
The Parliament of the Commonwealth of Australia

Negotiating the maze

**Review of arrangements for overseas skills recognition,
upgrading and licensing**

Joint Standing Committee on Migration

September 2006
Canberra

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Foreword

Skilled migration, the largest component of Australia's migration program, is the subject of much discussion and comment in the Australian community. While there is widespread acceptance of the need to have a program by which the Australian workforce can be supplemented by migrants with particular skills that are in need here, there is community concern that the level of skills of those coming into the country is equivalent to Australian occupational and safety standards and that lower skilled workers are not used to undercut the wages of existing workers.

Assessing the skills of those who wish to migrate to Australia as skilled migrants is therefore a key element of the system – people need to have faith that the system is fair and well-managed. Perceptions of how efficiently assessments are conducted and the experience of the skilled migrants when arriving in Australia to make a new life for themselves and their family are often coloured by the ease or otherwise of the process they have undergone.

The migration of skilled personnel to Australia enhances the Australian labour force and contributes greatly to the Australian economy. However, an overly bureaucratic system that impedes the timely arrival of much needed skilled labour does not assist industry in providing economic growth for Australia. Anecdotal evidence from my own state suggests that a lack of skilled workers is having a serious impact on plans for a number of major mining ventures.

For all of these reasons, a review of the recognition, upgrading and licensing of overseas skills was a very timely inquiry for the Joint Standing Committee on Migration to undertake. The current picture is complex and a number of submissions likened the task facing a potential migrant to that of someone trying to find their way through a maze. Where do they go to get started? If they start in the wrong place (elect to apply for one type of visa, for example, as opposed to another) they may find themselves lost in a bureaucratic muddle, unable to go forward or go back. What does the pre-migration assessment of skills really mean? What role do the state Overseas Qualifications Units play? How does an applicant

find out about how to improve their skills to meet the assessment requirements? Is registration a legal necessity?

The report examines the structural barriers that hamper the efficient recognition of skills of those trained overseas. Its recommendations contribute to further policy development in skills recognition and licensing, to promote greater labour mobility and address skills shortages.

During the inquiry a number of changes to the skilled migration program were announced by the government and other administrative changes were made by bodies involved in the process. The Committee hopes that this report identifies a number of areas where further improvements can be made, ensuring as robust a system as possible and one that is comparatively easy to understand.

The Committee was very pleased to receive a wide range of submissions on this subject. Not only federal and state government departments had input but also a wide range of professional organisations, industry groups and individuals who have been through the skilled migration process. The Committee was particularly grateful that so many groups and individuals were able to participate in the public hearings that were held.

I would like to thank all members of the Committee who worked so conscientiously during the course of the inquiry. Their experience in migration issues and understanding of the complexities associated with the subject have added greatly to the report. I would also like to place on record my thanks to the secretariat who assisted the Committee during the inquiry, and in particular Dr Kate Sullivan who started work on the inquiry when it was well underway and faced the difficult task of pulling much of the evidence together.

Finally, I was honoured to lead the Joint Standing Committee on Migration delegation to New Zealand in August 2006 as part of the annual committee exchange between the two parliaments. The Committee took the opportunity to examine New Zealand's skilled migration program, as well as its overseas skills recognition process.

On behalf of the delegation, I would like to thank the New Zealand parliamentarians, government and non-government officials and peak ethnic groups who generously gave their time and shared information which assisted in the Committee's report deliberations. I would also like to thank the other members of the delegation – Senator Linda Kirk, the Deputy Leader of the delegation; Mr Laurie Ferguson MP; and Senator Stephen Parry – for their active and constructive contribution to the delegation.

Don Randall MP
Chair



Membership of the Committee

Chair Mr Don Randall MP

Deputy Chair Senator Linda Kirk

Members Senator Andrew Bartlett

Senator Alan Eggleston

Senator Tsebin Tchen (to 30 June 2005)

Senator Stephen Parry (from 1 July 2005)

Mr Tony Burke MP (from 6 September 2005 to 11 October 2005)

Hon Dr Carmen Lawrence MP

Mr Laurie Ferguson MP

Mrs Julia Irwin MP (to 10 May 2005; and from 11 October 2005)


Mr Michael Keenan MP

Hon Roger Price MP (from 10 May 2005 to 6 September 2005)

Dr Andrew Southcott MP

Committee Secretariat

Secretary	Ms Joanne Towner
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Terms of reference

On 19 April 2005 the Minister for Immigration and Multicultural and Indigenous Affairs referred the following matter to the inquiry:

1. Investigate and report on current arrangements for overseas skills recognition and associated issues of licensing and registration for:
 - Skills stream migrants who obtain assessment prior to migrating;
 - Families of skill stream migrants, family stream migrants and humanitarian entrants who seek assessment/registration/upgrading after arrival;
 - Temporary residents who need skills assessment/recognition; and
 - Australian citizens returning after significant time overseas, with overseas qualifications.
2. Consider how Australia's arrangements compare with those of other major immigration countries.
3. Identify areas where Australia's procedures can be improved including in terms of:
 - Communication of processes to users;
 - Efficiency of processes and elimination of barriers;
 - Early identification and response to persons needing skills upgrading (e.g. bridging courses);
 - Awareness and acceptance of recognised overseas qualifications by Australian employers;
 - Achieving greater consistency in recognition of qualifications for occupational licensing by state and territory regulators; and
 - Alternative approaches to skills assessment and recognition of overseas qualifications.



List of abbreviations

ACOPRA	Australian Council of Physiotherapy Regulating Authorities
ACS	Australian Computer Society
AEI	Australian Education International
ALIA	Australian Library and Information Association
AMC	Australian Medical Council
AMEP	Adult Migrant English Program
APC	Australian Physiotherapy Council
AQF	Australian Qualifications Framework
AQTF	Australian Qualification Training Framework
ARF	Australian Recognition Framework
ARTC	Australian Recognised Trade Certificate
ASCO	Australian Standard Classification of Occupations
ASDOT	Assessment Subsidy for the Disadvantaged Overseas Trained Australians
ASNZCO	Australia and New Zealand Standard Classification of Occupations
ASRI	Australian Skills Recognition Information

CALD	Culturally and Linguistically Diverse
CCEA	Council of Chiropractic Education Australasia
CEP	Country Education Profiles
COAG	Council of Australian Governments
CPA	Certified Practising Accountant
CTC	Central Trades Committee
DEST	Department of Education, Science and Training
DEWR	Department of Employment and Workplace Relations
DIMA	Department of Immigration and Multicultural Affairs
DIMIA	Department of Immigration and Multicultural and Indigenous Affairs
ENS	Employer Nomination Scheme
ESM	Employer Sponsored Migration
GSM	General Skilled Migration
HECS	Higher Education Contribution Scheme
IELTS	International English Language Testing System
LSIA	Longitudinal Survey of Immigrants to Australia
LTC	Local Trades Committee
MODL	Migration Occupations in Demand List
MRC	Migrant Resource Centre
NESB	Non-English-Speaking Background
NOOSR	National Office of Overseas Skills Recognition
OQU	Overseas Qualifications Unit
OTD	Overseas Trained Doctor
RPL	Recognition of Prior Learning

RSMS	Regional Sponsored Migration Scheme
RTO	Registered Training Organisation
SHP	Special Humanitarian Program
SIR	Skilled Independent Regional (visa)
SOL	Skilled Occupation List
SSASSL	Sydney and Selected Areas Skilled Shortage List
TRA	Trades Recognition Australia
TRR Act	<i>Tradesmen's Rights Regulation Act 1946</i>
UAC	Uniform Assessment Criteria
VET	Vocational Education and Training
VETASSESS	Vocational Education Training and Assessment Services



List of recommendations

1 Overview

Recommendation 1

The Committee recommends that, as part of its long term research on migration outcomes, the Department of Immigration and Multicultural Affairs collect enhanced data on migrant utilisation of overseas qualifications and other indicators of the effectiveness of overseas skills recognition processes.

Recommendation 2

The Committee recommends that the fee charged for assessing Australian qualifications for the purpose of independent overseas student and skilled Australian sponsored visas (subclasses 880, 881 and 882) be waived, where that qualification is sufficient in and of itself to allow the applicant to qualify for their profession or trade.

2 Policy coordination issues

Recommendation 3

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

Recommendation 4

The Committee recommends that the Department of Immigration and Multicultural Affairs and other stakeholders use the skills expos to provide clearer and more detailed information on overseas skills

recognition processes to users, particularly licensing and registration requirements.

Recommendation 5

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

Recommendation 6

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

Recommendation 7

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

3 Overseas skills recognition framework

Recommendation 8

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

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.

Recommendation 10

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

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

Recommendation 12

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.

Recommendation 13

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

Recommendation 14

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.

Recommendation 15

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

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.

Recommendation 17

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.

Recommendation 18

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.

Recommendation 19

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

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*.

4 Professions: skills recognition issues

Recommendation 21

The Committee recommends that the Department of Education, Science and Training, as part of its monitoring of assessing authorities, review the occupational specific concerns relating to overseas skills assessment procedures raised in the evidence in Figure 4.1 and, as appropriate, address those concerns, with a report back to the Committee.

Recommendation 22

The Committee recommends that the Department of Education, Science and Training review inconsistencies in the skills assessment procedures of assessing authorities, with reference to the first section of Chapter 4 of the Committee's report, and work with assessing authorities to remove such inconsistencies, where appropriate, to ensure efficient and effective assessment processes.

Recommendation 23

The Committee recommends that the Department of Education, Science and Training review assessment completion times across all the assessing authorities with a view to expediting decisions.

Recommendation 24

The Committee recommends that the Department of Education, Science and Training (DEST) monitor assessment fees and work with assessing authorities to ensure these fees are reasonable and have been determined on a not-for-profit basis. DEST should also monitor exam failure rates and work with assessing authorities to address, as appropriate, any significant anomalies in this area.

Recommendation 25

The Committee recommends that Commonwealth agencies involved in implementing the new accreditation body for the health professions clarify as soon as possible how the development of a national approach for the assessment of the education and training qualifications of overseas trained health workers will impact on the current roles of the assessing authorities/professional bodies in this area, as well as on the Department of Education, Science and Training in its monitoring role for these authorities.

Recommendation 26

The Committee recommends that, in light of the serious concerns that have been raised with the Committee about overseas skills assessment processes for overseas trained doctors (OTDs), the Department of Health and Ageing should ensure initiatives announced by the Council of Australian Governments (COAG) to establish a national process for the assessment of OTDs are implemented by the COAG agreed timetable of December 2006.

Recommendation 27

The Committee recommends that the Department of Health and Ageing urgently address, as part of the recently announced Council of Australian Governments initiatives, the provision of:

-
- a) orientation and support services to overseas trained doctors (OTDs), particularly those located in rural and remote areas; and
 - b) targeted bridging courses for OTDs.

Recommendation 28

The Committee recommends that the Department of Education, Science and Training work with the Department of Immigration and Multicultural Affairs to add a new section on training to the Australian Skills Recognition Information website. The website should emphasise the need to consult with assessing authorities before undertaking any education and training to ensure that the course will actually contribute to a successful skills assessment in their profession.

Recommendation 29

The Committee recommends that the Department of Education, Science and Training, as part of its international education policy oversight role, monitor education and training, including bridging courses, undertaken in Australia for skills assessment and migration purposes to improve communication to users.

Recommendation 30

The Committee recommends that the Department of Education, Science and Training, in its monitoring role of assessing authorities, work with the Australian Council of Physiotherapy Regulating Authorities (now the Australian Physiotherapy Council) to ensure its processes are consistent with best practice, and report back to the Committee on this matter.

Recommendation 31

The Committee recommends that the Department of Education, Science and Training, in its monitoring role of assessing authorities, work with the Council on Chiropractic Education Australasia to ensure its processes are consistent with best practice, and report back to the Committee on this matter.

Recommendation 32

The Committee recommends that the lead Commonwealth agencies responsible for migration, employment and international education policy – the Departments of Immigration and Multicultural Affairs, Employment and Workplace Relations, and Education, Science and Training – implement processes to ensure:

- a) a rapid response to concerns raised by assessing authorities/professional bodies about specific occupational oversupplies or undersupplies that might impact on successful migration and employment outcomes; and

-
- b) there is improved coordination between migration employment policy and international education policy to avoid occupational oversupplies such as those that have occurred in accounting and information and communications technology.

Recommendation 33

The Committee recommends that the Department of Education, Science and Training, as the new manager of the Vocational Education Training and Assessment Services (VETASSESS) contract, review VETASSESS processes to enable it to broaden its skills assessment regime to allow competency based assessment and recognition of work experience.

Recommendation 34

The Committee recommends that the Department of Immigration and Multicultural Affairs update:

- a) the occupational specific information for librarians and library technicians on the Australian Skills Recognition Information (ASRI) website to notify potential migrants of the need to contact the Australian Library and Information Association to obtain information on membership requirements of the professional body necessary to gaining employment in these occupations in Australia; and
- b) the generic information across all occupational entries on the ASRI website to ensure there is a reference to membership of professional bodies being a formal requirement to work in certain professions.

5 Trades: skills recognition issues

Recommendation 35

The Committee recommends that the Skilled Occupation List be amended to include a prominent statement at the start of the document that additional assessments for registration or licensing purposes may be required on arrival in Australia, before an applicant can commence work, and that additional training might be required.

Recommendation 36

The Committee recommends that the Department of Immigration and Multicultural Affairs, along with the Department of Employment and Workplace Relations and the Department of Education, Science and Training, review the assessing authorities in the trades and technical areas to ensure some consistency of approach in allocation of trades to either the Vocational Education Training and Assessment Services or Trades Recognition Australia.

Recommendation 37

The Committee recommends that the operation of the new system of overseas assessment due to be in place in the five target countries by July 2007 be assessed by a tripartite group comprising industry, union and public service representatives.

Recommendation 38

The Committee recommends that Trades Recognition Australia transfer officers to state and territory Overseas Qualifications Units (or their equivalent), where justified by demand, to provide direct liaison with all stakeholders to assist in the implementation of the Council of Australian Governments reforms.

Recommendation 39

The Committee recommends that, during the period leading up to the introduction of new offshore processing arrangements, Trades Recognition Australia (TRA) expand its international telephone service hours to improve access for the five main source countries for trades. In addition, TRA should ensure that telephone contact from within Australia can be made to both its Canberra and Melbourne offices during normal business hours.

Recommendation 40

The Committee recommends that the *Tradesmen's Rights Regulations Act 1946* be repealed, and Trades Recognition Australia cease to conduct domestic assessments of skills in the electrical and metal trades.

Recommendation 41

The Committee recommends that Trades Recognition Australia confine its activities to the international assessment of overseas qualifications for migration purposes, in line with the Council of Australian Governments directives to guarantee the quality of assessments and protection of Australian standards.

Recommendation 42

The Committee recommends that, subject to the Council of Australian Governments' agreement, a state-based trade recognition system be instituted, based around the Australian Qualifications Framework, for those trades currently covered by the Australian Recognised Trade Certificate system.

6 International practice and agreements

Recommendation 43

The Committee recommends that the Australian Government continues to encourage and assist professional regulatory authorities to expand their use of bilateral and multilateral international mutual recognition arrangements, while ensuring that Australian standards are not compromised. In particular, the Committee recommends improved policy oversight to facilitate this initiative.

Recommendation 44

The Committee recommends that the Department of Foreign Affairs and Trade coordinate, on behalf of the Australian Government, an annual report to be tabled in parliament on international skills recognition and licensing arrangements. The report should cover the progress in establishing, implementing and monitoring inter-governmental mutual recognition arrangements, including the Trans-Tasman Mutual Recognition Arrangements, the Asia-Pacific Recognition Convention, the Lisbon Recognition Convention, the recognition measures in the free trade agreements and the General Agreement on Trade in Services.

7 Other issues in overseas skills recognition

Recommendation 45

The Committee recommends that:

- a) applicants under the skills stream, employer sponsored (including Labour Agreements) and temporary visa categories such as the 457 visa be required to have vocational English as a minimum standard;
- b) the Department of Immigration and Multicultural Affairs specify the manner in which language proficiency is assessed; and
- c) an independent evaluation be conducted to ensure that consistent standards of English language competence are being applied.

Recommendation 46

The Committee recommends that the Department of Immigration and Multicultural Affairs extend its fee-free document translating service, to provide for three documents in each category for each eligible visa holder.

Recommendation 47

The Committee recommends that the Department of Immigration and Multicultural Affairs explore local work experience initiatives in a further review of migrant settlement services in 2007.

The review should consider the development of new service options for migrants and humanitarian entrants that would allow them to gain work experience early on in their job search and provide them with scope to combine work experience with English language and other training elements, with a particular emphasis on workplace culture and use of technology. The role of professional bodies in providing transition to work programs should also be considered. This review would also look at English language training, particularly industry specific language courses.

Recommendation 48

The Committee recommends that the settlement process for those who have not undergone a skills assessment prior to arrival should include a listing of their qualifications and previous work experience, and that, subject to the individual's agreement, this information be made available to those involved in provision of settlement services and to the relevant state or territory Overseas Qualifications Unit.

Recommendation 49

The Committee recommends that the Departments of Education, Science and Training, and Immigration and Multicultural Affairs undertake a scoping study on the potential of an online professional mentoring program targeting prospective skilled migrants in Australia. Such a program would recruit industry volunteers to provide general advice to prospective migrants on skills recognition, licensing, employment and related matters, based on the Canadianfonet model described in Chapter 6 of the report.

Recommendation 50

The Committee recommends that, given the lack of consolidated information on bridging courses around Australia, the Department of Education, Science and Training undertake a detailed audit of the availability of such courses, the costs and time commitments involved, the uptake rate of various courses and, most importantly, the success rates of bridging courses in enabling individuals with overseas qualifications to gain successful skills recognition. The results of the audit should be made publicly available – for example, on the Australian Skills Recognition Information website.

Recommendation 51

The Committee recommends the creation of a Higher Education Contribution Scheme type system to allow humanitarian stream entrants with some level of trade qualifications to undertake appropriate courses to enable them to work in their trade occupations.

Recommendation 52

The Committee recommends Job Network contracts be revised to enable the agency to assist eligible overseas qualified job seekers pursue (through additional training, for example) occupations in which they have existing skills and experience, rather than immediately place them in any position available, including unskilled positions.

Recommendation 53

The Committee recommends that the Department of Education, Science and Training conduct a review of the Assessment Fee Subsidy for Disadvantaged Overseas Trained Australians to determine how well it is meeting the needs of humanitarian entrants and what could be done to improve its operation in this area, in terms of communication, coverage of occupations and the criteria for eligibility.

Recommendation 54

The Committee recommends that the Department of Immigration and Multicultural Affairs monitor the use of English language tuition by humanitarian entrants and review the Adult Migrant Education Program to ensure that it meets the needs of humanitarian entrants.

Recommendation 55

The Committee recommends that the Departments of Immigration and Multicultural Affairs and Education, Science and Training review the current processes followed by assessing authorities to determine if further steps need to be taken to combat document and identity fraud.



Inquiry process

Background to the inquiry

The 2003 *Review of Settlement Services for Migrants and Humanitarian Entrants* report noted that 'skills recognition remains a major issue for new arrivals'.¹

Major issues identified in that report included a lack of understanding or information about skills recognition processes at the point of visa application; skills recognition processes taking up to three months and the perceived high cost of fees, bridging courses and retraining; perceptions of a 'gap' between the skills assessment of the Department of Immigration and Multicultural Affairs (DIMA) at visa application and later skills or trade recognition practices undergone in Australia; and the failure of employers to recognise or value overseas qualifications and employment experience.²

Other Australian inquiries into this issue over the past two decades have included:

- *Recognition of Overseas Qualifications in Australia*, Fry Committee of Inquiry into Recognition of Overseas Qualifications (1982)
- *Wasted Skills: Barriers to Migrant Entry to Occupations in Australia*, R. Iredale, Ethnic Affairs Commission of NSW (1987)
- *Commonwealth Legal and Administrative Powers in Overseas Skills Recognition*, National Advisory Committee on Skills Recognition (1991)
- *Assessment of Overseas Qualifications*, P. Flatau and G. Wood, Department of Immigration and Multicultural Affairs (1997)

1 DIMIA, *Report of the Review of Settlement Services for Migrants and Humanitarian Entrants*, May 2003, p. 125.

2 DIMIA, *Report of the Review of Settlement Services for Migrants and Humanitarian Entrants*, pp. 125-126.

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- *The Race to Qualify*, Report on the Review of Practices for the Employment of Medical Practitioners in the NSW Health System, NSW Committee for the Review into the Employment of Medical Practitioners (1998)
 - *Assessment of Overseas Qualifications and Skills: A Comparative Analysis*, M. Cully and T. Skladzien, Report to the Overseas Qualifications Board, National Institute of Labour Studies (2001).

More recently, a number of other reports have touched on the efficacy of Australia's arrangements for recognising overseas skills. The 2006 Productivity Commission report, *Economic Impacts of Migration and Population Growth*, concluded that:

Compared with other countries, the Australian regime for assessing and recognising overseas skills and qualifications is well-developed and generally achieves its goals. However, there is evidence that, in some instances, the skills assessment and recognition arrangements for Australia could be improved to better meet their objectives.³

The 2006 study, *Evaluation of the General Skilled Migration Categories*, similarly noted that the 'assessment of offshore training and work experience' by the assessing authorities and DIMA was an operational area considered 'to warrant further attention'.⁴ The 2006 *National Industry Skills Report* further commented that there was a need to develop 'better arrangements for recognition of overseas qualifications and skills' and 'consistent regulations and licensing requirements across jurisdictions', with 'links to competency standards'.⁵

The South Australian Government also recently reported on this area, concluding that, while there are many good practices and initiatives being implemented, 'there remain several barriers to the effective assessment and recognition of overseas skills and qualifications'. Other issues raised included that there are significant gaps in the availability of information about skills recognition processes for potential migrants offshore and new arrivals, and there is potential to shorten the length of time involved in assessment processes through the establishment of offshore and online processes. Further, the costs associated with assessment and registration can be a significant barrier to some migrants, many migrants require support in navigating the employment and skills system, and community perceptions about the value of overseas qualifications and migrant

3 Productivity Commission, *Economic Impacts of Migration and Population Growth*, Final Report, April 2006, p. 184.

4 B. Birrell, L. Hawthorne and S. Richardson *Evaluation of the General Skilled Migration Categories*, Commonwealth of Australia, March 2006, p. 94.

5 DEST, *National Industry Skills Report*, May 2006, p. 16.

skills continue to present barriers to the successful transition of migrants into the workforce.⁶

The Joint Standing Committee on Migration considered this issue in its 2004 report, *To Make a Contribution: Review of Skilled Labour Migration Programs*, recommending that:

... the General Skilled Migration booklet list the skilled occupations and migration occupations in demand which require migrants to be registered prior to practising in Australia.

... DIMIA seek the cooperation of assessing authorities in providing migrant-oriented summaries of their Australian assessment, post-arrival obligations, and registration requirements in its Skilled Occupations List publication.

... assessing bodies continue to seek harmonisation of registration requirements across the States and Territories.⁷

The government responded to the Committee's report on 1 December 2005 and agreed to the above recommendations. Prior to that, on 19 April 2005, the Minister for Immigration and Multicultural Affairs, Senator the Hon Amanda Vanstone, sought the Committee's agreement to review overseas skills recognition, upgrading and licensing.

In its submission to the Committee's inquiry, DIMA noted the importance of having 'fast, efficient and client friendly skills recognition procedures', given the expansion in the skill stream of Australia's migration program to meet current skills shortages and the prospect of a rapidly declining working age population in a decade's time.⁸ Inefficiencies in these procedures may directly impact on Australia realising the productive potential of this workforce and, in turn, affect economic growth and competitiveness.

For example, in its submission to the Productivity Commission inquiry referred to above, DIMA noted that 'some of the contributing factors to the downward occupational mobility of skilled migrants after arrival in Australia' relate to overseas skills recognition issues:

- Recognition of overseas skills for employment purposes
- Recognition of overseas work experience
- Different licensing and registration requirements in States and Territories

6 Overseas Qualifications Reference Group, *Final Report*, Training and Skills Commission South Australia, October 2005, p. 4.

7 Joint Standing Committee on Migration, *To Make a Contribution: Review of Skilled Labour Migration Programs 2004*, March 2004, pp. 148-149.

8 DIMA, *Submission No. 80*, p. 1.

- Lack of local work experience, in particular training for use of technology in the workplace
- Registration/licensing requirements regarding entry to the labour market of some professions and trades
- Real or perceived English language proficiency shortfalls
- Perceived attitudes, behavioural and performative traits of qualified/skilled migrants by employers.⁹

DIMA also commented to the Committee that:

... while employment rates and real income levels of recent skilled migrants have improved significantly compared to those of earlier cohorts in the same categories, a number of skilled migrants are in jobs that do not match their qualifications or in jobs that do not recognise their qualifications. ... for example, 20 per cent of skilled independent migrants and their migrating spouses do not use their qualifications in Australia, compared to only eight per cent not using their qualifications in their home countries.¹⁰

Other key Commonwealth departments involved in the development of overseas skills recognition policies and procedures include the Department of Employment and Workplace Relations (DEWR) and the Department of Education, Science and Training (DEST). In its submission to the Committee inquiry, DEWR noted that, while it 'considers that, overall, Australia's skill recognition arrangements work well, there remain some areas where fine-tuning could lead to improvements in the effectiveness of current arrangements'.¹¹

In terms of an international comparison between Australia's arrangements and those of other major immigration countries, DEWR further commented that '[i]n the increasingly competitive international market for highly skilled migrants, analysis shows that Australia's skills recognition and processing arrangements compare favourably with those of other countries'.¹² This comment is supported by the comparative research undertaken in Chapter 6 on skills recognition arrangements across a range of countries.

Finally, an important recent development was the Council of Australian Governments (COAG) announcement on 3 June 2005 that a working group would examine 'effective implementation of full mutual recognition of skills qualifications across Australia [and] an appropriate system for recognition of

9 DIMA, Submission (No. 22) to the Productivity Commission study into the economic impacts of migration and population growth, 29 September 2005, p. 14, <http://www.pc.gov.au/study/migrationandpopulation/subs/sub022.rtf> (accessed 25 July 2006).

10 Mr Rizvi, DIMA, *Transcript of Evidence*, 5 September 2005, pp. 2-3.

11 DEWR, *Submission No. 63*, p. 6.

12 DEWR, *Submission No. 63*, p. 3. This point was also supported by DEST, *Submission No. 91*, p. 10.

overseas qualifications'.¹³ COAG initiatives relating to these areas were announced in February and July 2006. (These initiatives are discussed in detail in the report.)

Referral

On 19 April 2005 the Minister for Immigration and Multicultural Affairs sought the Committee's agreement to review overseas skills recognition, upgrading and licensing. The Committee agreed to that request on 11 May 2005.

Conduct of the inquiry

The inquiry was advertised in *The Australian* in May 2005 and letters were sent to over 200 organisations and individuals with a possible interest in this matter. Further advertisements were placed in the *Courier Mail*, *Daily Telegraph*, *Herald Sun* and *The West Australian* in early July 2005 inviting comment from skilled migrants themselves. The Committee received 107 submissions, 23 supplementary submissions and 86 exhibits. Details are at Appendices A and C to this report.

Public hearings were held in Canberra (5 September 2005, 27 February 2006, 27 March 2006 and 24 May 2006), Melbourne (24 November 2005), Sydney (23 November 2005), Perth (15 November 2005 and 20 April 2006), Adelaide (14 November 2005) and Brisbane (9 March 2006). Details of witnesses are at Appendix B.

The Committee appreciated the quality of input from a wide range of interested groups and individuals and their continued interest in this area.

The Committee's approach

On 14 April 2005 the government announced an increase of up to 20,000 places for Australia's 2005-06 skilled migration intake.¹⁴ The importance of skilled migration has been further highlighted by the widespread recognition that Australia faces a serious shortage of skilled labour.¹⁵ Given the numbers and skill levels involved, the Committee focused much attention on Australia's current arrangements for overseas skills recognition for skills stream migrants.

However, as overseas skills recognition is an important issue for people who come to Australia outside of the skills stream, the Committee also examined the

13 COAG, *Communique*, 3 June 2005, <http://www.coag.gov.au/meetings/030605/index.htm> (accessed 25 July 2006).

14 Senator the Hon Amanda Vanstone, Minister for Immigration and Multicultural Affairs, '2005-06 Migration Program – Media backgrounder', 14 April 2005, <http://www.immi.gov.au/media/media-releases/2005/index.htm> (accessed 2 August 2006).

15 DEWR, *Workforce Tomorrow: Adapting to a More Diverse Australian Labour Market*, 2005, p. 3. See also Productivity Commission, *Economic Implications of an Ageing Australia*, Final Report, March 2005.

arrangements in place for other migrant groups needing post-arrival skills recognition, as well as arrangements for Australian citizens returning to Australia with overseas qualifications.

The Committee also looked at Australia's overseas skills recognition arrangements in comparison with those of other major immigration countries to identify areas where Australia's procedures could be improved.

A particular feature of this inquiry was that action was taken by a number of agencies over the course of the inquiry to address several areas that had been raised with the Committee as being of particular concern. For example, there were improvements in the processing times of Trades Recognition Australia within DEWR, and the Migration Occupations in Demand List moved to being updated by DEWR twice a year instead of once a year and was modified to include specialisations within occupations. Further, the Country Education Profiles, produced by Australian Education International and the National Office for Overseas Skills Recognition within DEST, were updated and made available online. These profiles are used by the assessing authorities, state and territory Overseas Qualifications Units, employers and others to compare overseas and Australian qualifications.

Two significant developments impacted on the inquiry during the conduct of hearings and the report drafting stage. Firstly, there was the series of COAG announcements in June 2005, February 2006 and July 2006 on new overseas skills recognition arrangements for trades, revised assessment processes for overseas trained doctors and the creation of national accreditation and registration bodies for the health professions. These COAG initiatives are discussed in detail in the report. Secondly, in May 2006 the Minister launched the much-anticipated DIMA Australian Skills Recognition Information website. This initiative has streamlined information on overseas skills recognition, particularly across occupational areas. The website is discussed in the report.

The Committee was selected to visit New Zealand as part of the annual committee exchange between the two parliaments, and took the opportunity to examine New Zealand's skilled migration program, and in particular its skills assessment and recognition process. The visit took place at the end of August 2006, after the Committee had largely finalised its report. Chapter 6 provides an overview of how Australia's skills recognition arrangements compare with those of other major immigration countries, including New Zealand. A summary of some of the Committee's key observations in this area as a result of the visit serves as a useful introduction to the section on New Zealand.

The report

The report consists of seven chapters. Chapter 1 provides an overview of the skilled migration program and the various groups that require skills assessment,

either prior to migration or after arrival. Chapter 2 examines a range of policy coordination issues. Chapter 3 sets out in some detail the framework for the overseas skills recognition process as it operates currently. Chapter 4 deals with assessment issues principally affecting professions, while Chapter 5 deals with trades. Chapter 6 looks in detail at how Australia's arrangements compare with those of other major immigration countries, including some indication of the international competition for skilled workers. Chapter 7 concludes with an examination of a number of other issues that arose during the inquiry, including the importance of local work experience, English language ability, bridging courses and specific challenges faced by humanitarian entrants in having their skills recognised.

Over the course of the inquiry, the Committee noted some examples of confused terminology and muddled references to the roles of various agencies involved in the overseas skills recognition process. This is inevitable given the complexity of the process, the number of agencies operating in the area and the broad scope of issues involved. Space has therefore been allotted in this report to explaining the various roles of these agencies and defining some of the broader issues relevant to this area.

The evolutionary nature of overseas skills recognition policy and procedures across a broad range of authorities has meant that the Committee has often been reliant on the internet to keep its information up to date. All website content quoted in this report was as it appeared during the period of drafting between June and August 2006. Much of the website content cited was continually accessed over this period. As the content of websites rapidly changes, specific dates for some citations, to indicate when the material was accessed, have therefore been provided. The Committee acknowledges that website content quoted in this report may have been updated or otherwise altered subsequent to the report being finalised.

On 24 January 2006, the Prime Minister announced ministerial changes that affected the then Department of Immigration and Multicultural and Indigenous Affairs (DIMIA). The Office of Indigenous Policy Coordination was moved to the Family and Community Services portfolio. As a result, the portfolio of Immigration, Multicultural and Indigenous Affairs was renamed Immigration and Multicultural Affairs. As this change occurred during the period of this inquiry, many of the submissions and transcripts refer to DIMIA rather than DIMA. The report refers consistently to DIMA, but references to DIMIA in quoted material have been left unchanged.

