

English language skills registration standard review - submission template

The National Boards are inviting general comments on a revised *English language skills registration standard* (ELS standard) as well as feedback on the following questions. All questions are optional, and you are welcome to respond to as many as are relevant or that you have a view on.

Published submissions will include the names (if provided) of the individuals and/or the organisations that made the response unless confidentiality is requested.

Do you want your responses to be published?

- ☒ Yes I want my responses to be published
- ☐ No I do not want my responses to be published

Name:

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Organisation: Australian Nursing and Midwifery Federation

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1. Is the content, language and structure of the proposed revised ELS standard clear, relevant and workable? Why or why not?

The ANMF supports the changes to improve the clarity and reduce inconsistencies in the ELS standard. This will assist with the interpretation and application of the ELS standard whilst noting that it continues to be a complex document particularly for people using English as a second language. Access to information on the ELS standard and how it needs to be addressed is essential, reinforcing the need for clear, concise and informative language within the standard and supporting documents.

The introduction of the table to delineate each of the four pathways and the use of more personal language address some of the complexities existing in previous versions.

Definitions

The ANMF has significant concern with the use of the words continuous and continuously in the definitions. The inclusion of '*continuous*' is inflexible and does not accommodate any unexpected changes that may occur in a student's life such as personal illness, illness of a family member, caregiver responsibilities or significant life events, requiring additional short term leave from study. Similarly, this applies where a program of study concludes mid-year or at the end of an academic semester that doesn't coincide with a calendar year, resulting in a gap from when one program finishes and another commences; this may be more than six months and beyond the control of the student. This is unreasonable and unachievable.

The ANMF recommends that the terms continuous, continuously enrolled and continuous employment be removed and the definitions amended to enable more flexibility.

2. Is there any content that needs to be changed, added or removed in the proposed revised ELS standard? If so, please give details.

1. The introductory sentence of the draft ELS standard states:

To register you as a health practitioner the National Board (the Board) you are registering with needs to be satisfied that you have the necessary skills to communicate in English at a level that is safe to practise your profession. This standard sets out how you can show this to the Board.

This sentence is difficult to read and understand and would benefit from rewriting, for example:

To register as a health practitioner, the National Board with which you seek registration, needs to be satisfied you have the necessary skills to communicate in English, to a level that guarantees safe practise in your profession.

2. For clarity, it would be helpful for the user, if the table outlining and explaining the pathways in the ELS standard provided a definition of *qualification* as well as including it in the glossary. It must be clear that this term refers to the qualification being put forward as evidence for registration in the given profession.

3. The sentence on page 20 of the draft ELS standard reads:

*and only if the requirements for test results, such as when the test must be taken, type/modality of test and the required minimum scores, specified in this standard are met as set out in the **Appendix**.*

This is confusing and would benefit from rewording, for example:

*and only if the requirements for test results specified in this standard are met, for example, when the test must be taken, type/modality of test and the required minimum scores, as set out in the **Appendix**.*

4. The ANMF recommends two additional statements be added to the standard. The first, a statement specifying the process for special consideration for exceptional individual circumstance requiring a break in study should be included in the revised standard. The second should articulate the appeals process available to applicants for circumstances in which their background education does not clearly fall into one of the approved pathways but they feel sitting the test does not apply to them.
5. The ANMF suggests that organisations using computer-based tests for spoken language testing must not conduct the test in a setting where multiple users are being tested in the same room at the same time as this unfairly disadvantages applicants due to noise and distraction. Members reported this situation while sitting the Pearson Test of English stating that the environment is noisy, distracting and makes it extremely difficult to concentrate on completing the assigned tasks in the test. This results in an unfair situation for applicants.

3. Please see consultation paper for all proposed changes to the ELS pathways. Some of the main changes proposed to the ELS pathways are:

- clear naming of four pathways within the Standard
- reorganised content to make the sequence more logical, and
- minor rewording.

Are the proposed pathways clear, relevant and workable? Why or why not?

The ANMF welcomes Ahpra and the National Board's aim to improve clarity of the ELS pathways including outlining the requirements needed to meet the standard. Increased clarity will improve accessibility for users of the standard, especially those who use English as a second language.

As stated earlier, to improve usability and clarity the definition of *qualifications* should be included in the standard where the pathways are described.

To ensure clarity, relevance and workability, definitions should be consistent throughout. Although the ANMF position is that the terms '*continuous*' and '*continuously*' should be removed (see question 1), should they remain, we strongly recommend only one of these terms should be used. Currently, continuous working and continuously working are both referred to in the definitions section of the draft standard. Continuously working should be the term used throughout.

4. The pathways have been re-named to help applicants understand them better. The pathways have been reordered and additional guidance provided to applicants on which pathway may be suitable.

It is proposed to name the four pathways as follows:

- Combined education pathway (no change to current pathway name)
- School education pathway (currently named the primary language pathway)
- Advanced education pathway (currently named the extended education pathway)
- Test pathway (no change to current pathway name)

Are the new names for the pathways helpful and clear? Why or why not?

The new names for the pathways are helpful, clear and provide guidance for registration applicants as to the exact requirements for each proposed pathway. The introduction of 'qualifications' to replace tertiary and vocational education also assists with clarity of the pathways and their new names.

The combined education pathway does not align with the requirements of the Australian Nursing and Midwifery Accreditation Council (ANMAC) *Registered Nurse Accreditation Standards*¹, the *Midwife Accreditation Standards*² or the *Enrolled Nurse Accreditation Standards*³. ANMAC expects those applying to commence a pre-registration program of study will demonstrate meeting the English Language Standard outlined by the NMBA prior to being offered enrolment. For this reason, the ANMF supports the continuation of a separate ELS standard for nurses and midwives that excludes the combined education pathway.

To ensure clarity and accessibility and avoid confusion for users of the NMBA ELS standard and for the intent of the ANMAC Accreditation Standards (described above) to be met, either the wording 'primary language' (Pathway 2 - proposed School education pathway) in the NMBA ELS should be retained or the language of the ANMAC standard should be changed to mirror that adopted by the NMBA in the revised ELS.

5. **Is it helpful to include examples in the definitions section of the ELS standard for example those included in the Full time equivalent definition or would the examples be better placed in the supporting material (for example in Frequently Asked Questions)? Why or why not?**

The inclusion of examples with the definitions helps to provide clarity at the point of access. These should also be included in the frequently asked questions for continuity and alignment.

6. The current ELS registration standards allow applicants to combine test results from two sittings within six months subject to certain requirements as set out within the respective National Boards' ELS registration standards. The revised ELS standard is proposing to change the time period for accepting test results from two test sittings to 12 months.

Is the proposed change to the time period for accepting test results, from two test sittings from a maximum of six months to 12 months, workable? Why or why not?

The ANMF supports accepting test results from two test sittings over 12 months.

The financial burden of sitting ELS tests is substantial for many and therefore the ANMF strongly supports the addition that test results will be accepted from more than one provider where the applicant requires two test sittings. Currently the combined test results are taken as being from

¹ Registered Nurse Accreditation Standards 2019 available at https://www.anmac.org.au/sites/default/files/documents/registerednurseaccreditationstandards2019_0.pdf

² Midwife Accreditation Standards 2021 available at: https://www.anmac.org.au/sites/default/files/documents/06920_anmac_midwife_std_2021_online_05_fa.pdf

³ Enrolled Nurse Accreditation Standards 2017 available at: https://www.anmac.org.au/sites/default/files/documents/ANMAC_EN_Standards_web.pdf

the same test provider. The ANMF propose that the combined tests could be from different test providers (i.e. IELTS and OET).

7. Is there anything else the National Boards should consider in its proposal to revise the ELS standards?

ANMF members have reported issues with providing evidence to the Board to demonstrate that their qualification or education was taught and assessed solely in English. This is required even when the qualification is provided by an Australian-based education provider, where the qualification is taught on campus in Australia. This situation has been further compounded by the education provider refusing to adapt their transcript to confirm the qualification was taught and assessed solely in English in Australia, on the basis that English is the primary language of the country in which they are based.

The proposed draft standard sets out the currently accepted test types and modalities and provides that National Boards could approve additional test types and modalities if satisfied that these tests meet the requirements of a high stakes test for the purpose of registration. Information about any additional tests approved by National Boards would be published on the Ahpra website

8. Are there any additional considerations National Boards should be aware of when deciding whether to approve a new test modality or type by an accepted English language test provider as suitable for the purposes of meeting the ELS standard?

Currently registration applicants who do not achieve the required minimum scores to qualify for the test pathway are not provided with feedback from ELS testers that indicates the specific areas they need to focus on to address their learning needs for success in future tests. Without this feedback, applicants may undertake testing multiple times without understanding or being able to address the gaps in their English language skills. Multiple unsuccessful re-testing results is a significant financial burden, emotional distress and delayed entry to the nursing and midwifery workforce for our members. This is particularly problematic given the nurse and midwife shortages resulting from the COVID-19 pandemic. The ANMF strongly recommends that Ahpra and the NMBA require that test providers offer applicants feedback that specifically identifies the errors they have made, not just a score for each component, and that only test providers who provide this feedback remain on, or are added to, those approved in the standard.

As raised in question 2, the ANMF does not support testing environments where multiple applicants are undertaking computer testing at one time. ANMF members who have undertaken such testing report that the amount of noise and distractions in the room results in difficulties concentrating on completing assessments. Testing companies must ensure that spoken language testing does not occur in rooms with multiple applicants.

The National Boards are also interested in your views on the following specific questions:

9. Would the proposed changes to the ELS pathways result in any adverse cost implications for practitioners, patients/clients/consumers or other stakeholders? If yes, please describe.

The proposed changes would not result in obvious cost implications, however, as mentioned in question 8, repeating the test leads to financial burden for applicants. As identified above, registration applicants in the test pathway who fail to achieve the required minimum test scores to qualify, receive no feedback to indicate where to focus their learning. Applicants may then undertake testing multiple times without understanding or being able to address the gaps in their English language skills. Whilst it is acknowledged that the test is not a learning exercise, it seems fair and just that the fee charged for the test includes feedback to applicants who do not pass, to help them focus their learning for subsequent sittings of the test. This would also help to avoid accusations that those providing the test were only seeking profit rather than helping to meet increasing shortages of health practitioners.

The ANMF strongly recommends test providers be required to provide applicants with feedback that specifically themes errors made and that only test providers who provide this feedback remain on, or are added to, those approved in the standard. This should not increase the financial burden on the applicant.

10. Would the proposed changes to the ELS pathways result in any potential negative or unintended effects? If so, please describe them.

The proposed changes to the school education pathway to increase the required years of primary and secondary education taught and assessed in a recognised country to 10 years will impact on a cohort of applicants who will now need to follow the test pathway to apply for registration.

The ANMF suggests that the common ELS standard align with the NMBA ELS standard and use the 6 year schooling criteria where an applicant must be able to demonstrate completion of at least 6 years of primary and secondary education where: *Six years primary and secondary education means six years of Australian school years 1 through to 12 or the equivalent in a recognised country with two of the years being between 7 and 12.*⁴

11. Would the proposed changes to the ELS standards result in any potential negative or unintended effects for people vulnerable to harm⁵ in the community? If so, please describe them.

None that can be identified in the common standard.

12. Would the proposed changes to the ELS standards result in any potential negative or unintended effects for Aboriginal and Torres Strait Islander Peoples? If so, please describe them.

None that can be identified in the common standard.

Do you have any other feedback about the ELS standards?

The ANMF supports Ahpra and the National Board's plans (Consultation paper, point 16) to develop an evidence guide setting out the evidence required for each pathway. This should be completed before release of the revised standard and included as an appendix to the standard.

The ANMF notes from the common consultation paper that the NMBA will make minor changes to their existing ELS standard aligning 'definitions where workable and minor changes to refine and clarify wording and expression' (p. 7). It is expected that the revised NMBA ELS standard will:

- Ensure users of the document can clearly understand and navigate the ELS requirements for registration including entry to pre-registrations programs of study;
- Align with the ANMAC ELS requirements and language embedded in the accreditation standards.

Given that changes to the NMBA ELS standard are not specified in this consultation paper, the ANMF expects that any changes to the NMBA ELS standards will be distributed for public consultation prior to their adoption to ensure our members concerns are considered.

⁴ Nursing and Midwifery Board of Australia. Registration standard: English language skills. Melbourne: Nursing and Midwifery Board of Australia. 2019.

⁵ Such as children, the aged, those living with disability, people who are the potential targets of family and domestic violence

To summarise, the ANMF has the following recommendations regarding the revised ELS:

- Nursing and midwifery must continue to have a separate standard to the other professions to reflect the requirements set out by ANMAC. The proposed NMBA standard must ensure the language used is consistent with the language in the ANMAC accreditation standards;
- Changes should be made to reflect that when combining two test sitting results within the specified 6 month period (or 12 month period if adopted) the results do not have to be from the same test providers;
- The Board must require test providers to give specific feedback to applicants outlining errors when they have failed a test to help them focus subsequent learning for future sittings;
- Spoken testing should not occur in rooms with multiple applicants at one time as this disadvantages applicants sitting tests in these environments;
- The terms '*continuous*' and '*continuously*' should be removed;
- The process for special consideration for exceptional individual circumstance requiring a break in study should be included in the revised standard;
- The appeals process available to applicants for circumstances in which their background education does not clearly fall into one of the approved pathways but they feel sitting the test does not apply to them should be included in the revised standard; and
- The development and inclusion of an evidence guide is supported.