



23 June, 2020

The Hon Alan Tudge  
Acting Minister for Immigration, Citizenship,  
Migrant Services and Multicultural Affairs  
Parliament House  
Canberra.

Dear Minister,

**Re: The Future of the Adult Migrant English Program (AMEP)**

On behalf of the Australian Council of TESOL Associations (ACTA), I write to express our grave concerns for the AMEP following the suspension of immigration, and to offer some recommendations that we hope merit your consideration.

ACTA has warmly welcomed the positive interactions our representatives have had with your advisor Lisa Scott and the AMEP team since the AMEP moved to the Department of Home Affairs. We hope this letter provides a basis for further productive discussions.

Our understanding is that immigration will be suspended well into next year, possibly longer. This suspension will effectively close down the AMEP, since its students are mostly recent arrivals.

The AMEP cannot simply be “mothballed” and “switched on” again once immigration resumes, because:

- its highly qualified, high skilled workforce of specialist teacher educators will be dispersed;<sup>1</sup>
- replacing this workforce will be near impossible – the lack of demand for teachers with TESOL qualifications will cause these training courses to be discontinued, and disbanded university courses are rarely reinstated;
- expensive AMEP infrastructure (specialist materials, computers, other classroom equipment and furniture, and rented properties) will be sold off, given away, absorbed into host institutions/organisations and otherwise lost.

Instead of collapsing in this way, the AMEP could be deployed to address the statistics you identified just before the COVID-19 crisis hit Australia, viz. that:

- approximately 15% of adult migrants currently in the labour market cannot speak English (Centre for Policy Development)
- nearly 60% of humanitarian entrants say that they cannot gain employment because their English isn't good enough (BNLA)
- only 21% of those exiting the AMEP have so-called “functional English”
- 60% of AMEP students leave the Program before utilising their full tuition entitlements.<sup>2</sup>

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<sup>1</sup> In the 2019 ACTA survey of AMEP and SEE educators, 34% of respondents reported that they held Masters' or higher TESOL qualifications and a further 39% held full post-graduate specialist TESOL qualifications (total n = 425). In a current survey (launched 11/6/20), 42% hold a Masters or higher, while 26% have a specialist post-graduate qualification (total n = 126).

<sup>2</sup> <https://minister.homeaffairs.gov.au/davidcoleman/Pages/address-menzies-research-centre-20200207.aspx>

These people are among the most vulnerable to the social and economic crisis that our country now faces.

In your February speech, you announced the trialling of innovative modes of delivering the AMEP. The COVID-19 lock-down enabled a Program-wide trial of innovations in remote learning when teachers rapidly extended their pedagogic and technical repertoire, making heroic efforts to retain their students.<sup>3</sup> These teachers are predominantly female and almost all are on short-term or casual contracts.<sup>4</sup> A tragic irony is that they now face joining their students among the unemployed.

The AMEP is purpose-built to meet the needs of the people you identified. However, at the moment adult migrant English language learners face a merry-go-round of programs whose eligibility requirements limit and block learning pathways:

- 1) **the AMEP** – delivered in numerous Centres by 15 providers which are funded and regulated by the Department of Home Affairs
- 2) **the Skills for Employment & Education (SEE) Program**, sometimes described as the pathway from the AMEP but, in fact, blocked for many – delivered by numerous large and small providers in 58 contract regions, and funded by the Department of Education, Skills and Employment
- 3) **State-funded labour market programs** (such as Smart and Skilled in NSW and Skills First in Victoria), many of which, in fact, deliver English language courses
- 4) **community-based English classes** offered by more than 225 providers.<sup>5</sup>

The eligibility requirements for these programs have little if any regard for people's actual needs and circumstances. These requirements entail assessments, re-assessments, monitoring, reviews, requests for and approval/denial of exemptions in relation to individuals' –

- 1) English language levels
- 2) progress in English
- 3) hourly class attendance and reasons for absence from class<sup>6</sup>
- 4) tuition hours
- 5) length of time in Australia
- 6) visa category
- 7) "job seeker" status.

Teachers, managers and officials in an array of organisations repeatedly report to each other (and even themselves) on how individuals meet these criteria. Organisations include providers, QA assessors, Centrelink, Job Active providers, officials in two Commonwealth Government

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<sup>3</sup> ACTA is currently surveying post-school sector English language teachers. To date, 68 % of respondents (n = 122) report a major increase in workloads and 26 % report increased unpaid hours (total n = 154). 38% are AMEP teachers/managers, 11% are in the SEE Program, 43% in ELICOS and 10% in VET/University Study Skills programs.

<sup>4</sup> ACTA has no access to data on the number of AMEP teachers, managers and administrative staff. However, our January 2019 survey of AMEP and SEE Program educators gained over 430 responses, of whom 78% were women and over 50% were on short term or casual contracts. The 2019 independent Social Compass AMEP Evaluation records 306 respondents to their questionnaire (in which Queensland TAFE teachers mostly did not participate).

<sup>5</sup> These providers are listed in the FECCA *Review of Community-Driven English Language Programs*, which list is not exhaustive. [http://fecca.org.au/wp-content/uploads/2019/10/FECCA-Community-Driven-English\\_WEB.pdf](http://fecca.org.au/wp-content/uploads/2019/10/FECCA-Community-Driven-English_WEB.pdf)

<sup>6</sup> This requirement has now been waived for AMEP (but not SEE) students, following feedback from providers to Home Affairs.

Departments (your Department of Home Affairs and the Department of Education, Skills & Employment) and those who administer State-based programs.<sup>7</sup>

This quagmire of restrictive, confusing and multiple eligibility requirements with their repeated assessments regulates delivery of *almost identical basic content* to people whose eligibility for some other program has expired or been denied.

More duplication and waste occurs when providers bid for contracts for these programs, rebadging identical content under different headings to meet different agencies' requirements. Contracts are won, lost and won again by the same organisations, plus the occasional maverick underperforming newcomer. **Meanwhile, the statistics you cited above are increased when learner participation drops with each contract round (most recently 44% in the AMEP), and recovers, more or less, just in time for the next round.**<sup>8</sup>

These blocked pathways to English language learning, together with duplicated provision and expensive paper-shuffling, could be remedied – in one simple and immediate stroke – by *a needs-based criterion for access to the AMEP* which replaces:

- 1) **the limit of 510 hours AMEP English tuition.** This allocation is insufficient for low proficiency learners, especially those with little/no previous schooling – this limit is why approximately 80% of those exiting the AMEP do not have so-called “functional English”
- 2) **the deadlines for registering for the AMEP.** This time restriction particularly discriminates against women with young children and other caring duties.<sup>10</sup>

*In other words, the AMEP should be open to adult migrants until they reach the English level required for entry to mainstream VET and University programs, including bridging/Study Skills programs.*

This recommendation has been repeatedly made over many years by *all* reputable organisations dealing with adult migrants and refugees. Most recently:

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<sup>7</sup> For example, AMEP data management is a nightmare. Providers currently enter 3 separate sets of data (including 1 from spreadsheets) into 2 two different data management systems. The Department returns reports on errors for providers to fix. System failures cause providers to have to re-enter the same data twice or more often. These failures also lead to questions about errors from the Department to which providers must reply, also often more than once. The 2019 independent AMEP Evaluation recommended that the Department “*prioritise the development of a robust information management system (IMS) to manage the AMEP*” (p. 23). The COVID-19 lock-down has further complicated data management.

<sup>8</sup> The 2019 independent AMEP Evaluation reported that:

**The proportion of students that enrolled under the previous contract and continued in the AMEP under the NBM [= current contract] in 2017-18 was 56 %.** This is lower than for all previous years in the dataset (when it was about **62 %**). (p. 12, our emphasis). Social Compass, August 2019. Evaluation of the Adult Migrant English Program for the Department of Home Affairs. <https://immi.homeaffairs.gov.au/amep-subsite/Files/amep-evaluation-new-business-model.pdf>

<sup>9</sup> The 510 tuition hours is derived from an administrative fiction, has no evidential base and is now complicated by variously and inconsistently applied extra hours for some students. According to the 2019 independent AMEP Evaluation, only 62% of the 2017-18 capped funding for these extra hours (known as AMEP Extend) was spent. Nevertheless, providers reported the funding was insufficient and that decisions on eligibility were inconsistent and unfair. Social Compass, August 2019. Evaluation of the Adult Migrant English Program for the Department of Home Affairs. <https://immi.homeaffairs.gov.au/amep-subsite/Files/amep-evaluation-new-business-model.pdf>, p. 32.

<sup>10</sup> ACTA is informed that time deadlines are routinely waived on application. Our questions are, therefore: why do these deadlines exist? how much time and taxpayer funds are expended in assessing applications (by multiple agencies) and granting exemptions? is their real purpose *to limit applications*? Their effect is certainly to discourage access to the AMEP. For example, in response to a circulated draft of this letter to Councillors, a teacher reported that she had several cases in her classes where students (mostly women with young children) were performing well but had their tuition terminated because the College had applied the five year rule.

a) **the Centre for Policy Development** submission to the 2019 AMEP Evaluation:

*Replace current eligibility criteria for AMEP with 'needs based' criteria so that people can access AMEP services at any point on their settlement journey without having to apply for exemptions.<sup>11</sup>*

b) **the Settlement Council of Australia (SCoA)** report on community consultations on the AMEP:

*The allocation of 510 hours per learner is arbitrary and not evidence-based. Some learners achieve functional English in this time, but many do not. Some are still unable to write their own name after this time. Many consultation participants favoured shifting to a needs-based allocation of AMEP hours. **Whilst there are opportunities for learners to have more than 510 hours of tuition, access to additional hours doesn't always work in the way was intended** [our emphasis].*

*The five year eligibility period for AMEP is unhelpful. The time limit fails to recognise the competing priorities that new arrivals face. Many groups, such as women with caring responsibilities, do not access AMEP for several years after initial arrival. Participants suggested that the five year limit be removed from the contract, or at least extended.<sup>12</sup>*

c) **the Refugee Council of Australia** report on its consultations on the AMEP:

*The lack of post-AMEP English development programs or options for further study. The SEE program is the only English learning pathway from the AMEP once clients have utilised their maximum number of instructional hours. This program also excludes clients in distinct visa categories and/or those who cannot meet the Key Performance Indicators of the program.*

They recommended:

*Removal of the 510-hour limit for the program and replacement with a needs-based assessment.*

Also:

*Greater flexibility for people to leave the program and return.<sup>13</sup>*

d) **the 2019 independent Social Compass Evaluation of the AMEP**, which was precluded from making a similar recommendation by its terms of reference, noted that:

*Only a minority of students—those with higher levels of English proficiency—thought that the 510 hours of AMEP tuition was sufficient for achieving a functional level of English. Many more students expressed a desire for an increased allocation of AMEP tuition. This was particularly important for students with the long-term goal of finding employment or pursuing further study. (p. 17)<sup>14</sup>*

Reforming AMEP eligibility requirements would immediately clarify both its role and those of the programs listed above. That is:

- 1) **the AMEP** would become the national flagship English language program for adult migrants
- 2) **the SEE Program** – currently deflected from its original goals by the predominance of English language learners in these classes – would return to the original goal of providing

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<sup>11</sup> <https://cpd.org.au/wp-content/uploads/2019/07/AMEP-Submission.pdf> p. 3.

<sup>12</sup> <http://scoa.org.au/wp-content/uploads/2020/02/SCOA-AMEP-Consultations-Report-2020-PDF.pdf> p. 4.

<sup>13</sup> <https://www.refugeecouncil.org.au/submission-into-evaluation-of-the-adult-migrant-english-program-amep-new-business-model-nbm/>

<sup>14</sup> Social Compass, August 2019. Evaluation of the Adult Migrant English Program for the Department of Home Affairs. <https://immi.homeaffairs.gov.au/amep-subsite/Files/amep-evaluation-new-business-model.pdf>

basic literacy and foundation skills for mother tongue English job seekers and long-term resident adult migrants with near-native oral English<sup>15</sup>

- 3) **State-based labour market programs** would either supplement the SEE Program or eliminate the need for it
- 4) **Community classes** would target specific local needs flexibly as they are most suited to do.<sup>16</sup>

In your February speech, you expressed concern that people did not utilise their full AMEP entitlements:

*... participants on average exit the program after 300 hours of classes, well below the minimum 510 hours freely available. When surveyed, most participants (60 %) say they don't complete the program because of work or family commitments, and others because they just don't feel the class is useful.*<sup>17</sup>

Two reasons for non-completion of entitlements (work and family commitments) support our recommendation that the AMEP should be open to people when they are best able to further their English learning. The third reason – student dissatisfaction – is directly attributable to the requirements in the current AMEP contract, as ACTA and numerous others have reported. For example, SCoA's community consultations found:

- *An over-emphasis on assessment under the Australian Core Skills Framework (ACSF) model - many participants stated that this is in not a suitable approach to gauge language learning. The overemphasis on assessment has inhibited learning, making it more academic, and less focused on effective settlement. Much of the class time is spent preparing for and conducting assessments, at the expense of actually teaching English. **AMEP outcomes could be better measured using a broader set of social and economic participation indicators, including the social benefits of belonging to a language learning community - such as building networks and social capital** [our emphasis]*
- *... ACSF reporting is restricting the ability of teachers, administrative staff and management to offer a flexible AMEP program which is responsive to clients' settlement needs* [our emphasis]. *ACSF reporting is a significant burden for teachers, and results in:*
  - *too much focus on assessment;*
  - *client outcomes implicitly defined by an academic understanding of English, not one contextualised by individual learner goals, and*
  - *not enough time left over for teachers to focus on their core role of teaching English to help learners achieve settlement success.*

The over-emphasis on assessment stems from the requirement that **student progress is double assessed**: once against the taught curriculum and again using ACSF assessments.

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<sup>15</sup> Data provided answer to a question in Senate Estimates, showed that, for Jan-April 2018 approximately 63% of SEE students were **adult migrant English language learners**, 35% or fewer were **English-dominant or English native speakers**, less than 1% were **Indigenous learners of standard English as an additional language/dialect**, although the latter was probably an under-estimation. Dept. of Education & Training SQ18-000619, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019.

<sup>16</sup> The FECCA *Review of Community-Driven English Language Programs* recommendations included:

11. Facilitate and encourage connections and collaborations between community driven English language programs, AMEP and settlement support providers.

12 Acknowledge the need for community driven English language programs to complement the AMEP.

<sup>17</sup> [URL:https://minister.homeaffairs.gov.au/davidcoleman/Pages/interview-virginia-trioli-abc-radio-20200207.aspx](https://minister.homeaffairs.gov.au/davidcoleman/Pages/interview-virginia-trioli-abc-radio-20200207.aspx)

These double assessments have been required since July 2017 when the previous national AMEP curriculum was abandoned. Providers (not teachers) now choose their curriculum.<sup>18</sup> Because there is now no common curriculum with its associated assessments, a second set of ACSF-based assessments is needed to provide common data for the learner progress KPI.

Quality Assurance is now predominantly focussed on paper audits of these assessments. The ACSF has also consumed all available funding for resources and teacher development.<sup>19</sup> The extensive and rich array of resources that previously supported the AMEP is largely redundant because it does not match up with the curricula now used by providers. Teachers, providers, English language and assessment experts, community groups and the 2019 AMEP Evaluation have all advised that these assessments are inappropriate for English language learners.

Consequently, ACTA is profoundly disappointed to learn that more resources are to be directed to assessment in the AMEP and the SEE Program. ACTA, other experts, most providers and almost all teachers have repeatedly advised that **commissioning yet another project focussed on assessment will not address the prime source of student dissatisfaction with AMEP classes, namely impoverished, inappropriate assessment-driven content and teaching.**

**The way forward requires Commonwealth support for *one* national AMEP curriculum whose common core of assessable outcomes underpins a comprehensive array of needs-targeted units that lead to social integration, mainstream education and employment.** National effort and resources should be focussed on maintaining and refining this common curriculum. It should be available to other not-for-profit adult ESL providers.

ACTA fails to understand why this most obvious remedy, which is supported by almost universal advice, has not been adopted.

Numerous public commentators have observed that a positive outcome of the COVID-19 crisis is the opportunity it offers to examine and remedy weaknesses in our social and economic fabric. Nowhere does this apply more than in regard to the tunnel vision and sclerosis in English language provision for adult migrants in Australia.

To sum up, the Government faces a clear choice.

On the one hand, the decimation of the AMEP can be allowed to proceed as the current intake of students exhausts their entitlements. Simultaneously, increasing numbers of low proficiency English language learners will swell the ranks of the unemployed, accompanied by skilled AMEP teachers and others caught in the flow-on effects – for example, administrative staff, IHSS providers and teacher educators. This process will escalate just as the Government’s various rescue packages end.

Alternatively and more effectively, the AMEP can be deployed to tackle the intensifying problems identified in your February speech. As I’m sure you are aware, the AMEP has served Australia

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<sup>18</sup> The previously mandated national curriculum (the Certificates in Spoken & Written English) remains as one curriculum option. However, it entails payment of an expensive licence fee to its copyright owners (TAFE NSW), whereas other curricula do not attract this fee.

<sup>19</sup> The estimated cost of instituting the ACSF (over three years) was \$799,530 for professional development workshops, \$861,207 for a new assessment task bank, and \$4.3 million (or \$4.5 million over four years) for a new data management system. After nearly three years, the task bank is minimal and the data management system is not operational. Dept. of Education & Training SQ18-000613, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019. Dept. of Education & Training SQ18-000564, Senator Jacinta Collins, 13 June question on notice no. 274, 2018-19 Budget Estimates. Also Dept. of Education & Training SQ18-000999, Senator Doug Cameron provided in writing, Budget Estimates 2018-2019. According to this reply, the system will be in place “at the commencement of the next contract, from 1 July 2020”.

continuously for over seventy years. It is possibly the longest continuous Commonwealth Government program ever, and the first and longest of its kind in the world. It is a cornerstone in the success of Australian immigration. In the current crisis, the AMEP is purpose-built to continue offering migrants a sound starting point for contributing to our society and economy. **As a Commonwealth flagship program, the AMEP should be open to *all* adult migrant English language learners who have yet to reach the English level required for entry to mainstream VET and University programs.**

Three simple reforms are urgently needed:

- 1) **The 510 hour limit on tuition and time-based requirements** for accessing the AMEP should end immediately.
- 2) Tenders should be called to produce and maintain **a common AMEP curriculum**, including supporting teaching and assessment resources, that consists of:
  - a. *a variety of needs-targeted units* that are direct pathways to social integration, mainstream education, training and employment
  - b. *a core of assessable outcomes* (from beginner to mainstream entry points) that underpin and are taught through these units.
- 3) **Quality Assurance** should be re-oriented to promoting clearly defined goals for the AMEP and specifically the factors that further social integration and English language and related upskilling.

ACTA is hopeful that the Government will seize this opportunity.

A central recommendation of the 2019 AMEP Evaluation was the creation of an AMEP Advisory Committee to oversee change and innovation, a recommendation that ACTA understands was accepted. The need for this Committee to start work is urgent.

In the immediate term, ACTA would welcome further face-to-face discussions with your advisors and officials. We look forward to a reply at your earliest opportunity.

Yours faithfully,

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