

Accreditation of Academic and Vocational Qualifications Bill

Consolidated Response to the Submissions by the Public to the Bills Committee

The Bills Committee on the Accreditation of Academic and Vocational Qualifications Bill (the Bill) had invited the public to submit their views on the Bill and to make oral representations to the Bills Committee at its meeting held on 18 November 2005. A total of 22 organisations/individuals attended the meeting and 30 submissions on the Bill and the Qualifications Framework (QF) were received.

2. Participants of the meeting and the submissions received generally supported the establishment of the QF and its associated quality assurance mechanism. But there were concerns and views on the implementation of the QF. This paper aims to give a consolidated response and to make clarifications.

‘Recognition of Prior Learning’ (RPL) Mechanism

3. Some suggested that there should be more than one assessment agency so as to avoid creating a monopoly, which might cause practitioners to wait for a long time before their qualifications could be assessed. They considered that the number of assessment agencies could depend on the size of the working population of the respective industries. To be more effective in encouraging practitioners to participate actively in qualifications assessment, they proposed that labour unions and employers could also conduct RPL.

4. There were views that assessors should not only possess academic qualifications and diplomas. Instead, they should have an in-depth understanding and knowledge about the industries concerned, be familiar with the industry-specific operations, and be active in the respective industries. Some suggested that there should be an appeal mechanism under the RPL mechanism. Besides, the Government should strengthen publicity on the RPL mechanism to encourage practitioners to

participate actively in industry training.

5. Under the Bill, the Secretary for Education and Manpower (SEM) may appoint one or more assessment agencies in relation to an industry. We are open-minded on the number of assessment agencies set up for individual industries and shall discuss the issue with the industries concerned. Nevertheless, we consider that there should not be more than two assessment agencies for each industry during the initial trial period in order to maintain consistency in standards. We shall continue to discuss with the first four Industry Training Advisory Committees (ITACs) that have drafted their Specifications of Competency Standards (SCSs) on the operational arrangements for the RPL mechanism. The RPL mechanism will include both appeal and complaint mechanisms to ensure fairness and impartiality.

6. The assessment agencies should set up panels to assess RPL applications. Assessment panels should:

- (a) be open, decisive, flexible and possess good interpersonal skills;
- (b) be familiar with the RPL procedures;
- (c) be professionally qualified and experienced in related trade/industry competency requirements.

The assessment panels should comprise assessors from assessment agencies and external assessors from the respective industries with good knowledge of the industry. All assessors need to be properly trained in order to maintain a unified standard in carrying out RPL. They should also be able to advise applicants on the next training steps.

Composition of the Hong Kong Council for Academic Accreditation

7. The labour unions pointed out that regarding the existing membership of the Hong Kong Council for Academic Accreditation (HKCAA), the proportion between academics and non-academics was 2:1. They suggested the addition of a new provision to the Bill, specifying that

the proportion between academic and non-academic Council members should be 1:1. Besides, under the restructuring of the HKCAA's composition, there should also be representatives from territory-wide federations of labour unions to reflect workers' views and needs. Some union members also enquired about the procedures in appointing members to the Council.

8. As the HKCAA will be responsible for the quality assurance role under the QF, the Council has to take up more diverse accreditation work and provide service for education and training providers of different sizes and nature. As such, members appointed to the Council should have a wider spectrum of expertise and background to achieve a balance of academics and non-academics. We are going to remove the restriction on the number of academics appointed to the Council so as to enable the Council to have members with expertise or experience in quality assurance or accreditation tests, or members of good standing in industry, commerce, finance or any industry, or in education and training. Nevertheless, we consider that in order to appoint experts from different backgrounds to the Council, there is no need to stipulate the proportion between academic and non-academic members. We are open-minded on the proposal of appointing representatives from territory-wide federations of labour unions to the Council.

9. As to the appointment procedure, the Chief Executive has delegated his power to SEM for making appointments to the HKCAA. SEM will take into account the views of the HKCAA and consider the occupational background, expertise and contribution that the persons may offer in quality assurance, and their past and current public offices (if any). Upon acceptance of the appointment by the relevant persons, the list of appointment will be published in the Gazette.

Accreditation Fees

10. Some were concerned that if the accreditation fees of courses were too high, the fees might be transferred to the learners and hence SEM should monitor the fees charged by the HKCAA. Some held the views that the Government should subsidize workers to apply for RPL

and the accreditation fees of the training schemes under direct government subsidy should also be borne by the Government.

11. We understand the public's concern on the level of accreditation fees. We have stated that the overall development costs for the HKCAA to establish a quality assurance (QA) mechanism to underpin the QF would be borne by the EMB. They would not be transferred to the accreditation fees. We shall consider our overall financial commitment to the implementation of the QF, but whether such arrangement can be put in place will be subject to the passage of the Bill.

12. With the implementation of a much streamlined and 'fit for purpose' QA process under the QF by the Council, the fees incurred will be in accordance with the scale and nature of the accreditation exercise. In other words, the accreditation will no longer rely on any default model of an institution, which tends to lean towards the large (and publicly funded) institutions offering programmes at degree level. Such a new QA approach under the QF will give room to further reduction of the current accreditation fees incurred under the existing process. For some levels of qualifications, simplified procedures and the use of junior professional staff might be justified. The use of overseas experts will not be required. Given the HKCAA's further efforts towards cost control, we hope that the council will set the accreditation fees under the QF at a reasonable level.

13. In monitoring the level of fees charged by the HKCAA, according to the Bill, the Council shall, not later than 5 months before the close of each financial year, submit, among other things, a statement of its fee charging policy in relation to the accreditation exercises for the following financial year to SEM for his prior approval. Regarding the RPL assessment fees, according to the Bill, SEM shall have regard to the fee charging policy of the agency when appointing an assessment agency.

Complementary Measures

14. The labour unions opined that the Government should legislate for 'standard working hours' and 'training leave' so that employees would

have time to attend job-related training. The Government should also encourage employers to develop continuing education measures such as training leave or flexitime.

15. We have from time to time promoted the importance of manpower training to employers in terms of enhancing the quality of industries and maintaining their competitiveness. We hope that by promoting the QF in different industries, the views of employers and employees on manpower development and labour policy issues such as working hours and training leave could be drawn closer. We are aware that the issues of 'minimum wage' and 'standard working hours' are being examined and thoroughly discussed by the Labour Advisory Board in order to seek a proposal that would be acceptable to both employers and employees.

16. The establishment of the QF enables employers to recognise the benefit of training to the quality of manpower and the service standards of the industries. The ITACs would also promote the QF within their respective industries, and encourage the industries, employers and employees to attach more importance to manpower development and training.

Industry Training Advisory Committees (ITACs)

17. There were views that the ITACs should include some neutral professionals from the industries, who did not have any conflict of interests. Some labour unions also pointed out that with respect to the new role of the HKCAA, the demarcation of responsibilities between the Council and the ITACs had not been clarified. They were worried that the ITACs would be overridden and industry representatives would be unable to continue their work under the new system.

18. In setting up the ITACs, the EMB consults major trade associations, labour unions and professional bodies. Representatives from different parties are included in the ITACs so that the committees will be broadly representative in performing their functions. Currently, the ITACs are mainly responsible for developing the SCSs and the RPL

mechanism, as well as promoting the QF within their respective industries; whereas the HKCAA will be responsible for the accreditation of academic and vocational qualifications and maintenance of the Qualifications Register (QR) under the Bill. Hence, there is clear demarcation of functions between the ITACs and the HKCAA.

Self-accrediting Status of Universities

19. Some enquired whether the Bill would affect the self-accrediting status of universities. The major objective of the Bill is to empower the Accreditation Authority to conduct accreditation of academic and vocational training courses operated by non-self-accrediting institutions. Therefore, the existing institutions with self-accrediting status will not be affected. It is also clearly indicated in Schedule 3 of the Bill that courses operated by self-accrediting institutions may be entered into the QR without prior accreditation by the HKCAA.

Review Mechanism

20. Some labour unions considered that should the final decision on the review be made by the Accreditation Authority or the QR Authority, the review mechanism would become futile in practice, which might result in unfairness. As such, they suggested that the review be determined by the review committee. They also opined that the composition of the review committee should include not only professionals and academics, but also experienced staff from within the industries and representatives of labour unions so as to reflect the views of relevant parties. Furthermore, they were concerned about the level of fees charged for the review.

21. The objective of introducing a review mechanism is to establish another committee to review the original decision of the panel. Given that the core issue of the review is closely related to accreditation standards, members of the Accreditation Authority or the QR Authority, who have not been involved in the original decision of the panel, should be able to make a final decision on the review in a professional, objective

and impartial manner. The Department of Justice also considered this arrangement appropriate.

22. According to the Bill, members of the review committee should be persons with expertise or experience in quality assurance or accreditation tests, or persons of good standing in industry, commerce, finance, or any industry, or in education or training. We believe that such arrangement would engage experts of different industries to provide fair and impartial reviews on the cases concerned.

23. Under the Bill, the fees for reviews to be charged by the Accreditation Authority and the QR Authority require SEM's prior approval. This is to ensure that the level of fees will not be prohibitively high to the applicants of reviews.

Concluding Remarks

24. The establishment of the QF is a long-term commitment with profound implications. Whether this could succeed hinges on the concerted efforts of employees, employers, industries, professional bodies, training providers, etc. in achieving an all-win situation. We shall continue to listen to the views of the stakeholders, and implement the QF in a pragmatic, prudent and gradual manner.

Education and Manpower Bureau
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