

**JOINT STANDING COMMITTEE ON MIGRATION
INQUIRY INTO SKILLS RECOGNITION, UPGRADING
AND LICENSING**

NORTHERN TERRITORY SUBMISSION

TERMS OF REFERENCE

The Joint Standing Committee on Migration will review Australia's current system of assessing the skills of people wishing to migrate to Australia under the skilled migration system. The review will:

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 (eg. Bridging courses)
 - Awareness and acceptance of recognized overseas qualifications by Australian employers
 - Achieving greater consistency in recognition of qualifications for occupations licensing by state and territory regulators
 - Alternative approaches to skills assessment and recognition of overseas qualifications.

The Northern Territory Government would like to address in particular, the following key areas that should be more thoroughly reviewed by the Joint Standing Committee on Migration:

- Skilled Migration in the Northern Territory
- Barriers to entry
 - National Office of Overseas Skills Recognition
 - Trade Recognition Australia
- Mutual Recognition
 - Recognition of Prior Learning
- National Skills Recognition Web Portal; and
- Refugee Skill Recognition Issues.

SKILLED MIGRATION IN THE NORTHERN TERRITORY

Australia's Skilled Migration programs, particularly those which focus on regional Australia, are valued by the Northern Territory as they provide flexibility to access skills which are not available within the local labour force.

The Regional Sponsored Migration Scheme and other schemes which have been developed in an effort to reflect the differing needs of regional Australia are the principal conduits through which skilled migrants enter the Territory.

Labour shortages are consistently highlighted by business as a potential impediment to business and economic growth in the Northern Territory. While this reflects an Australia wide situation, anecdotal evidence suggests that labour shortages in the Territory, particularly outside Darwin, are broader and deeper than those in metropolitan seaboard centres.

Major construction projects in the Northern Territory's Top End, such as the Liquid Natural Gas Plant at Wickham Point, the Alcan expansion in Nhulunbuy and a Convention Centre in Darwin, have considerably expanded the demand for qualified professionals, skilled and semi skilled labour particularly in the metal and construction trades.

The increasing skill shortages in these and other trades are reflected in the Migration Occupations in Demand List that has been considerably expanded in recent times. Currently trade related occupations make up a large proportion of that list. Responses to address businesses needs for skilled workers appear to be a national government priority. Recruitment of overseas skilled workers through employment sponsorship is increasingly being seen as an immediate and viable option by many businesses including small and medium enterprises.

Attracting people to migrate and live and work in the Northern Territory is a key element of the Northern Territory Government's population framework. Recent Territory Government initiatives focused on increasing population include a major advertising campaign within Australia and New Zealand to attract skilled workers and professionals and the Northern Territory Business and Skilled Migration Strategy 2005-10.

The Northern Territory's Business and Skilled Migration Strategy was launched in February 2005. The five-year strategy sets the direction for how skilled migrants can be attracted to live and work in the Northern Territory and add to the population and skills base. Implementation of the strategy will focus on:

- raising the awareness of Territory employers and businesses of the benefits of overseas business and skilled migration;
- partnering with Territory ethnic groups and the business community to maximise migration outcomes through their international networks;
- promoting the Territory to potential migrants as a place to live, work and establish businesses; and
- working with the Australian Government on developing migration solutions to meet Territory employer and business needs.

However within the extremely competitive migration environment that currently exists in Australia, smaller jurisdictions such as the Northern Territory will continue to be at a disadvantage.

The Territory's social and economic infrastructure, while well developed for its population size make it difficult for it to compete on an equal footing with other smaller jurisdictions such as South Australia and Tasmania. Adelaide and Hobart can take advantage of the regional skilled migration schemes and accordingly attract a larger proportion of the skilled migrants who enter Australia under regional programs. All Australian jurisdictions experience difficulties in competing for skilled migrants against Sydney.

The Northern Territory's vast size and distances combined with its demography and population size and spread present challenges in competing with other States and Territories for an equitable share of skilled migrants.

While skilled migration is important for the Northern Territory other migration streams are also considered important to our future. Family migration is considered by the Government to be a valuable contributor to the social and cultural fabric of the Northern Territory.

The economic benefits of Australia's skilled migration programs have been well researched and documented in recent years. The March 2003 OECD Economic Survey of Australia highlighted the crucial role that migration has played in the development of Australia's society and economy. This survey concluded that Australia's current migration policy is effective in terms of its economic effects. However little research appears to have been undertaken to evaluate the non-economic benefits that accrue to Australia from other migration streams.

It is important for Australia to recognise and factor into its policy considerations the non-economic benefits from allowing the establishment of broader family units in our country through our family migration programs. The availability of family support networks often result in better migrant settlement particularly in regional areas where ethnic community support networks are not easily accessed. The non-economic benefits, which may be difficult to quantify, include family stability and support as well as cultural diversity and maintenance, increased international networks and enhanced international relationships.

SKILL RECOGNITION

Qualification/skill recognition is a threshold issue for newly arrived migrants and intending migrants.

Skills recognition is a threshold issue for a range of skilled overseas workers and Australian migrants. Skilled people wanting to migrate independently to Australia under General Skilled Migration schemes (Skilled Independent and Skilled Independent Regional) require positive skills recognition to be eligible to lodge migration applications. This also applies to specific professions and trades for which overseas skilled workers need their skills to be recognised by an Australian assessment body to be eligible for employer sponsorship for permanent residence e.g. pharmacists, electricians, plumbers.

Further migrants with overseas qualifications, who are already in Australia, rely on skills recognition to allow them to work in their chosen professions or trades.

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

BARRIERS TO ENTRY

As articulated above the involvement of a variety of different government agencies and industry bodies adds complexity to the qualification/skills recognition processes in Australia. The processes may not be readily understandable particularly to those who are not native English speakers. As the processes for qualification/skills recognition can be complex the processes and pathways must be well mapped and articulated in simple and unambiguous language.

There appears to be considerable contrast between the approach to recognition of professional qualifications by the National Office of Overseas Skills Recognition and the methods used by Trade Recognition Australia.

The National Office of Overseas Skills Recognition (NOOSR) and Australian Education International (AEI) (through NOOSR) assesses the comparability of overseas qualifications to Australian qualifications. The service and support levels provided by NOOSR and AEI, which are based within the Federal Department of Education, Science and Training are of a high standard. For example AEI-NOOSR may accept statutory declarations in lieu of documents.

AEI-NOOSR provides advice about the requirements and procedures for obtaining Professional Recognition in Australia for individual professions. Each profession has a different assessment and recognition procedure and most have their own statutory/regulatory body (see <http://aei.dest.gov.au/AEI/QualificationsRecognition/RecognisingProfessionalQualifications/GuideToProfessionalRecognition/Individual%20Professions>).

An example of such a body is the Australian Nursing and Midwifery Council (ANMC) which assesses the qualifications of overseas-trained nurses. All nurses and midwives applying to migrate to Australia through employer sponsorship or independently must have their skills assessed by the Australian Nursing and Midwifery Council (ANMC). A language component, which is consistent across Australia, must prove the applicant's English language proficiency. The competency requirements ensure that applicants can demonstrate the ANMC's national competency standards to be eligible for registration with a state or territory nurse regulatory authority.

These standards include:

- The National Nurse Competency Standards for the Registered Nurse

- Code of Ethics for Nurses in Australia and
- Code of Professional Conduct for Nurses in Australia.

However, some nurses whose qualifications are from the UK, Ireland, USA, Canada, South Africa, Singapore, Hong Kong, Zimbabwe and the Netherlands and nurses who completed a nursing education program in a member state of the European Union (EU) consistent with the EU standard for education of “nurses responsible for general care” will not need to complete a competency based assessment program.

AEI-NOOSR also assesses teaching skills, and clearly advises applicants that they aim to process each application within three months of submission.

In addition to the assessment processes many overseas professionals must seek registration in the jurisdiction in which they intend to work e.g. teachers and health professionals.

In contrast to this are the methods adopted by Trade Recognition Australia (TRA) in assessing the skills of overseas people.

TRA is based within a Federal Department, the Department of Employment and Workplace Relations, and is the nominated assessing authority for a range of trade and associate professional occupations for the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA). Trade skills assessments are necessary for intending migrants under general skilled migration schemes and employer sponsored migration schemes for some trades people, professionals and semi professionals whose occupations require licensing and/or registration.

Unlike the processes employed by DIMIA in assessing applications for migration the TRA processes provide applicants with no opportunity to provide additional information or clarify aspects of an application once it has been lodged.

On the website workplace.gov.au – Australian Recognised Trade Certificate Frequently Asked Questions states that “TRA **will not contact you** seeking additional information once your application has been received”. The current process lacks transparency, provides applicants with no opportunity to augment the documentation or information they have provided or gain any feedback on their applications once they are lodged. This seems to be a flawed approach as the TRA application guide also states that “of all of TRA applicants that are unsuccessful the majority have not paid enough attention to detail in completing the application form and supplying appropriate documentation”.

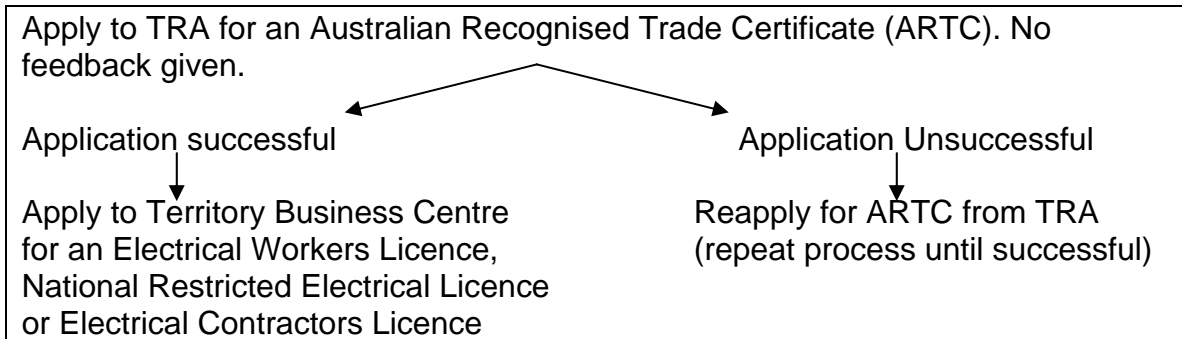
Given the number of trades that are now on MODL there is an urgent need to identify ways in which trades skills assessment be made less of a barrier. This could be achieved through process modifications that facilitate and encourage people through the skills recognition process without lessening the occupational standards.

The construction industry in the Northern Territory is traditionally cyclical with both the workloads and the contracts. Because of the uncertainty of future work loads, employers in this industry are less confident in offering sponsorship to migrants with trade/professional qualifications for permanent residency because,

under the Regional Sponsored Migration Scheme, they are required to enter into employment contracts for a minimum of two years.

Therefore, it is imperative for any barriers that exist for potential independent migrants with trade/professional qualifications to gain permanent residency to be removed to increase the skills pool upon which employers can draw.

An example: The process to gain independent migrant status as an electrician in the NT



The example above does not account for any need to upgrade qualifications as can be the case for a number of trades people who have been trained overseas.

Some of the current TRA skills assessment barriers could be removed through the adoption of a process that:

1. incorporates options for applicants to augment information and documentation where the information provided is considered deficient; and
2. provides feedback to applicants so that they are fully informed of additional training and experience they need to have their skills recognised.

The provision of feedback would also help those applicants who trained under training regimes that greatly differ to those in Australia achieve a greater level of comprehension of the process, especially those from a non-English speaking background.

The TRA assessment process can be quite expensive - \$100 - \$300 (depending on application type) per application is non-refundable and is required each time an application is submitted. Considering that there is a high rate of unsuccessful applicants and TRA is aware of this situation, a more efficient, user and information friendly process needs to be implemented as a priority. The aim of the process should be to assist applicants to obtain recognition of their qualifications to enable them to enter Australia through skilled migration and reduce any barriers that currently exist.

Anecdotal evidence also indicates that TRA applications take a significant amount of time to be processed. TRA states that the assessment process is complex and those assessments may take some time, depending on the quality of documents that are provided. One estimate of the speed of assessment was up to six months before notification of the outcome of an application.

Given that employers in regional areas are becoming increasingly desperate for skilled staff, these kinds of time lags are not acceptable. It is not viable for businesses to be required to wait for months to access the skills they require. Skills shortages have the potential to negatively impact on Australia's economy and these negative impacts are exacerbated in regional areas.

With so many skill shortages particularly in regional areas, it is imperative that TRA processes are efficient and user-friendly in order to increase Australia's and the Northern Territory's skilled migration numbers. Forms and factsheets in particular need to be in language that is unambiguous and easily understood, especially for people that have English as a second language. TRA should play a facilitative role rather than acting as a gatekeeper to skilled immigration.

Given the focus of all Australian governments on the development of regional areas consideration should be given to priority processing of skills assessment for those applicants who have job offers from regional employers.

Consideration could also be given to the process improvements and synergies that could be achieved through bringing all Commonwealth skills assessment functions into one agency.

MUTUAL RECOGNITION

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

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

Many examples of the differences between the requirements each jurisdiction has for any trade or qualification have been identified. Similarly, the recognition of a course by the relevant industry peak body differs across jurisdictions to the point where trades people are being required to outline the specific units of each course that they have undertaken before being licensed. This issue is difficult for Australian citizens to contend with, and does not acknowledge the further barriers created by the recognition of qualifications by TRA (Trade Recognition Australia) or NOOSR (National Office of Overseas Skills Recognition).

This issue is compounded by the fact that the most highly sought after skills are licensed so differently across jurisdictions. Take for example, the different processes and terminology used for registration as an electrician in jurisdictions across Australia – Qualified Supervisor Certificate, Electrical Contractors

Licence, Restricted Electricians Licence, Electrical Licence, Permit, Restricted Licence Class "B", Electrical Worker Registration to name a few of the terms for a person who is permitted to perform electrical contracting work.

RECOGNITION OF PRIOR LEARNING

While Recognition of Prior Learning (RPL) is available from various sources in the Northern Territory, it is often a challenge to find the appropriate source. This is particularly important in the trade area, as it can be used to assess an applicant's level of skills where documental evidence isn't available and avoids unnecessary and expensive training where it is not necessary.

Skilled migration is important to the Northern Territory as it provides our regional and remote areas with the skilled labour employees that cannot be recruited locally or nationally. Each trade and each industry peak body is quite different however; while some will recognise prior learning; others do not have the knowledge of what is required or the ability or willingness to do so.

As RPL often involves a practical assessment the person must be physical present to undertake the RPL process and this often precludes potential skilled migrants from pursuing this course of action for skills recognition. Further RPL can also be expensive and to be a viable option it must not only be accessible but also affordable.

WEB PORTAL

The Commonwealth Government announced in their 2005-06 budget that it will contribute \$1.0 million over four years towards the establishment and maintenance of a national skills web portal. The portal will be developed in conjunction with state and territory governments and will provide access to information about services for recognition and licensing in Australia of skills and qualifications gained overseas.

It is recognised that the national skills recognition web portal should enable potential skilled migrants to Australia to access information about the requirements they will need for immigration for their particular skill or qualification. It will be imperative that the information provided on this website is easily understood, accurate and up to date. Importantly, it will provide a picture of the maze of Government and private organisations, including registered training organisations that have an interest in this area both in recognising and licensing qualifications and also in providing contact details to prospective applicants to request more information. Therefore, it will be paramount that contact persons for further information are aware of the processes and in particular, courses available for upgrading and skill recognition. As part of the implementation of the web portal, it will be necessary to ensure that all contacts are aware of the skilled migration processes that DIMIA, NOOSR and TRA are responsible for, as well as being able to access the appropriate information for upgrading courses.

As filling skill shortages is a key focus for all of these agencies, a logical approach would be a cooperative approach, and the web portal, if implemented effectively, with appropriate training on the broader picture of coordination of skills recognition and migration, will be central to solving this issue.

REFUGEE SKILL RECOGNITION ISSUES

There appears to be a great deal of frustration within the refugee community concerning the process required to achieve skills recognition and in convincing employers of the credibility of educational qualifications obtained. This frustration appears to be associated with the difficulty in understanding the relevant pathways.

In addition to this, while it is important that skills recognition is made as easy as possible, some refugees appear to have unrealistic expectations about skills recognition and consequently employment opportunities in Australia, which could be better addressed at the pre-embarkment migration stage. The national skills recognition web portal, when completed, should provide readily accessible information about the Australian and State/Territory assessment, licensing and registration requirement for a range of skilled occupations and may assist in addressing this situation.

CONCLUSION

The Northern Territory Government recommends that:

1. TRA examine and make changes to its current assessment processes to enable applicants to provide additional information in support of their application for skills recognition;
2. TRA introduce a system to inform applicants of the reasons for non-recognition where genuine skills claims have been made and provide advice on additional requirements to meet recognition standards;
3. Recognising the acute skill shortages in construction, metal, automotive and other trades TRA reduce its processing times;
4. All assessment bodies provide a priority processing for applications for skills assessment from applicants who have been offered employment by regional employers. Confirmation of employment offers by regional employers could either be confirmed through letters from employers or Regional Certifying Bodies.
5. Provide plain English information flyers, sheets and booklets to facilitate understanding of TRA and other assessing bodies requirements. This includes the application forms.
6. Consider what process improvements and synergies that could be achieved by bringing all Commonwealth skills assessment functions into one agency.

While the Northern Territory Government acknowledges that it is crucial to maintain Australian professional and trade standards it believes that this could be achieved in an environment of cooperation and facilitation for skills recognition.

The above recommendations reflect the Northern Territory Government's view that skilled migration will play an important role in the future development of the Territory and in ensuring that Northern Territory employers have access to the skills they require.