERT

30 DEPUTY PRESIDENT ROBINSON: Okay, sorry for that?---Okay, ta. And the nature of this work has been primarily with people with disabilities. In Western Australia I worked in residential and some day support services. In the Northern Territory in residential services and in Tasmania in day support and residential services.

MR BROWN: And your current position is?---My current position is that as a teacher and co-ordinator of TAFE disability courses and the nature of that work is to deliver advanced certificate and associate diploma level courses.

5 And where is that?---That is at the TAFE, Hobart Institute of TAFE, at the Clarence Campus.

Right, thank you?---And I also am involved with co-ordinating the courses in Launceston and Burnie.

10 Right?---My consultancy work over the last several years, I have been involved, I have a private practice an acknowledged authorised private practice through TAFE and I have been involved with a number of disability service provision training courses as well as individual consultancies to support people with disabilities.

And they are the consultancies that you listed there on page 3 and 4?---Yes.

15 Okay, thank you. Would you like to continue reading your statement?---I agreed to prepare this statement and to appear as an expert witness for the Health Services Union of Australia on the understanding that my area of expertise was in education and training in the disability services industry. My comments with regard to both the HSUA and TCCI applications before
20 the commission are restricted to matters concerning career pathways and progression and a broad range of education and training matters. TAFE in Tasmania offers two training courses for the disability services industry in Tasmania and these are currently accredited at advanced certificate and associate diploma levels and these were accredited under RATE, which is
25 the Register of Australian Tertiary Education guidelines. Prior to the availability of accredited training in disability services in Tasmania, people wishing to undertake training usually went to Western Australia where there was a certificate level course in existence.

30 In 1982 the Western Australian course was brought to Tasmania by the old Mental Health Services Commission and offered as an in-service training course at Rocherlea Training Centre in Launceston. In 1984 TAFE undertook an occupational analysis and developed a 500-hour certificate level course. This course was first offered by TAFE in 85 by only - but only lasted 12 months before being revamped and a second certificate level
35 course was designed which was considered to be far more relevant to the industry. In 1990 the course was upgraded and re-accredited as an advanced certificate. This is the form of the current advanced certificate course offered by TAFE. At the same time it was clear that there needed to be a second level of training for those people who had completed the

advanced certificate and the associate diploma course was developed to meet this need and commenced in 1991.

5 The associate diploma course, like the advanced certificate course, was developed in conjunction with disability service industries in Tasmania. And members of the industry were invited to be part of a state-wide consultative committee. This committee included members of both employers and unions as well as other industry representatives. The impact of two levels of courses was the development of a career pathway progression whereby people could professionally develop their skills and practices. The first year of the two year associate diploma is the advanced certificate and students can either chose to exit with an advanced certificate at the end of the first year or proceed to the second year of the course and when successfully completed graduate with an associate diploma.

15 Traditionally the focus of both TAFE course has been on intellectual and developmental disability and the overall aim of both courses is to train disability service workers to assist people with disabilities to create opportunities and make informed life choices. Students graduate from the advanced certificate level course with a good range of vocational skills, knowledge and attitudes. The associate diploma level course provides students with a similar range of coverage as the advanced certificate yet with more intensive fields of study, with a greater degree of focus on areas where more depth is required and expected at this level of qualification.

25 A graduate from the advanced certificate course would have the ability to perform most tasks demanded by a range of different services including different sorts of service provision, to different consumer groups with - from mild right through to severe disabilities. Graduates from the associate diploma course would not only have a direct service focus but also have some responsibility for managing and monitoring services. In my opinion the current TAFE courses in disability services have adequately prepared students for their role working in the disability services industry. However, both courses are under review and we are looking at making some changes to the curriculum to better prepare people for current disability services industry.

35 I have detailed some possible changes in the next section of the statement. I am prepared - I am aware of the HSUA application before the commission and noted that the advanced certificate or equivalent is located at DSW level 5. I have also noted that the associate diploma or equivalent is located at DSW level 6. Having examined the HSUA classification descriptions and the outcome requirements for the advanced certificate and associate diploma courses I can confidently say that definitions or the classification in the HSUA application line up approximately with TAFE course outcomes.

As I commented earlier, the TAFE disability services courses are under review and are required to be re-accredited by the end of 1994. All TAFE courses are required to be re-accredited at, at least, every five years. The process of re-accrediting a TAFE course is for the Department of Industrial Relations, Vocational Education and Training to establish a review committee consisting of a blend of industry and TAFE representatives. This committee is chaired by an industry representative. Such a review committee has - - -

MR BROWN: Can I just hold you there for a sec. Who is the chair of the review committee at the moment?---Miss Robin Wilkinson who is the convenor of the Disabled Persons International.

Right, okay?---Right.

Thank you?---Such a review committee has been established for TAFE disability services courses and include several employer and union representatives. The employer representatives on the review committee are drawn from the Tasmanian Association of Disability Services; ACROD, which is the Australian Council of Rehabilitation of the Disabled, Northwest Residential Support Service; Montague Community Living; and several other employer representatives.

The committee was established in February 1994 and will hopefully have completed its task of reviewing and making any necessary changes to the course by October - November this year. Once this committee has established its review task an accreditation committee will be established which will meet probably only once or twice to verify and validate all - that accreditation requirements have been met. The membership of this committee comprises the major industry players including employers and unions.

It is this body which recommends accreditation and any conditions associated with accreditation to the Tasmanian Accreditation and Recognitions Committee, the committee of the Tasmanian Authority - Training Authority of Tasmania. Until recently, courses wishing accreditation by the Tasmanian Accreditation and Recognitions Committee were required to meet minimum qualifications, guidelines established by RATE guidelines. However, RATE is in the process of now being replaced by a new national qualifications framework.

Although this new framework is not due to be formerly introduced until next year there is a requirement that TAFE courses due for re-accreditation in the second half of 1994 will meet the new minimum qualifications guidelines detailed by the national qualifications framework. It is expected therefore that the TAFE advance certificate and associate diploma courses

will be reviewed, taking account of national qualifications framework guidelines, rather than RATE guidelines, even though they will eventually have a different title under the national qualifications framework.

5 In my informed opinion the equivalent qualification to the advanced certificate under the national qualifications framework arrangements will be certificate level 4 and the NQF equivalent to the associate diploma will be the diploma level 1. I have come to this conclusion by examining the characteristics of learning outcomes and other details from qualifications under the NQF and comparing these requirements with those of the current
10 TAFE advanced certificate and associate diploma courses.

It is worth noting that the ministers responsible for the NQF have aligned NQF qualifications with the Australian Standards framework and the NQF certificate 4 is aligned as ASF level 4 and the NQFs diploma with ASF level 5. This is in my opinion - is consistent with what the respective
15 alignment should be for the current TAFE courses. I have come to this conclusion by examining the minimum requirements for qualifications under the national qualifications framework, learning outcomes for the current advanced certificate and associate diploma courses in disability services and the Australian Standards framework descriptives.

20 As mentioned previously in this statement, I believe that the preparation of students for employment provided by the TAFE disability services courses has been adequate. However as the author of most of the current curriculum I am quite happy to admit that there have been some gaps in current courses and these gaps are not significant and certainly do not
25 detract from the integrity of the qualifications to date, as the curriculum was developed some years ago. A review of these courses is timely to take account of changes in the industry. For example the disability services industry in Tasmania has for a long time been fragmented and this is changing and it is settling to a point where we are now able to make - and
30 to finetune the curriculum to make it even more appropriate to industry requirements.

I will just stop you there. Could you expand on that point further?---Yes. Over the last decade or so there have been several attempts to have a recognised minimum qualification in disability services and this hasn't yet
35 appeared. Services have in the last five years just about quadrupled in Tasmania with the community integration project and new money being injected through the Commonwealth/State disability agreement and we are just getting to a point where that is all settling now and we have a clearer understanding I think of the work demands of workers across all levels and
40 also a better description and perspective about what sort of training outcomes those workers should have.

Right, okay, thank you. Continue reading?---Okay. One of the options - although this needs further discussion with the industry - is that people may choose to specialise in particular areas of consumer service delivery or particular aspects of management - program design or service development issues and it is possible that there will be four or five different areas of elective streams which students may choose to take. This will enable a greater flexibility of delivery modes. The current accreditation process will I believe improve the courses offered by TAFE in the disability services area and encourage more workers to undertake recognised training.

Mr Kearney, what levels of training do you consider to be appropriate for the disability services industry? I know we have an advanced certificate and an associate diploma but what levels do you consider to be appropriate?---In terms of learning outcomes, I think levels across all roles within the workforce in the disability services industry work tasks - and I think beginning with some sort of orientation to work, right through to senior management so we are talking about some very introductory training right through to the highest level of management available in disability services in Tasmania, so I think - - -

At this point in time the highest level course is the associate diploma, is that correct?---Yes.

Is it anticipated that there would be anything higher than an associate diploma?---We are looking at - after the review committee completes its work and with the new national qualifications framework descriptives, looking at having something equivalent to a diploma level one with the view to having an advance diploma which is the highest level.

Right?---In the new framework.

Just clarification - the diploma equates with the associate diploma now?---That is right.

The advanced diploma will be the higher level up?---Yes.

Thank you?---It is also worth noting that there are currently no national competency standards in existence for disability services. A national project is under way to develop these standards and register them with the national training board. I understand that these national competency standards will not be available for some time and this means that the current accreditation of the TAFE disability services course will not use national competency standards registered with the national training board as a base for accreditation. However the national qualifications framework and other accreditation guidelines allow for the establishment of interim

competency standards on which to base curriculum design and accreditation.

Can I just stop you there, Mr Kearney, and refer you to tab number 1 in exhibit 5.3 - HSUA 5.3, and the fourth page in - - -?---Yes.

5 - - - and the document headed Competency Standards for Disability Services. Mr Kearney, are these the draft standards that you have just referred to, the approximately 50 competency elements?---That's correct.

10 Right. Mr Kearney, what is the status of this document as far the re-accreditation review committee is concerned?---Well, as stated, it is work in progress. The national project which is being run through Western Australia won't be completed until March next year. However, the review committee has taken it as an agreement that we will use these standards and parallel them.

15 Right, so the committee has examined these?---Yes, the committee has viewed and ratified this as being a standard or level of outcome for competency means that will be required in our courses in Tasmania.

Right, and that will enable then a re-accreditation of the course?---Yes.

20 Okay, continue. You are up to the sentence, "We will use draft"?---Yes. We will use draft competency elements to develop the revised TAFE courses. When the final national competency standards are available some minor fine tuning may be required to ensure that the revised curriculum meets all of the national competency standards outcomes. Although the draft competencies have not been aligned with the Australian Standards Framework I would anticipate that there be competency standards to at least ASF level 6, if not higher. And it's interesting to note that most of the competencies and elements evolving from the national competency standards project for disability services are either already included in the courses or are under consideration by the review committee.

30 Could I refer you, Mr Kearney, to tab number 2 in exhibit 5.3, which is headed Disability Studies Module Map?---Yes.

35 Can you explain to the commission what this document is?---Okay. it is a planning document used by the curriculum services branch in TAFE to look at a global perspective on course development, and this information was gained by doing two industry-wide surveys of graduates of courses as well as consumers of services and some service industry representatives, as well as information from the review committee itself, just inputs to that committee over the last five months. So this module map reflects some

very, very broad areas of direction for course development - and it is work in progress as well.

5 Right, and so does it have any relationship to the document that we just looked at at tab 1, the draft competency standards?---Yes, it does. The competency standards are reflected in the module map and, even though they are not individually stated, the individual modules will reflect the outcome competencies that are referred to or recommended in the competency standards themselves.

10 Could I take you over to the second page of that document and across on the right-hand side there is this little statement about levels. Could you explain that?---Yes. There was some attempt to look at how these modules might equate with the Australian Standards Framework levels - and this is work in progress and it's a rough estimate. So level 3 below is considered to be a support worker. So that's the first two levels plus the third level.
15 Level 4 roughly equating with the role of - the current role of, say, someone who works in a support worker or senior social trainer-type role, and level 5 - and it should also, by the way, say level 6 there.

20 Level 5 and 6?---Really, it's just an omission and - it should say and above as it says 3 and below - reflects, say, the role of a supervisor or senior social trainer.

25 Okay, thank you?---I have already mentioned earlier the Australian Standards Framework. This framework was developed by the National Training Board and consists of eight standards levels. Each of these ASF levels has a descriptor which takes account of issues such as complexity of task, level of supervision and responsibility, multiplicity of tasks and management functions. I've seen the document produced by the HSUA for this hearing which aligns the key tasks in the classifications of the HSUA application with the descriptions for the Australian Standards Framework.

30 Could I just take you to tab number 6 in HSUA 5.3 and just confirm that this is a document that you were referring to?---Yes, that's correct.

35 Okay, thank you?---So this essentially provides an alignment of the HSUA classification with the Australian Standards Framework. I believe that the alignment which has been made is correct. I'm confident of this because the description statements at level 5 and 6 of the ASF in terms of the occupational duties, roles and expectations of performance and responsibilities equate with the level that we expect students to perform at in the current TAFE courses. It's also consistent with the alignment made by the responsible ministers of National Qualifications Framework qualifications with the Australian Standards Framework, as discussed

earlier, which suggests that the learning outcomes for the TAFE courses are pitched at the right level.

5 Could I just take you back to that tab number 6, Mr Kearney, and could you, for the commission perhaps, just indicate where you would place the advance certificate and the associate diploma courses in this structure?---Yes. Advance certificate is roughly at level 5 and the associate diploma is at level 6 and potentially above.

Right, and you came to that conclusion by looking at the Australian Standard Framework classifications?---Yes, and their descriptors.

10 Thank you?---It's my belief that the career structure and pathways in the disability services industry in Tasmania are currently inadequate and are based on being in the right place at the right time rather than on experience and/or training. Recently I developed a diagram of study and career progression in the disability services industry.

15 Could I just hold you there and take the commission to tab number 7 and is this the diagram that you are referring to?---That's correct.

20 Continue?---Okay. This was developed for the Re-accreditation Review Committee of an attempt to clarify some of the confusion regarding what is happening in the disability services industry particularly in terms of who is getting what training and approximately what percentage of disability service workers occupied what levels. I would like it to be noted that this diagram and the concepts contained in it were developed independently of the HSUA classifications currently before the commission and in fact I had not seen or was not aware of the content of the HSUA application at the
25 time I constructed this diagram. In my opinion - - -

30 Perhaps, Mr Kearney, you could actually explain the diagram then to the commission because the commission has not seen this diagram yet?---After the construction of the Accreditation Committee, the Review Committee, there was some confusion regarding what levels of training were required for - to meet what job demands and after several meetings I was discussing this with our curriculum co-ordinator and I said, "Oh, look, I'll put it on
35 paper and try and clarify the levels and also try and explain who is doing what in terms of who gets what training." And attached to it I estimated some rough percentages of who already had that level of training or who currently received that level of training at whatever level. So the estimates are mine but - and I've shown them to probably a dozen or so people who would agree that that's fairly accurate, those estimates, to say that probably only about at this stage less than five per cent of people have completed an associate diploma in terms of people who work in disability services. And

at the very other end, probably about 10 per cent of people are coming into disability services regularly with no training.

No training and no orientation to work - - -?---No, absolutely nothing.

5 And you come up with these seven different levels?---Well, they weren't so much levels as items descriptives and, as I said, it wasn't necessarily an attempt to parallel the standards framework although it seems to.

10 Okay. Thank you?---In my opinion the content of the diagram clearly reflects what's happening in the disability services industry today. I've compared both the HSUA and TCCI applications before the commission and I wish to comment on them with regard to career development only. To this end I believe that a seven-level career progression, as outlined in the HSUA application, suits the needs of the industry which much more capably than a structure that ignores the higher levels of career opportunity. Certainly the seven levels of classifications outlined in the HSUA
15 application would encourage workers to undertake training and education in the areas relevant to the disability services industry. As someone involved in the development delivery and review of TAFE disability services training, I'm aware of the policy changes towards a competency based training system. This training system is based on the identification of national competency standards and the development of curriculum from these competency standards. The accreditation of competency based curriculum and the delivery of competency based training is in competency training principles. One of the key features of this competency based
20 training system is the emphasis on what someone can do in the workplace rather than the content of the training or the way in which the training is delivered. The focus is on outcome in the workplace rather than on qualifications.

25 Yes?---In the past we have really only been able to effectively measure or assess at a level of assumed competence rather than demonstrate a
30 competence. We have not had the tools or the policy structures to measure the presence of those demonstrated skills. However, in the future we will have both the tools to measure demonstrative competence and there will be an accreditation requirement that we do so. All of the features and requirements of a competency based training system will apply to the
35 TAFE disability services courses as they are developed. The curriculum redesign is one of the first steps towards this new system of training. One of the features of the new system of training is acknowledgment that competencies can be learned and developed in a range of settings, not necessarily associated with training institutions. As such, it is a
40 requirement that course areas include disability - including disability services have in place a means by which students can have their prior learning recognised. This is known as recognition of prior learning, RPL,

and essentially means that if someone has developed a competency, they should be able to have that competency recognised without having to undertake any further training associated with the competency. It does not matter how the competency was developed, simply that it can be demonstrated. In 1990 when we sat down to design a syllabus for disability services, to some extent we were before our time in that we didn't predict the way in which disability services were developed or would develop. Without wanting to sound too philosophical, I believe that this is the time to get it right. From an education and training point of view, I welcome the moves to have an industrial award in disability services which takes account of training standards and career pathways.

Yes?---The development of national competency standards, the development of a range of articulated training opportunities across all levels of the Australian standards framework are now an industry award which takes account of career progression and training are productive and encouraging developments in the industry as a whole. There is a unification process emerging and now is the time to do it properly. In my opinion the content of the HSUA application is the first progressive attempt to ensure that workers receive the recognition that they deserve and puts a rational career pathway in place that we have in the past only played with.

Thank you, Mr Kearney. Mr Deputy President, that concludes my examination.

DEPUTY PRESIDENT ROBINSON: Right. Mr Kearney, are you a member of a trade union?---Yes, I am. Yes, the TAFE Teachers Association.

Right?---Which is Australian Education Union.

Fine. When you referred to exhibit HSUA3 5.3 at tab 7?---Yes.

It showed a document which you had prepared?---Mm.

At the bottom of it, it shows that in level 1 in your estimation or survey there were 10 per cent of support workers who came into the industry with no training whatsoever. Would your inquiries have identified the type of background that the people came from?---Not necessarily because it is a very broad possibility and just to give you some examples people I have come across in the last say, two or three years come from all walks of life with very different life experiences so - and particularly age ranges as well, which I think is a good thing and we should acknowledge that that's good.

Yes. Perhaps some of them would have been people who had unfortunately had the experience of people in their own family or - - -?---Yes.

5 - - - or if not in their immediate family a close relative who are clients?---Yes. That's actually reflected in the number of students in our intake to our courses as well. Probably in the last we've had at least two people in each course group who have had a family member with a disability which we didn't have before and I think that's a good sign too.

Yes, indeed.

10 I do not have any further questions. Mr FitzGerald would like to exercise a right.

15 MR FITZGERALD: I understand, Mr Deputy President, that Mr Brown has agreed for a very short adjournment. I think it would only need to be short so we could complete the examination before lunch, if I could so request.

DEPUTY PRESIDENT ROBINSON: Yes, I think that is reasonable. Just before I

MR BROWN: How long are we looking at, Mr Deputy president?

DEPUTY PRESIDENT ROBINSON: Half an hour

20 MR FITZGERALD: Yes, half an hour would be appropriate.

25 DEPUTY PRESIDENT ROBINSON: Okay. Well, I am sure we can all profitably utilise half an hour. Just before we adjourn though we should note for the record that the HSUAs has indicated that it does not require next Tuesday or Thursday as dates of hearings and that will be confirmed by our amended notification. We will adjourn.

SHORT ADJOURNMENT

DEPUTY PRESIDENT ROBINSON: Yes, Mr FitzGerald?

30 MR FITZGERALD: Thanks, Mr Deputy President. I think just for the information of the commission and the parties we do not think we will be overly long in cross-examination.

Mr Kearney, you mentioned in your exhibit or your witness statement, WS3, in your curriculum vitae, that you conducted a number of consultancies. Were they done in a private capacity?---Yes. I have an authorised private practice through TAFE as many TAFE teachers do and it is encouraged as an opportunity for people to develop their own skills.

So they are done outside TAFE time?---Outside TAFE time and there is a very strict set of guidelines for the performance of those.

Right, okay. And in today's capacity you are authorised by your senior - - -?---Yes.

10 - - - whoever you report to to appear? Now, you are appearing as a TAFE witness or in your own right in line with consultancies which you run?---No, as a TAFE witness and I'm here primarily in my role as a teacher and co-ordinator of TAFE programs.

15 You mention that you are a member of the Education Union, I think you said?---That's right.

You are a past member of the HSU?---No, no.

Right, okay. Are you aware that there is a review on the whole training reform process to take place in August of this year?---Is this the Australian National Training Authority?

20 Sorry, MINCO, particularly, the body MINCO?---Right. I'm vaguely aware. There are so many acronyms now that it's really hard to keep up.

Yes, I think it is a ministerial body, from memory. Mr Brown is the expert on all those.

MR BROWN: I think that is correct.

25 MR FITZGERALD: But are you aware of what that review will have on - what impact that will have on competency standards?---Only that the projects in progress are to directly refer to those standards that come out of the August meeting so apart from that - - -

30 You are not sure what impact it will have in your own particular area?---No, I couldn't speak on that.

Right, okay. In terms of your job experience you have had some practical experience. Could it be said that most of your experience is in fact from an academic point of view rather than a practical point of view?---No, I wouldn't say that. From 1975 to 1986 I worked in a hands-on role.

Which was that particularly?---As a social trainer in Western Australia, in the Northern Territory and when I first came to Tasmania over the first several years when I worked through the intellectual disability services in Launceston.

5 So which areas cover - you are obviously aware of the coverage of the WAVA Award - in which areas particularly of the WAVA Award have you worked in?---Right. As a - I mean, to make parallels, as someone who works in a direct worker role, sort of a supervisor role, as well as a probably middle manager role.

10 What about the areas of coverage such as, say, the supported employment area? Have you worked in that area?---I've worked in a centre that had an employment service running from it. That was virtually a training centre and they had some work enclaves and work training crews running from there so even though I was working the community living and support services at that point the clientele that I was supporting were day supported by an employment service.

15 Right. Would you have major involvement or any involvement with a service such as Walkabout, for instance? Would you have had - -?---I've had some professional contact. We have students on prac placement at Walkabout so I'm fairly clued up in terms of what work roles are required and also being on a Commonwealth Employment Training Placement Service board of management job match, which is a Hobart service.

20 Right, okay. You say on page 3 of your statement and I will just quote:

In my opinion the current TAFE course -

25 second paragraph -

in disability services have adequately prepared students for their role working in the disability services industry.

I do not think you substantiate that by any further statement. Could you substantiate that?---From two points of view: one is that the breadth of job roles is so broad that it is difficult always for us to meet those needs. We provide generic training for people who are going to work in services for children, for adults, for elderly people with disabilities, for people who work in or live in accommodation services, work in employment services or are supported by community services. So when you look at all the permutations or possible combinations of those you have got very, many job roles and specific tasks that people are expected to be able to meet. And the second part of that is that in the last five years as I mentioned the services have more or less quadrupled in Tasmania. Funding certainly has.

Can I just say which particular areas have there been an increase in the number of services? Are you aware?---In community day placement services, occupational support and in residential services.

5 Sorry, the CIP-type programs?---But at the same time there has been new Commonwealth/State disability agreement money coming to Tasmania and the Commonwealth withdrew from its full funding or direct funding to some services and now it funds those services through the state. So there has been a complete re-orientation of those funding agreements.

10 In terms of feedback from the industry about the adequacy of those courses could you outline to the commission what feedback you have had there?---It is always mixed and to be very honest I think when we designed the course in 91 we were looking at trying to meet the middle ground and we did that and, unfortunately, we get criticism now that we don't meet the other ends of the spectrum. We haven't provided introductory lower level training to
15 people and we are looking at trying to do that with the redevelopment of the new course through the review committee and also at the upper end we haven't been able to provide and meet the demand of sort of middle upward management training for people who work in disability services.

20 I think you may have already answered this but in terms of the current review of the whole training reform agenda, you do not know how that will affect competency standards in this particular industry?---Oh, we do.

25 Right?---We are using the competency elements as our guideline and we are parallelling those. Until the project, the national project is completed, and the expected time frame for completion is March next year, we will develop a syllabus and then fine tune it. And we don't expect to make any radical alterations to our completed document but there will be some maybe minor things that we will need to attend to.

Right. I think Mr Brown took you to those competency standards for disability services?---Yes.

30 They are draft standards; is that correct?---They are draft standards; however, the draft elements are the expected statements of competency that workers will have to perform.

35 To what extent have they been vetted by industry or employer representatives?---It's a national Australia-wide project, and every industry training board in Australia, Community and Health Service industry training board has had a say in the development of those competency standards.

5 Do you know to what - particularly in Tasmania, do you know to what extent they have been circulated in Tasmania?---Well, I have seen it in three capacities: as part of the review committee, through the industry training board itself, and also it's been circulated by some of the disability services organisations for comment. So fairly widely circulated, I would imagine.

Okay. You have not had any particular involvement yourself in that process?---No, not directly, but we have had the availability of comment through the working review committee.

10 At tab - I think it was the first time - tab 6 - sorry, no, it is not tab 6 - tab 7, which I think is your diagram, graph; is that right?---That's correct.

Is that your information?---Yes.

15 Okay. Those estimates down the side there, I think you said you had spoken to a number of colleagues. Have you actually conducted any survey in the industry - - -?---No.

20 - - - to establish the accuracy of those?---No, not at all, and I freely admit that they're my estimates and they are very rough. However, I presented it to the industry working committee, the reference group that is redesigning the course, and they felt that there was some accuracy there. Even though they don't necessarily reflect very specific percentages, they are very crude estimates.

In terms of - would you have any experience or would you have any information about where graduates are in fact going to, which parts of the industry are they going to?---Yes.

25 Would you outline that?---As part of the course redesign process we sent out a graduate survey and got the information back about the usefulness of training that people had received and used that as part of the course redesign, the module map. The majority of students are clearly going into the community integration project area because that's where the majority
30 of openings for employment are.

35 What about the supported employment area: do you know whether there has been any experience or is there an indication that graduates are going into the supported employment area?---Some are being picked up, but the trend for supported employment tends to be that there aren't that many job vacancies and therefore they are not filled that often, and people for some reason, I guess because it's day work whereas residential work is more out of hours and shift work, that people tend to stay in those job roles longer, in my opinion.

Right. Could it be that the competency standards have not given enough recognition in terms of the supported employment sector?---I don't think I could give an opinion on that. There may be some truth in that but I don't have any evidence.

5 Right. Okay, thank you. Has it been your experience that people have undertaken your courses for personal reasons such as caring for a disabled relative, for instance, rather than taking up employment in the industry?---We generally have an above 90 per cent employment rate, employability rate, an employment rate, for students post-course. Some
10 people have, to my knowledge, but it's generally - when we graduate 25 students a year it's usually one or two people might fit into that category that you suggest. However, the course is - and this may be the trend of training in Australia - is not so much for employment and production, it's for personal gain and competence, personal competence.

15 You make a statement in your conclusion that you welcome the move to have an award in the disability services which takes account of training standards and career paths. Could that not in your view be - could those factors not be taken into account without the need for an award?---I don't think so.

20 Or without linking to the award, sorry?---I mean, I can't speak from an industrial point of view, I'm clearly speaking from a training perspective, and I think that to improve the quality of services to people with disabilities we must enhance the training.

Right?---I can only give that opinion.

25 You have said you have vetted the HSUA application. Have you vetted the TCCI application?---I have see it, yes.

And is it so that the major areas of concern with that is the lack of coverage for particularly levels 6 and 6? Would that be - - -?---And I think
30 also at a lower level. I think there's a very crude analogy at the moment about the onion, which is that something that's kind of elliptical that allows for a bulk of training in the middle but doesn't allow for training at the top or bottom, and one the things we are pursuing in TAFE is to make sure that people coming in have the opportunity to train from the very first day of their job role demand right through to their career path, as far as they
35 would like to go.

. . . . inaudible. . . . this is addressed by Mr Brown, it might have been something which was addressed by him this morning and it may be better if we answer by submission but it was in respect to HSUA2 - I do not

know whether Mr Kearney has got a copy of that. It was referred by Mr Brown this morning.

MR BROWN: That was before the witness was under oath.

5 MR FITZGERALD: Yes, I could be - I think we will cover that by submission is that is the case. Thanks for that, I am just trying to recall.

Do you acknowledge that the whole training reform agenda is under review at the moment then, Mr Kearney?---I believe it to be, yes.

10 Well, how applicable then, if it is under review, particularly the establishment of ISF levels to this industry, how appropriate then is it, given the review process?---In terms of the disability services industry?

15 That is right, yes?---I think it's timely and I don't think I could give any more knowledgeable opinion than that. I think it's an appropriate time from us in TAFE to be reviewing our courses as we'd planned to do in 95. We're a year early but we chose to do this now because of the competency standards being available, and I think other than that I don't think I could give an opinion.

Could it be said that maybe it is a bit premature to put matters before the commission when they could be quite easily changed at the national level?---I don't think I could comment on that.

20 Okay. Excuse me for just a moment.

I have no further questions, thank you very much, Mr Kearney?---Thank you.

DEPUTY PRESIDENT ROBINSON: Thank you. Want to re-examine, Mr Brown?

25 MR BROWN: Thank you, Mr Deputy President. Just a couple of questions.

30 Mr Kearney, could I just take you to page 3 of your statement, paragraph 3, and ask you to read out the last sentence?---Having examined the HSUA classification descriptions and the outcome requirements for the advanced certificate and associate diploma courses, I can confidently say that the definitions of the classifications in the HSUA application line up appropriately with TAFE course outcomes.

Thank you. You used the word approximately earlier in your reading out?---Sorry, I beg your pardon.

You mentioned that the national competency standards would be available in March next year. On what basis did you form that opinion?---That's information that comes through the Tasmanian industry Training Board representative who is a member of that competency group.

5 Thank you. Mr FitzGerald was asking you some questions about your
experience and a range of services. In Tasmania what would you say is
your experience of the range of agencies?---Okay. I've worked as a hands-
on worker in a service in Launceston as a middle manager, a senior social
10 trainer and as a senior worker in a children's service in Hobart, so I've
worked across several types and in the last three years as a consultant, had
the opportunity to consult directly with a range of disability services.

How many services might you have?---Probably about a dozen services
around the state although last year I was involved with a project as a
consultant to family planning and I had some contact with every intellectual
15 or disability service in the state, either direct or through correspondence.

You used the word social trainer. Can you explain to the commission what
social trainer is?---An occupational role. It's also currently an award. It's
someone who works at a level of competence after having completed a
course for social trainers, so somebody who has a particular training base
20 and someone who occupies a variety of job roles either for children, adults
through residential day support employment services or other types of
community support services.

So it is a face to face worker role?---Yes.

25 You mentioned that the course gets feed back from the industry in terms
of the suitability of the course and that the two areas where you are getting
some criticisms, the lower end and the upper end, what actions might you
be taking to look at that?---We're addressing it directly through the course
redesign. We've done some, as I mentioned earlier, surveys of industry
and found that their criticisms come across all the levels, however, they're
30 mostly directed at the fact that incoming workers, which is a reflection on
the type of - on the nature of change in the industry, don't have primary
job skills when they enter the field and this is because they don't receive
any training or they're only given basic orientation to their jobs and that
orientation consists of understanding some very basic principles about
35 working with people with disabilities. Some basic things about work
procedures - some very primary information and then at the other end
criticism or comment comes about the fact that people who work in senior
management roles or middle management upwards don't have the skills to
perform those tasks and often those people have to go out themselves and
40 seek out that training which is, I might just add, often removed from their
job needs, meaning that they might go and do some administration training

at universities or other where - otherwise and that's not always specific to their own job demands.

You mentioned that the employment rate of graduates from your courses are around 90 per cent?---Mm hm.

5 How does that compare with other courses?---In disability studies or otherwise?

Well, generally within - - -?---TAFE generally have fairly good market range and I'd say most courses are looking at a 75 per cent plus, just because of employability and I guess that's a reflection on the nature of relevant training as well. TAFE trains for market place.

10 Okay, thank you. The issue of the review that Mr FitzGerald raised of the training reform agenda, and he asked the question about wouldn't it be appropriate to leave the review of the course until all of that was completed. Can you please state again as to why it's not appropriate to leave it?---Well, I think we have the competency elements, we know the direction we are heading in. The elements weren't or wouldn't have been given to or distributed throughout Australia if they weren't basically going to be the end result competencies. The committee or the project working on that at the moment is fine-tuning them and fleshing them out so what we'll find is not just a single statement of competence but a range of statements of competence to say this is the minimum requirement through to, this is expected to be the best outcome.

15 What would be the implications if the course was not reviewed and you did not use competency standards to review the course?---We were a little out of time sync with what happened in the industry. We developed a course and then the industry changed that year and has continued to change from 88/89 onwards and so we unfortunately redeveloped a course which we thought would meet broad industry needs but now only meets the middle range of industry needs so I think the implications would be that if we didn't we'd just continue to train for the middle range.

20 Okay. Thank you, Mr Kearney.

I have no further questions, Mr Deputy President.

DEPUTY PRESIDENT ROBINSON: Thank you. I know I had a couple of questions but I think they have been covered. Thank you very much, Mr Kearney, we appreciate your attendance here and you may step down?---Thank you.

35 You may remain if you wish, or not?---Thank you.

THE WITNESS WITHDREW

MR BROWN: No further matters.

DEPUTY PRESIDENT ROBINSON: Nothing further today?

MR BROWN: Not today.

5 DEPUTY PRESIDENT ROBINSON: Nothing further today. Very well, we will adjourn until Wednesday. Thank you.

**THE MATTER WAS ADJOURNED UNTIL
WEDNESDAY, 13 JULY 1994**