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**SUBMISSION TO THE JOINT STANDING COMMITTEE  
ON MIGRATION**

**BY**

**The Western Australian Department of Education and  
Training**

June 2005



Department of Education and Training  
Government of Western Australia

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# SUBMISSION TO THE JOINT STANDING COMMITTEE ON MIGRATION

by the  
Western Australian Department of Education and Training

## 1. OVERVIEW

The Department of Education and Training's purpose is to ensure that all government school students and all adults have ongoing opportunities to develop the skills, knowledge and confidence to achieve their individual potential and contribute to the social and economic development of Western Australia.

It is the Department's view that, to succeed, any initiatives to promote cultural diversity and increase the participation rates of individuals trained overseas must be based in the belief that migrants represent a valuable resource, both socially and economically.

Whilst Australia has moved significantly to migration policy based in multiculturalism, attitudes and systemic barriers continue to impact adversely.

The issues and suggestions presented in this submission are exemplified in the attached case studies and reports. This submission proposes strategies to address the continuing adverse impact of systemic and attitudinal barriers to employment for migrants and refugees. These include:

- The need for responsive, state-based trade skills assessments to obviate the mandatory, inflexible and lengthy pathway currently in place through the Commonwealth Government's Trades Recognition Australia (TRA) process.
- Accommodation of a dual competency and qualifications based assessment model in the assessment advice given by Australian Education International – National Office of Overseas Skills Recognition (AEI-NOOSR) and Vocational Education and Training Assessment Services (VETASSESS) relevant to the pre-migration assessments and registration and licensing of professional and para-professional migrants.
- Promotion of nationally agreed good practice assessment and training, principles, including access to transparent, fair, valid and reliable competency-based assessment processes and flexibly delivered skills gap training.
- The delivery of skills recognition, assessment and skills gap training to temporary residents, especially those with limited income.
- Removal of the current restrictions placed on fee-free translation of education and training documents required for assessment and speedy entry into the labour market.
- The need to adopt a more holistic approach to assessment, training and placement of migrants

## **2. ISSUES AND BARRIERS**

### **Current Skills Shortages**

Western Australia (WA) is facing a period of critical skills shortages, particularly in relation to the regions and including major North West projects. The Premier's minute 020704/BH (attached) and the Chamber of Commerce and Industry WA ([www.apprenticeshipswa.cciwa.com](http://www.apprenticeshipswa.cciwa.com)) have identified a number of major problems underpinning these shortages including retiring baby boomers, low population growth, and the need for more flexible competency-based trade training arrangements.

Employers in WA have also reported increasing difficulty in securing skilled workers in key occupational areas. Skill shortages have been exacerbated by record levels of low unemployment and the consequent decline in the pool of labour. Critical shortages in WA are in the areas of professional engineers, trades, such as, metal, vehicle, construction, food, furniture and service occupations, including child care.

### **Time Consuming and Outdated pre-migration and post-migration processes**

The situation is aggravated by time consuming and outdated pre migration and post migration assessment processes and the misfit of occupational classifications.

### **Current arrangements for overseas skills recognition and issues of licensing and registration for Skills stream migrants who obtain assessment prior to migrating**

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. For example, trades people who have expectations that they can operate independently are often unaware of local licensing and regulatory requirements. Some have, unnecessarily, pursued expensive AQF Certificate III pathways.

Assessment and related settlement information provided by Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) and Commonwealth migration linked assessment bodies needs to be in plain English and translations of key information provided in appropriate languages. Some migrants are unaware of potential skills gaps which could have been filled in their country of origin prior to departure. Information and access to web based self assessment and orientation/up skilling programs would enable migrants to be immediately productive and employable on arrival.

Intending skill stream applicants who meet the requirements of TRA, AEI-NOOSR, VETASSESS and professional bodies are well catered for. However some of the current requirements, including an emphasis on time served and academic achievement, can significantly limit the employment prospects of applicants with high level skills and experience. (See case studies Attachment 1).

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

These categories of migrants often bring in high levels of skills and experience and represent a valuable resource which is at risk of being lost and/or under utilised in Australia.

Current arrangements for overseas skills recognition and associated issues of licensing and registration may limit opportunities for these people to gain employment commensurate with their skills and experience.

- Documentation requirements

Humanitarian and refugee entrants may arrive with no or limited documentation and are usually from backgrounds which are culturally and linguistically diverse. Statutory declarations may not be accepted and TRA, in particular, are reluctant to accept declarations where no other supporting documentation exists.

- Lack of timely access to culturally sensitive assessment processes and bridging/orientation programs

Migrants should not be precluded by requirements such as:

- time served
- inability to produce specific documentation
- non-referral to bridging programs for assessment and skills gap training

For example, teachers who have three-year British Honours degrees and have undertaken a rigorous one year competency-based assessment and training program, have been refused registration on the basis that they have not met a four year academic training requirement and have been recommended to undertake a further year of study.

- Skill migrant's low performance on telephone assessments

Currently migrants, typically humanitarian entrants with trade backgrounds, who are from non-English speaking countries, are assessed by TRA via telephone. For migrants whose first language is not English this is a known area of low performance, particularly when they are placed under the additional stress of a performance based assessment. Those who perform below their relative capability are rarely given the opportunity of a trade test.

The Western Australian proposed pilot project (Attachment 2.) to be undertaken in partnership with TRA would see the State-based OQU acting as a responsive and supportive coordination point for a locally based assessment in the metal and electrical trades and the provision of skills gap training as required.

- Difficulties accessing skills-upgrading

There are a number of issues that prohibit trade training from being delivered outside the apprenticeship system and access to mature aged apprenticeships is difficult, even for migrants requiring minimal skills gap training.

Inflexible application of policies and the attitudes of some professional registration bodies can prevent individuals from even accessing a competency based or on-the-job assessment. Assessment bodies, such as TRA, are reluctant to accept statutory declarations, even where claims can be verified via interview and practical assessment.

DIMIA's 510 hours of English language is often insufficient and migrants are unable to reach even basic functional levels of language skills. Once migrants, registered on the Newstart Allowance, reach CSWE Certificate III level (functional) and/or complete the 510 hour English Settlement entitlement, they are referred by Centrelink to the Job

Network and are usually required to seek employment. If they have reached CSWE Certificate III, this level of English allows for basic survival and is insufficient for further study or, in most cases, employment commensurate with their level of skills and capability. This issue could be addressed through increased funding for advanced English classes, including additional AMEP funding up to Certificate IV, and redistribution of unused Adult Migrant English Program (AMEP) hours.

Costs of both assessments and skills upgrading are often prohibitive for these migrants, particularly those on social security benefits.

- **Temporary residents who need skills assessment /recognition; and Australian citizens returning after significant time overseas, with overseas qualifications**

Temporary resident visa holders face a number of additional barriers to those faced by permanent residents. For example, Spouse visa, prospective marriage visa, interdependency visas, temporary protection visa (TPV), temporary humanitarian visa (THV), return pending visa (RPV) and permanent protection visa (PPV) can only access Universities as International students with corresponding off-shore fees when enrolling, since no funding had been given to these visa holders by the Commonwealth Government.

Centrelink payments are only available to people who reside in Australia and are either Australian citizens or holders of permanent visas or New Zealand citizens who are protected special category visa holders. New residents have to wait for two years (104 weeks) before they can get social security payments. New residents who are unable to access skills assessment due to financial hardship could be given individual consideration.

### **3. COMPARATIVE BENCHMARKING**

In 1990 a comprehensive review was undertaken by the Centre for Multicultural Studies, University of Wollongong, entitled *The Recognition of Overseas Professional Qualifications* (Mitchell, Tait and Castles, 1990). In the context of this submission, recommendations of interest arising from this review are:

- data collection, including assessment outcomes;
- the provision of bridging and orientation courses;
- the need to provide information on assessment processes in plain English and recognise the role of key information agencies, such as, migrant resource centres, interpreters, unions and employers;
- that Commonwealth and State Departments of employment sponsor job experience schemes which encourage employers to offer fixed term job opportunities to immigrant professional, para-professional and technical employees.
- that research is undertaken to find out more about employer's attitudes towards and experience with employees of different ethnic backgrounds, and the effects these have on employment practices.

These issues and recommendations have continuing relevance to this enquiry.

- **Consider how Australia's arrangements compare with those of other major immigration countries**

While there is value in considering how other countries address skills recognition and the delivery of bridging training, good practice examples also exist in Australia. Research undertaken on behalf of the Australian National Training Authority – “Ingredients for Good Practice in Assessment and Training” and managed by the Western Australian Overseas Qualification Unit, examined three models of good practice. The aim of the project was to identify the key features of success in the delivery of assessment and bridging training. (See Attachment 3).

The key ingredients identified under the acronym of **FEAST**:

- **Flexibility:** Ensure that skills gaps are clearly identified to the applicant and flexible entry points to top up training provided.
- **Empowerment:** Assessment processes must be transparent, fair, valid and reliable. Individuals need to know what they are being assessed against and supported through the process. The aim of the assessor is to maximise rather than minimise outcomes.
- **Access:** All three models were developed in response to the fact that requirements for enrolment in main stream processes resulted in highly skilled and motivated individuals being denied access and left with a feeling of isolation.
- **Support:** *‘to give courage or faith to ....’* (Collins Dictionary)  
If Australia is to maximise the inherent skills of migrants we need to move from a position of assessor as ‘gate keeper’ to one of assessor as supportive facilitator.
- **The People:** The importance and impact of the attitudes and beliefs of the individuals conducting assessments and providing training.

#### **4. RESPONSE AND STRATEGIES**

Critical aspects in the resolution of current skills recognition and skills utilisation issues of migrants and newly arrived underemployed migrants is the need to:

- Acknowledge that migrants represent a valuable economic and social resource and have much to contribute.
- Adopt Australian best practice methodology into migration skills assessment.
- Allow the states to promptly respond to their labour market demands efficiently by mandating state and territory based assessment bodies to undertake migration linked assessments under the auspices of commonwealth authorities.
- Adoption of a competency based assessment model of assessment model for migrants with trade skills.
- Development of a dual competency and qualifications based assessment model for professional and para-professional migration assessment.

#### **Overseas Qualifications Unit (Department of Education and Training)**

The OQU believes that many of the issues and challenges raised in this submission could be addressed by a review of pre-migration and post-migration assessment processes to improve the match between migrants and available jobs.

## **Skilled Migration Unit (SMU)**

In WA the government recently launched its SMU as a central coordinating body within the State Development portfolio in order to ensure that the skills and expertise necessary to sustain continuing growth are attracted and retained within the State. The Department of Education and Training is also in the process of establishing a skills recognition manager to coordinate skills recognition services within WA and to identify and promote initiatives which will overcome barriers to skills recognition and flexible training delivery. The further development of these services will support the clients of the Departments OQU.

## **OQU State - Based Skills Assessment**

The OQU is currently seeking TRA's participation in a proposed state based pilot to identify good practice skills recognition pathways for migrants with a trade skills background. Critical to the State's ability to maximise the inherent skills of migrants and attract migrants from overseas is a more flexible, responsive and supportive state based recognition system that builds on the State's existing strong working relationships with the Commonwealth Government's migration-linked assessment agencies.

The OQU was established in 1989 as the focal point for skills recognition, advocacy and research and development. State and territories based OQUs are ideally placed to coordinate skills assessment and bridging training.

### **• Areas where Australia's procedures can be improved**

- Communication of processes to users
- information provided is simple and able to be translated into appropriate languages.
- Information could also be improved through provision of information at overseas posts and via a national occupation/assessment-linked web portal.
- In line with national good practice requirements assessment criteria needs to be freely available and comprehensive feedback provided where competencies and requirements are deemed not to have been met.
- It would be helpful for pre-and post-arrival information to be provided verbally, particularly where there are low levels of literacy.
- Cross cultural communication skills and the demonstration of an appropriate belief system needs to be a requirement of assessor competencies.
- Migrant Resource Centres and the IHSS program to receive funding to undertake an expanded support role in relation to providing assessment related support and information.

### **• Efficiency of processes and elimination of barriers;**

Migrants face a range of systemic barriers and attitudes in relation to the recognition of qualifications gained overseas including:

- over emphasis on time served criterion.
- fragmented interpretation of the AQF training packages as an assessment tool, rather than the adoption of a more holistic peak skills approach (see Attachment 4).
- legislative barriers,
- An inflexible and lengthy pathway for trades recognition as currently required by TRA.



- TRA's stated turn around times for general assessments is 120 days and sometimes significantly longer. TRA's current process is also time-based and does not identify specific skills gaps, even where minimal up skilling may be all that is required. States and Territories should be mandated to undertake assessments where the Commonwealth's assessment bodies are not in a position to respond to individual and employer need.
- Accommodation of a qualification and competency-based assessment model in the assessment advice given by AEI-NOOSR and VETASSESS relevant to the pre-migration assessments and registration and licensing of professional/para-professional migrants.
- Neither AEI-NOOSR or VETASSESS embrace a competency-based approach. There is an urgent need to change this systemic barrier that results in migrants with incomplete qualifications or skills learned on-the-job underemployed, employed in a lower skilled unrelated occupation or unemployed.
- The need to embrace nationally agreed good practice assessment and training principles, including access to transparent, fair, valid and reliable competency based assessment processes and flexibly delivered skills gap training.
- Access to the RPL in a supportive environment is essential. More responsive flexible delivery options must also be developed, rather than the expectation that migrants wait, sometimes for months, until a particular module appears on the time table.
- The delivery of skills recognition, assessment and skills gap training to temporary residents, especially those with limited income, is also vital.
- There is a need to address the current restrictions placed on fee-free translation of education and training documents required for assessment and speedy entry into the labour market. If the rationale behind fee free translations is to effect the speedy induction of migrants into the labour market, it is important that this issue is addressed.

### **Translation of documents**

The provision of a translation service to migrants whose documents are not in English is a key part of the assessment and recognition success of the settlement program. Timely and efficient document translation is essential to the client's access to skills recognition, employment and integration into the Australian community. Even under special request, DIMIA will only translate one transcript not any award documents. In addition similar restrictions apply to employment documents. Often the new migrant, especially humanitarian visa holders cannot afford to pay to have the other documents translated, so their formal skills cannot be fully assessed

AEI-NOOSR require both the award and transcript to be translated prior to assessment. We clearly have two Commonwealth bodies with conflicting policies. The WA OQU and other State OQUs require the same. Professional bodies require multiple and other documents to be translated and this is clearly specified on their application forms. Nevertheless DIMIA currently insist that the applicant obtain an individual letter from the professional organisation requesting these translations. Professional bodies are reluctant to do this and the individual faces a lengthy and time consuming process. Attaching the clearly labelled documents for translation and the relevant document listing page on the application form should suffice.

- **Early identification and responses to persons needing skills upgrading (e.g. bridging courses);**

As foreshadowed in the letter from the Premier of Western Australia referred to above, there is clearly a need for a 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 demand for individual skills.

However, a number of factors impinge on Australia's ability to maximise this resource:

- Costs associated with assessment.
- Limited options for mature aged tradespersons seeking assessment and skill gap training who fall outside of TRA's mandate and requirements.
- Access to mature aged apprenticeships for both assessment and gap training is difficult due to associated costs.
- Legislation prevents the delivery of assessment and trade certified training outside of the apprenticeship system.
- Feedback on specific gaps is not provided by TRA or most professional bodies and regulatory authorities.
- Availability of data on the skills backgrounds of migrants, particularly non primary applicants.

Migrants, who are unable to access existing skills recognition processes will often become disillusioned and seek unskilled employment for both personal and economic reasons.

The OQU has always had a high response to advertisements promoting access to supportive assessment and bridging programs in specific skills shortage areas. One such approach saw over 120 overseas trained nurses who were unable to meet registration requirements (and lost to the sector) undertake competency based assessment and training and enter the profession at a time of critical skill shortage. The average period of bridging training was three months at a total cost of \$800 per person.

## **5. TARGET OUTCOME**

- **Awareness and acceptance of recognised overseas qualifications by Australian employers;**

Previous research undertaken by the OQU indicates that the personal attitudes of employers and co-workers largely dictate the rate of success of overseas-trained migrants and the acceptance of their qualifications and skills. From the OQU's experience in assisting around 30 000 migrants the acceptance of the recognised overseas qualification by the employer is not a primary issue. Once the migrant's qualifications and skills have been assessed and a statement of equivalence with an Australian award or trade certificate/licence issued this is generally accepted at face value.

Typically non-acceptance occurs at the initial assessment phase and the issues and barriers related to this are covered elsewhere in this submission. It is essential that migrants and intending migrants have access to AQTF competency based assessment opportunities in the trades and professions. However the above mentioned research did note that CaLD (Culturally and Linguistically Diverse) staff who seem most likely to be employed appear to be those who are from Anglo Celtic populated countries or strongly reflect an Anglo Celtic norm in terms of language, accent, dress and overall culture. Good practice strategies identified through the research include:

- Promotion of the value of a culturally diverse workforce to employers and the broader community.
- Data collection to monitor and report on cultural diversity.
- Raising awareness of employer and employee responsibilities in relation to Equal Employment Opportunity.
- Application of national good practice` principles to all aspects of the assessment process.
- The adoption of an holistic approach, including access to orientation/bridging training and mentor support.

(See Attachment 5 Good Practice Report and Workbook).

- **Achieving greater consistency in recognition of qualifications for occupational licensing by state and territory regulators**

(see attached letter from the Premier)

- **Alternative Approaches To Skills Assessment And Recognition Of Overseas Qualifications**

One systemic issue already mentioned is the incompatibility between assessment processes used by TRA, AEI-NOOSR and VETASSESS and the current competency-based process of assessment utilised by RTOs under the AQTF. Lack of application of a competency-based approach potentially disadvantages migrants and refugees in the assessment of their skills when seeking employment in Australia in the occupation in which they have trained and worked in their country of origin.

Under Standard 8.1 of the AQTF, for example, in the assessment of clients' competency, RTOs are required to:

- iii. Comply with the principles of validity, reliability, fairness and flexibility;*
- iv. Provide for applicants to be informed of the context and purpose of the assessment and the assessment process;*
- v. Where relevant, focus on the application of knowledge and skill to the standard of performance required in the workplace and cover all aspects of workplace performance, including task skills, task management skills, contingency management skills and job role environment skills;*
- vi. Involve the evaluation of sufficient evidence to enable judgements to be made about whether competency has been attained;*
- vii. Provide for feedback to the applicant about the outcomes of the assessment process and guidance on future options;*

- viii. *Are equitable for all persons, taking account of cultural and linguistic needs; and*
- ix. *Provide for reassessment on appeal.*

The evidence guide notes that examples of compliance against this standard include:

- Assessment processes/instruments adjusted in the light of client's special needs;
- Records of client outcomes from adjusted assessment processes;
- Records of RPL assessments;
- Records of client and staff feedback about RPL processes and outcomes;
- Letters/emails to clients advising them of their results, invitations to clients to present for reassessment.

Standard 8.2 states that:

- a. *The RTO must ensure that RPL is offered to all applicants on enrolment.*
- b. *The RTO must have an RPL process that:*
  - i. *is structured to minimise the time and cost to applicants; and*
  - ii. *provides adequate information and support to enable applicants to gather reliable evidence to support their claim for recognition for competencies currently held, regardless of how, when or where the learning occurred.*

(Source: Australian Quality Training Framework Evidence Guide for Registered Training Organisations and Auditors, Australian National Training Authority, 2001)

Standard 9.3 requires RTOs to 'ensure that in developing, adapting or delivering training and/or assessment products and services:

- vi. *Delivery modes and training and assessment materials which meet the needs of a diverse range of clients are identified; and*
- ix. *Where assessment or training is conducted on-line or by distance, the RTO has effective strategies for learner support, monitoring and assessment.*

Current assessment processes utilised by AEI-NOOSR and VETASSESS and in part by TRA are not competency based and do not make similar provisions for the recognition of prior learning or specific feedback to the applicant. While practical assessments provided by TRA to permanent residents TRA include assessments conducted by RTOs, different criteria are used to assess the skills and qualifications of overseas applicants.

## **TRADES RECOGNITION AUSTRALIA (TRA)**

TRA is part of the Commonwealth Department of Employment and Workplace Relations (DEWR) and is the nominated assessing authority under the regulations of the *Migration Act 1958* for trades skill assessment in trades nominated under the migration skills occupation list. TRA requirements include age requirements and time-based criteria which are inconsistent with the current competency-based approach. Some requirements are that the person must:

- be 19 years of age
- have successfully completed specified apprenticeship or other Central Trades Committee approved training for each specific country of not less than four years
- have been employed for not less than six years (seven years for an electrician) on work ordinarily performed by a tradesperson in that classification

- be capable of performing work of at least that classification in Australia

**Issue**

The time-based requirement means that many migrants do not have the opportunity to enter the assessment process and that migrants who may have the skills that meet the requirements of a trade are not provided with an opportunity to demonstrate their level of competence. Tradespeople who have operated successfully in their country of origin, therefore, may not be provided with the opportunity for a trades test.

**Issue**

While the restrictions of the TRA Act govern much of its activities, some processes are not covered by the Act and potentially disadvantage migrants eg telephone interviews as part of the assessment process.

**Issue**

Feedback from TRA tends to be generalised and options for re-assessment and/or skills gap training is not provided.

**Proposed TRA / OQU Migrant Skills Recognition Pilot**

See Attachment 2.

The WA Department of Education and Training through its Overseas Qualifications Unit, is proposing to pilot, in partnership with TRA, a project To Identify Good Practice Skills Recognition Pathways for Migrants with a Trade Skills Background.

This proposed pilot project has the potential to inform the development of a model which would alleviate current delays of between three and six months in progressing assessments through TRA in areas of severe skills shortages.

The specific objectives of the pilot project are to:

- utilise the inherent trade skills of migrants to assist in meeting current trade skills shortages.
- identify and establish valid, reliable, accessible and transparent assessment and bridging pathways that reflect nationally agreed *good practice* in the assessment of migrants with a trade skills background.
- offer these pathways, by way of a pilot project, to migrant tradespersons who obtained their skills overseas and have not had these skills recognised in Australia.
- identify and address the barriers to skills recognition and access to skills gap training encountered by migrants with a trade skills background.
- establish a working partnership with TRA which enables states and territories to undertake assessments of permanent (metal / electrical trades) and non-permanent resident migrants where TRA are unable to respond.

State based assessment and training pathways also included in the pilot:

- Industry Training Advisory Boards
- Registered Training Organisations (RTO's)
- Licensing Authority/RTO
- Apprenticeship '*Fast Track*' model
- Indentured apprenticeship

## **Child Care Peak Skills Assessment Project**

See Attachment 4

### **5. CONCLUSION**

That Australia is facing critical skills shortages which if not alleviated has the potential to cost the country many billions of dollars is well known. However despite the realisation in the early 90's that the failure to rapidly utilise the skills of migrants was costing Australia many millions of dollars and the subsequent blue prints for good practice and reform, little has been done to optimise this valuable resource.

Critical aspects in the resolution of current skills recognition problems and the utilisation of the inherent skills of intending migrants and the latent skills of newly arrived underemployed migrants is the need to:

- Acknowledge that migrants represent a valuable economic and social resource and have much to contribute.
- Adopt a facilitative approach to assessment and training, including access to flexibly delivered orientation and skills gap training.
- Address the post migration document translation needs of migrants.
- Adopt Australian best practice methodology into migration skills assessment.
- Allow the states to promptly respond to their labour market demands efficiently by mandating state and territory based assessment bodies to undertake migration linked assessments under the auspices of commonwealth authorities.
- Adoption of a competency based assessment model of assessment model for migrants with trade skills.
- Development of a dual competency and qualifications based assessment model for professional and para professional migration assessment.

## ATTACHMENT ONE

### Case study one: Electrician.

An electrician who had emigrated from Italy had applied for recognition of his trade from TRA. The applicant had served a 5 year apprenticeship of on-the-job training in Florence, Italy. This training is accepted as a legitimate path to trade certification in that country and is recognised by the Italian Ministry of Labour and Social Welfare in a document issued in his name which shows him to be a "Qualified Electrician". Following his apprenticeship the applicant had worked for a further two years as a journeyman electrician and then formed a partnership in a private company in which he worked as an electrician for a further eight years. This business was registered by the Chamber of Commerce, Handicrafts Industry and Agriculture. The government-approved business for this company included electrical installation, repairs, and maintenance to domestic and industrial systems. The individual can provide verifiable evidence of the type of ongoing work in electrical trades carried out by his company and himself that covers a range of service skills required from a tradesperson.

The feedback sheet from TRA advised that the applicant was unsuccessful for the following reasons:

- Unacceptable formal training and claims of formal training that were not verifiable.
- Evidence of adequate relevant training/work experience was not clear.
- Breadth and depth of skills equivalent to Australian Trade standards were also deemed to be not clear.

No further explanation was provided to indicate the reasons for the lack of clarity of the evidence to guide the applicant towards an acceptable response to TRA requirements.

TRA conducted a telephone interview with the applicant but this also failed to provide TRA with sufficient evidence of equivalent skills to Australian standards. On this basis, no further on-the-job inspection or trade test was conducted. The applicant was not provided with information about alternative pathways for assessment, skills recognition or gap-training.

### Comment

Reliance on telephone interview may not have been culturally appropriate or meet that clients' linguistic or cultural needs. It is understood that there was no assessment of English language proficiency. Lack of familiarity with local trade's terminology may also have disadvantaged the client in answering questions. While it is not known what questions were asked during the interview, the applicant's failure to satisfy the interviewer of the range of their trade experience suggests that the questions may not have been adequately framed or understood. No opportunity was offered for reassessment or a future trade test.

### Alternative:

If an AQTF competency based approach potentially would have involved a more comprehensive and thorough explanation of assessment techniques and evidence gathering than employed in this instance. It could be argued that a fairer and more equitable assessment could have been achieved by: An initial shortened peak skills assessment. This would focus on the more complex competencies of the trade and be integrated into a specific project.

- WA could also work closely with TRA or independently to conduct DIMIA approved assessments through their local office. (Using the same local assessment bodies such as Swan TAFE who is used by TRA).
- Providing more detailed and comprehensive feedback to the applicant in regard to gaps in their evidence of skills, knowledge and experience.
- Particularly when assessing people from non English speaking backgrounds: the telephone interview should not be the only factor determining if the assessment process should continue.

*This is an example whereby a partnership between TRA and the WA OQU as outlined in the Pilot Proposal at Attachment 2 would ensure that the inherent skills of migrants are not lost to the economy.*

### **Case Study Two – Plumber**

A UK plumber and gas fitter with over twenty years experience running his own business and seeking to migrate to regional WA, contacted the WA Overseas Qualifications Unit (OQU) from the UK following rejection by TRA. His training in heating and ventilation (not TRA specified apprenticeship pathway for plumbing) and subsequent experience as a self employed plumber was deemed not to meet TRA requirements and because of the nature of his business (as a one person self employed plumber he undertook related splash back tiling, shower fitting and installation of vanities work associated with the plumbing) was considered not to meet the six years in the trade requirement under the TRA Act.

The OQU contacted TRA on his behalf and was told that because he did not meet initial requirements he could not be recommended for a trade test. (He was prepared to fly to Australia to undertake this). However following subsequent discussions with TRA the OQU was told that if he could be tested locally by a Registered Training Organisation (RTO) and receive an AQF Certificate III in plumbing and gasfitting his qualifications would be accepted for migration purposes. This was later confirmed by DIMIA.

The OQU forwarded his documents to the WA Plumbers Licensing Board who immediately indicated that they accepted him as a bone fide plumber and that he could sit the migrant plumbers' peak skills exam. At this stage the individual was still in the UK and these options seemed unrealistic. However such was his commitment that he worked through the Christmas break and put customers on hold so that he could fly to Western Australia for two weeks and explore the available options. On arrival he:

1. Contacted local private RTO, who initially indicated that an assessment would take over three months to complete and involve assessment against each individual competency. This was modified following discussion, but still involved up to four weeks of assessment at a possible cost of \$180 to \$450 a day.
2. Met with Plumbers Licensing Board and nominated assessor. Migrant assessment process an option, but TRA indicated that successful completion of the test and the issuing of a plumbers licence would still not be accepted by TRA for migration purposes. This was despite the fact that such a licence would enable him to work as a plumber in any state in Australia.
3. Was offered possibility of employment by Perth based plumbing contractor and also visited the regions and met with member of south west development commission who thought that employment would be a formality.
4. Returned to the UK frustrated by the process and may not proceed or seek to migrate to New Zealand where he has been more positively received.

### *Recommendations*

*That DIMIA mandate the states to conduct their own migration linked and on shore assessments in areas of skills shortages and where TRA and other Commonwealth assessment agencies, such as NOOSR and VETASSESS are unable to deliver due to the above mentioned, legislative and systemic restrictions.*



### **Case Study Three – Personnel Officer**

The OQU were approached by a migration agent for an assessment of an individual from the UK seeking migration as a Personnel Officer (ASCO 2291-11) in relation to an application to VETASSESS. The entry level requirement for migration is a Bachelor degree or at least five years relevant experience. The individual:

- has a Post Graduate Diploma in Human Resource Strategies;
- is a Graduate of the Chartered Institute of Personnel Development;
- has been accepted for the Masters Course at Kingston University;
- has four years experience working as a Human Resource Manager for an HR Consultancy and eighteen months experience working part time as an Acting Human Resource Director.

A support letter was provided from the London Metropolitan University states ...'post graduate qualification, awarded in 2001, was higher than first degree level.' The WA OQU also issued a letter, based on evidence provided, that the level of education is clearly at graduate level. VETASSESS indicated that their rules could not take into account post graduate studies in relation to meeting Bachelor degree requirements unless there was an underpinning qualification at least at Australian (AQF) Diploma level.

*(Website FAQs indicates - If I have a GRADUATE DIPLOMA, will this meet the requirements of an occupation which requires a degree? No, not on its own. To meet the requirements of a 50 point occupation you must, in addition to the Graduate Diploma, have at least a Diploma level qualification, and you must provide all the necessary documents relating to that qualification in addition to those of the Graduate Diploma.)*

#### **Comment**

Had recognition of prior learning approach been employed for the assessment process, it is likely that the skills and knowledge acquired prior to gaining (indeed in being accepted on) the Post Graduate Diploma would equate to at least an AQF Diploma. An RPL process is also likely to have determined that the combination of formal training and experience would have imparted skills and knowledge at least at the educational level of an Australian Bachelor degree.

This example is provided to illustrate the far reaching influences of NOOSR's academic non competency based approach on other agencies such as VETASSESS and peak registration bodies.

#### **Alternative**

Where Commonwealth assessment bodies are unable to respond that the states and territories are mandated to undertake assessment for the purpose of migration.

That the Commonwealth assessment agencies embrace the principles of competency based training and assessment and the recognition of prior learning.