



Minister for State Development; Energy



Our ref: 01838

Submission No. 17
Date Received 23-6-05

Don Randall MP
Chairman
Joint Standing Committee on Migration
Parliament House
CANBERRA ACT 2600

RECEIVED
23 JUN 2005
BY: MIG

Dear Mr Randall

INQUIRY INTO SKILLS RECOGNITION UPGRADING AND LICENSING

Thank you for the opportunity to provide comments on the issues raised in your terms of reference.

In responding to the terms of reference of this inquiry there should be a specific analysis of the performance of Trades Recognition Australia (TRA) in skills assessment and conducting appeals in relation to skills assessments.

The attached submission comments on:

- Skills Recognition
- Skills Demand
- Skills Assessment
- Trades Recognition Australia processes
- Trades Recognition Australia representation in Western Australia
- Consistency of information regarding skill assessments
- Alternative pathways to Skills Assessment
- Issues for Families of migrants who seek assessment/ registration/ upgrading after arrival
- Temporary residents who need skills assessment/ recognition
- Operation of the International English Language Testing System
- Introduction of the ANZSCO structure for skills classification
- Broadening STNI to deal with occupations not on the SOL
- Location of public hearings in Western Australia

I look forward to expanding on these issues when you commence your public hearings.

Yours sincerely

Chris Fitzhardinge
Chair Western Australian Skills Advisory Board
June 24, 2005

**SUBMISSION FROM:
THE WESTERN AUSTRALIAN SKILLS ADVISORY BOARD**

**TO THE:
INQUIRY INTO SKILLS RECOGNITION UPGRADING AND
LICENSING**

Thank you for the opportunity to provide comments on the issues raised in your terms of reference.

The Western Australian Skills Advisory Board considers that there are many areas where improvements can be made to streamline immigration processes and improve options for skills recognition.

Skills Recognition

The recent meeting of the Council of Australian Governments noted that a more responsive and flexible skills recognition system is vital to meeting both current and future skills needs. Effective implementation of full mutual recognition of skills qualifications across Australia and an appropriate system for recognition of overseas qualifications were identified as priorities. The Overseas Qualifications Unit (OQU) within the Western Australia Department of Education is proposing a pilot study using Western Australian bodies to assess qualifications. **The Western Australian Skills Advisory Board supports this OQU pilot study.**

Skills Demand

There is clearly a need for better projection of skills demands to inform training and migration decisions. The linkages between government, training providers, industry and project proponents need to become more sophisticated to provide quality information regarding demands for individual skills. There is a poor understanding of the potential to upgrade skills that already exist within Australia and also limited knowledge as to why skilled workers abandon their trade or profession.

Skills Assessment

The recent announcement by Senator Vanstone about accepting a skills assessment from State Departments for the Employer Nomination Scheme has caused widespread confusion and has not been effectively implemented. The changes have been published on the Skilled Occupation List (Form 1121i) without consultation with the relevant State Departments as to how the concession will operate.

Trades Recognition Australia processes

The performance of Trades Recognition Australia (TRA) has received widespread criticism for their inflexible approach to skills assessments and appeals processes. I understand that as part of the assessment process that they will only attempt to contact nominated phone numbers three times within working hours. If there is no response then the application fails. Also no additional information can be introduced during the appeals process. The performance of TRA, in both assessments and appeals, should be specifically assessed.

Currently newly arrived migrants and refugees with trade skills must apply for skills assessment through the Brisbane office of the TRA. The cost of a standard application for TRA assessment is \$300 plus an additional \$270 if a Trade Test is required.

The assessment process is largely facilitated by mail except in cases where a face- to- face assessment is required. In these instances, the applicant is required to pay up to \$1000 to fly an assessor from Queensland to WA. This further compounds the already lengthy and expensive trade recognition process for skilled migrants in Western Australia.

Another issue is that Trades Recognition Australia have a 6 and 7 year "time served" rule in the metal and electrical trades whereby an individual cannot be assessed unless they have a combination of 6 years training and 7 years trade experience. Clients of the Western Australian Overseas Qualifications Unit (OQU) have expressed dissatisfaction and disadvantage because of the lack of a state based representative and the "time served" rule. **TRA needs be more flexible in both skills assessments and appeals.**

Trades Recognition Australia representation in Western Australia

For at least five years, Western Australia has not had representation from Trades Recognition Australia (TRA). This is because previous plans for centralising the services of the TRA coincided with the retirement of the Western Australian based representative. Since that time, DEWR has decided not to centralise the operations of the TRA and have maintained operational offices in Brisbane, Sydney, Melbourne and Canberra. However, the replacement of the Western Australian based representative has not been forthcoming. This situation seems inconsistent with the skills shortage in Western Australia and the level of skilled migration. **TRA should either provide for Western Australian representation or make arrangements with Western Australian based bodies to carry out TRA functions.**

Consistency of information regarding skill assessments

The TRA provides pre-migration skills assessments in most trades for people applying to migrate to Australia. These pre-migration assessments are for migration purposes only and do not preclude skilled migrants from undertaking further assessments on-shore for national recognition in the metal and electrical trades.

Overseas assessment processes for immigration purposes fail to inform applicants that further recognition of their trade skills may be required onshore and fail to provide information about the length or cost of this process. Consequently, many skilled migrants are unprepared for the financial cost of undertaking skills recognition through the TRA. **There is a need for better coordination of information pre and post embarkation for skills stream migrants so that they are fully aware of the skills recognition process required in Australia.**

Alternative pathways to Skills Assessment

An applicant migrant who holds a license or permit to operate within a skilled occupation in Western Australia should not require any further skills assessment for a visa. For agreed occupations, a letter from the Western Australian Department of Education and Training advising that the applicant possesses qualifications, skills and or experience that would enable them to operate in Western Australia should also preclude the need for another skills assessment for a visa. **There should be alternative State based pathways to skills recognition.**

Issues for Families of skill stream migrants, family stream migrants and humanitarian entrants who seek assessment/ registration/ upgrading after arrival

There is significant evidence, both anecdotal and documented, that asserts that the skills, knowledge and expertise of migrants are not being maximised resulting in high unemployment and wasted resources.

The quality and level of Australia's post migration settlement services play a crucial role in ensuring that Australia remains an attractive option for skilled migrants. Settlement support services for families of skilled stream migrants and particularly humanitarian arrivals, need to ensure that the needs of new arrivals are met. Currently, there are a number of issues for settlement services particularly to humanitarian entrants from Africa who have high and complex needs and may require a more intensive level of settlement services particularly in the areas of health, education and training.

Barriers to employment and training for families of skill stream migrants, family stream migrants and humanitarian entrants include attitudes of potential employers, particularly for migrants who are visibly or religiously

different and/or who come from countries where English is not the main language.

Another settlement issue is the need for clearer information on occupational pathways and registration requirements, particularly where assessments do not necessarily allow for immediate or direct entry into employment such as the electrical and engineering trades.

While the Commonwealth Government provides access to up to 510 hours of English language tuition through the Adult Migrant English Program, many migrants and humanitarian entrants, including holders of temporary protection visas and migrants or refugees who have a level of English deemed functional by DIMIA do not qualify for this program. For those who do qualify, the limit of 510 hours is often not enough to achieve a level of English proficiency that would facilitate entry into employment or further training and education. This is of particular concern for humanitarian entrants from African countries and from South-East Asia who may have limited or no English skills and educational background.

Temporary residents who need skills assessment/ recognition

Holders of Temporary Protection Visas (TPV) are precluded from accessing many essential services provided by the Commonwealth. The Western Australian Government has developed some initiatives to improve access to services for holders of TPV including amendments to the Vocational Education and Training Regulation allowing TPV holders to access TAFE courses at local student rates.

TPV holders still do not have access to many Commonwealth funded services essential to the skills assessment and recognition process. Most notably in the area of skills recognition, they do not have access to the fee-free translating services provided to new arrivals.

Operation of the International English Language Testing System (IELTS)

The IELTS is the most widely used English language testing system in Australia for both skills recognition and entry into further education.

There appear to be some issues with the use of the IELTS as it relates to skilled migrants. The first is the suitability of the IELTS to apply to vocational English and the requirements of working in an English speaking workplace. Candidates for IELTS must undertake an examination in four skills areas-reading, writing, listening and speaking. Although the IELTS test is available in two streams, Academic and General Training, the General Training stream emphasises basic survival skills in a broad social and educational context. There is no capacity to apply the IELTS for specific occupations where familiarity with the occupational terminology is an important factor in assessing the ability of an employee to undertake the work required.

The second is that, while there are a number of IELTS preparation courses available, they are often quite costly as is the \$220 test fee. Where a particular rating is required for entry into a profession, candidates may have to sit the exam more than once to obtain the required minimum rating.

Further there is no consistency in the IELTS scores (between 1- non user and 9- expert user) required by different professions. For example, the Nurses board requires an IELTS test score of 6.5 in reading and listening (competent user) and 7 in speaking and writing (good user). For University entry, an overall score of 6.5 with individual scores of 6 or 5.5 are generally accepted. For overseas trained doctors, the Medical Board of Western Australia requires a minimum score of 6.5 for speaking and listening and an overall score of 7.

Introduction of the ANZSCO structure for skills classification

The classification of occupations is currently under review and will result in a combined Australian-New Zealand approach. 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. The Inquiry should assess the proposed structure and its impact on the Skilled Occupation List and the Migration Occupation in Demand List.

There is also concern that the skill sets within the ASCO/ANZSCO structures do not reflect the Training Packages developed with industry by ANTA. There should be direct correlation with these nationally endorsed Training Packages and skills classification.

Broadening STNI to deal with occupations not on the SOL

There are circumstances where the State Government is a significant employer of a specific skill. Police, nurses and linesmen are examples of these skills. The State Territory Nominated Independent (STNI) scheme was established in 1997 for state and territory governments to influence the number and profile of skilled migrants settling in their areas in line with their skill needs and development objectives. The STNI has a parallel visa class the Skills Matching Scheme which is similar to STNI but is not points tested. A complication arises where skills are in demand in a particular state but are not on the Skilled Occupation List. Police Officers fall into this category.

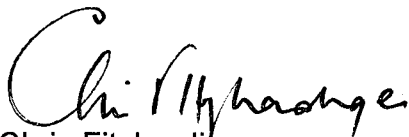
The Inquiry should consider removing the requirement for skills assessment, points assessment and for the occupation to be on the Skilled Occupation List for skilled occupations where the State Government is a significant employer and where the applicant will be employed by the State Government. The applicant would need to meet vocational English, be less than 45 years of age and the occupation be included on the State Skills in Demand List.

The STNI should also include the provision of a temporary visa where a skill is in demand within a particular state or territory but was not on the Skilled Occupation List. This circumstance can arise very quickly with major resource development projects or with the adoption of new technology. A temporary visa would be granted for the specific project. The visa holder could apply for a permanent visa under STNI after meeting occupancy and employment milestones.

Legislation should be amended to require a visa holder to meet the residency requirements of specific visa schemes. This is necessary to ensure that applicants who give an undertaking to work in an area of skills shortage meet their undertakings. For instance where a State nominates an applicant under STNI or SIR a breach of the undertaking to live in a particular state or region should be regarded as a breach of the visa conditions.

Public Hearings

I note that you plan to conduct public hearings from July 2005. The Western Australian Skills Advisory Board would like the opportunity to present at a public hearing in Western Australia. Hearings should also be held in Regional Western Australia at regional centres such as Kalgoorlie, Karratha or Bunbury as well as in Perth.



Chris Fitzhardinge
Chair Western Australian Skills Advisory Board
June 24, 2005