



Australian Government

Parliamentary Joint Standing Committee on Migration

**Negotiating the Maze: Review of arrangements for
overseas skills recognition, upgrading and licensing**

**Government response
June 2011**

Please note that since the release of The Joint Standing Committee report, the Department of Immigration and Multicultural Affairs (DIMA) has been renamed the Department of Immigration and Citizenship (DIAC). Where recommendations require input from DIMA, responses have been provided by DIAC. Similarly, the Departments of Employment and Workplace Relations (DEWR) and Education, Science and Training (DEST) are following machinery of government changes now the Department of Education, Employment and Workplace Relations (DEEWR).

Recommendations and Responses

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.

Government response

Accepted

The degree to which migrants utilise their overseas qualifications in the Australian labour market and the speed at which they do so are of critical importance, especially in the context of current skill shortages. The government also agrees that the monitoring of this process should continue and be enhanced.

Information on these issues has been collected by the Department of Immigration and Citizenship (DIAC) through the Longitudinal Surveys of Immigrants to Australia (LSIAs) and more recently the Continuous Survey of Australia's Migrants (CSAM). These surveys measure the rate at which skilled migration principal applicants who have had their qualifications assessed are finding jobs related to their qualifications. This information is valuable in analysing the effectiveness of the skilled selection and assessment processes.

Response to recommendation 19 provided further, data from CSAM that suggests migrants who go through the skill recognition process have good skilled outcomes.

DIAC will continue to give careful consideration to incorporating other indicators of the effectiveness of overseas skills recognition processes in the CSAM including monitoring the experiences of migrants in negotiating the skill recognition processes. The information gathered in this way would then be used to help assess the effectiveness of the skill recognition processes and to improve them where necessary.

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.

Government response

Not accepted

One of the threshold criteria for the grant of a skilled migration visa is that the applicant has applied for an assessment of their skills for the skilled occupation they nominated in their

application by a relevant assessing authority. This is a legislative requirement regardless of whether the applicant has obtained their qualifications in Australia or at an educational institution overseas. While the assessing authorities charge fees for skills assessment on a not-for-profit basis, the fees charged are at the discretion of the individual assessing authorities.

The Department of Education, Employment and Workplace Relations (DEEWR) undertakes to monitor each assessing authority annually, including looking at the fees they charge, the Government does not have a regulatory role in relation to fees charged for skills assessments and cannot direct the assessing authorities to charge differentially for skills assessments.

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.

Government response

Accepted

DIAC has 13 Industry Outreach Officers (IOOs) working across 19 Industry groups on full time and part time placements.

The IOOs work with peak industry bodies to promote skilled entry mechanisms to employers. The IOOs meet with members and officers of the associations as part of their information delivery program.

The roles of the IOOs include reporting on difficulties that members have with the immigration arrangements. The feedback covers all aspects of the immigration requirements and may include difficulties with qualification assessments. The peak industry bodies and associations are also encouraged to bring these concerns to the Department's attention directly.

The details of concerns and difficulties are discussed with the relevant assessing bodies or with the appropriate government agency.

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.

Government response

Accepted

Australia Needs Skills (ANS) expos form part of the overall promotional strategy for skilled migration undertaken by DIAC.

ANS expos are held overseas to facilitate opportunities for potential skilled migrants to meet with Australian employers including state and territory governments, with a focus on sponsorship opportunities.

ANS expos are highly targeted to attract skills in critical shortage. DIAC invites the attendance of relevant assessing authorities (eg Engineers Australia, the Nursing and Midwifery Council of Australia, CPA Australia and Vetassess). These bodies provide invaluable information on the skills recognition process to expo attendees.

DIAC is working in close consultation with state and territory governments to ensure the future expo program continues to be effective in targeting skills in need.

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.

Government response

Accepted

DIAC has a close relationship with a range of settlement service providers, including Integrated Humanitarian Settlement Strategy contractors, Migrant Resource Centres and other settlement grant recipients. DIAC is in regular contact with these service providers to discuss ways of improving the settlement outcomes of newly arrived humanitarian entrants and family stream migrants. DIAC is happy to share any information on the barriers to getting skills recognition with DEEWR and other government agencies involved in assessing 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.

Government response

Not Applicable

On 8 February 2010, and following a formal review which included extensive stakeholder consultation, the Government announced the immediate revocation of the Migration Occupations in Demand List (MODL).

The Government also announced a review of the General Skilled Migration (GSM) points test to evaluate its effectiveness and ensure it selects migrants with skills the nation needs in the future. The review resulted in the development of a new points test to come into effect from 1 July 2011. The employer-sponsored temporary and permanent migration arrangements continue to provide a framework for meeting skill shortages which cannot be met through domestic employment and training.

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.

Government response

Partially accepted

Country Education Profiles (CEPs) are an online product which are updated regularly as we receive information from other official government sources. The production schedule for new CEPs is determined by analysing factors such as source countries for international students, and stakeholder enquiries. Key internal and external stakeholders involved in international education provide input into the process to assist with determination of the priorities.

In addition to producing CEP updates, Australian Education International (AEI) also offers a free email advice service to educational institutions and professional bodies that subscribe to the CEPs Online.

All CEPs were reviewed prior to being published online in October 2005. In particular, the Lists of Institutions for all CEPs were updated as a priority, as these are critical to the assessment process by third parties.

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 (AEINOOSR), 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.

Government response

Not accepted

AEI-NOOSR has a positioning brand within the network of assessment authorities, education institutions and other stakeholders. Changing the name would require extensive consultation and communication and a phased implementation. It may also cause potential

confusion with the broader AEI grouping, which undertakes a range of functions far wider than those associated with skilled migration.

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.

Government response

Partially accepted

a) This part of the recommendation has largely been overtaken by events. There have been significant changes in the skilled stream of the migration program since the report was published. This has included substantial changes to the skills assessing regime administered by VETASSESS, which followed detailed discussions with DIAC. DIAC's formal contract with VETASSESS ceased on 30 June 2006. DIAC and DEEWR continue to cooperate closely in the administration of assessing bodies, including VETASSESS.

After extensive consultations and communications with assessing authorities in 2006, DEEWR implemented the new guidelines for monitoring professional assessing authorities in December 2006.

b) Underpinning the consultation process was the importance of liaison with and support to assessing authorities. The new monitoring approach has formalised the liaison and support role by including an annual conference and ongoing contact by Departmental officers with assessing authorities.

c) DEEWR is conscious of the need to keep assessing authorities for which it is responsible well informed about developments in policy that affect assessment processes. To this end, DEEWR has developed a regular newsletter that is sent to assessing authorities every two months. DEEWR also convenes an annual conference to inform assessing authorities of changes in policy impacting on their work. Attendees and presenters include assessing authorities and key Government departments, including DIAC. The new monitoring and support initiatives have been predicated on the need to improve further communication flows with assessing authorities.

d) Considerable work has taken place to improve communication with assessing authorities. As an example, in the lead up to the change to the Points Test to be implemented from 1 July 2011, DIAC officers have visited or teleconferenced with all assessing authorities and held a conference to discuss the policy changes.

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.

Government response

Accepted

The ASRI website has been designed to be user-friendly for all people including those from non-English-speaking backgrounds. While the majority of users of the website are potential skilled migrants who are required to have good English language skills to be accepted for migration, people with lower English skills are assisted to use the ASRI website through a summary of its purpose and function in seven major community languages – Arabic, Chinese, Dari, Hindi, Indonesian, Korean and Vietnamese. These are the top languages in common across the Skill and Family Streams and the Humanitarian Programme. These translated summaries allow non-English speakers to identify whether the ASRI website could be of use to them and then engage the assistance of an interpreter if necessary to find information relevant to them. It would not be practical to provide translation of all material on the website as the site comprises many thousands of pages of content.

Professional user testing of the ASRI website involved 22 test subjects, specifically including two recently arrived humanitarian migrants from Africa, formerly holding skilled occupations. Both, with some assistance, were able to successfully navigate the website and locate information pertaining to skills recognition for their occupations.

DIAC receives regular feedback from users and stakeholders through the feedback mechanism on the ASRI website. DIAC will continue to monitor user friendliness through normal processes. The vast majority of feedback takes the form of advice of change of contact details for the organisations listed on the website. There has been no feedback at this time relating specifically to the issue of its user friendliness 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.

Government response

Accepted in Principle

The vast majority of ASRI feedback emails received are notification of change of contact details for the organisations listed on the website. No direct questions have been posted as feedback regarding skills recognition processes; however, DIAC will continue to monitor and gather feedback data and if the need for a set of FAQs becomes apparent, a ‘frequently asked questions’ section will be added to the 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.

Government response

Accepted

The ASRI website already meets this recommendation, citing the pre-migration skills assessment bodies, state and territory licensing and registration authorities, training contacts, and professional associations for all occupations listed. The purpose of ASRI is chiefly to provide contact information for all these organisations so that people seeking recognition of overseas qualifications can contact the expert body in their field to find out the specific details of skills recognition for their occupation. The site also contains a 'Useful Links' section and also links to the Overseas Qualifications Unit (OQU) in every state and territory government.

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?'

Government response

Accepted in Principle

The ASRI site has incorporated all the elements of Form 1121i. Links to ASRI are available from information pages on skilled migration. The ASRI site provides links to the relevant assessing authority allowing users to contact the assessing authority directly to obtain information on how to get their skills assessed. This allows the user to obtain relevant up-to-date information from the appropriate assessing authority. There is no longer a specific fact sheet on skills assessment – this has been overtaken by ASRI.

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.

Government response

Accepted

There are numerous links throughout the DIAC website to the ASRI pages, including from all main pages to do with skilled permanent and temporary visas and from Settlement content. There are also links to ASRI from other Australian Government websites and ASRI is now cited on numerous other websites around the world.

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.

Government response

Accepted

The part of the AEI-NOOSR website that duplicated information on ASRI was reference to *Individual Professions Guides* under the Guide to Professional Recognition: <http://aei.dest.gov.au/AEI/QualificationsRecognition/RecognisingProfessionalQualifications/GuideToProfessionalRecognition/Default.htm>

To address possible confusion and to encourage the development of a single authoritative information portal, DEEWR, after consultation with DIAC, will remove the Individual Profession Guides and will link to ASRI.

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.

Government response

Partially accepted

DEEWR has no role in the way professional bodies undertake registration and licensing as these activities take place under state law. DEEWR does acknowledge however that, because registration and licensing issues can influence the way skilled migration processes are perceived, it has a role in ensuring that assessing authorities provide clear and accessible registration and licensing information to clients where appropriate.

The AEI-NOOSR website refers individuals to the DIAC ASRI website to obtain registration and licensing information.

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.

Government response

Accepted

The Government agrees that DEEWR, DIAC and assessing authorities will continue to collaboratively review pre-migration information on overseas skills recognition to ensure General Skilled Migration program information is comprehensive, clear and accurate.

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.

Government response

Accepted

The Government agrees that the experiences of migrants in negotiating the registration/licensing and professional membership process should be better monitored, not least because DIAC places a high premium on client service and client feedback.

DIAC will continue to carefully consider the option of monitoring skills assessment and licensing experience of skilled migrants in the CSAM surveys.

The results of the latest published CSAM data show good outcomes for skilled migrants in employment and skilled employment. The unemployment rate of skilled migrants was just 5 per cent (a figure below the 5.7 per cent national unemployment rate at the time of the survey) and their participation rate was 95 per cent . The vast majority of skilled migrants have therefore in a short period of time become active participants in the Australian labour market. For independent General Skilled Migrants from offshore, more than 90 per cent were in skilled job (www.immi.gov.au/media/research/surveys/CSAM).

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 etcetera) 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.

Government response

Partially accepted

- a) The response to 9b above addresses this recommendation.
- b) ASRI will contain a link to the following information after it is posted on the AEI website:

DEEWR supports Australia's General Skilled Migration program by approving, recommending for gazettal and monitoring the following professional assessing authorities:

- *Architects Accreditation Council of Australia*
- *Australasian Institute for Teaching and School Leadership*
- *Australasian Podiatry Council*
- *Australasian Veterinary Boards Council*
- *Australian and New Zealand Society of Nuclear Medicine*
- *Australian Association of Social Workers*
- *Australian Computer Society*
- *Australasian College of Physical Scientists and Engineers in Medicine*
- *Australian Dental Council*
- *Australian Institute of Medical Scientists*
- *Australian Institute of Quantity Surveyors*
- *Australian Institute of Radiography*
- *Australian Institute of Welfare and Community Workers*
- *Australian Nursing and Midwifery Council*
- *Australian Pharmacy Council*
- *Australian Physiotherapy Council*
- *Australian Psychological Society*
- *Certified Practising Accountants of Australia*
- *Council of Occupational Therapists Registration Boards*
- *Council on Chiropractic Education Australia*
- *Dietitians' Association of Australia*

- *Engineers Australia*
- *Institute of Chartered Accountants of Australia*
- *National Accreditation Authority for Translators and Interpreters*
- *National Institute of Accountants*
- *Optometry Council of Australia and New Zealand*
- *Osteopaths Registration Board of Victoria*
- *Spatial Sciences Institute*
- *Speech Pathology Australia*

c) DEEWR supports Australia's General Skilled Migration program by facilitating the approval of professional assessing authorities in accordance with the *Migration Regulations 1994*. There has been no discussion of expanding the work of assessing authorities to include "groups with overseas qualifications (family stream migrants etc) outside of the skilled migration stream."

d) Assessing authorities submit General Skilled Migration statistical information to DEEWR biannually in the context of DEEWR's monitoring and support role. DEEWR, DIAC and individual assessing authorities are the appropriate audience for the data. Collated information is not available for release to the public domain.

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*.

Government response

Not Accepted

DEEWR's annual program of monitoring and support initiatives has subsumed publication of the *The Good Practice Guide*.

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.

Government response

Accepted

DEEWR's annual program of support activities takes into consideration the issues raised in the evidence in Figure 4.1.

It should be noted that DEEWR does not have responsibility for all the parties and assessing authorities cited in Figure 4.1. Those that lie outside DEEWR's purview are Anaesthetists, Law, Library Management, Medical and Planning.

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.

Government response

Accepted

DEEWR acknowledges the importance of consistency in skills assessment practices within and across the assessing authorities for which it is responsible.

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.

Government response

Accepted

DEEWR's annual program of support activities includes review of assessment completion times. Assessing authorities have established average handling times and continue to seek to improve these where possible.

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.

Government response

Partially accepted

Through its support role, DEEWR advocates fees for General Skilled Migration program skills assessments and related services to be determined on a not-for-profit basis. Unreasonably high fees may pose a barrier to migration. Assessing authorities must notify

DEEWR of their intent to change fees, providing a justification and likely impact on prospective applicants.

Exam failure rates are problematic to monitor. Many exams conducted by assessing authorities are for registration and membership/professional development purposes rather than migration purposes. Some of these are conducted under state and territory law. As such, DEEWR has no direct influence in the way they are conducted. However, because exams may link with how an assessing authority is perceived and by implication, the perceived efficiency of the General Skilled Migration program, it is in DEEWR's interest to work with assessing authorities, to the extent that it is able, to ensure that the assessing authority's processes are efficient and transparent. Through its support activities, DEEWR is also able to work as an information conduit, facilitating the sharing of information between assessing authorities that have exam issues in common.

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.

Government response

Accepted

On 26 March 2008, the Commonwealth was party to a COAG signed Intergovernmental Agreement to implement the National Registration and Accreditation Scheme for the health professions (the Scheme). Under the Scheme, the Australian Health Practitioners Regulation Agency has the responsibility to engage external accreditation entities for the respective professions under the Scheme. Existing external accrediting authorities will continue for at least the first three years of the Scheme.

DEEWR continues to work with those assessing authorities included in the National Registration and Accreditation Scheme for the health professions, to ensure there is minimal impact of the Scheme's implementation on 1 July 2010 on prospective migrants.

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.

Government response

Completed

The Department of Health and Ageing has worked closely with jurisdictional representatives to complete the implementation of national assessment processes for overseas trained doctors (OTDs).

On 9 October 2008, AHMAC noted the final report of the Technical Committee for Nationally Consistent Assessment of OTDs that demonstrated implementation by Health Ministers and Health Departments of the July 2006 COAG decision.

The new national Medical Board of Australia supports the adoption and application of nationally consistent processes and pathways under the National Registration and Accreditation Scheme for the health professions.

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.

Government response

Completed

The Department of Health and Ageing funds programs to assist OTDs and overseas trained specialists with up-skilling, orientation, mentoring and bridging courses to aid their transition into the Australian workforce. The COAG, under the National Partnership Agreement on Hospital and Health Reform (NPA), agreed to implement an International Recruitment Program. The International Recruitment Program is intended under the NPA to facilitate training and employment services for international health professionals.

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.

Government response

Accepted in principle

The ASRI site explains the processes persons must undertake before they can get their skills recognised, licensed or registered. This may include additional training and the site encourages people to check requirements with the assessing authorities or State/Territory licensing bodies. Links to the Overseas Qualifications Unit (OQU) in every state and territory are provided; this may include additional training information. They also hold the most up-to-date local skills recognition and training information. This approach was agreed

on by state and territory government stakeholders during the consultative development of the website.

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.

Government response

Accepted

DEEWR as part of its domestic and international role monitors education and training, including bridging courses, undertaken in Australia and maintains a dialogue with DIAC in relation to migration related issues.

DEEWR will continue to work with assessing authorities to ensure that information they provide to clients about education and training, including bridging courses, is accurate and accessible.

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.

Government response

Accepted

The Department of Education, Employment and Workplace Relations (DEEWR) works with the Australian Physiotherapy Council (APC) to ensure its migration skills assessment processes are consistent with good practice. Through its annual program of assessing authority support activities DEEWR has in place mechanisms to facilitate APC to establish processes to provide a transparent and effective service to prospective migrants. This has seen APC implement a suite of initiatives to standardise and improve information and support resources, both on shore and offshore, for prospective migrants seeking assessment from APC. APC will evaluate the outcomes of these initiatives in due course

Department of Health and Ageing response

Note that physiotherapy is included in the National Registration and Accreditation Scheme for health professions under which the APC is assigned as the accreditation authority for the physiotherapy profession. The Physiotherapy Board of Australia will approve accreditation standards developed by the APC.

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.

Government response

Accepted

Through its annual program of assessing authority support activities the Department of Education, Employment and Workplace Relations works with the Council on Chiropractic Education Australasia (CCEA) to ensure its processes are consistent with good practice. This includes implementation of short and longer term strategies to address issues raised in the JSCM report 'Negotiating the Maze'.

Department of Health and Ageing response

Note that chiropractics is included in the National Registration and Accreditation Scheme for health professions under which the CCEA is assigned as the accreditation authority for the chiropractic profession. The Chiropractic Board of Australia will approve accreditation standards developed by the CCEA.

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.

Government response

Accepted

The Government announced a number of reforms to the skilled migration program in February 2010, following the Government's review of the Migration Occupations in Demand List. The reforms aim at delivering a more responsive and targeted skilled migration program. Key reforms have included:

- The introduction of a new Skilled Occupation List, based on annual advice from the independent statutory authority Skills Australia. Skills Australia uses a combination of economic data, labour market data and detailed information to identify those occupations which will target Australia's skilled migration program towards skilled migrants who will deliver the high value skills Australia needs,

- A review of the points test that has led to a new points test to come into effect from 1 July 2011,
- Revocation of the Migration Occupation in Demand List, and
- The development and introduction of state and territory migration plans to allow them to address skills shortages specific to their jurisdiction.

These reforms have resulted in a program designed to better meet Australia's varied skilled labour needs, including specific employer needs, regional needs and medium to long term skills requirements.

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.

Government response

Not Accepted

This recommendation is predicated on the acceptance of recommendation 9a) of this report which deals with the proposed transfer of the management of the VETASSESS contract from DIAC to DEEWR. For the reasons outlined in the response to recommendation 9, the government is not able to accept the recommendation without substantial consultation. Until such time as a decision is made regarding the contract management of VETASSESS, DEEWR is unable to consider undertaking the review of VETASSESS processes contained in this recommendation.

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.

Government response

Accepted

- a) DIAC has incorporated the amendment regarding librarians and library technicians.

b) The ASRI website meets this requirement. Under the heading "Industry Association Memberships" for every occupation, the following advice is provided, in addition to all contact details for professional organisations of which we have been made aware:

"You may benefit from becoming a member of a relevant industry association for your occupation. This could help you with your employment prospects, networking, contact with industry and professional development and may provide you with important information and support."

Advice as to the need in some occupations for membership of a professional body is most appropriately provided by the relevant assessing body.

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.

Government response

Accepted in Principle

While agreeing that it is important that applicants are aware of the difference between a skills assessment for migration purposes and assessments that may be required for registration or licensing, the government considers that the ASRI website is a more appropriate location for such a statement than on the Skilled Occupation List (SOL). Indeed, the current version of ASRI advises whether there is a licensing requirement in the entry level requirement section.

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.

Government response

Noted

It is considered that the implementation of ASRI has greatly reduced any potential for confusion in this area.

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.

Government response

Accepted and Implemented

A new system of overseas assessment was implemented from 1 September 2007 in five high volume source countries for ten trade and associated supervisory occupations. The program has been run on behalf of the Australian Government by a consortium of Registered Training Organisations (RTOs), operating under the National Skills Framework (including the Australian Quality Training Framework and Training Packages). The lead Consortium member entered into a Service Deed with the Australian Government, and was also gazetted as the Authorised Assessing Authority for the trades and countries included in the Program.

Key stakeholders, including Commonwealth and State/Territory representatives, peak industry and employer groups and unions were involved in the program development. Employer and union representatives have participated in offshore monitoring activities with TRA. An evaluation of the new system is currently being finalised.

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.

Government response

Not accepted

Out posting of TRA officers to state OQUs is not under consideration. TRA consults with stakeholders including OQUs as required.

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.

Government response

Accepted

TRA conducted a trial of extended opening hours of both its domestic and international application stream telephone enquiry lines in the last half of 2006. As a result of the trial, phone hours were extended.

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.

Government response

Noted

TRA administers the Act to provide national recognition in prescribed metal and electrical trades for Australian residents who developed their skills through means other than an Australian apprenticeship.

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.

Government response

Noted

TRA is committed to ensuring the quality of assessments undertaken and protecting 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.

Government response

Noted

The *Tradesmen's Rights Regulations Act 1946* is currently under review.

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.

Government response

Accepted and In Progress

Australia has had a longstanding agenda to improve qualifications and professional recognition systems and has pursued this agenda through a number of different fora in the regions including the Australia Pacific Economic Cooperation (APEC) Human Resource Development Working Group (HRDWG) and more recently through the Australian initiated Asia-Pacific Ministers of Education meeting.

The absence of effective recognition systems represents a significant barrier to trade and investment in the APEC economies. Australia will continue to use the HRDWG to identify opportunities and propose initiatives for professional associations and the education and training industry to pursue mutual recognition agreements with their counterparts in APEC economies and to facilitate transferability of higher education qualifications, particularly in priority areas identified by industry.

The inaugural Asia-Pacific Ministers of Education meeting in Brisbane in April 2006 saw agreement on four broad goals contained in the official document of the meeting, the Brisbane Communique. The recognition of educational and professional qualifications was acknowledged as fundamental to improving mobility and has been articulated as one of the four goals to progress. Australia has taken a leadership role in supporting the achievement of these goals in the establishment phase of this process.

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.

Government response

Noted

The primary responsibility for international skills recognition and licensing arrangements lies with professional bodies themselves and with State authorities. Many mutual recognition arrangements are negotiated directly between respective professional bodies without the involvement of the Department of Foreign Affairs and Trade (DFAT) or other Australian Government agencies. It would therefore not be appropriate that DFAT prepare an annual report of the kind suggested by this recommendation. The role of the Department is to facilitate such agreements where appropriate, for example in free trade agreements, and where applicable, to provide guidance on relevant international obligations, including the General Agreement on Trade in Services.

DEEWR has the responsibility of following most of the international recognition programs mentioned in the report. In terms of the Trans-Tasman Mutual Recognition Arrangements (TTMRA), which establishes equivalencies for the registration or licensure of occupations, implementation is facilitated through the registration requirements set by professional

bodies, which are established under state/territory legislation. Under the Australian Government's *Administrative Arrangements Order*, the role of DEEWR with regard to TTMRA is to support the development of policy advice and to respond to issues raised concerning administration of the legislation where appropriate, limited to professional occupations.

Through DEEWR's participation in the implementation of international cooperative arrangements, such as the Lisbon and Asia-Pacific Recognition Conventions, relevant progress and issues raised through their implementation can be monitored. DFAT provides support to DEEWR where appropriate in following the implementation of these arrangements.

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.

Government Response:

Partially accepted

The Government has announced changes to policy settings relating to English language proficiency that will achieve a higher degree of consistency across the suite of temporary and permanent skilled migration visa products than exists at present. However, the Government considers that some flexibility in the policy settings is desirable and consistent with the different dynamics and the different target groups that apply to various visa classes.

There have been a number of changes to policy settings on English language proficiency since the **Negotiating the Maze** report was finalised. The English language requirement for GSM was increased to International English Language Testing System (IELTS) 6 (Competent English – ie above vocational) for most occupations (professional, managerial and technical) in September 2007. From 1 July 2009, the English language requirement for all GSM applicants who nominate a trade occupation has also been increased, to a minimum of IELTS 6.0 in each of the four components of the IELTS test. For provisional GSM visa subclasses, the threshold English language standard for applicants with Concessional Competent English who are sponsored and have enrolled in an English language course will be raised from an average of 5.5 to an average of 6.0. This change affects offshore GSM visa subclasses from 1 July 2009 and onshore GSM visa subclasses from 1 January 2010.

GSM applicants who are not sponsored by an employer are expected to compete in the skilled labour market. Relevant research suggests that English language proficiency is a critical determinant of labour market outcomes for skilled workers in these labour market sectors. The raising of the GSM IELTS requirements will support better outcomes for these migrants.

A new English language requirement introduced to the Subclass 457 – Business (Long Stay) visa program on 1 July 2007 required applicants to have proficiency in English equivalent to an average score of 4.5 across the four test components in the IELTS test (applicants must meet a higher level of English proficiency where this is required for licensing or registration in their nominated occupation). On 14 April 2009 further changes increased the minimum English language requirement from IELTS 4.5 to IELTS 5 for the Subclass 457 Visa program. The increased English language requirement will help to ensure overseas workers are able to respond to occupational health and safety risks, raise any concerns about their welfare with appropriate authorities and benefit Australia by sharing their skills with other workers.

In relation to 45b of the Committee's recommendation, the Government does prescribe the manner in which English language proficiency is assessed.

In relation to 45c of the Committee's recommendation, the Government has a number of formal consultative arrangements which aim to evaluate the effectiveness of various elements of the range of skilled migration visas including the English language proficiency requirements. These arrangements include the Skilled Migration Consultative Panel which meets regularly and includes state governments, unions and industry representatives.

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.

Government response

Accepted

The Department's Fee-Free Translating Service supports positive settlement outcomes for clients in the areas of education, employment and community participation by providing fee-free translation of personal, settlement-related documents during their first two years of settlement in Australia. The policy allows for a potential, 20 documents per eligible individual to be translated under the following categories:

Identity and Relationship - up to 6 documents (eg birth certificates, marriages certificates, change of name, divorce certificate, custody documents and death certificates).

Facilitation - up to 4 documents (eg drivers licence, medical certificates, police certificates).

Education & employment - up to 7 documents (eg highest academic achievement, trade certificates, employment certificates, references, transcript of academic record).

Usage statistics for the fee-free translating service in 2009-10 indicate that close to 82 per cent of all individuals accessing the service had only one document translated, less than seven per cent had more than two documents translated, and less than one per cent of individuals had more than five documents translated.

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.

Government response

Accepted

The Australian Government committed \$49.2 million in the 2008/09 Budget over four years to strengthen measures to help refugees and other migrants to gain the language skills needed to join the Australian workforce. Of this, \$40 million was provided for the Employment Pathways Program and \$9.2 million for the Traineeships in English and Work Readiness Program.

The **Employment Pathways Program** aims to help people with low levels of literacy to learn English in formal and informal settings while gaining familiarity with Australian workplace culture and practices. It includes work experience, occupational health and safety training and other employment preparation skills.

The **Traineeships in English and Work Readiness Program** aims to help new arrivals transition into their professional field or into vocational training by offering them a combination of vocation specific English language tuition, together with work experience and mentoring.

The goal for clients undertaking these programs is direct employment, further vocational training or a traineeship. Both programs are available on a full or part-time basis, but it is expected that participants will complete the program within 6 months. Vocational Counsellors counsel participants about their employment goals and options, organise work placements and provide support.

Successful features of the Employment Pathways Program and Traineeships in English and Work Readiness Programs will be combined in a Settlement Language Pathways to Employment/Training Course (SLPET) which will be delivered from 1 July 2011 through the AMEP's new business model.

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 OQU.

Government response

Accepted in Principle

All applicants for a visa under the Offshore Humanitarian Programme complete the form 842 Application for an Offshore Humanitarian Visa.

The 842 application form requests information about an applicants':

- employment history in the past 15 years, including periods of unemployment
- main language, other languages and level of spoken English
- education - primary to post-secondary

However, this is generally a self assessment, and eligibility for a humanitarian visa is not determined by an applicant's skills, employment experience or knowledge of English. It is primarily determined by the strength of their humanitarian claims. Many humanitarian applicants have minimal, and sometimes no, education or employment skills.

Some information related to applicants' education and skills is recorded in IRIS, the off-shore visa processing system which records details of all Humanitarian and other visa applications. These information fields in IRIS allow for the reporting of occupation code, main language, reading ability, English ability, number of years of schooling, further education, rural or urban background.

This information is used to help DIAC determine where to settle unlinked humanitarian entrants (those without family or community links in Australia). It is also passed on to the settlement service provider who is responsible for settling new arrivals. Service providers are responsible for facilitating successful settlement using a case management approach. Settlement services include (but are not limited to) providing information and referral services to link the new arrival to the appropriate government services.

In the case of Family Stream migrants, partner forms do ask people to list their current occupation. However the information they provide is based on a self assessment made by the applicant. The visa office makes no assessment of this declaration. When entering case data in IRIS, the Australian Standard Classification of Occupations (ASCO) field requires mandatory completion, however based on the self defined information provided on the form, any report on ASCO codes for partner applicants would not be very reliable. Also, as it is not mandatory to complete the occupation question on the application form, any report generated would include a large number of non-stated.

Consideration has been given in the past to including additional questions in the application form, relating to occupation, skill/education levels, however this has not been pursued, because of concerns it may raise unnecessary angst among applicants if they thought that the information they provided on skill levels and/or, occupations may have some bearing on the assessment of their visa.

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 Canadainfonet model described in Chapter 6 of the report.

Government response

Accepted in Principle

With appropriate resourcing, DEEWR agrees to undertake this work.

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.

Government response

Noted

This work is not currently undertaken by DEEWR. The issue is complex, crossing Commonwealth and State and Territory jurisdictions and private and public sector providers. Considerable resources would be required to scope and develop a system to provide the requested information.

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.

Government response

Accepted

Vocational Education and Training fee-help was introduced in the 2007/08 Budget, and was further extended in Victoria in August 2008.

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.

Government response**Not accepted**

Finding and securing employment is a key component to successfully settling in Australia. Job Services Australia (which replaced Job Network in the delivery of Government employment service assistance on 1 July 2009) offers a range of services tailored to meet the individual needs of eligible jobseekers. Humanitarian and refugee entrant jobseekers have immediate access to the full range of services provided by Job Services Australia. Other migrant jobseekers have a two year waiting period to access the full range of services, and are eligible for Job Search Support only.

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.

Government response**Not Accepted**

Humanitarian entrants who are permanent residents are eligible to apply for funding assistance through the Assessment Subsidy for Overseas Trained Professionals Program (ASDOT) to support the assessment of their professional qualifications and skills gained overseas, in order to enter their profession in Australia.

A communication strategy to improve the level and breadth of information publicly available on the ASDOT program, including eligibility requirements, approved professions and the application process, has been implemented jointly between the Department of Education, Employment and Workplace Relations and Centrelink.

The program continues to fully expend its financial year appropriation and as such, will not be reviewed or expand in its scope.

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.

Government response

Accepted

The Adult Migrant Education Program (AMEP) has a long tradition of providing English skills in a specifically settlement context, teaching English while introducing eligible migrant and humanitarian entrants to Australian social norms and practices, services, and the rule of law.

The Adult Migrant Education Program (AMEP) is available to eligible clients, who are entitled to up to 510 hours of tuition or until they reach functional English, whichever comes first. Additional tuition of up to 400 hours is available to humanitarian entrants with low levels of formal schooling or those who have had difficult pre-migration experiences, such as trauma or torture.

In addition to the 510 hours of tuition, eligible clients can also undertake an employment focused course which assists them to learn vocational-specific English while gaining familiarity with Australian workplace culture and practices. To achieve this, the course employs workplace visits, simulated work environments and work experience placements.

The AMEP is not mandatory and the decision to participate in the course resides with the client. However the program is intentionally structured to be accessible to clients and adaptable to their needs. AMEP classes are available in more than 250 locations in metropolitan, rural and regional Australia. Flexible delivery is a key component of the AMEP and clients can choose to undertake full or part time courses in a class environment in a learning centre or a community setting. Alternatively, clients are able to participate in the program in their own home through distance learning or the home tutor scheme. The AMEP also provides free childcare services, education counselling and referrals to other Government and community programs to encourage access and benefit clients.

The AMEP was subject to review in 2008. The review considered all aspects of the program, in particular, whether the program is meeting the needs of its clients, including humanitarian entrants. The findings of the review were incorporated into the new AMEP business model, put to tender in late 2009.

As part of the new business model the number of AMEP counsellors is being increased. The role of the counsellor is to provide AMEP clients with increased support at entry and exit to AMEP, by identifying agreed learning pathways for students throughout their tuition and providing referrals to other appropriate services, as required.

DIAC has awarded a new single national contract to deliver distance/e-learning services for the Adult Migrant English Program to the AMEP Flexible Learning Network (AMEP FLN). The contract will commence on 1 July 2011.

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.

Government response

Accepted and in progress

Integrity screening (including document and identity fraud detection and prevention) is a central component of the skills assessment process. There is ongoing dialogue between DIAC and DEEWR on fraud prevention issues in both the skills assessment system and the broader visa system. The process of appointing new assessing authorities and monitoring existing authorities includes evaluation of their capacity to manage integrity processes.

Importantly, on a practical level, there is ongoing interaction and information sharing between DIAC visa processing centres, DEEWR and various skills assessing authorities on document and identity fraud issues, trends, detection and prevention strategies.

On 2 April 2011, an amendment to the Migration Regulations 1994 (the Regulations) took effect, introducing a new Fraud Public Interest Criterion (PIC) 4020. This PIC enables DIAC to refuse a visa application where the applicant has supplied to the Department or to a third party (including an assessing authority) false, misleading or incorrect information or bogus documentation in conjunction with their visa application or in relation to their skills assessment.

Assessing authorities are strongly encouraged to report to the Department, emerging trends in relation to possible false or misleading information or bogus documentation being presented by the client, to achieve a positive skills assessment.