

It will be imperative that the information provided on [the new skills recognition] website is easily understood, accurate and up to date. Importantly, it will provide a picture of the maze of Government and private organisations, including registered training organisations, that have an interest in this area ...¹

Overseas skills recognition framework

Introduction

- 3.1 As the 1982 Fry Committee of Inquiry into Recognition of Overseas Qualifications observed:

It is important for all concerned with the recognition in Australia of qualifications obtained overseas to recognise the complexity of the subject.²

- 3.2 This chapter explores the complexity of Australia's overseas skills recognition framework and provides a broad overview of the overseas skills recognition pathways for the different groups listed in the Committee's terms of reference, encompassing:

- pre-migration and post-arrival skills recognition;
- registration, licensing and professional membership; and

1 Northern Territory Government, *Submission No. 93*, p. 9.

2 Committee of Inquiry into Recognition of Overseas Qualifications, *Recognition of Overseas Qualifications in Australia*, 1982, p. 33.

- skills upgrading.
- 3.3 As discussed in Chapter 1, there is no single national authority in Australia that recognises all overseas qualifications or coordinates overseas skills recognition procedures. Figures 1.1 and 1.2 in Chapter 1 provide a brief overview of Australia's current overseas skills recognition framework and what the Committee recommends this framework should look like in the future.
- 3.4 As Figure 1.2 indicates, the Committee's recommendations, along with the recent Council of Australian Governments (COAG) initiatives, combine to create a more streamlined skills recognition framework. Chapter 4 will outline COAG's support for the creation of new national accreditation and registration bodies for the health professions, while this chapter outlines the Committee's recommendation for new management arrangements for Vocational Education Training and Assessment Services (VETASSESS), with oversight of VETASSESS to be transferred from DIMA to DEST.
- 3.5 This means that in the future DEST would have oversight of overseas skills assessment in the non-health related professions through VETASSESS and the relevant assessing authorities, complementing the proposed arrangements for the health professions. Chapter 3 also makes some recommendations to improve DEST's oversight and monitoring of skills assessment arrangements.
- 3.6 This leads into a discussion of some of the major issues raised with the Committee over the course of the inquiry on where Australia's overseas skills recognition procedures can be improved. (Issues specifically relating to the professions and trades are discussed in Chapters 4 and 5.)
- 3.7 Chapter 3 also discusses the new Australian Skills Recognition Information (ASRI) website of the Department of Immigration and Multicultural and Indigenous Affairs (DIMA).

Current arrangements

- 3.8 The recommendations of the Fry Committee of Inquiry into Recognition of Overseas Qualifications in 1982 led to a major reform of assessment procedures for overseas professional and trade

qualifications.³ Recommendations included the establishment of English language proficiency requirements for each occupation, the establishment of Overseas Qualifications Units in each state and greater emphasis on pre-migration assessment of overseas qualifications.

3.9 The current assessment arrangements for skills stream migrants have built on these developments. These arrangements, according to DIMA:

... evolved from a need to determine the quality and comparability of skills and qualifications obtained in countries outside the traditionally accepted British education and vocational training systems. The arrangements, known as PASA, or pre application skill assessment, have been recognised as world's best practise. They ensure that only those people who have the necessary qualifications and skills required to work in their nominated occupation are successful.⁴

3.10 The new DIMA ASRI website provides the most recent official statement on Australia's current overseas skills recognition framework – see Figure 3.1. As this figure outlines, the various groups requiring skills recognition, as listed in the Committee's terms of reference, face the following recognition pathways:

- pre-migration skills assessment through the assessing authorities – generally applies to skills stream migrants under the General Skilled Migration (GSM) program and, under certain circumstances, the Employer Nomination Scheme (ENS);
- pre-migration skills recognition through DIMA – generally applies to skills stream migrants under Labour Agreements and the Regional Sponsored Migration Scheme (RSMS)⁵ and to temporary residents on Temporary Business (Long Stay) visas;
- post-arrival skills recognition – generally applies to families of skill stream migrants, family stream migrants, humanitarian entrants, Australian citizens with overseas qualifications and some

3 Committee of Inquiry into Recognition of Overseas Qualifications, *Recognition of Overseas Qualifications in Australia*.

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

5 RSMS may also involve skills assessment through the assessing authorities.

temporary residents on working holiday visas, depending on the nature of their occupation (may also apply to some skills stream migrants⁶);

- licensing, registration and professional membership – applies to all groups requiring overseas skills recognition, depending on the nature of their occupation; and
- skills upgrading – may apply to all groups requiring overseas skills recognition.

Figure 3.1 Australia's overseas skills recognition framework⁷

Australian Skills Recognition

In Australia no single authority assesses or recognises all overseas qualifications. Many professional, government and other organisations are involved, depending on the type of qualification or occupation and whether the assessment is for the purpose of migration or employment in a particular State or Territory of Australia.

Please note that Skill Assessments are not an assessment of your suitability for employment or the likely success or failure of obtaining Australian residency status.

Skills Assessment

For people intending to migrate to Australia as skilled migrants.

To apply for a General Skilled Migration visa you must nominate an occupation that is on the Skilled Occupation List (SOL) at the time you apply. The Skilled Occupation List lists all eligible occupations for General Skilled Migration, and the number of points awarded for each.

Regardless of which General Skilled Migration visa you apply for, you must provide evidence that your skills have been assessed as suitable for your nominated occupation by the relevant assessing authority for your nominated occupation before your visa can be granted.

It is your responsibility to contact the relevant assessing authority for your nominated occupation and obtain a skills assessment. Each assessing authority has its own assessment procedures, timeframes and fees. You are strongly advised to

6 For example, the post-arrival certification process through Trades Recognition Australia (TRA) for skills stream migrants with trade qualifications in the metal and electrical trades who entered under the GSM program and, as relevant, the ENS.

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

contact the relevant assessing authority well before you intend to lodge your application to arrange your skills assessment.

Once you have had your skills assessed and visa granted this does not necessarily mean you can practise or be employed in your occupation in a particular state or territory of Australia. Some states have particular licensing or registration requirements for a number of occupations.

Licensing or Registration

For people intending to migrate to Australia as skilled migrants and people who are already in Australia and wish to practise their occupation in a particular state or territory of Australia.

All Australian states and territories have their own rules for certain occupations. You may need to obtain state-level licensing and registration to practice your occupation in the state or territory you settle in. 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. However, a number of occupations require registration or licensing under state or federal Government legislation. 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.

Mutual Recognition

In some cases, 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. Conditions and exceptions may apply.

Under the Trans-Tasman Mutual Recognition Arrangement (TTMRA) a person registered to practise an occupation in any Australian state or territory is generally entitled to practise an equivalent occupation in New Zealand, and a person registered to practise an occupation in New Zealand is entitled to practise an equivalent occupation in the jurisdiction of any Australian state or territory.

To find out if you can obtain registration under the provisions of the Mutual Recognition Act or the TTMRA you should contact the relevant registration authority in the Australian State or Territory in which you intend to practise.

- 3.11 As Figure 3.1 suggests, there are a range of state/territory and Commonwealth arrangements for skills recognition and these arrangements cut across broad policy areas, including migration, employment, vocational education and training, and industry regulation, with varied licensing, registration and professional membership arrangements for each occupation. As well, there are numerous international and domestic mutual recognition arrangements in place for overseas skills recognition.
- 3.12 Table 3.1 provides an overview of some of these arrangements. This table points to some of the difficulties that people might experience in seeking skills recognition. It also underlines that 'skills recognition' may mean different things to different people. As DIMA stated:

Skills recognition can mean eligibility for registration or licensing, formal qualifications recognition, having qualifications accepted by Australian employers, or ultimately finding employment in a chosen field of work'.⁸

- 3.13 There were many comments about the complexity of Australia's skills recognition framework:

Current arrangements for recognition involve multiple assessment authorities and institutions. Based on information from field staff providing support services to people seeking recognition of overseas skills and qualifications, it appears that many overseas entrants find post-arrival recognition, licensing and registration arrangements complex. Moreover, they find the need to contact a number of assessment authorities and institutions confusing and time consuming.⁹

... the involvement of a variety of different government agencies and industry bodies adds complexity to the qualification/skills recognition processes in Australia.¹⁰

8 DIMIA, *Report of the Review of Settlement Services for Migrants and Humanitarian Entrants*, p. 125.

9 New South Wales Government, *Submission No. 84*, p. 22.

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

Table 3.1 Overseas skills recognition pathways across the professions and trades

Pre-migration skills assessment through assessing authorities—GSM program (nationally based)	Pre-migration skills recognition—other skills stream and some temporary visas (nationally based)	Post-arrival skills recognition, as applicable (nationally based)	Post-arrival skills recognition and professional membership, as applicable—unregulated occupations (state based)	Registration and licensing and professional membership, as applicable—regulated occupations (state based)
Professional qualifications recognised by approved assessing authorities (professional bodies) and, as applicable, ENS/RMS —there are 34 assessing authorities for various professions, oversighted by DEST	DIMA, in consultation with other agencies	Various bodies may be involved, depending on level of regulation in the occupational field, including professional bodies (overseas skills assessment) and AEI-NOOSR (overseas qualification recognition through CEPs)	Individual employers Various professional membership bodies for different occupations State and territory based overseas qualification units assist with qualifications recognition, using AEI-NOOSR's CEPs	Various occupation specific registration boards established under state/territory legislation Various state/territory licensing authorities Various professional membership bodies for different occupations
Generalist professions recognised by VETASSESS, oversighted by DIMA		TRA for prescribed metal and electrical trades listed in the Tradesmen's Rights Regulation Act 1946—provision of an Australian Recognised Trade Certificate	RTOs, including VETASSESS, and TAFEs provide competency based assessments to assist with recognition	
Trade skills recognised by TRA ¹¹				
AEI-NOOSR, in DEST, provides support to assessing authorities, VETASSESS and TRA for overseas qualification recognition through CEPs				

Source Draws on information provided by DEST, *Submission No. 91*, p. 10.

11 For an applicant applying under the ENS, if the assessing authority is nominated as TRA, DIMA 'will also accept a skills assessment from the Department of Industrial Relations in the state or territory' where the applicant will be working — see <http://www.immi.gov.au/allforms/pdf/1121i.pdf> (accessed 6 June 2006).

- 3.14 The Victorian Government commented on how the Overseas Qualification Units (OQUs) were assisting migrants in negotiating the complexities of the skills recognition 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'.¹²
- 3.15 The attention that skills recognition arrangements, regulatory reform and mutual recognition between the states and territories have recently received from COAG underlines the complexity of this area. The role of COAG is to initiate policy reforms of national significance that require cooperative action across Commonwealth and state/territory governments. The Committee notes COAG's statement, for example, that, as 'licensing and skills recognition issues cross ministerial portfolios in all jurisdictions, it is necessary for COAG to exercise high-level leadership'.¹³
- 3.16 DIMA acknowledged that there was 'scope for substantial improvement' in Australia's overseas skills recognition processes, highlighting that 'accessibility of information on recognition, licensing and upgrading processes' was made more difficult because of the number of organisations involved in this area:
- ... the multitude of agencies involved, skills-assessing bodies involved and the range of state and territory governments involved mean that this is a complex area, and accessing information in this area is hard.¹⁴
- 3.17 Similarly, the 'speed and integration of the various steps involved in recognition, upgrading and licensing' was made more difficult because of the range of organisations involved across state and federal jurisdictions:
- The complexity of all of that means that often things are not as streamlined as they could be and often the individuals involved are not aware of what they need to do.¹⁵
- 3.18 International and domestic mutual recognition arrangements might be expected to have some streamlining effect here, but as DIMA further commented: 'Given that we are still having mutual recognition problems amongst the states, having mutual recognition arrangements with other countries is just another level of difficulty'.¹⁶

12 Ms Tkalcovic, Department for Victorian Communities, *Transcript of Evidence*, 24 November 2005, p. 4.

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

14 Mr Rizvi, DIMA, *Transcript of Evidence*, 5 September 2005, p. 3.

15 Mr Rizvi, DIMA, *Transcript of Evidence*, 5 September 2005, p. 3.

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

- 3.19 The Committee is concerned that the complexity of Australia's overseas skills recognition framework presents an obstacle to facilitating skilled migration to Australia and to efficient skills recognition.

Streamlining skills recognition

Organisational change

- 3.20 The Committee notes DIMA's role in providing information on overseas skills recognition to potential migrants but also notes that, for other groups already in Australia who are seeking skills recognition (family stream migrants, humanitarian entrants et cetera), DIMA's role in providing such information is not perhaps as logical. This is where the National Office of Overseas Skills Recognition (NOOSR) traditionally played a role in providing a skills recognition service to those with overseas qualifications already in Australia.
- 3.21 Essentially, the Overseas Qualification Units (OQUs) now largely provide this service. For example, DIMA's new Australian Skills Recognition Information (ASRI) website directs people to the OQUs for further information on overseas skills recognition and makes no mention of NOOSR in its 'Useful links' section.
- 3.22 While acknowledging the important role that NOOSR plays in the skills recognition process, the Committee believes its title 'National Office of Overseas Skills Recognition' is somewhat misleading, given that there is no single authority in Australia that recognises all qualifications.
- 3.23 NOOSR has also been subsumed, within the Department of Education, Science and Training (DEST), as the unit 'AEI-NOOSR' and does not have its own website. However, AEI does have its own website and this is where the unit 'AEI-NOOSR' is then referred to.¹⁷ This arrangement is very confusing for people searching for information about NOOSR and its services.
- 3.24 The Committee commends NOOSR for the important role it has played and currently plays in fostering effective overseas skills recognition arrangements. However, it believes that AEI-NOOSR should now be rebadged as AEI.

17 AEI website, <http://aei.dest.gov.au/AEI/AboutAEI/Default.htm> (accessed 26 July 2006).

- 3.25 AEI would continue the production of the Country Education Profiles (CEPs), as well as providing a limited qualifications recognition service. DEST/AEI would also take on management of the VETASSESS contract from DIMA. Importantly, DEST/AEI would also continue oversight, coordination and monitoring of the assessing authorities for the professions and ensure effective coordination between international education policy and migration employment policy.
- 3.26 Another issue raised by witnesses was the need for DEST to facilitate sharing of knowledge, processes and resources among assessing authorities and improve communication flows concerning policy changes that might affect their assessment processes. As one of the assessing authorities commented:
- Our main issue ... is that we usually do not hear about changes in policies or regulations until they are in the media or our applicants come back and tell us. We are on the back foot and it takes time to have staff skilled up to do the assessing. So we end up with long queue times because of the numbers. I suppose the most obvious way to combat that is by being advised of those changes earlier so that we can prepare for them.¹⁸
- 3.27 Engineers Australia made a similar point:
- ... when changes were made to the work experience exemptions, Engineers Australia found out about them through regular media channels (media releases, DIMIA website). While the changes had no impact on the way Engineers Australia processed applications, it did have a dramatic effect on the volume of applications received. In January 2004, Engineers Australia processed almost double the number of applications generally received each month.¹⁹
- 3.28 The Committee agrees that there is a need for improved communication flows to alert assessing authorities to changes to migration policy that might affect them, noting that this is particularly important to their work force planning and to maintaining adequate processing times for assessments.
-

18 Ms Hurley, Certified Practising Accountants Australia, *Transcript of Evidence*, 24 November 2005, p. 44.

19 Engineers Australia, *Submission No. 76*, p. 18. See also Australian Institute of Medical Scientists, *Submission No. 102*, p. 4.

Recommendation 8

- 3.29 The Committee recommends that the Department of Education, Science and Training implement a change of title for Australian Education International-National Office of Overseas Skills Recognition (AEI-NOOSR), with it to be referred to in future as Australian Education International (AEI). AEI should continue to perform the full range of functions currently undertaken by AEI-NOOSR.

Recommendation 9

- 3.30 The Committee recommends that the Department of Education, Science and Training:
- a) take over the management of the Vocational Education Training and Assessment Services contract from the Department of Immigration and Multicultural Affairs (DIMA);
 - b) improve its oversight, coordination and monitoring of assessing authorities;
 - c) enhance its liaison and support role of assessing authorities; and
 - d) improve its communication flows with assessing authorities, particularly concerning notice of policy changes by DIMA and the Department of Employment and Workplace Relations that may affect assessment processes.

Improved communication of processes to users

- 3.31 There is a need to improve the communication of information to prospective migrants on Australia's overseas skills recognition processes and requirements:

There are considerable barriers that hinder effective and streamlined pathways to skills recognition, upgrading and licensing for both skilled stream migrants and refugees with overseas qualifications. These include barriers related to information and communication about how to access these pathways ...²⁰

20 Migrant Resource Centre of South Australia, *Submission No. 32*, p. 2.

- 3.32 Ways to improve the communication of information to users were suggested over the course of the inquiry and particularly focused on the establishment of a central skills recognition website to better coordinate information in this area.
- 3.33 In April 2005, the Minister for Immigration and Multicultural Affairs, Senator the Hon Amanda Vanstone, announced that DIMA would work with DEST, DEWR and the state governments to develop a national web portal on Australia's skills recognition processes.²¹ The government further announced that in the 2005-06 Budget it would contribute \$1 million over four years towards the establishment and maintenance of the portal.²²
- 3.34 This initiative was in response to recommendations in the *Review of Settlement Services for Migrants and Humanitarian Entrants*:
- That DIMIA, AEI-NOOSR and Trades Recognition Australia seek to engage key stakeholders in the development of streamlined arrangements for obtaining information about skills assessment in all States/Territories ...
- That DIMIA, in collaboration with AEI-NOOSR, Trades Recognition Australia, the Department of Family and Community Services and Centrelink review information provision, including pre-embarkation information, about skills recognition processes to prospective and newly-arrived migrants, particularly family stream and humanitarian entrants.²³
- 3.35 The Joint Standing Committee on Migration endorsed these recommendations in its report, *To Make a Contribution: Review of Skilled Labour Migration Programs 2004*.²⁴
- 3.36 The need for streamlined arrangements for obtaining information about overseas skills recognition was a common theme in evidence to the Committee over the course of this current inquiry, with there being widespread support for the development of the skills recognition portal – or 'one-stop-shop', as it was sometimes referred to:
-

21 Media release by Senator the Hon Amanda Vanstone, Minister for Immigration and Multicultural Affairs, '2005-06 Migration (Non-Humanitarian) Program', 14 April 2005, http://www.minister.immi.gov.au/media_releases/media05/v05052.htm (accessed 25 July 2006).

22 DIMA, *Portfolio Budget Statements 2005-06*, p. 29.

23 DIMIA, *Report of the Review of Settlement Services for Migrants and Humanitarian Entrants*, p. 130.

24 Joint Standing Committee on Migration, *To Make a Contribution: Review of Skilled Labour Migration Programs 2004*, Parliament of Australia, March 2004, p. 149.

NSW is aware that DIMIA is developing a national portal to house information concerning Australia's skills assessment and recognition processes. The portal, a kind of internet gateway, will help to provide a "one stop information shop" for migrants needing information about skills recognition and licensing processes, once they arrive in Australia.²⁵

The establishment, by the Commonwealth, of an online information portal to provide a central information point for offshore and onshore clients in relation to recognition and licensing in Australia for skills and qualifications gained overseas will be beneficial.²⁶

3.37 The Australian Skills Recognition Information (ASRI) website was launched by the Minister on 27 May 2006.²⁷ The website seeks to:

... help skilled workers better understand what is required for migration purposes and what might additionally be required to actually work in the chosen skilled occupation in Australia. Many migrants do not realise that recognition of their skills for migration purposes does not necessarily mean that they are allowed to practise their occupation in a particular state or territory, or that registration and licensing requirements which apply to some occupations often differ between each state and territory

...

Many migrants including family stream and humanitarian entrants are not required to have their skills assessed prior to migration and can have difficulties later when they wish to work in their occupation. This website will also point these people in the right direction for assistance in entering the skilled workforce.

...

In addition to skills assessment, and licensing and registration information, the website has information on getting additional

25 New South Wales Government, *Submission No. 84*, p. 31.

26 Queensland Government, *Submission No. 83*, p. 6. See also VETASSESS, 'The establishment of a national web portal on Australia's skills assessment and recognition processes ... would greatly enhance communication and efficiencies within the current system', *Submission No. 86*, p. 6 and Mr Player from the Department of Education and Training, Western Australia, *Transcript of Evidence*, 15 November 2005, p. 23.

27 DIMA website, <http://www.immi.gov.au/asri/who-help.htm> (accessed 26 July 2006).

training in Australia, industry and professional associations, language requirements, and fee assistance.²⁸

- 3.38 The ASRI website is searchable through an A to Z listing of occupations. Each entry provides a brief job description, details of the qualifications required and information on the relevant skills assessing authority and registration/licensing requirements, including relevant contacts. The Committee heard from state governments that they had been consulted and involved in the ASRI project.
- 3.39 A series of issues were raised with the Committee about the skills recognition portal initiative, including that:
- the information on the website should be 'easily understood, accurate and up to date'²⁹;
 - the website should be 'appropriately resourced' and 'maintained'³⁰;
 - proponents of the web portal should consider 'the face to face information communication needs of migrants and refugees, especially those who come from source countries that have limited access to the internet'³¹;
 - the website needs to be tested for its 'English level and its user friendliness, so that people from non-English-speaking backgrounds can use it'³²; and
 - there should be 'links to relevant organisations and resources'.³³
- 3.40 The Committee commends all involved in the development and implementation of the ASRI website. It represents a major improvement on the level of information previously provided and provides information for not just skilled migrants but also other groups requiring overseas skills recognition. Further, the website communicates clear pathways as regards
-

28 DIMA website, <http://www.immi.gov.au/gateways/agents/news/asri.htm> (accessed 26 July 2006).

29 Northern Territory Government, *Submission No. 93*, p. 9. See also New South Wales government, '[s]teps must be taken to ensure the currency of the information', *Submission No. 84*, p. 32.

30 DEST, *Submission No. 91*, p. 17; and Ms Rogers, Queensland Department of Employment and Training, *Transcript of Evidence*, 9 March 2006, p. 48.

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

32 Ms Rogers, Queensland Department of Employment and Training, *Transcript of Evidence*, 9 March 2006, p. 49. See also Ms Rice, Migrant Employment and Training Taskforce, *Transcript of Evidence*, 23 November 2005, p. 16. Currently, a translated summary of the ASRI information is available on the website in Arabic, Chinese, Dari, Hindi, Indonesian, Korean and Vietnamese.

33 VETASSESS, *Submission No. 85*, p. 5.

overseas skills recognition, upgrading and registration/licensing requirements across a range of occupations. The Committee believes that this initiative will increase the efficiency and effectiveness of the overall skills recognition process and ensure that licensing and registration requirements are more transparent.

- 3.41 The Committee recognises that the ASRI website has only recently been established and that it will evolve over time following feedback from client groups. Proper maintenance of the site and regular updating and monitoring of content will be crucial.
- 3.42 In this regard, the Committee points to two entries in the occupations listing that currently require updating so as not to cause confusion to users: the assessing authority for physiotherapy is listed as the Australian Council of Physiotherapy Regulating Authorities (ACOPRA) but this organisation has recently changed its name to the Australian Physiotherapy Council (APC) and the assessing authority for chiropractic is listed as the 'State/Territory Chiropractic and Osteopathic Registration Boards' when it should be listed as the Council on Chiropractic Education Australasia (CCEA).³⁴

Recommendation 10

- 3.43 **The Committee recommends that the Department of Immigration and Multicultural Affairs regularly update and continually monitor the content of the new Australian Skills Recognition Information website to ensure that it meets the varied needs of the different groups requiring overseas skills recognition, particularly with regard to ensuring the information is user-friendly to people from non-English-speaking backgrounds.**

Recommendation 11

- 3.44 **The Committee recommends that the Department of Immigration and Multicultural Affairs add a 'frequently asked questions' section to the Australian Skills Recognition Information website.**

34 CCEA commented that they had previously pointed this out to DIMA: 'Council was gazetted by DIMA on 15 December as the assessing authority for chiropractic. However, the website still says that it is for registration boards', Mrs Ramsay, Council on Chiropractic Education Australasia, *Transcript of Evidence*, 9 March 2006, p. 17.

- 3.45 The Committee also believes that the ASRI website should include information on the roles of the various skills recognition bodies, nationally and at the state and territory level, to provide people with a more comprehensive picture of arrangements in this area.

Recommendation 12

- 3.46 **The Committee recommends that the Department of Immigration and Multicultural Affairs ensure the Australian Skills Recognition Information website provides an overview of the various organisations involved in administering, monitoring and delivering overseas skills recognition services, both nationally and at the state and territory level, to clarify the governance arrangements and different roles and responsibilities of these bodies. This information should also include links to contact details and relevant performance reporting and accountability documents on skills recognition processes.**
- 3.47 To ensure that the ASRI website becomes a comprehensive source of information for users on overseas skills recognition, it should contain links to some of DIMA's other key documents in this area – for example, form 1121i, the Skilled Occupation List (SOL), which indicates the assessing authorities for each occupation,³⁵ and fact sheets such as 'How do you get your skills assessed?'³⁶
- 3.48 The Committee notes that a number of key forms on the main DIMA website also need to be updated – for example, form 1121i stills retains a reference to AEI-NOOSR information on occupations and there is no mention of ASRI. Some of the information on assessing authorities in form 1121i also requires updating.

Recommendation 13

- 3.49 **The Committee recommends that the Department of Immigration and Multicultural Affairs (DIMA) ensure the Australian Skills Recognition Information website includes a link to other key DIMA documents relating to overseas skills recognition – for example:**
- **Form 1121i, the Skilled Occupation List, which indicates the assessing authority for each occupation and their assessment procedures; and**

35 DIMA website, <http://www.immi.gov.au/allforms/pdf/1121i.pdf> (accessed 4 July 2006).

36 DIMA website, <http://www.immi.gov.au/skilled/general-skilled-migration/skilled-occupations/skills-assessed.htm> (accessed 4 July 2006).

- fact sheets such as 'How do you get your skills assessed?'

Recommendation 14

- 3.50 **The Committee recommends that the Department of Immigration and Multicultural Affairs ensure key documents relevant to the migration process contain links to the Australian Skills Recognition Information website.**

Removing duplication

- 3.51 The Committee noted that there was duplication between the ASRI and AEI-NOOSR websites. The AEI-NOOSR website contains detailed occupational information on overseas skills recognition which pre-dates similar information on the new ASRI website. Given the close resemblance between this material on the two sites, the Committee is interested in why the AEI-NOOSR website was not better promoted in the past to assist in improving communication of processes to users.
- 3.52 The introductory information on overseas skills recognition on the AEI-NOOSR website currently states:

This page is intended to assist people with professional qualifications gained overseas who wish to gain recognition of their qualifications in Australia. It has been prepared by AEI-NOOSR, in consultation with relevant assessing authorities and provides general information on recognition requirements and procedures ...

Australian Skills Recognition Information through the Department of Immigration and Multicultural Affairs will help you find out how to get an assessment of occupational qualifications, skills or experience that you have gained overseas ...

If you would like the requirements and procedures for obtaining professional recognition for specific professions, please see the Individual Professions Guides ...

If your qualifications are acceptable for migration purposes this does not guarantee you employment in your profession in

Australia. That will depend on other factors, such as the number of vacancies available or your suitability for a particular job.³⁷

- 3.53 Although this information contains a reference to ASRI, it duplicates ASRI's occupational specific information with its own 'individual professions guides' and, notably, concludes with no mention of licensing and registration affecting employment outcomes.
- 3.54 The duplication between the two sites raises several questions: are the individual professions guides on the AEI-NOOSR site still being maintained and updated, following the creation of the ASRI site; is this information consistent with the occupational information on the ASRI site; and, more particularly, why is there a need for this duplication of information?
- 3.55 As each of these sites provides occupation specific information, it is interesting to compare them for a particular occupation. Appendix E provides a comparison of the skills recognition information for physiotherapy, as outlined on the ASRI and AEI-NOOSR websites.
- 3.56 The Committee also notes that some of the states maintain websites containing detailed occupational specific information on overseas skills recognition. For example, the Queensland Government Department of Employment and Training provides a step-by-step guide for each profession on gaining assessment of overseas qualifications and the requirements for licensing and registration in Queensland, as well as information on bridging courses.³⁸
- 3.57 With regard to the ASRI and AEI-NOOSR sites, the Committee is concerned about the potential for confusion for those accessing the different sites if the information provided is inconsistent or out of date and, most particularly, about the costs of maintaining this duplicatory information. The Committee would also encourage DIMA to work with the states and territories to promote the inclusion of a link to ASRI on the relevant state/territory websites, to ensure consistency.

37 AEI-NOOSR website, <http://aei.dest.gov.au/aei/qualificationsrecognition/recognisingprofessionalqualifications/guidetoprofessionalrecognition/default.htm> (accessed 26 July 2006).

38 Department of Employment and Training Queensland website, http://www.trainandemploy.qld.gov.au/client/jobs_and_careers/skills_recognition/os/professions/index.html (accessed 26 July 2006).

Recommendation 15

- 3.58 The Committee recommends that the Departments of Immigration and Multicultural Affairs and Education, Science and Training work together to remove duplication between the Australian Skills Recognition Information and the Australian Education International-National Office of Overseas Skills Recognition websites – in particular, the occupation specific information.

Recommendation 16

- 3.59 The Committee recommends that the Department of Education, Science and Training update the introductory information on overseas skills recognition on the Australian Education International-National Office of Overseas Skills Recognition website to include a reference to registration and licensing.

Closing the gap between migration assessment and employment assessment

- 3.60 As DIMA identified in its 2003 report, *Review of Settlement Services for Migrants and Humanitarian Entrants*, there are 'perceptions of a "gap" between DIMIA's skills assessment at visa application and later skills or trade recognition practices undergone in Australia'.³⁹
- 3.61 Under the GSM program, skills stream migrants undergo pre-migration skills assessment through the assessing authorities. Assessing authorities provide assessments for migration purposes, not employment purposes. As the DIMA ASRI website states:

Please note that Skill Assessments are not an assessment of your suitability for employment ... Once you have had your skills assessed and visa granted this does not necessarily mean you can practise or be employed in your occupation in a particular state or territory of Australia.⁴⁰

- 3.62 As the Productivity Commission also recently commented:

... further skills assessment might or might not be required after arrival in Australia. The situation differs across occupations,

39 DIMIA, *Report of the Review of Settlement Services for Migrants and Humanitarian Entrants*, p. 126.

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

professions and jurisdictions ... practical examinations might need to be completed onshore, additional training or practical experience in Australia could also be necessary, or specific state and territory based requirements might need to be satisfied.⁴¹

- 3.63 Similarly, DEST observed that, '[i]n some professions, such as accountancy and law, knowledge specific to Australian conditions is usually required for practice, and overseas-trained professionals may require additional training in order to be admitted to practice and/or gain employment'.⁴² It is therefore not surprising that many participants to the inquiry commented on the misunderstanding of a number of migrants that, once they were assessed for migration purposes, when they came to Australia they thought they could immediately seek work in their particular field:

It is common for skills stream migrants that I have seen, to believe that the letter they received for migration purposes means that their skills are recognised in Australia and they can automatically commence work in their profession. They are often shocked to hear that they must seek recognition or licensing with recognised authorities and that it may be costly and time consuming and they must prove that they have the required skills.⁴³

... the lack of clarity between assessment of skills and qualifications offshore for the purposes of visa grant and onshore for the purposes of gaining employment is an issue that is constantly raised with us by clients ...⁴⁴

Lack of information about State-based registration and licensing requirements have impacted adversely on the employment outcomes of some migrants who have obtained assessment prior to migration.⁴⁵

- 3.64 One witness even suggested that consideration should be given to a disclosure statement on these requirements that would 'need to be read and understood before migrants leave their country of origin'.⁴⁶
- 3.65 The Committee maintains that there is a need for improved communication of additional post-arrival skills recognition and

41 Productivity Commission, *Economic Impacts of Migration and Population Growth*, p. 179.

42 DEST, *Submission No. 91*, p. 21.

43 South Metropolitan Migrant Resource Centre, *Submission No. 99*, p. 1. See also, Centacare Cairns and Migrant Settlement Services, *Submission No. 3*, p. 1.

44 Ms Maddrell, Migrant Network Services, *Transcript of Evidence*, 23 November 2005, p. 31.

45 Western Australian Department of Education and Training, *Submission No. 20*, p. 4.

46 Mr Skilbeck, Migrant Settlement Services, *Transcript of Evidence*, 9 March 2006, p. 36.

registration/licensing requirements to potential migrants as part of the skilled migration process. This area adds a level of cost, complexity and uncertainty for potential migrants.

Recommendation 17

3.66 The Committee recommends that the Department of Immigration and Multicultural Affairs and the Department of Education, Science and Training (DEST), together with the assessing authorities overseen by DEST, continue to review the pre-migration information they provide on overseas skills recognition to ensure that:

- **skills stream migrants understand they have only been assessed for migration purposes;**
- **sufficient detail is provided on licensing, registration and professional membership requirements; and**
- **additional information is provided on ways for potential migrants to build their employment readiness in Australia.**

3.67 Importantly, there is also a need to better align migration assessment and employment assessment so that a positive skills assessment for migration purposes better satisfies occupational skill requirements to practise. This is further discussed in Chapters 4 and 5.

3.68 DIMA, DEST, AEI-NOOSR and the assessing authorities generally advise applicants that there may be additional recognition processes involved post-migration. For example, the Council on Chiropractic Education Australasia (CCEA) states on its website:

Candidates should be aware that successful completion of the CCEA Evaluation Process does not guarantee registration. Successful candidates may be required to fulfil additional requirements placed on them by the Registration Board in the State or Territory where they wish to practise. Candidates are advised to check with the Registration Board in the State or Territory where they wish to practise to ascertain if any additional requirements are necessary.⁴⁷

3.69 However, the Committee asks whether anyone is monitoring this area – is anyone collecting data on the extent of the gap between migration assessment and employment assessment in terms of the delays and

47 CCEA website, <http://www.ccea.com.au/Working%20in%20Australia/Working%20in%20Australia.htm> (accessed 26 July 2006).

difficulties posed by these additional post-arrival regulatory requirements? The Committee was concerned to hear that DEST, for example, in its oversight role, was not monitoring this area:

Assessing authorities approved by DEST and gazetted by the Minister for Immigration conduct assessments of skills and qualifications gained overseas for professional purposes to determine whether an applicant has suitable qualifications to be recognised and to work as a professional in Australia. Should they be accepted for migration, any further licensing or registration with a regulatory body is not a matter for DEST, but rather a matter for the professional body representing the industry. Assessing authorities approved by DEST undertake assessments for the purpose of skilled migration only.⁴⁸

It does come to our attention when it has been an issue for individuals. We are in a situation where we can only write in reply and say that DEST has no involvement in any processes subsequent to migration assessments.⁴⁹

- 3.70 From the evidence it received, the Committee was unable to determine if assessing authorities/professional bodies were monitoring this gap between migration assessment and employment assessment in any systematic or meaningful way.
- 3.71 This general 'washing of hands' of this problem is of concern. The Committee believes there needs to be some data collection on the experience of migrants in meeting registration, licensing or professional membership requirements subsequent to the skills assessment process, as there is currently no feedback of the critical information such data collection would provide into the skills recognition system as a whole. The Longitudinal Survey of Immigrants to Australia collects data on the utilisation of migrant skills and employment outcomes but does not collect detailed data on the extent to which regulatory requirements might contribute to **delaying** these outcomes.
- 3.72 As the New South Wales Government commented, there is 'a need for program planning to be informed by trend data in relation to post-arrival assessment outcomes for skill stream and other entrants who are required to obtain registration or a license post-arrival to practice their occupation, or seek membership of professional associations'.⁵⁰

48 DEST, *Submission No. 91*, p. 5.

49 Mr Zanderigo, DEST, *Transcript of Evidence*, 27 March 2006, p. 25.

50 New South Wales Government, *Submission No. 84*, p. 29.

Recommendation 18

3.73 The Committee recommends that, as part of its long term research on migration outcomes, the Department of Immigration and Multicultural Affairs (DIMA) collect data, where privacy concerns allow, on:

- the experience of migrants in meeting registration, licensing and professional membership requirements, following completion of skills assessment processes; and
- any undue delays or other impediments to achieving successful employment outcomes because of these requirements.

DIMA should coordinate with the Department of Education, Science and Training and assessing authorities/professional bodies to assist in tracking this information.

Greater consistency in licensing and registration

3.74 It is useful to define some terms at this point. 'Registration' and 'licensing' refer to a legal requirement to practise certain professions and trades. 'Membership' of a professional body or association, while not a legal requirement to practise, establishes an individual as a professional in their occupation and validates their credentials.⁵¹ Like registration and licensing, membership of a professional body may be another form of regulation, as it is a formal requirement for some professions.

3.75 Depending on the jurisdiction and occupation, these regulatory arrangements may include 'requirements to register, obtain a licence, obtain a practising certificate or prove current competency', with some jurisdictions having 'annual requirements that must be met for ongoing registration' and others having a "'one-off" registration process'.⁵² As DEWR commented, these regulatory requirements 'exist for public health and safety reasons or to reflect internationally accepted standards of practice'.⁵³

3.76 Licensing and registration requirements are complicated by regulatory differences between the states and territories. This can lead to duplication of effort and differences in standards, and obstruct professional mobility

51 Iredale, *Skills Transfer: International Migration and Accreditation Issues*, p. 11.

52 Productivity Commission, *Evaluation of the Mutual Recognition Schemes*, Final Report, 2003, p. 6.

53 DEWR, *Submission No. 63*, p. 5.

and impose costs on those practising in more than one jurisdiction. As DIMA commented to the Committee:

Some occupations ... require the person to be licensed or registered in the state/territory they intend to work. This procedure has received some criticism, particularly where migrants relocate after their arrival, as states/territories do not necessarily recognise each others licensing/registration certificates.⁵⁴

- 3.77 The Committee heard of many inconsistencies in regulatory requirements over the course of the inquiry, with the following comment being typical:

There is registration in Queensland, Tasmania and Victoria, though the registration is changing a little in Victoria because it has not really been an independent registration. It is becoming more in line with Tasmania and Queensland. A bill has been introduced in Western Australia to provide for registration. There has been registration for quite a long time in the Northern Territory for radiographers; they do not have radiation therapists. South Australia has licensing, New South Wales has licensing under the EPA and the ACT is looking at bringing in registration—I think they are fairly well advanced. Although there are some similarities in the registration acts, particularly between Queensland and Tasmania, and there will be with Western Australia, there are still enough differences to make it cumbersome.⁵⁵

- 3.78 The Committee notes that important work has been conducted by COAG in this area. As one participant to the inquiry commented, '[t]he work that has been done by [COAG] on the recommendations for licensing and mutual recognition is really key to the success of streamlining overseas qualifications recognition'.⁵⁶ The Committee strongly endorses this point. Clearly, there is scope for a more uniform approach to licensing and registration arrangements between the states and territories and there needs to be a whole-of-government approach.

- 3.79 The Committee was pleased to hear the supportive comments from the states and territories for reforms in this area. As the Tasmanian Government commented:

54 DIMA, *Submission No. 80*, p. 2.

55 Mr Hamilton, Australian Institute of Radiography, *Transcript of Evidence*, 24 November 2005, p. 82.

56 Ms O'Connor, South Australian Government, *Transcript of Evidence*, 14 November 2005, p. 23.

Tasmania supports reforms to ensure consistency and mutual recognition of arrangements for overseas skills recognition and associated issues of licensing and registration across all jurisdictions, not just for overseas trained and experienced people. At a broad level, this approach to standardising skills recognition processes is gaining support from States and Territories ...⁵⁷

3.80 These issues will be further discussed in Chapters 4 and 5.

Who is monitoring the assessing authorities?

*... there is no unifying oversight of the different systems of the assessment authorities that might lift the standards and force some consistency across the different authorities ...*⁵⁸

3.81 DEST approves assessing authorities which assess the skills of professionals. The approval process is designed to ensure that 'the nominated professional body has the capacity to deliver effective professional qualifications assessment that is consistent with Australia's quality and standards and labour market interests'.⁵⁹ DEST also has responsibility for monitoring the assessment activities of these bodies. The department provided the Committee with details of its monitoring criteria for approved assessing authorities, which are as follows:

- Quality

All activities associated with the assessment and recognition process are fair, reliable, timely and of a consistently high standard.

- Professional standards

Assessments will reflect the standards of the profession in Australia, as recognised both by practitioners and employers.

- Legal requirements

All standards and processes adhere to Australian law. Note that applicants for assessments have recourse to the Australian legal system.

57 Tasmanian Government, *Submission No. 77*, p. 3. See also Victorian Government, *Submission No. 100*, p. 19.

58 VisAustralia, *Submission No. 40*, p. 4.

59 DEST, *Submission No. 91*, p. 4.

- Government policy

Proposed assessment procedures have regard to the policy objectives lying behind the approval and gazettal of authorities.

- Client service

There is an easily understood, equitable and transparent process which includes review and appeal avenues offered to clients.

- Financial sustainability

The costs of assessments to clients should be determined on a not-for-profit cost-recovery basis.⁶⁰

3.82 The Committee was particularly concerned with:

- how DEST monitors the areas listed above once a body is gazetted as an assessing body;
- the ongoing nature of DEST's interaction with the assessing authorities;
- DEST's overall monitoring compliance regime; and
- what action DEST takes if an assessing authority is not working effectively.

3.83 DEST clarified that, while the Migration Regulations 1994 confer upon it 'the ability to approve a body as the relevant assessing authority for an occupation', they do not provide 'any specific advice with regard to the ongoing monitoring or regulation of these authorities'. However, to ensure that assessing authorities maintain the standard of performance required by the approval process, 'DEST has assumed a monitoring role to be consistent with its obligations under the migration regulations'.⁶¹

3.84 DEST also admitted that, in the past, it had 'relied on a range of informal and formal mechanisms for monitoring the ongoing performance of assessing authorities'.⁶² When asked by the Committee if there was any intervention by DEST if the processing for a particular authority was very slow, DEST commented: 'We do not have any legislative power to intervene in a regulatory sense, but it would be a matter of ongoing communication with that particular authority'.⁶³

60 DEST, *Submission No. 91*, p. 20.

61 DEST, *Submission No. 91c*, p. 1.

62 DEST, *Submission No. 91c*, p. 1.

63 Mr Cox, DEST, *Transcript of Evidence*, 27 March 2006, p. 24.

- 3.85 Importantly, when questioned further by the Committee about its monitoring arrangements, DEST responded that it was ‘moving to formalise the monitoring regime’:

The new regime will include formal assessment against the original approval criteria, a desk top audit of publicly available information including the authority’s relevant website, statistical analysis, site visits to selected assessing authorities and a brief annual report by DEST on the performance of the assessing authority against the original approval criteria.⁶⁴

- 3.86 The Committee is concerned that it has taken DEST until this point to formalise the monitoring arrangements of assessing authorities. It believes that, had this role been undertaken more thoroughly and transparently in the past, some of the assessing authorities’ recognition processes might have been streamlined and made more consistent, to the benefit of users.
- 3.87 The Committee noted that there did not seem to be a clear feedback process for individuals wishing to raise concerns about assessing authorities with DEST.⁶⁵ In fact, the Committee wondered if clients with concerns about the process have been clear about who to contact, noting that DEST has no ‘specific regulatory power to affect the assessing authority’s appeal process’.⁶⁶
- 3.88 The Committee believes that DEST should play a stronger role in monitoring the assessing authorities to ensure that they are delivering an efficient and effective service, to protect the interests of prospective migrants and ensure that the operations of the assessing authorities are not creating an unreasonable barrier to migration.
- 3.89 As well as undertaking overseas skills recognition for GSM program applicants in their role as ‘assessing authorities’, the peak professional bodies also undertake this role for groups outside the GSM program in their role as ‘professional bodies’. The Committee notes that, accordingly, there is a blurring of DEST’s monitoring role of assessing authorities in their dual role as professional bodies.
- 3.90 DEST monitors the performance of the assessing authorities in their skills assessment responsibilities under the GSM program, but who then monitors the performance of professional bodies in their skills assessment

64 DEST, *Submission No. 91c*, p. 1.

65 DEST commented that it receives a ‘small number of complaints about assessing authorities, normally through representations by applicants to the Minister’, with six such representations since January 2005’, DEST, *Submission No. 91c*, p. 2.

66 DEST, *Submission No. 91c*, p. 4.

responsibilities outside of this program? As DEST clarified, the role that it delegates to professional bodies is 'in relation to their providing assessments under the Migration Act which allow people to apply for a visa'.⁶⁷ Performance monitoring and reporting outside of this area is a matter that is effectively with the professional bodies themselves.

- 3.91 While DEST commented that it 'also works with professional bodies to facilitate recognition of overseas-trained Australian professionals who did not enter the country through the General Skilled Migration Program', it therefore technically has no oversight role in this area.⁶⁸ The Committee regards this issue as currently unresolved and requiring further clarification.
- 3.92 DEST monitors quarterly statistical data provided by the assessment authorities to note trends in completion and approval rates. The department provided the Committee with a copy of some of this statistical data.⁶⁹ The Committee noted the low numbers of applications processed by some of the assessing authorities as being of concern in terms of efficiency and critical mass.
- 3.93 In this context, the Committee was concerned to hear from DEST that seven new assessment authorities were under consideration, covering teachers, child-care coordinators, hospital and retail pharmacists, urban and regional planners, audiologists, medical scientists and extractive metallurgists.⁷⁰ As discussed in Chapter 1, some rationalisation of assessing authorities may be desirable, to obtain some economies of scale in this process.
- 3.94 DEST further supports the assessing authorities through its *Good Practice Guide for the Assessment and Recognition of Overseas Qualifications and Skills for the Purposes of Migration*.⁷¹ This brief document includes sections on assessment criteria, payment for assessment services, client service and appeals. DEST also conducts an annual conference so that assessing authorities can exchange information and address common issues of concern.

67 Mr Zanderigo, DEST, *Transcript of Evidence*, 27 March 2006, pp. 24-25.

68 DEST, *Submission No. 91*, p. 4.

69 See DEST, *Submission No. 91c*, p. 3.

70 See DEST, *Submission No. 91c*, p. 3.

71 DEST, *Good Practice Guide for the Assessment and Recognition of Overseas Qualifications and Skills for the Purposes of Migration*, 2006.

Recommendation 19

- 3.95 The Committee recommends that the Department of Education, Science and Training increase the transparency of its monitoring arrangements and foster improvements in procedures by:
- a) immediately formalising its monitoring of assessing authorities, including establishment of an annual reporting arrangement, and communicating details of the full scope of this role to all stakeholders;
 - b) arranging for a statement clarifying full details of its monitoring role to appear on the Australian Skills Recognition Information website, with a contact point for complaints handling;
 - c) working with the professional bodies to agree on appropriate monitoring, reporting and accountability arrangements to cover overseas skills recognition processes undertaken by these bodies for other groups with overseas qualifications (family stream migrants et cetera) outside of the skilled migration stream, with these arrangements to be communicated to all stakeholders; and
 - d) arranging for the performance and other statistical reporting data it collects from the assessing authorities, where privacy concerns allow, to be made publicly available.

Recommendation 20

- 3.96 The Committee recommends that the Department of Immigration and Multicultural Affairs include a link on the Australian Skills Recognition Information website to the Department of Education, Science and Training's *Good Practice Guide for the Assessment and Recognition of Overseas Qualifications and Skills for the Purposes of Migration*.

