



Request for Proposal (RFP) Capstone Assessment for Migration Agent Applicants

Background

The Department of Immigration and Border Protection (DIBP) is inviting interested organisations to submit a detailed proposal to develop and deliver a new independent external Capstone assessment for candidates who wish to register as Australian migration agents. The Capstone assessment will need to be in place by 1 July 2018. Development and ongoing delivery of the Capstone assessment is expected to be from one legal entity under a contract with DIBP.

This will be a holistic assessment encompassing a theoretical and practical test of a graduate's competency to undertake the role of a migration agent as a sole practitioner; and it will replace the current prescribed exam that candidates complete as part of the Graduate Certificate in Australian Migration Law and Practice. This existing course will be replaced with a Graduate Diploma in Migration Law and Practice, or a Masters level course from 1 January 2018. The new courses are expected to be offered by a number of Australian universities.

The changes arise from an [Independent Review of the Office of the Migration Agents Registration Authority](#) (the Review). Recommendation 16 of the Review provides for the development of a stand-alone Capstone assessment, which will ultimately be prescribed in a legislative instrument. This prescribed assessment will be a stand-alone assessment de-linked from the prescribed course or any of the universities offering the prescribed course.

Agent numbers

At present, there are 7,059 Australian registered migration agents. Approximately one-third are lawyers (2,325) who, as the holders of Australian legal practicing certificates, are already recognised as having the required competencies and therefore do not and will not need to complete the Capstone assessment.

Unlike many other professions, large numbers of migration agents set up practice as sole traders and do not have the opportunity to operate under supervision. Accordingly the prescribed course and Capstone assessment are intended to achieve outcomes required of a sole trader.

The numbers of individuals in recent years who have successfully completed the Graduate Certificate course and then sought to register as migration agents are as follows:

- 545 in 2016.
- 559 in 2015.
- 389 in 2014.

They are located in all parts of Australia with the majority in New South Wales (37%) and Victoria (30%). A small number are also located overseas.

Requirements

The successful service provider for the Capstone assessment is expected to provide, as a minimum, the following services (See **Attachment A** for a more detailed **Statement of Requirement**):

- Develop and administer an assessment that includes several different testing methods.
- Deliver the assessment at appropriate intervals in various convenient locations and online to meet demand.
- Ensure that the assessment is updated and revised for each delivery round.
- Advise the candidate and OMARA of the individual results at the end of each assessment.

The Capstone assessment will introduce an independent and nationally consistent competency-based assessment that applicants for registration as a migration agent need to pass. Apart from a small number of previously registered migration agents who wish to return to the profession, most candidates will be students who have successfully completed the prescribed course and been awarded the Graduate Diploma in Migration Law and Practice (or Masters). The approved universities who will deliver the prescribed course are aware that they must take account of the Occupational Competency Standards for migration agents (OCS) in their curriculum to enable prospective agents to be ready to practice. They are also aware that the Capstone assessment will test every OCS, including both theoretical and practical aspects. The competency-based nature of the assessment will mean that the nine OCS will be tested collectively and the assessment will use a mixture of assessment methods. The assessment provider may choose any combination such as: invigilated assessment(s), written submission(s), essay(s), an oral assessment(s), the preparation of mock file or any other assessment method that will provide the appropriate range of testing. In designing and determining the appropriateness of assessment methods, the following criteria should be applied:

- The assessment methods should focus, wherever possible, on an integration of the theoretical and practical elements contained in the OCS.

- The assessment methods should be as direct and authentic as possible (i.e. assessment in which candidates are asked to perform tasks that demonstrate the meaningful application of essential knowledge, skills and attitudes as outlined in the OCS).
- There should be a sufficient number and variety of performances in the assessment to cover all of the elements of competency detailed in the OCS holistically, though not necessarily each area individually.
- The assessment should provide a breadth of evidence from which assessors can make a clear inference that candidates will perform competently in the variety of situations in which they find themselves if registered as a migration agent.

Apart from holders of an Australian legal practicing certificate, only students who pass the Capstone assessment will be eligible for registration as a migration agent, even if they have qualified for the award of the Graduate Diploma. It is expected that the successful provider may liaise with approved universities about the general structure of the Capstone assessment.

Development and delivery of the new proposed Capstone assessment will not receive any Commonwealth funding from the DIBP. Candidates sitting the assessment are expected to meet all associated costs.

DIBP contact and Proposal updates

The DIBP contact officer for all matters relating to this RFP is:

Name: 22(1)(a)(ii)

Phone: 22(1)(a)(ii)

Email: 22(1)(a)(ii)

Up to five (5) business days prior to close, DIBP will answer RFP questions and/or clarify matters by email to all nominated contact persons.

If your organisation is submitting a proposal, you should advise the DIBP contact officer of the name and email address of your contact person as soon as possible.

Conditions

In submitting your proposal, your organisation warrants that it has read and agrees with the following conditions which apply to this RFP:

1. Your organisation has fully informed itself on all aspects of the DIBP requirements for the Capstone assessment.
2. Proposal(s) must be submitted to 22(1)(a)(ii) no later than **Closing Time of 6.00pm (local time in Canberra, Australian Capital Territory) on Thursday 31 August 2017**. Any proposal received after the Closing Time will constitute a late application and will not be considered.
3. Your organisation would be prepared to develop and deliver the approved Capstone assessment by 1 July 2018.

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4. Participation in this process is at your organisation's sole risk and expense. DIBP may accept or decline to accept the proposed Capstone assessment at its sole discretion. Only one provider will be chosen to provide the Capstone assessment.
5. Your organisation certifies that no employee or independent contractor involved with the proposed assessment is an illegal worker under the *Migration Act 1958*.
6. Your organisation certifies that no employee or independent contractor involved with the proposed assessment is in any way linked to a university offering the prescribed course. For avoidance of doubt, any potential, actual or perceived conflict of interest is to be disclosed in your proposal.
7. You identify any aspects of your organisation's proposal that you consider should be kept confidential, including outlining the reasons why the information should be kept confidential.
8. Your organisation agrees to meet the Statement of Requirement at **Attachment A**.

DIBP may, in its sole discretion:

1. Amend, or clarify any aspect of the RFP prior to the RFP closing time by issuing a formal amendment to the RFP to all nominated contact persons. Such advice will, as far as is practicable be issued via email simultaneously to all parties.
2. At any time prior to signing the Contract, seek clarification or additional information from, and enter into discussions and negotiations with, any or all respondents in relation to their proposals.
3. Withdraw this RFP at any time by providing a notice on the OMARA website and by email to all nominated contact persons.

Disclaimer

The Commonwealth will not be liable to any respondent or other person on the basis of any contract or other understanding (including any form of contractual, quasi contractual, restitutionary or promissory estoppel rights, implied obligations or rights based on similar legal or equitable grounds) whatsoever, or in negligence, as a consequence of any matter relating or incidental to this RFP.

For the avoidance of doubt, the Commonwealth:

- disclaims all liability (including for negligence) arising from information contained in or omitted from this RFP or otherwise provided to any respondent or other person; and
- will not be liable for any lost profit, opportunity or other losses of any person in connection with this RFP.

Key dates and details

RFP issued (via email)	26 July 2017
Closing Date to submit the Proposal(s) (via email)	31 August 2017 (6.00pm) (local time in Canberra, Australian Capital Territory)

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Announcement of approved provider	October 2017
Assessment delivery commences	1 July 2018

Any time or date set out in this RFP (other than the Closing Time) is indicative only, and creates no obligation on DIBP, or any right in a respondent, in relation to these dates.

DIBP can change the key dates in the RFP details (other than the Closing Time) in its absolute discretion at any time, and without giving notice to the respondents.

Proposals

Your organisation should supply sufficient information to enable the DIBP to determine that your organisation's proposal meets the Department's requirements. The following **minimum** information must be included in your response:

1. Details of your organisation's expertise and experience as an examination provider, particularly in testing the achievement of occupational competencies.
2. Details of the skills and experience of personnel who will provide the assessment. This should include details of how your assessors are selected and trained.
3. Details of the migration agents who will provide the necessary technical expertise. This should include their names, length and breadth of experience as a migration agent, their qualifications and their understanding of the knowledge, skills and attitudes/attributes required by new migration agents.
4. Evidence that the OCS for registered migration agents are all assessed in your proposed approach and the ways they will be tested and assessed, including how you will ensure the assessment is authentic and how the practical aspects will be addressed.
5. Details of the different elements proposed for testing, including the ways you will ensure the candidate's identity and that submitted material is their own work.
6. Provide a table linking the assessment task to the competency that each one will assess.
7. Details of the proposed delivery options, timeframes, frequency and locations, including the ratio of candidates to invigilators.
8. Details of the security/integrity measures at test locations and/or online. You should include information about any experience in dealing with hacking, identity fraud and IT shutdowns.
9. Details of how the assessment material will be reviewed for currency, consistency and refreshed for each subsequent delivery if required.
10. Details of the anticipated cost to each candidate who sits an assessment.

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11. Details and information that you would provide online to assist candidates preparing for the Capstone assessment.
12. Details of the marking approach for each element of the assessment and how performance will be judged. This should include your rating scale and an explanation of how you will ensure that these assessments are marked consistently and demonstrate that the candidates meet the competencies contained in the OCS.
13. Outline the types of results that you will provide to candidates and DIBP and the timeframe following completion of the assessment.
14. Details of feedback that you will offer unsuccessful candidates, including the procedures for appealing, and cost, for candidates to re-sit the assessment.
15. Details of the complaints handling policy, including how any objections or review of results requests will be dealt with. This should include your requirements to re-sit the assessment and the timeframe in which re-sits would be offered.

A Response Schedule is at **Attachment C** to assist your organisation to provide all of the requested information. You are welcome to attach further documentation or provide links to websites which provides additional relevant information.

Selection criteria

DIBP will use the following criteria to assess proposals/proponents and select the assessment provider:

- Proponent's level of experience, capacity and capability.
- Proposal's level of compliance with the requirements of the RFP, in particular the minimum information.
- Proposal's level of compliance with the requirements of the Capstone assessment.
- Anticipated cost of a Capstone assessment to a candidate.
- Any added-value offered.

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Statement of Requirement

The following describes in further detail what is expected from the Capstone assessment and provider. These lists are not exhaustive, but describe the elements that DIBP consider key indicators that the Capstone assessment will achieve its objectives.

1. Integrity measures

- a) Processes and procedures to be in place that ensure the integrity of assessment results.
- b) Content regularly updated to minimise potential for prior knowledge of test material.
- c) Measures in place to verify candidate identity and minimise the risk of identity substitution.
- d) Document fraud prevention measures (e.g. embedded photographic image of candidate with results).
- e) Standardised training and/or ongoing certification of all test markers to ensure proficiency and consistency.
- f) Secure storage and control of assessment material, including candidates' private information, preventing unauthorised access.
- g) Maintain records of previously conducted assessments for audit purposes/integrity checks and for sharing samples with the universities who deliver the prescribed course.

2. Administration

- a) Independent online verification of results is preferred.
- b) The capacity for electronic transmission of results directly to OMARA.
- c) Sufficient availability of the Capstone assessment to preclude the need for applicants to travel long distances or to experience unreasonable delay.

3. Assessment results

- a) Candidates to be provided with explanations in areas where they failed to meet the required competency standard(s) by way of written formal post-assessment feedback.
- b) Ongoing monitoring of short and long-term performance trends and the capacity to investigate unusual patterns and changes and provide feedback to DIBP.
- c) Test results to be valid and available for on-line verification for a period of at least three years.
- d) Marking and moderation procedure to ensure consistency of results.

4. Reporting

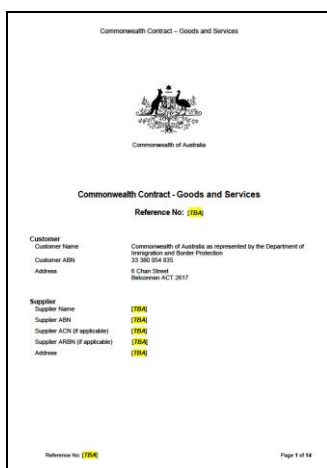
Reporting at agreed intervals to OMARA to incorporate at least the following:

- a) Details of each completed delivery of the assessment including dates, locations and the numbers of candidates who attempted the assessment.
- b) The number of candidates who passed the assessment.
- c) The number of candidates who failed the assessment and the universities where they completed the Graduate Diploma qualification.
- d) The number of candidates awaiting assessment, including re-testing.
- e) The length of time (i.e. calendar days) these candidates have been waiting to be assessed since registering with your organisation.
- f) The frequency and locations in which the assessments are currently being offered.

DRAFT DEED

A Deed will be developed based on the standard Commonwealth Contract for Goods and Services. This will be signed on behalf of the Capstone assessment provider and the DIBP. The imbedded file contains the standard Contract on which the Deed will be based. Should you not agree to any terms in the standard Contract you must complete Response Schedule section 3.

Click in the document to view it.



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Attachment C

RESPONSE SCHEDULE

Respondents should provide full responses to the following information requests. This will enable the DIBP to clearly identify the entity responding to the RFP. Please attach any additional documentation that you consider is relevant.

RESPONDENT	
Full name of Respondent:	
ABN or ACN:	
Trading or business name (if applicable):	
Respondent's Contact who is authorised to represent the Respondent:	
Name:	
Address:	
Email:	
Phone:	
The principal place of Respondent's business:	
(Box will expand as required)	
(If applicable) Details of any and all proposed consortium and/or sub-contractual arrangements:	
(Box will expand as required)	

RESPONDENT'S EXPERIENCE, CAPACITY AND CAPABILITY	
1	Please confirm that your PROPOSED ASSESSMENT will provide a Capstone assessment that addresses the Occupational Competency Standards for registered migration agents (OCS). Yes <input type="checkbox"/> No <input type="checkbox"/>
Please confirm that your organisation agrees to all conditions (1 – 8) specified in the RFP document. Yes <input type="checkbox"/> No <input type="checkbox"/>	
1.1 Details of the experience of your organisation in designing, developing and delivering assessments that test occupational competencies in Australia (include at least one current sample of a style and substance similar to this requirement):	

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(Box will expand as required)
1.2 Details of the capacity and capability of the organisation (not assessment personnel):
(Box will expand as required)
1.3 Details of the skills and experience of the assessment personnel (including registered migration agents) who will design, develop and provide the assessment:
(Box will expand as required)
1.4 Details of the proposed cost of a single assessment to a candidate (To include any costs applicable to re-sitting the assessment):
(Box will expand as required)

RESPONDENT'S CAPSTONE ASSESSMENT COMPLIANCE

2 Demonstrate that the respondent can develop and administer the required assessment (including several different testing methods).

2.1 Detail the methods to be employed that will ensure that the proposed assessment will be independent and nationally consistent:

(Box will expand as required)

2.2 Detail how and the extent to which the proposed assessment will address all of the OCS (1-9):

(Box will expand as required)

2.3 Detail how and what will comprise candidate care (i.e. information made available to prospective candidates, feedback offered, handling of complaints or appeals against results):

(Box will expand as required)

2.4 Detail the proposed mixture of assessment methods (Note: There will need to be a focus on integrating the theoretical and practical elements contained in the OCS; direct and authentic methods; holistically and individually covered; assessed based on a breadth of evidence):

(Box will expand as required)

2.5 Detail how and what Integrity Measures will be applied to the assessment (refer to Attachment A):

(Box will expand as required)

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2.6	Detail the proposed assessment administration (refer to Attachment A) including information that would be made available to potential candidates:
<i>(Box will expand as required)</i>	
2.7	Details the proposed assessment results processes (refer to Attachment A).
<i>(Box will expand as required)</i>	
2.8	Demonstrate that the respondent can deliver the assessment at appropriate intervals in various (convenient) locations and online.
<i>(Box will expand as required)</i>	
2.9	Detail the procedures that are proposed to ensure that the assessment is updated and revised for each delivery and consistently regardless of location.
<i>(Box will expand as required)</i>	
2.10	Detail how and what will be provided in the way of assessment results, including appropriate advice to each candidate (and the OMARA) of the individual results at the end of each assessment. Include details of timeframes, feedback and your approach with unsuccessful candidates.
<i>(Box will expand as required)</i>	

ADDITIONAL RESPONSE REQUIREMENTS

3.	The respondent agrees to the draft terms of the proposed Contract for Goods and Services included in Attachment B. Yes <input type="checkbox"/> No <input type="checkbox"/>
If the respondent does not agree please state below areas of non-agreement; and if possible all changes that would be proposed that would permit agreement by the respondent. Any proposed changes to the proposed Contract will be taken into consideration in this RFP process. <i>(Box will expand as required)</i>	
4.	The respondent certifies that no employee or independent contractor involved with the proposed assessment is an illegal worker under the <i>Migration Act 1958</i> . Yes <input type="checkbox"/> No <input type="checkbox"/>
If No, please provide details. <i>(Box will expand as required)</i>	

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5. Please identify below any aspects of your proposal that you consider should be kept confidential, including outlining the reasons why the information should be kept confidential.

Confidential aspects of the proposal. (If this area is left blank, all details in the proposal(s) will be viewed as not containing any confidential aspects)
(Box will expand as required)

6. Please identify all details of any potential, actual or perceived conflicts of interest in the design, development and delivery of the Capstone assessment. Particular consideration should be given to relationships with the universities offering the prescribed course.
If blank, then the respondent certifies that it has no conflicts of interest to declare: **Yes** **No**

(Box will expand as required)

7. Please provide an example of reporting currently provided in support of similar assessments conducted for clients with similar requirements. (Note that any and all examples provided will be treated as confidential in accordance with the terms and conditions of this RFP.)

(Box will expand as required)

8. Should the respondent seek to highlight any added-value offering(s) or wish to provide any further information, please do so below.

(Box will expand as required)

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