




Speech By
Hon. Yvette D'Ath

MEMBER FOR REDCLIFFE

Record of Proceedings, 25 February 2016

**FURTHER EDUCATION AND TRAINING (TRAINING OMBUDSMAN) AND
ANOTHER ACT AMENDMENT BILL**

 **Hon. YM D'ATH** (Redcliffe—ALP) (Attorney-General and Minister for Justice and Minister for Training and Skills) (4.09 pm), in reply: I particularly thank the member for Noosa for putting that out there and not actually clarifying what his offer was. I can say that swapping my Noosa TAFE for a bottle of red is not quite going to get him there. In light of the fact he withdrew his second offer, I will not divulge what that particularly was.

I thank all members for their contributions on this debate and for the consideration that was given to the bill by the Education, Tourism and Small Business Committee. This bill is part of the Palaszczuk government's broader plan to make Queensland's vocational education and training sector the strongest and most productive in Australia. As noted in the report of the Education, Tourism and Small Business Committee, all submitters supported the establishment of the Training Ombudsman and they were generally supportive of its functions.

Currently, Queensland consumers of VET do not have access to a sector specific independent complaints mechanism for VET matters. Given the broad and diverse range of stakeholders within the sector, it can be challenging for VET consumers to identify the most appropriate avenue for lodging concerns, as there is no clear pathway to raise concerns about systemic issues in the VET sector. The committee specifically went to all the different bodies that a dispute in the training space could potentially overlap with. I take the point that there should be a federal ombudsman in relation to this, but it also has to be acknowledged that the federal body—the body that registers and oversees registered training organisations and that actually approves the training curriculum that is delivered in this country—is the Australian Skills Quality Authority, and the Australian Skills Quality Authority have endorsed our establishment of the Training Ombudsman. They actually think it is a good idea and they had been part of our consultation. So if this is just an overlap of what they already do and the responsibility of the federal government, you have to wonder why ASQA have given their full support and endorsement to the establishment of a Queensland Training Ombudsman.

I now wish to address some of the matters that have been raised by honourable members during this debate. I will start with the member for Noosa. I know he is extremely passionate about TAFE and his local community, and I congratulate him for that and I congratulate all of the members who have talked about TAFE. I am certainly a strong supporter of TAFE but this bill is more than just TAFE. This is about training generally. Whether it is a private training provider or a public training provider in this state, we need to make sure that we have the highest standards in the delivery of that training. We know that stories get out in the media about dodgy training providers and certificates being given with no skills behind them so they are seen as completely worthless by those businesses who want to employ people. We then have vulnerable people being signed up to courses but they do not have the

underlying skill set to actually undertake those courses. They need foundation skills and they need to start at those lower courses and build themselves up, but instead they end up dropping out of these courses with significant debt and thousands of dollars hanging over their heads. We have to do something. We have a responsibility to have a body that can identify these problems and, importantly, investigate and identify systemic problems in certain industries.

Various bodies in different industries and private training organisations across the state have already come to me at different community cabinets saying, 'We've got a real concern in this particular industry. We're getting back to the bad old days when you could go down and basically get a ticket and not have to actually do any training, so it is worthless.' More serious than that, it means they are not going to get jobs and, if they do, they are short-lived because the employer realises they do not have the skills. They also potentially put people at risk because when they are in jobs—whether it is tickets for plant operation, the mining sector, electrical or whatever else—and they are running around with a ticket that is worthless and they do not have the proper training for it. They are not just putting their own life at risk; they are putting other people's lives at risk.

I have heard the comments from those opposite that this is just red tape. Their idea of red tape is my idea of proper oversight for training. There has been too much reduction as far as oversight is concerned. We have the department—and I have to say that the Department of Education and Training does a fantastic job—and we have ASQA but there is nothing in between. So when someone believes that their training contract has been cancelled incorrectly or improperly, there really is no mechanism to review the department's decision to cancel those training contracts—the way that it was changed by removing the VET act and the new Further Education and Training Act to put in place that these contracts can be cancelled automatically. So there needs to be oversight. I have no objection to there being oversight and the ability to review decisions of the Department of Education and Training, because sometimes people get it wrong. At the end of the day, we want to make sure we are looking after students, apprentices and employers and we are upholding the best standards of quality training in this great state.

I want to go to the member for Everton and his contribution last night. I have to say I was pretty astonished to see the shadow minister come in here saying that they were going to be opposing this bill. Why? Because I picked up the parliamentary committee report and the report said that the committee unanimously supported the passing of the bill. I had intended to stand up here at the end of this debate and congratulate the opposition members for looking at this on its merits, listening to the submissions and basing their decision on the facts and not playing politics with it. Instead, we have seen the shadow minister come in here and say, 'We oppose it,' ignoring that his own people had supported this.

I really wanted to acknowledge and praise those opposition members who had reached that conclusion. The problem is that I then sat here and listened to their speeches, and every single one of them who signed off on the recommendation that this bill be passed—the member for Albert, the member for Gaven and the member for Toowoomba South—stood up here and said that this was a waste of money and we should not support it, yet not one of them even tried to explain the position they took in the committee. They did not even acknowledge that they supported it in committee. It is like it never happened. They went in the committee and they supported it, but when they walked out they thought, 'That didn't happen. I'll just stand up here and say the complete opposite and no-one will notice the hypocrisy of it. No-one will notice that I've just done the complete opposite to what I did in the committee.'

Future parties will come and give submissions to that committee and they will reasonably question whether their evidence will be taken into account by these members and whether what members say in the committee report is what they actually stand by. It is unbelievable to think these members walked in here and said the complete opposite and did not even try to justify why they changed their position or even acknowledge that they had changed their position. It was like it never happened.

The member for Everton did not really give a detailed speech to justify their objection to this, but he did make one statement that did catch my attention—that he is no mathematician. I think we all heard that one. There has never been a truer word spoken—noting that the LNP backbenchers actually supported this bill, so he did not figure out those numbers initially, and we know what happened last week and those numbers.

I do want to pick up on the cheap political pointscore from the member for Everton. Last night he pointed to the information provided by the interim Training Ombudsman to the parliamentary committee that between 14 September—being the establishment of the interim Training Ombudsman's office—and early December there had only been 25 complaints. He then extrapolated that out to the

funding that is being allocated to establish this over the next three years and how much that means per individual complaint. That is just cheap political pointscore, because with any organisation like this it will obviously take time for awareness of the body to be established and for people to become aware that they can contact it and send in their complaints.

Let me show members what happened as time passed. The evidence that was given showed that between 14 September and early December there were 25 complaints, but by 31 December those complaints had risen to 51. So they had more than doubled in the three weeks after that. What does that show? It shows that awareness is lifting out in the community and people are starting to realise that they have the ability to contact the Training Ombudsman and utilise this great office that we are establishing to help them with their complaints. As I said early on in this debate, those complaints are not just coming from apprentices and trainees; employers and RTOs are also bringing these issues to the Training Ombudsman's attention, which is very important.

I have already stated that many, many bodies have come out supporting the establishment of this, including ASQA; ACPET, the Australian Council for Private Education and Training; many private RTOs to whom I have spoken around the state; the Office of Fair Trading; Apprenticeships Queensland—there are many organisations; Energy Skills Queensland; and the Queensland Ombudsman. They support the establishment of this office. So when the opposition member comes in here and actually says they will not be supporting this, I have to question whether the shadow minister for training has actually had any consultation with anyone out there in the community, with any stakeholders about this. There is not a stakeholder out there who does not think this is a worthy initiative of this government that will support and lift up the recognition of vocational education and training in Queensland, help promote it, talk about the positives in this community and lift us up above other states and territories and, importantly, internationally because international education is the largest service export for Australia. The largest service export for Australia is international education. So we need to be doing more. Queensland is not at the top of that list when it comes to international education and we should be. So we have a lot more work to do in that space. I believe the Queensland Training Ombudsman will help us get there by ensuring that we have the highest standards being upheld in this state.

The independence of the Training Ombudsman from government control is enshrined in the bill. The bill ensures that the Training Ombudsman is not subject to direction from anyone, including the government, around the performance of its functions. The bill ensures that the Training Ombudsman and no-one else controls the staff of the office. The bill allows me to set expectations for the entity through a statement of expectations. This will include regular reporting requirements so I can be informed as to the number and nature of complaints. The bill also allows me to refer particular matters relevant to the Training Ombudsman's functions to review or research the matter and give me a written report including any advice or recommendations about the matter.

The Training Ombudsman will also be responsible for monitoring the outcome of complaints, identifying systemic issues arising from complaints and reporting to me on strategies to resolve these issues. The Training Ombudsman can make recommendations to me about ways to improve the department's systems, policies and processes relating to prequalified suppliers and supervising registered training organisations, matters relating to apprenticeships and traineeships in Queensland and strategies to improve the quality of vocational education and training in Queensland.

In conclusion, establishing the Queensland Training Ombudsman is one of our key election commitments to establish an independent entity to provide a dedicated, independent, one-stop shop for VET sector related issues with a high level of individual support to VET stakeholders. I commend the bill to the House.