

VETASSESS Response to Discussion Paper – Reviewing the Skilled Migration and 400 Series Visa Programmes

VETASSESS is a designated skills assessing authority for migration purposes for over 300 General Professional Occupations approved by the Department of Immigration and Border Protection (DIBP).

VETASSESS is also an assessment only Registered Training Organisation (RTO) which conducts trade skills assessments in 16 countries and in more than 30 different trade occupations on behalf of Trades Recognition Australia (TRA).

VETASSESS' skills assessments for the general professional and trade occupations play a key role in the skilled migration programme. The assessments support the migration policy by ensuring that prospective migrants are job-ready and have the necessary skills to meet both short and long-term labour market needs.

We appreciate the opportunity to respond to DIBP's request for input regarding the *Discussion Paper – Reviewing the Skilled Migration and 400 Series Visa Programmes* and to participate in your consultation process. In particular, we provide the following comments relevant to Questions 1 and 3, followed by comments on the proposed visa frameworks:

1. Are there any specific aspects of the programmes or the processes that could be simplified?; and

3. To what extent should the current key visa components be incorporated into a new skilled migration visa programme?

As VETASSESS provides skills assessments for a broad range of nominated trades and general occupations, our submission includes separate comments for these two occupational categories. Likewise, our comments about visa issues are more pertinent to the visa sub-classes which our pre-migration skills assessments support.

Key Visa Components

Age Threshold

As outlined above, VETASSESS conducts visa assessments for both trade and general occupations for the 457 and permanent migration categories. Currently the Skilled Migration Program has an age threshold for most permanent visa categories but there is no age threshold for 457 visas.

Trade occupations

VETASSESS provides skills assessments in over thirty trade occupations for both 457 and permanent migration categories. In the 457 stream, the number of applicants assessed aged over 50 years is small (usually about 1% of applications (about 20 or fewer) each year since 2007. However, this group of highly skilled applicants may be disadvantaged from applying for permanent migration if the upper age threshold of 50 years applies to their intended visa category.

General Professional occupations

VETASSESS also provides skills assessments for over 300 general occupations for which the upper age threshold of 50 years applies for most permanent migration categories. In our view, for some occupations on the skilled occupation lists, applicants with considerable career histories are highly valued by employers. For example, VETASSESS conducts pre-migration skills assessments for Specialist Managers (ANZSCO Sub-major Group 13). Increasing the age threshold for permanent migration for this cohort would attract highly skilled managers with extensive management experience, who are able to contribute their high level management skills to the Australian workforce and economy.

Summary

VETASSESS suggests considering an upper age threshold of under 60 years that applies across trade and managerial occupations for all visa types. Increasing the upper age threshold takes into account demographic shifts such as increased life expectancy and will provide additional highly skilled trade workers and managers for the Australian workforce. It will also facilitate the transition from 457 visas to permanent migration through a consistent approach for both temporary and permanent visas.

English Language Proficiency

Trade occupations

Applicants need a satisfactory level of English in order to successfully undertake the practical/technical interview component of the trades skills assessment. However, VETASSESS does not explicitly specify an English language level as part of the skills assessment process.

As recommended in the independent review into the integrity in the 457 visa programme report¹, VETASSESS supports the average band score of 5 in IELTS or an equivalent proficiency in English to be conducted by an independent English language assessing authority to support the rigor of the trade skills assessment process.

A minimum requisite level of English ensures that:

- trade applicants have a sufficient level of English to articulate underpinning knowledge of their trades and be assessed fairly
- employers are employing work-ready workers who are able to demonstrate employability skills such as teamwork and communication skills
- overseas trade workers can assimilate and contribute to Australian workplaces and communities more effectively
- industry standards for Occupational Health and Safety (OH&S) can be met as applicants are able to understand Worksafe practices and guidelines
- overseas trade workers are able to understand their rights and obligations in the workplace.

VETASSESS has concerns about the current English language exemption for high salaried 457 workers, and in particular, trade workers who are employed on annual base salaries in excess of \$96,400², as this may compromise the integrity and rigor of the skills assessment process and increase the risk of unsafe work practices on-site.

General Professional occupations

Currently, our skills assessment criteria for general occupations does not include an English language competency component as this is assessed by DIBP as part of its visa processing for these nominated occupations. DIBP requires IELTS 6 in all four bands for general skilled migration. VETASSESS supports the requirement for visa applicants in the skilled stream to have a competent level of English.

From our experience it is noted that there are challenges for some applicants if the English language proficiency level required for their pre-migration skills assessment is below the level required by industry to work in that occupation. It is desirable for skills assessment/visa criteria to align with industry standards.

¹ Robust New Foundations - A Streamlined, Transparent and Responsive System for the 457 Programme September 2014

² Migration Regulations 1994 - Tests, Scores, Period, Level of Salary and Exemptions to the English Language Requirement for Subclass 457 (Temporary Work (Skilled)) Visas - IMMI 14/009

Summary

For trade occupations, VETASSESS recommends an average band score of 5 in IELTS or an equivalent proficiency in English to be conducted by an independent English language assessing authority to support the rigor of the trade skills assessment process.

For general occupations, VETASSESS supports aligning the English language competency requirement for visas with industry standards, particularly for occupations assessed by recognition authorities that mandate an English language level for their skills assessments.

Skills and Industry Standards

Trade occupations

Our trades skills assessment process has been developed in close consultation with industry bodies, to ensure that it is strongly aligned to the requirements of employers, and migrants are able to work safely and effectively in their nominated occupation. Our assessment tools for trades are aligned with the qualification or unit of competency in the latest version of the relevant National Training Package which is developed by industry. Employer feedback confirms that they value candidates assessed by VETASSESS.

General Professional occupations

VETASSESS skills assessments for general occupations consider individuals' qualifications and employment evidence against criteria which are derived from ANZSCO and a range of reputable sources on Australian occupational requirements. In our view, skills assessing bodies should continue to assess occupations for migration purposes in line with industry standards and labour market needs to ensure that prospective migrants are highly skilled and job-ready. VETASSESS supports further alignment of requirements between industry and assessing authorities to ensure that candidates are work-ready and meet Australian industry requirements.

With regards to the proposition of legislating the skill requirement for a nominated occupation, VETASSESS provides the following comments:

A minimum English Language proficiency- Please see our comments under English Language Proficiency (page 2).

A minimum number of years of work experience

Trade occupations

There is no agreed industry standard covering the minimum number of years of employment required for entry to a trade. In our experience, five years of employment as the benchmark provides sufficient time for workers to gain the required underpinning knowledge and then apply their skills and knowledge in a workplace. This may include time spent in training. Our requirement for applicants to demonstrate five years of employment ensures that potential migrants have consolidated their training and skills and are able to readily integrate into the workforce. Prior to this benchmark being set, VETASSESS assessors often found candidates lacked the depth and breadth of underpinning knowledge and skills.

General professional occupations

For our general occupations, post-qualification employment increases an applicant's job readiness by consolidating learning and skills. The assessment criteria for VETASSESS general occupations require applicants to have a highly relevant qualification and at least one year of post-qualification employment which is highly relevant to their nominated occupation. For some occupations, additional years of highly relevant employment may substitute for the lack of relevance in the qualification. The number of additional years depends on the ANZSCO skill level for the nominated occupation. In some circumstances, pre-qualification employment will also be considered as part of the employment mix.

These criteria ensure that the skilled migration program meets labour market needs because highly skilled migrants have better employment outcomes.³

Summary

With regards to mandating a minimum years of employment required for entry to a trade, VETASSESS believes that setting five years of employment as the benchmark for assessing trades workers ensures that they are readily able to secure employment in their profession.¹

For general professional occupations, it would be possible to mandate the length of employment for a standard pathway, e.g. at least one year of post-qualification employment which is highly relevant to the nominated occupation where industry standards might require a minimum number of years of employment experience.

Where required, a baseline educational qualification

Trade occupations

Most of the countries from which tradespeople are sought also allow acquisition of skills and knowledge on-the-job in place of formal trade qualifications. For this reason, VETASSESS would not support mandating overseas tradespeople to have a baseline qualification in their trade. Our robust Recognition of Prior Learning (RPL) system and skills assessment process aligning skills and knowledge to an Australian qualification ensure that individuals are not penalised for lack of formal qualifications and that they have the level of skills that industry requires.

General professional occupations

The VETASSESS assessment criteria for our general professional occupations require applicants to hold a qualification at least at the minimum AQF educational level for their nominated occupation as specified by ANZSCO, and with a major which is highly relevant to their nominated occupation. This ensures that applicants have obtained at least the entry level skills for their profession. For some of our general professional occupations, such as Actuaries, Urban and Regional Planners, and Environmental Health Officers, a highly relevant qualification is required to practise in these occupations in Australia.

Summary

VETASSESS does not support mandating offshore candidates to have a baseline qualification as applicants' countries of origin often allow on-the-job acquisition of skills, and our trade skills assessments are based on an RPL process.

For some general professional occupations, a highly relevant baseline qualification at the required skill level is the occupational standard and could be legislated if that is the preferred policy direction of government. Other general occupations do not require a highly relevant baseline qualification. In those cases, a baseline qualification at the required AQF level (irrespective of the field of study) could be mandated (provided that the candidate had sufficient relevant employment in lieu of a highly relevant qualification).

Skills assessments

As a designated skills assessing authority for the past 14 years, and a specialist assessment-only RTO, VETASSESS has recognised expertise in assessment methodology and assessment practice.

³ Continuous Survey of Australia's Migrants: Cohort Report – August 2014 (Australian Government: Department of Immigration and Citizenship, Commonwealth of Australia; Belconnen

Integrity checks are an integral part of the VETASSESS skills assessment process and facilitate successful integration of genuinely skilled migrants into the Australian labour market by mitigating the possibility of fraud and corruption.

The Independent Review into the Integrity in the 457 Visa Programme Report⁴ acknowledges the skills assessment component of the visa process as highly effective in addressing concerns around the generic occupations of Specialist Managers and Program and Project Administrators.

Independent assessing authorities do not have a vested interest in the outcomes of the assessments. This independence is critical to upholding the integrity of the skilled migration process.

Summary

VETASSESS welcomes any opportunities to increase collaboration and further strengthen partnerships with other skills assessing authorities, industry bodies and stakeholders.

VETASSESS recommends panel discussions between DIBP and skills assessing authorities to map the immigration and skills assessment processes in order to identify areas of overlap that could easily be streamlined. For example, the integrity checking measures undertaken by skills assessing bodies can be integrated to assist DIBP in the processing of the visa applications.

Occupation Lists

VETASSESS uses ANZSCO supplemented by a range of other reputable sources to develop occupational criteria for our skills assessments. VETASSESS supports the continued use of ANZSCO for the Skilled Occupation Lists as it is a distinct framework for Australian classification of occupations linked to AQF. However, VETASSESS acknowledges the limitations of using ANZSCO in its current form to inform the Skilled Occupation Lists.

The ANZSCO skill levels may not always reflect the baseline educational level required to work in a particular industry in Australia. For example, the occupation of Operating Theatre Technician (ANZSCO Code 311214) falls under Unit Group 3112 Medical Technicians. ANZSCO indicates that this occupation requires a level of skill commensurate with an AQF Diploma or higher. However, only qualifications up to the level of an AQF Certificate IV in the relevant field are being offered in Australia in order to become qualified to practise in this occupation.

Furthermore, ANZSCO codes and occupations do not always align to qualification titles, thereby confusing both employers and candidates. For example, the ANZSCO occupation title of ANZSCO 321212 Diesel Motor Mechanic does not align with the titles used in the current qualifications of either a Mobile Plant Mechanic or a Heavy Commercial Vehicle Mechanic. Both trades are listed under the same ANZSCO code but are distinct occupations with different skills required in the workplace.

ANZSCO also does not cover emerging occupations in growth industries, such as finance, banking, business, technology and science. This means that highly skilled applicants in occupations which are not included in ANZSCO have limited options for migration. Overseas qualified Clinical Research Associates working in Australia on a temporary visa are approaching VETASSESS for assessment under ANZSCO 132511 Research and Development Manager or ANZSCO 234599 Life Scientists nec for permanent migration purposes because there is no suitable occupation in ANZSCO to cover this cohort.

⁴ Robust New Foundations - A Streamlined, Transparent and Responsive System for the 457 Programme September 2014

Summary

VETASSESS recommends the ANZSCO continues to be used to generate the Skilled Occupation List, with the proviso that it is reviewed regularly to allow for the addition of emerging occupations. These measures will ensure that skilled individuals are nominating the most suitable occupation and are not precluded from applying to migrate.

The Discussion Paper also canvasses an option to list occupations which may not be nominated for migration, rather than those which can. VETASSESS does not support an approach that aims at excluding occupations as this would not resolve the issue of classifying emerging occupations and mapping required skills against the Australian labour market needs.

Points Test

VETASSESS currently provides Points Test advice on qualifications and employment for general professional occupations.

In our view, the points test should give highest value to the factors which would most likely have a positive impact on the employment outcomes for migrants. For example, highly relevant employment and qualifications may be given an increased weighting.

Consideration should be given to identifying gaps between the skills assessments and Points Test advice. Having a streamlined skills assessment and Points Test process assists in making timely decisions on applications, without duplicating administrative processes.

Additionally, options to outsource Points Test allocation to skills assessing authorities providing points test advice could be given consideration.

SkillSelect

VETASSESS' assessments provide pre-screening of prospective migrants for the skilled migrant selection model, SkillSelect, ensuring that only suitably qualified and job-ready individuals register an Expression of Interest on SkillSelect.

The latest report on the Continuous Survey of Australia's Migrants indicates that only six months into their settlement in Australia, primary applicants in the skill stream had employment outcomes which were in strong alignment with their existing skills, and that the majority of these individuals were working in their nominated occupation in a field with a similar or higher skill level.⁵ In particular, in the Independent Stream, 82.4% of primary applicants who had come to Australia on a visa granted offshore were employed, and 90.2% of primary applicants who were granted an on-shore visa were employed, mainly in highly skilled occupations. This suggests that the SkillSelect model is effective in delivering successful labour market outcomes for skilled migrants.

⁵ Continuous Survey of Australia's Migrants: Cohort Report – August 2014 (Australian Government: Department of Immigration and Citizenship, Commonwealth of Australia; Belconnen

Sponsorship and nomination

VETASSESS conducts skills assessments which may be used to support an application for sponsorship or nomination. This first step in the migration process provides reliable information for employers and state nomination departments about the relevance of candidates' qualifications and employment to their nominated occupation.

With respect to State/Territory nomination, the criteria applied by skills assessing authorities may differ to those applied by the State and Territory Departments. For example, VETASSESS criteria for its general professional occupations require at least one year of post-qualification employment.

Summary

VETASSESS suggests aligning requirements of State/Territory sponsorship departments and DIBP migration to eliminate discrepancies, such as in occupations which can be nominated and in educational/employment requirements.

Visa Framework

Given the large number of current skilled and 400 series visa sub-classes, VETASSESS sees merit in streamlining the visa categories into the three broad categories of Short-Term Migration, Business and Investment Migration, and Skilled Work as canvassed in the Discussion Paper.

VETASSESS supports measures to streamline the transition from temporary to permanent residency, including removal of any duplication of requirements.

To summarise VETASSESS' response to the discussion paper, VETASSESS welcomes the review of the Skilled Migration and 400 visa series and discussion with DIBP around some of the key issues raised in our response.

As outlined above, VETASSESS supports a well-planned and structured visa framework model that relies on broader visa categories, allows for increased upper age thresholds across visa categories and strengthened by skills assessments aligned to industry requirements and competent English language levels of migrants. VETASSESS supports streamlining skills assessments, the Points Test and immigration processes that will result in better outcomes for Australia's skilled migration programs and for future intending migrants.