

VACC is familiar with the role of VETASSESS, TRA and NOOSR, however there are numerous other organisations that provide similar levels of support. If the number of bodies cannot be streamlined, VACC recommends that clearer guidance be provided to work through the maze of bodies.¹

Policy coordination issues

Introduction

- 2.1 This chapter provides an overview of the policy context for overseas skills recognition in Australia, including recent Council of Australian Governments (COAG) initiatives. The chapter also looks at the major agencies involved in skills recognition pre-migration and post-arrival for the different groups listed in the Committee's terms of reference.
- 2.2 The overseas skills recognition process brings together the immigration area, the employment regulatory area in terms of the maintenance of occupational standards and the education area in terms of the maintenance of educational standards. A range of bodies are therefore involved, including education and training authorities, regulatory agencies and employers.

1 Victorian Automobile Chamber of Commerce, *Submission No. 89*, p. 9.

Commonwealth agencies

Department of Immigration and Multicultural Affairs

- 2.3 The Department of Immigration and Multicultural Affairs (DIMA) delivers a range of services in Australia and overseas, including the Migration and Humanitarian programs. It also provides programs to equip migrants and refugees to participate equitably in Australian society. The *Migration Act* 1958 and the Migration Regulations set out in detail the migration laws which DIMA administers, including requirements for the grant of visas.
- 2.4 The DIMA website is usually the first place to which potential migrants go for information about migration to Australia and overseas skills recognition. DIMA therefore has a key role in communicating processes to users. DIMA also has an important coordination role in terms of other departments involved in the skills recognition area, such as the Department of Employment and Workplace Relations (DEWR) and the Department of Education, Science and Training (DEST).

Industry outreach officers

- 2.5 DIMA has some 15 industry outreach officers working with industry groups on full-time and part-time placements. They provide expert advice to employers wanting to employ skilled migrants where they cannot fill skilled jobs locally. Industry outreach officers are located in Perth, Adelaide, Canberra, Melbourne, Tasmania, Sydney and Brisbane.²
- 2.6 Outreach officers could also play a role in promoting awareness and acceptance of recognised overseas qualifications by Australian employers, including regional employers, and gauging any delays in obtaining migrant workers because of inefficiencies in the overseas skills recognition process from an employer's perspective.
- 2.7 Witnesses spoke of the 'benefits of DIMIA becoming involved with the community with their outreach officers, and engaging at a local level with their outplaced officers'.³ They further commented:

2 See DIMA website, <http://www.immi.gov.au/gateways/agents/news/IOO.htm> (accessed 20 June 2006).

3 Mr Fitzhardinge, Western Australian Skills Advisory Board, *Transcript of Evidence*, 15 November 2005, p. 6.

They might be able to assist with those industries working more closely with migrants in order to employ them. That way we can learn a bit more about how those industries might employ migrants. That would be a useful thing.

... this is a big opportunity because it is one of the first times that we have seen migration and industry working this closely together. From that point of view, it is a very exciting opportunity, because it is a recognition that migration and employment need to work more closely together.⁴

- 2.8 The Committee heard from many groups who had found the industry outreach officer program to be highly successful in expediting skilled migration. The representative from the Chamber of Minerals and Energy, WA, for example, commented that the program had been 'very successful' for their organisation:

For the small to medium organisations it has been particularly good for breaking down the barriers around skilled migration not necessarily being hard or rigorous – that you just need to understand the process for procuring skills from overseas.⁵

- 2.9 The Committee commends DIMA for establishing the industry outreach program.

Recommendation 3

- 2.10 **The Committee recommends that the industry outreach officer network collect information on skills recognition barriers from an employer perspective, including feedback on delays, bridging requirements, work experience and other skills issues, and that the Department of Immigration and Multicultural Affairs incorporate this information into further policy development.**

International and Australian skills expos

- 2.11 DIMA, in consultation with industry, also organise international and Australian skills expos. The 'Australia Needs Skills' expos are held around the world and are designed to help meet the current skills shortage in Australia. Australian employers are provided with the

4 Mrs Tkalcevic, Department for Victorian Communities, *Transcript of Evidence*, 24 November 2005, p. 10.

5 Ms Thomas, Chamber of Minerals and Energy, Western Australia, *Transcript of Evidence*, 20 April 2006, p. 33.

opportunity to meet people with the skills and experience needed to fill job vacancies in Australia and overseas workers are invited to attend to learn about visas and employment in Australia.

2.12 Skilled workers attending an expo can also talk to state and territory governments who want to recruit overseas skilled workers. People who attend the overseas expos are screened for age and English language requirements, as well as for qualifications and experience.

2.13 International expos represent a further opportunity to improve the communication of overseas skills recognition processes to potential migrants. As commented in a submission to the Committee:

Full information in detail about the process [should be] provided before skilled migrants decide to leave their own countries (for example during expos organised by DIMIA overseas ...⁶

2.14 In 2005, DIMA held expos in London, Amsterdam, Berlin and Chennai. DIMA screened people by asking them to register their interest in attending the expos and provide details of their qualifications and skills. The department then invited people who appeared to meet requirements for skilled entry into Australia. This process was designed to provide high-quality prospective migrants for the exhibitors to meet.

2.15 Almost 40 Australian employers took part as well as state and territory government representatives, and more than 8,000 prospective migrants attended the four expos.⁷ The 2006 expo schedule includes India, the US, Brazil, Peru, the UK and Ireland.⁸

2.16 Expos are also held across Australia to connect employers with international university students, working holiday makers and other skilled workers in Australia. The expos help employers, including those from regional areas, fill job vacancies that they are not able to fill through the Australian market. In 2005 expos were held in Brisbane, Melbourne and Perth. Some 40 employers and 35 regional and state government representatives attended.⁹ People attending

6 Ms Canini, *Submission No. 105*, p. 29.

7 Of this number, there were '3,900 in London, 900 in Amsterdam and 1,140 in Berlin with a further 2,214 in Chennai', DIMA, *Submission No. 80a*, p. 1.

8 See DIMA website, <http://www.immi.gov.au/skillexpos/#expos2006> (accessed 26 July 2005).

9 See DIMA website, <http://www.immi.gov.au/skillexpos/previous-expos.htm> (accessed 19 June 2005).

Australian expos are not screened. In 2006 Australian expos will be held in Adelaide, Melbourne, Sydney and Perth.

- 2.17 The Committee heard much positive feedback about the expos and the flow-on of skilled migration to regional areas. Participants particularly emphasised the benefits of pre-screening attendees to ensure quality applicants:

The response from the public was overwhelming in every location. It pre-screened people; you had to have an occupation on the skilled occupation list. It was extremely beneficial. Most of the people coming through the door were skilled potential migrants. Certainly we have had a spike in inquiries for Western Australia.¹⁰

The fact that they pre-screen them means that the people who come in are genuinely looking to progress and immigrate. We had in the vicinity of 800 people attend the stand when we were over there, and we have approximately 123 registered nurses and midwives currently on the books in various stages ... We had approximately 79 doctors identified who came to the stand, and we had approximately 140 allied health and health science professionals put in an expression of interest that they were interested in coming out.¹¹

- 2.18 Other witnesses emphasised the importance of international skills expos targeted at particular sectors. For example, the Committee heard that the Chamber of Minerals and Energy, WA, had attended an expo in Chennai that had been directed at a broad market: 'We were representing the resources sector and looking for technical people. There were a lot of accountants and IT people who were not high hit items for us'.¹²

- 2.19 In contrast, the targeted expo in Kolkata (Calcutta) was 'a very successful event':

The target market was obviously resource related. We gained significant benefits from that. Our companies have had significant spin-offs from the engineers and the like – and the

10 Mr Hill, Department of Industry and Resources, Western Australia, *Transcript of Evidence*, 15 November 2005, p. 13.

11 Ms Mantell, Department of Health, Western Australia, *Transcript of Evidence*, 20 April 2006, p. 25.

12 Ms Thomas, Chamber of Minerals and Energy, Western Australia, *Transcript of Evidence*, 20 April 2006, p. 32.

tradies – who attended that expo. I would highly recommend specialisation of some kind and bringing industries together, so that the attraction of the like type skills that you are after is high and there is a high hit ration.¹³

- 2.20 The Committee also heard that a number of agencies were notified of the expos at short notice:

... a much longer lead time than this year should be given to the states/territories and employers to allow for preparation and planning. It is suggested that an annual plan taking into consideration the number of events in total, timing, location, rationale and key focus be put in place well in advance to allow states/territories and employers to factor that in their planning and budget process.¹⁴

- 2.21 The Committee commends DIMA for establishing Australian and international expos and regards them as an important mechanism to promote awareness of skills recognition and licensing issues in Australia. As commented in a submission to the Committee:

The marketing messages in certain countries should ... be reviewed to avoid giving candidates unrealistic expectations and subsequent disappointment.¹⁵

Recommendation 4

- 2.22 The Committee recommends that the Department of Immigration and Multicultural Affairs and other stakeholders use the skills expos to provide clearer and more detailed information on overseas skills recognition processes to users, particularly licensing and registration requirements.**

Overseas posts

- 2.23 DIMA has representation at Australian High Commissions and embassies in 66 countries. There was some reference to the role of these 'overseas posts' in better communicating skills recognition processes:

13 Ms Thomas, Chamber of Minerals and Energy, Western Australia, *Transcript of Evidence*, 20 April 2006, p. 32.

14 South Australian Government, *Submission No. 94a*, p. 2.

15 South Australian Government, *Submission No. 94a*, p. 2.

In terms of information provision, it would probably be useful if people, when they are applying via overseas posts, are informed that the assessment process that takes place for migration purposes may not be the end of the story in terms of their ability to qualify to practise their profession in Australia.¹⁶

- 2.24 While the Australian High Commission and embassy websites link with the DIMA website, which also links with the Australian Skills Recognition Information (ASRI) portal, the Committee believes that the portal should be given greater prominence and placed alongside the link to DIMA on High Commission and embassy websites.
- 2.25 The Committee also believes that posts have an important responsibility in alerting potential migrants to skills recognition and licensing issues in Australia, and this role should be reinforced and given priority if possible through improved provision of information at overseas posts:

The information provided to potential migrants at the overseas posts needs to include the two step process of assessment followed by recognition and the possible costs involved. Currently, consistency of information is lacking.¹⁷

Migrant resource centres

- 2.26 DIMA makes funds available each year to the Community Settlement Services Scheme and to community organisations, including the Migrant Resource Centres, to provide settlement services for migrants.¹⁸ The funding is targeted to meet the settlement needs of recently arrived humanitarian entrants and family stream migrants with low levels of English proficiency.
- 2.27 The Committee heard from a number of MRCs about the complexities of overseas skills recognition, including that:
- An overarching national approach to skills recognition and licensing is required to overcome inconsistencies at the state and

16 Ms Rice, Migrant Employment and Training Taskforce, *Transcript of Evidence*, 23 November 2005, p. 18. Similar views about the provision of pre-embarkation information were expressed in a number of submissions—see, for example, Migrant Resource Centre North-West Region, *Submission No. 2*, p. 1.

17 Brotherhood of St Laurence, *Submission No. 23*, p. 2.

18 From 1 July 2006 this funding ceased and was replaced by the Settlement Grants Program.

territory level and provide a 'one stop shop' for professionals and tradespeople;

- Settlement services could be used more to identify people requiring skill upgrades and deliver information on skills recognition and licensing to humanitarian entrants; and
- There needs to be greater assistance for migrants to gain experience in industry through work experience and bridging programs.¹⁹

2.28 The Committee notes that the Migrant Resource Centres (MRCs) are a significant source of information on the difficulties faced by migrants in seeking skills recognition.

Recommendation 5

2.29 **The Committee recommends that the Department of Immigration and Multicultural Affairs establish a mechanism to better capture information from the Migrant Resource Centres on the barriers faced by migrants in seeking skills recognition.**

2.30 Many of the issues raised by the MRCs are discussed later in the report. Humanitarian entrants are of particular concern to the Committee in that they may face some additional difficulties in overseas skills recognition. Chapter 7 discusses this area further.

Vocational Education Training and Assessment Services

2.31 Vocational Education Training and Assessment Services (VETASSESS) is contracted by DIMA as the national assessing authority for a broad range of generalist professional occupations under the GSM program. It has been conducting assessments of qualifications for migration purposes since 1999. VETASSESS is the commercial arm of Kangan Batman TAFE. (VETASSESS is discussed in Chapter 4.)

Department of Employment and Workplace Relations

2.32 In relation to migration, DEWR's key interests are 'the labour market experience of migrants and the implications of migration for economic, demographic and labour market outcomes'.²⁰ DEWR also

19 See Migrant Resource Centre North-West, *Submission No. 2*, pp. 2-3; and Migrant Resource Centre of South Australia, *Submission No. 32*, p. 4.

20 DEWR, *Submission No. 63*, p. 4.

provides labour market advice to assist DIMA and DEST in the appointment and monitoring of assessing authorities for professional occupations.

Trades Recognition Australia

- 2.33 Trades Recognition Australia (TRA) is part of DEWR and is the designated assessing authority under the *Migration Act* to assess the trade skills and work experience of prospective migrants under the General Skilled Migration (GSM) program. The occupations assessed by TRA for migration purposes are sourced from those listed on the Skilled Occupation List (SOL).
- 2.34 As well as assessing trade skills for migration purposes, TRA has a role in assessing trade skills domestically. Under the *Tradesmen's Rights Regulation Act 1946* (TRR Act), it undertakes skills assessments in prescribed metal and electrical trades for those with overseas qualifications. (TRA is discussed in Chapter 5.)

Migration Occupations in Demand List

- 2.35 The Migration Occupations in Demand List (MODL) sets out occupations and specialisations identified by DEWR as being in national demand with sustained, longer term employment prospects in Australia. The MODL has its basis in DEWR's skills in demand research, which involves consultation with key stakeholders, including employers.²¹
- 2.36 The major issue raised with the Committee about the MODL concerned time lags in its publication in matching peak industry demand. For example, the Chamber of Minerals and Energy, WA, representing a sector with significant skills shortages, commented on its past difficulty in getting mining engineers on the MODL:

We have lobbied DEWR and DIMIA for some time in terms of getting skills recognition ... [f]or about 18 months. We have been seeking recognition that, whilst the resources sector is a relatively small employer compared to other industry sectors, our skill needs are significant, with economic significant return to both state and country ... We had some challenges with building awareness and understanding of what the skills

21 See DEWR, *Submission No. 63d*, pp. 1-2 and DIMA, *Submission No. 80b*, p. 1 for an overview of DEWR's skills in demand work and the process involved in updating the MODL.

needs of the resources sector were and the quantities of those we needed.²²

- 2.37 The Committee notes that mining engineers are now on the MODL²³ and that over the course of the inquiry DEWR's skills shortage research work and updating of the MODL shifted from being undertaken on an annual basis to being undertaken on a six-monthly basis to seek to address such problems:

... the skills shortage research work will now be undertaken on a six-monthly basis; it used to be undertaken on an annual basis. So we are trying to be more responsive in terms of the work that we are doing with that list. I might also add that we are now undertaking to engage more with industry about their views on occupations that are in shortage.²⁴

- 2.38 The Committee notes DEWR's responsiveness to feedback in this area over the course of the inquiry.

Australian and New Zealand Standard Classification of Occupations

- 2.39 At the time of drafting this report, a new standard classification of occupations, the Australian and New Zealand Standard Classification of Occupations (ANZSCO), was due to be released by the Australian Bureau of Statistics (ABS). ANZSCO is intended to provide an integrated framework for reporting occupation related information.
- 2.40 ANZSCO replaces the Australian Standard Classification of Occupations (ASCO) and the New Zealand Standard Classification of Occupations (NZSCO). The development of ANZSCO commenced in 2002 as a joint project between the ABS, Statistics NZ and DEWR, in consultation with stakeholders.²⁵ Table 2.1 provides a comparison between ANZSCO and ASCO.

22 Ms Thomas, Chamber of Minerals and Energy, Western Australia, *Transcript of Evidence*, 20 April 2006, p. 33. The Australian Computer Society (ACS) raise a similar issue, but in this case related to the difficulty that the 'lead time ... [for] taking something off the list was too great', causing an oversupply of graduate programmers, Mr Argy, ACS, *Transcript of Evidence*, 23 November 2005, p. 77. See also Planning Institute Australia on this issue, *Submission No. 14*, p. 2.

23 The MODL was updated on 15 December 2005 to include mining engineers, along with petroleum and chemical engineers.

24 Mr Neville, DEWR, *Transcript of Evidence*, 5 September 2005, p. 37.

25 As DIMA commented, '[e]xtensive consultations have occurred with key stakeholders in Australia and New Zealand to inform stakeholders of progress and seek their views on key issues affecting the overall design, structure and model of ANZSCO', *Submission No.80b*, p. 1. See also DEWR, *Submission No. 63d*, p. 2.

2.41 However, over the course of the Committee's inquiry and at the time of drafting this report, ASCO was in general usage, including in classifying occupations on the SOL and MODL. There is a relationship between ASCO and the issues discussed above with the MODL. It is therefore useful to include a discussion on ASCO at this point.

Table 2.1 Comparison between ANZSCO and ASCO classifications

ANZSCO	ASCO Second Edition
1 Managers	1 Managers and Administrators
2 Professionals	2 Professionals
3 Technicians and Trades Workers	3 Associate Professionals
4 Community and Personal Service Workers	4 Tradespersons and Related Workers
5 Clerical and Administrative Workers	5 Advanced Clerical and Service Workers
6 Sales Workers	6 Intermediate Clerical, Sales and Service Workers
7 Machinery Operators and Drivers	7 Intermediate Production and Transport Workers
8 Labourers	8 Elementary Clerical, Sales and Service Workers
	9 Labourers and Related Workers

Source ABS, *Information Paper: ANZSCO—Australian and New Zealand Standard Classification of Occupations*, September 2005.

2.42 The Committee notes that the introduction of ANZSCO may have implications for the content of the SOL and MODL and for assessing authorities, potential migrants, employers and others involved in skilled migration should there be substantial variation of occupation titles and classification groups.

2.43 The introduction of the new ANZSCO aside, during the inquiry the Committee heard of concerns about the ASCO being outdated in that it does not align with the Australian Qualifications Framework:

Trade classification of trade skilled migrants during the pre-migration process is based on ASCO descriptors which do not align with Australian trade qualifications based on the national training framework. This inconsistency impacts on the tradesperson's recognition and licensing ...

2.44 The Committee notes that the introduction of the new ANZSCO may address this issue. During the inquiry, it was also suggested that there needed to be a more detailed subspeciality set of classifications on the MODL so as to be more responsive to skills in short supply and that the ASCO occupations titles no longer reflected the current titles used by industry.

2.45 There was concern that the classification of occupations under ASCO could potentially widen the gap between pre-migration assessment and employment assessment, if 'the title given to the trade skilled migrant [is] too broad to match Australian trade classifications or licensing requirements' or if the occupation listed on the SOL or MODL is not quite the same as the occupation in employment demand. As the Committee heard:

There appears to be something of a mismatch between the descriptors of skills shortage occupations as listed in the Migration Occupations in Demand (MODL) list and employers perception of the skills sets they require in particular occupations.²⁷

2.46 In particular, the Committee heard of the problems experienced in this area by the Australian Computer Society (ACS), the assessing authority for the IT industry – that is, the MODL classifications do not facilitate the entry of IT professionals with the specialised skills that are actually in demand:

... the term 'programmer', generically, is just unhelpful. What we have suggested to DIMIA – and, to be fair, I believe this is being taken up, but I am not sure how far it has got – is to have a much more detailed level of granularity of these classifications so that you can be much more responsive about what skills, down to the detailed level, are in short supply so you can do the matching with greater agility than simply

26 Queensland Government, *Submission No. 83*, p. 23. See also, Tasmanian Government, *Submission No. 77*, p. 3.

27 Adult Multicultural Education Services, *Submission No. 9*, p. 2.

broadly bringing in masses of people who actually are not required at all.

... the migration occupations in demand list is not agile enough. It is not updated frequently enough and the granularity of the classifications on the list is not sufficiently detailed, so it does not descend to the level of specialisation that you need to identify to enable it to perform its policy objective.²⁸

- 2.47 As DEWR advised the Committee during the inquiry, it does have the capacity to add specialisations and new occupational titles to the MODL:

... regardless of the move to replace ASCO with a harmonised classification system ... ASCO was reviewed on a regular basis to ensure it reflected changes to the labour market including the identification of new occupational titles and specialisations (and, as appropriate, the removal of occupational titles) ...

Where DEWR research and analysis identifies specialisations within an occupation ... as being in 'national demand' and with good employment prospects, provision exists for these specialisations to be included on the MODL.²⁹

- 2.48 The Committee also notes that computer specialisations were added to the MODL in December 2005 and that a note was added at the end of the MODL to specifically address ACS's concerns:

If you nominate one of the above specialist computing occupations, you will only be awarded MODL points if your skills assessment from the relevant Australian assessing body – the Australian Computer Society (ACS) states you have met the criteria to be recognised in one of the above specialisations.³⁰

- 2.49 The Committee does, however, accept the difficulties in accommodating subspecialisations on the MODL. As DEWR commented, the small numbers employed may present problems in

28 Mr Argy, ACS, *Transcript of Evidence*, 23 November 2005, p. 77 and p. 80. This issue was also raised by the Migration Institute Australia, *Submission No. 34*, p. 19, and the Association for Consulting Engineers Australia, *Submission No. 31*, p. 10.

29 DEWR, *Submission 63d*, pp. 1-2.

30 DIMA website, <http://www.immi.gov.au/skilled/general-skilled-migration/skilled-occupations/occupations-in-demand.htm> (accessed 26 July 2006).

terms of ensuring sufficient and ongoing demand for people to work in these areas. Both DEWR and DIMA also point out that employers experiencing difficulties in recruitment of subspeciality skills have the option of accessing a range of employer sponsored migration arrangements.³¹

- 2.50 Clearly, occupations listed on the MODL and the SOL as being in migration demand therefore need to match, as closely as possible, the occupations in employment demand. The Committee did hear about concerns here regarding the new ANZSCO:

The draft ANZSCO structure is an improvement on the ASCO structure that it will replace but it still does not adequately address the new skills in the resources sector. In particular skills in the oil and gas sector are not detailed enough.³²

- 2.51 The Committee emphasises that DEWR will need to continue to be as flexible as possible in responding to employer needs in its skills in demand research and management of the MODL, particularly when the new ANZSCO is introduced.

Recommendation 6

- 2.52 **The Committee recommends that the Department of Employment and Workplace Relations (DEWR) work more closely with assessing authorities, industry groups and other stakeholders to ensure the Migration Occupations in Demand List (MODL) reflects, as precisely as possible, occupations and specialisations in demand at any particular time. To facilitate this, DEWR should develop a process to more regularly review the MODL – on a three monthly basis, at a minimum – and improve feedback on its accuracy and currency.**

Department of Education, Science and Training

- 2.53 DEST facilitates the recognition of overseas professional skills by identifying, approving and monitoring professional bodies as assessing authorities. It also provides an overseas qualifications recognition service to assessing authorities and Overseas Qualifications Units based in the state and territory governments

31 DEWR, *Submission 61d*, p. 2 and DIMA, *Submission 80b*, p. 2.

32 Western Australian Skills Advisory Board, *Submission No. 17*, p. 6.

through Australian Education International-National Office of Overseas Skills Recognition (AEI-NOOSR).

Assessing authorities/professional bodies

- 2.54 Approved assessing authorities are gazetted by the Minister for Immigration and Multicultural Affairs to undertake overseas skills assessment under the GSM program for occupations listed on the SOL.
- 2.55 There are some 34 assessing authorities for over 450 occupations. There are also two agencies that provide assessments for a group of occupations: Trades Recognition Australia (TRA), which assesses trades and is part of DEWR, and VETASSESS, which assesses generalist professional occupations and reports to DIMA. (The assessing authorities for professions, including VETASSESS, will be discussed in Chapter 4. TRA, as the assessing authority for trades, is discussed in Chapter 5.)
- 2.56 Skills assessment is a basic requirement for all prospective GSM program applicants and for some Employer Nominated Scheme applicants. In order to be granted a visa, an applicant's skills must have been assessed as suitable by the assessing authority for the occupation nominated by the applicant.
- 2.57 Aside from TRA and VETASSESS, the skills assessing authorities are usually the peak professional bodies for their occupational area/s. As well as undertaking overseas skills assessment under the GSM program, these bodies are therefore usually responsible for assessing the skills of all other individuals who have trained overseas.

Australian Education International and National Office of Overseas Skills Recognition

- 2.58 AEI-NOOSR is part of DEST. AEI-NOOSR provides advice on the comparability of overseas qualifications with Australian qualifications.
- 2.59 AEI-NOOSR is also an assessing authority for overseas teaching qualifications for GSM program applicants, although the Committee understands that a new assessing authority for this area was being considered.³³

33 See Dr Jarvie, DEST, *Transcript of Evidence*, 27 March 2006, p. 22.

- 2.60 DEST's qualifications recognition service, through AEI-NOOSR, involves:
- production of publications, Country Education Profiles, which provide comprehensive information on country education systems and provide assessment guidelines on the comparability of overseas qualifications to Australian qualifications;
 - provision of a free advisory service on qualifications recognition to professional assessing authorities;
 - support for organisations, Overseas Qualifications Units, responsible for the provision of settlement services by each of the State and Territory governments by providing a free advisory service;
 - undertaking assessments on a fee-for-service arrangement for permanent residents who want their overseas qualifications recognised; and
 - provision of a training, mentoring, auditing and qualification assessment service on a fee-for-service arrangement to VETASSESS.³⁴

- 2.61 DIMA identify NOOSR as a 'key factor' in the success of the current skills recognition arrangements:

Until the formation of the National Office of Overseas Skills Recognition in July 1989, the Commonwealth's attempts to develop a consistent assessment framework were constrained by limited resources. The introduction of NOOSR (now known as NOOSR-AEI) has led to the consolidation of expertise in two key areas:

- policy advice to Government and key Government agencies on qualification assessment issues; and
- a skills recognition advice and assessment service for education providers and assessing authorities.³⁵

- 2.62 There are a number of issues concerning the role of AEI-NOOSR – for example, the duplication in skills recognition information through the DIMA and AEI-NOOSR websites. These issues will be discussed in later chapters.

34 DEST, *Submission No. 91*, p. 7.

35 DIMA, *Submission No. 80*, p. 3.

Country Education Profiles

- 2.63 Country Education Profiles (CEPs), as produced by AEI-NOOSR in DEST, provide assessment guidelines for the comparability of overseas qualifications to Australian qualifications. These guidelines may assist employers, professional bodies and government agencies, as well as individuals wanting to know the educational level of their qualification from an Australian perspective.
- 2.64 CEPs contain detailed information about the structure and qualifications of all sectors of a country's education system, key points of comparison used by AEI-NOOSR for assessment purposes and assessment guidelines for comparing qualifications from the overseas country with qualifications on the Australian Qualifications Framework. The CEPs provide 'national consistency, quality and validity for educational assessments'.³⁶
- 2.65 At the beginning of the inquiry, the Committee heard many comments about the then hard copy CEPs being out of date and difficult to access:
- Many of the Country Education Profiles have not been reviewed since the early 1990s. This raises concerns where the assessment is based on academic qualifications as we rely on the CEP to ascertain whether there is an equivalency to an Australian qualification.³⁷
- ... the Country Education Profiles ... are badly out of date. It would be beneficial for access to these to be improved and for updates to be provided more regularly.³⁸
- 2.66 The issue here, as commented, is that 'when guidelines are updated ... can very well make a difference to the outcome of an assessment'.³⁹ Clearly, if the CEPs are not regularly updated, this can affect the accuracy of the overseas qualification recognition service provided.
- 2.67 Many different bodies use this data, including assessment authorities, state and territory Overseas Qualifications Units, employers and individuals. The Committee was therefore pleased to note that, part way through the inquiry, the CEPs were updated and launched online:

36 Tasmanian Government, *Submission No. 77*, p. 3.

37 Immigration Lawyers Association of Australasia, *Submission No. 82*, p. 24.

38 Migration Institute of Australia, *Submission No. 34*, p. 3. See also Migrant Network Services, *Submission No. 54*, p. 2 and Imelda Argel and Associates, *Submission No. 92*, p. 2.

39 Mr Parker, VETASSESS, *Transcript of Evidence*, 24 November 2006, p. 20.

... the launch of the new CEP Online system on 14 October 2005 ... was a direct response to industry requests for AEI-NOOSR to deliver:

- Overseas qualifications recognition information in an electronic format this is easy to access, search and browse; and
- More regular and frequent updates to this information.⁴⁰

2.68 The online CEPs, covering 106 countries, can be accessed by any individual or organisation on a subscription basis. DEST informed the Committee that the online information would be 'updated regularly'.⁴¹

2.69 Following the introduction of the online CEPs, the Committee heard from witnesses who commented on the usefulness of the updated material and improved access arrangements, although there was still some material that required updating:

We use the guidelines in the AEI-NOOSR country education profiles, CEPs, which are all online now, as of 1 November, which makes it even easier.⁴²

Some of the CEPs online are very old, but in the last six months there has been a lot of work done in updating for some of the high-volume countries. There are still a few to go. We would love to see Yugoslavia, New Zealand and the UK updated, and I know they are working on that.⁴³

2.70 DEST also commented that it had received 'consistent and very positive feedback from industry on CEP Online' and that it would seek 'formal feedback on this product in 2006' to ensure that it is delivering a service 'closely aligned with user needs'.⁴⁴

2.71 The Committee welcomes this development and notes the efficiencies that the new online CEPs should contribute to the skills recognition process through improved client service and accuracy of information.

40 DEST, *Submission 91b*, p. 1.

41 DEST, *Submission 91b*, p. 1.

42 Ms Hurley, Certified Practising Accountants Australia, *Transcript of Evidence*, 24 November 2006, p. 41.

43 Ms Rogers, Department of Employment and Training, Queensland, *Transcript of Evidence*, 9 March 2006, p. 53.

44 DEST, *Submission 91b*, p. 2.

Recommendation 7

- 2.72 **The Committee recommends that the Department of Education, Science and Training accelerate the process of expanding and updating the Country Education Profiles and develop a process to periodically review and formally receive feedback on the accuracy and currency of that information.**

State and territory governments

- 2.73 State and territory governments play an important role in promoting migration and addressing skills recognition and licensing issues.⁴⁵ Their role in this area typically covers:

- implementing state-based migration strategies;
- operating Overseas Qualification Units or similar advisory or referral bodies; and
- providing certain settlement services and migrant employment support programs.

- 2.74 Evidence to the inquiry from state and territory governments highlighted the need for improved coordination of the provision of information to potential migrants:

Effective communication and information sharing is required among skills recognition authorities, professional bodies, accreditation units and licensing authorities within all jurisdictions about the processes for recognition of skills and qualifications, including appeal mechanisms. Clear communication of policy and policy directions is needed at a national level.⁴⁶

- 2.75 One of the Committee's terms of reference is to identify areas where Australia's procedures can be improved in terms of achieving greater consistency in recognition of qualifications for occupational licensing by state and territory regulators. As the Northern Territory Government observed:

45 The Committee received submissions from all state governments and the Northern Territory.

46 Queensland Government, *Submission No. 83*, p. 23.

Cross-border mobility for a number of professional occupations continues to be impeded by differences in training and the assessment of skills and knowledge, and variations in the occupational licensing and regulatory requirements between jurisdictions. The lack of consistency presents an impediment to the mobility of skilled labour to address current skills shortages in the Northern Territory.⁴⁷

- 2.76 Issues raised by the state and territory governments are discussed throughout this report.

Overseas Qualification Units

- 2.77 Overseas Qualification Units (OQUs) or their equivalents have been established in most Australian states and territories to assist migrants to obtain overseas skills recognition. Most OQU services are free.

OQUs generally provide:

- Statements of educational equivalence for qualifications obtained overseas [based on AEI-NOOSR CEPs].
- Information on where and how to obtain specific occupational assessments and which occupations have licensing and/or regulatory requirements.
- Information about further training, including: English language training, bridging training and orientation programs.

They may also provide:

- Employment related information.
- Advocacy and help to present information to assessors and assessing authorities.⁴⁸

- 2.78 State department representatives emphasised that the OQUs are providing a useful service, particularly in facilitating overseas skills recognition. For example, the Western Australian OQU representative commented:

The unit was established in 1989 and it has had a very successful track record in assisting around 30,000 people who obtained their qualifications overseas and residents wanting to have their skills and qualification recognised interstate. The unit itself facilitates individual requests for skills recognition

47 Northern Territory Government, *Submission No. 93*, p. 8.

48 DIMA website, <http://www.immi.gov.au/asri/os-qual-units.htm> (accessed 26 July 2006).

and gives one on one assistance and direction in terms of training and employment options available. That is the important point I would like to come back to, that one to one contact.⁴⁹

2.79 Similarly, the Victorian OQU representative commented:

... OQU ... holds industry-based forums to link overseas qualified professionals with industry bodies and employers, primarily to provide orientation to industry, but also to assist in the development of professional networks. More than 600 unemployed or under-employed overseas qualified migrants in fields including IT, teaching, medicine, child care and accounting have participated in these forums. The OQU acts as a one-stop referral and advocacy agency between the migrant, professional bodies and other services to enable migrants to be linked effectively to other recognition, registration and licensing services.⁵⁰

2.80 Representatives from the OQUs were well placed to comment on the current complexity of the overseas skills recognition framework in Australia:

With respect to the qualifications unit and the assessment it does, it does not make the pathways easier to navigate in that we are still having to advocate for the migrant and negotiate the system ... We are using this service to help the migrant to negotiate the system, which in itself is telling us that there is a problem with the system.⁵¹

2.81 The Committee heard that a number of the clients of OQUs are humanitarian entrants and family stream migrants who would not have had their skills assessed pre-migration:

So for those individuals, the OQU is a first stop for them, where they can get guidance on what their qualification is equivalent to from an academic point of view. They are referred to education, training and employment services, professional registration bodies et cetera. So it is a referral point. Without that service, you would have quite a huge gap

49 Mr Player, Department of Education and Training, Western Australia, *Transcript of Evidence*, 15 November, 2005, p. 16.

50 Victorian Government, *Submission No. 100*, p. 10.

51 Ms Tkalcevic, Department of Victorian Communities, *Transcript of Evidence*, 24 November 2005, p. 4.

there, in that those migrants would not be serviced at all ...
The service we provide is free.⁵²

- 2.82 The effective role of the OQUs was highlighted in evidence to the Committee,⁵³ and the Committee commends the OQUs in their role.

Mutual Recognition Act 1992

- 2.83 In the early 1990s the Australian Government and the states and territories agreed to adopt 'mutual recognition' arrangements for occupational licensing to overcome some of the problems caused by different requirements across jurisdictions. Subject to certain conditions, under the provisions of the *Mutual Recognition Act 1992*, 'a person who has current authority to practise their occupation in one Australian State or Territory is eligible to be registered and to carry on that equivalent occupation in a second State or Territory'.⁵⁴

- 2.84 Australia's mutual recognition arrangements were reviewed in 2003 by the Productivity Commission, which noted that, while mutual recognition has, in general, 'reduced impediments to occupational mobility', jurisdictions should be encouraged to 'continue to work on reducing differences in registration requirements to address concerns that the entry of professionals through the "easiest jurisdiction" might lower overall competencies'.⁵⁵ The Committee heard similar comments:

The lack of uniformity of regulatory and education requirements for various skilled occupations throughout Australia continues to be a problem. Under the Mutual Recognition Scheme, it is possible for persons seeking a license or accreditation to forum shop for the lowest point of entry. The differences between jurisdictions are also sources of frustration for migrants who seek to move within Australia.⁵⁶

52 Ms Tkalcevic, Department of Victorian Communities, *Transcript of Evidence*, 24 November 2005, p. 4.

53 See, for example, Brotherhood of St Laurence, *Submission No. 23*, p. 2.

54 DIMA website, <http://www.immi.gov.au/asri/background.htm> (accessed 26 July 2006).

55 Productivity Commission, *Evaluation of Mutual Recognition Schemes*, p. xviii.

56 Northern Territory Government, *Submission No. 93*, p. 8.

2.85 Australia's regulatory framework for licensing and registration and mutual recognition arrangements between the states and territories have recently been major areas of activity for COAG, as is discussed below. As a recent report on Australia's regulatory framework states:

Evidence from business groups indicates that the principle of national or 'mutual' recognition has not been successfully implemented ...

The ineffectiveness of mutual recognition is also an issue for the health sector, where the professional certification and licensing of nursing staff by states and territories create impediments to labour mobility ...⁵⁷

2.86 Chapter 3 considers this area in further detail, and Chapters 4 and 5 discuss registration and licensing issues for the trades and professions.

Council of Australian Governments

2.87 Over the last two years, the Council of Australian Governments (COAG) has investigated four areas of interest to this inquiry:

- Overseas skills recognition in the trades and mutual recognition arrangements between the states with regard to trade licensing;
- Assessment processes for overseas trained doctors, and training, accreditation and registration issues in the health workforce;
- A national approach to training and skills recognition to recognise the existing skills of people entering training; and
- Regulatory reform.

2.88 On 10 February 2006, COAG agreed to an action plan for addressing skills shortages in the trades through a national approach to apprenticeships, training and skills recognition. The action plan included:

A single, pre-migration off-shore assessment process to meet skilled migration and licensing purposes and be accepted for

57 Regulation Taskforce, *Rethinking Regulation: Report of the Taskforce on Reducing Regulatory Burdens on Business*, Report to the Prime Minister and the Treasurer, January 2006, pp. 41-42.

licensed employment throughout Australia for intending migrants from:

- India;
- the United Kingdom;
- South Africa;
- Sri Lanka; and
- South Korea

In:

- six priority skills shortage occupations by July 2007;
- all trade occupations in these five countries by December 2008.⁵⁸

- 2.89 As these measures impact on the trades area, they will be discussed in detail in Chapter 5.
- 2.90 COAG also announced major initiatives relating to the health workforce, including on the organisation of clinical education and training, and accreditation and registration. On 14 July 2006, COAG resolved to put in place a single national registration scheme for health professionals by 2008, and a single national accreditation scheme for health, education and training by 2008. COAG also agreed to implement a national process for the assessment of overseas trained doctors by December 2006.⁵⁹ Chapter 4 examines the health professions in more detail.
- 2.91 In February 2006, COAG announced initiatives relating to a national approach to training and skills recognition to address skills shortages. In particular, to make the most of existing skills in the workforce, COAG has agreed that 'a better process to recognise the existing skills of all people entering training will be introduced by January 2007, so that workers do not have to repeat or undertake training for skills they have already acquired on the job'.⁶⁰
- 2.92 In particular, to achieve maximum flexibility in training for employers and individuals, COAG announced that 'all workers entering publicly funded training will be able to have their existing skills recognised quickly and simply so that wherever possible their training time is

58 COAG, *Communique*, 10 February 2006, <http://www.coag.gov.au/meetings/100206/index.htm> (accessed 25 July 2006).

59 COAG, *Communique*, 14 July 2006, <http://www.coag.gov.au/meetings/140706/index.htm> (accessed 25 July 2006).

60 COAG, *Communique*, 10 February 2006.

reduced' and there will also be a program to support good practice in recognition of prior learning.⁶¹

2.93 In February 2006, COAG also announced initiatives focused on reducing the regulatory burden imposed by the three levels of government. COAG agreed that 'all governments will identify further reforms that enhance regulatory consistency across jurisdictions or reduce duplication and overlap in regulation and in the role and operation of regulatory bodies'.⁶²

2.94 The Committee notes the significance of these COAG initiatives. COAG provides a mechanism to facilitate cooperative action across Commonwealth and state/territory governments to improve the efficiency of Australia's overseas skills recognition process. As the Northern Territory Government commented:

With the demand for skilled workers within Australia increasing and skill shortages deepening it is important to ensure that the processes and pathways for qualification and skills recognition are transparent, integrated and facilitative. Such an approach will require full cooperation between the Commonwealth, State and Territory governments as well as that of industry, as a number of professions and trades involve industry based assessment, recognition, registration or licensing.⁶³

Employers

2.95 DIMA commented on how the migrant selection process had changed since the 1950s, with the emphasis now on employers taking the lead in this process:

I believe the key difference here is that we are taking the state governments and employers with us. Fundamentally, the selection is going to be done resting on their powers to sponsor skilled migrants, whereas back in the fifties it was predominantly done by immigration officers doing the bulk of the selecting. We believe having employers doing the selecting is a better system. As much as I have confidence in

61 COAG, *Communique*, 10 February 2006.

62 COAG, *Communique*, 10 February 2006.

63 Northern Territory Government, *Submission No. 93*, p. 5.

how well our staff would select, we believe employers are better people to select the migrants, as are the regions and the state governments.⁶⁴

- 2.96 Employers play a significant role in the overseas skills recognition process. As DIMA stated:

It is not always necessary to have your overseas qualifications recognised in order to obtain employment in Australia. In many occupations you can apply directly for employment and the employer will decide whether to 'recognise' your overseas training and experience or not ... In other occupations, employers may prefer to employ people who are members of professional associations or unions or who have obtained an academic assessment that indicates the educational level of the overseas qualification.⁶⁵

- 2.97 DIMA's Employer Sponsored Migration program, which was discussed in the previous chapter, provides a number of targeted visa options for employers.

- 2.98 The skill matching database, maintained by DIMA, also assists employers to identify prospective skilled employees from overseas. The skill matching database contains the educational, employment and work details of around 6,000 skilled people, representing more than 300 trades and professions. The database is available through the DIMA website.

- 2.99 In terms of assisting skills recognition by Australian employers for workers listed on the database, it was suggested to the Committee that there needed to be more information entered on the database to ascertain qualifications:

VACC recommends that a number of fields in the data base are compulsory, such as country of qualification, current occupation and duties. The current data base provides for the year the qualification is awarded, however, VACC recommends that it provides for the commencement and completion date. This would assist potential employers to identify whether the course was a short course or one comparable to a period of apprenticeship.⁶⁶

64 Mr Rizvi, DIMA, *Transcript of Evidence*, 5 September 2005, p. 19.

65 DIMA website, <http://www.immi.gov.au/asri/background.htm> (accessed 18 July 2006).

66 Victorian Automobile Chamber of Commerce, *Submission No. 89*, p. 8.

- 2.100 DIMA commented that 'in response to employer feedback the fields relating to applicant's educational qualifications and employment history were made mandatory from July 2005'. However, as applicants can remain on the database for up to two years, 'some applications made prior to July 2005 may still not include this information'.⁶⁷
- 2.101 The Committee was pleased to note that DIMA had responded to this feedback and implemented this improvement to the database. DIMA also commented that employers are encouraged to contact applicants and 'use their standard interview questions to determine if the applicant has the required qualifications and experience for the vacancy'.⁶⁸
- 2.102 One of the Committee's terms of reference is to identify areas where Australia's procedures can be improved in terms of awareness and acceptance of overseas qualifications by Australian employers. This issue will be discussed further in Chapter 7.

Australian training environment

- 2.103 Australia's national training framework seeks to simplify the vocational education and training (VET) system and reduce points of regulation. The framework is made up of two elements: the Australian Quality Training Framework (AQTF) and Training Packages.
- 2.104 The AQTF is a set of nationally agreed standards to ensure the quality of VET services through Australia. Training Packages are sets of competency based, nationally endorsed standards and qualifications for recognising and assessing people's skills. As the Committee heard:

The Australian vocational training system is an industry led system that focuses on individuals being prepared for the world of work by achieving competency against industry defined skill sets. These skill sets are detailed in industry training packages ... A quality framework is set up around the system that ensures that providers of education and training deliver outcomes that meet with requirements detailed in the

67 DIMA, *Submission No. 80b*, p. 2.

68 DIMA, *Submission No. 80b*, p. 2.

training packages. This framework is the Australian Quality Training Framework (AQTF).

The key objective of the AQTF is to provide the basis for a nationally consistent, high quality vocational education and training (VET) system.⁶⁹

2.105 The Australian Qualifications Framework (AQF) is a unified system of national qualifications. It connects schools, vocational education and training (TAFEs and private providers) and the higher education sector (mainly universities) in a single coherent framework.⁷⁰

2.106 The AQF allows the development of flexible pathways to assist people to move more easily between education and training sectors and the labour market. As a witness emphasised:

... wherever the processes occur, whether overseas or in Australia, and in fact whatever processes are being used, we do have a nationally recognised training system in Australia, the Australian Qualifications Framework. ... we need to be very careful that none of these actions, taken at the moment to address particular needs, would actually be detrimental to the quality which has been set up through the AQF.⁷¹

Competency based training and recognition of prior learning

2.107 In the VET sector, qualifications are awarded for the achievement of competencies. 'Competency' defines the possession and application of knowledge and skills to defined standards that correspond with workplace requirements. The state and territory training authorities delegate the responsibility for assessment and issuing of the qualification to a registered training organisation (RTO).

2.108 Recognition of prior learning (RPL) allows a person to receive recognition and credit for knowledge and skills they have gained, including overseas, outside the formal education and training system – for example, through training programs at work and work experience. RPL involves the assessment of unrecognised skills and knowledge against the requirements of a qualification:

69 Restaurant and Catering Australia, *Submission No. 41*, pp. 9-10.

70 See AQF website, <http://www.aqf.edu.au> (accessed 26 July 2006).

71 Ms O'Connor, Department of Further Education, Employment, Science and Technology, South Australia, *Transcript of Evidence*, 14 November 2005, p. 18.

By removing the need for duplication of learning, RPL encourages an individual to continue upgrading their skills and knowledge through structured education and training towards formal qualifications and improved employment outcomes ...⁷²

2.109 It is a requirement of the Australian Quality Training Framework that RTOs must offer RPL prior to the commencement of training.⁷³

2.110 In the VET sector, RPL assessment can result in a full qualification or a statement of attainment for partial completion, in recognition that a person has achieved the assessment requirements for one or more of the nationally endorsed competencies identified for a particular qualification.

2.111 Under the AQF, each qualification provides for an RPL pathway as an alternative access point or source of credit. Processes used to assess RPL may involve, for example, direct observation of demonstration of skill or competence.

2.112 The Committee heard many comments about competency based training and RPL and the move away from equivalence of standards to equivalence of competence:

The process of establishing competency standards and using those competency standards to assess individuals for particular occupations is one that we are heavily involved in. The skills councils that work with those competency standards consult with our organisations, and we are very happy with that process. We put a lot of effort into making sure that those competency standards adequately describe the skills you need.⁷⁴

We support the introduction of the competency based system ... We recognise that to have a proper competency based system the old time-served notion disappears.⁷⁵

... we believe that recognition of individual competence often provides a more secure outcome than does the recognition of specific qualifications.⁷⁶

72 DEST, *Submission No. 91c*, p. 2.

73 DEST, *Submission No. 91*.

74 Mr Hart, *Restaurant and Catering Australia Transcript of Evidence*, 23 November 2005, pp. 72-73.

75 Mr Maxwell, *Construction and General Division, Construction, Forestry, Mining and Energy Union Transcript of Evidence*, 23 November 2005, p. 95.

2.113 As discussed above, COAG have announced major initiatives relating to a national approach to training and skills recognition to address skills shortages. This should also promote more streamlined arrangements for the recognition of overseas skills and improve training pathways for migrants requiring skills upgrading. As the Committee heard:

... the process of skills recognition should not operate independently to the Vocational Education and Training (VET) system. One of the key tenets of the VET system is that competency is the objective, not training completed. This fits well with the concept of skills recognition ... Assessment would therefore be able to be undertaken and recognition provided in both the individual units of competency and the overall qualification. This would suit, not only the recognition process for immigration, but provide a pathway for these people to undertake further education and training once in Australia.⁷⁷

76 Mr Morris, Global Recognition Agency, *Transcript of Evidence*, 9 March 2006, p. 2.

77 Restaurant and Catering Australia, *Submission No. 41*, p. 9 and p. 11.