12 March 2010

RE: Review of the General Skilled Migration Points Test; Discussion Paper 15 February 2010

Dear Sir/Madam,

TAFE Directors Australia (TDA) has much pleasure in submitting a response to the discussion paper on the General Skilled Migration (GSM) Points Test.

TDA appreciates the opportunity to comment on this paper and looks forward to further consultations and input into the implementation of the proposed reforms of the GSM.

TDA reaffirms its strong belief that study in Australia as a pathway to permanent residency is a legitimate and cost effective means of meeting Australia’s current and future skill needs. ‘De-linking’ of the nexus between international student education in Australia and permanent residency is a simplistic response to the unethical and opportunistic actions of a small number of private providers and their agents.

TDA would welcome the opportunity to provide briefings for your Department on the complex motivations, experiences and expectations of international students studying in Australia.

Yours sincerely

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SUBMISSION
DEPARTMENT OF IMMIGRATION AND CITIZENSHIP

REVIEW OF THE GENERAL SKILLED MIGRATION POINTS TEST
DISCUSSION PAPER

12 MARCH 2010

Should there be differentiation in points awarded for occupations under the revised Points Test or should no points be awarded for occupation?

A fixed number of points should be awarded for all occupations which are listed on the Skilled Occupations List.

Given the list will be significantly reduced from the revoked Migration Occupations in Demand List and given the comprehensive criteria developed by Skills Australia for nominating specialised occupations\(^1\), there is no basis on which a further ranking of occupations should be necessary.

TDA firmly believes that if a demand for skilled migration is identified across a range of occupations, then that demand should be treated equally under a revised Points Test.

Should the Points Test differentiate between Australian and overseas qualifications? Should prospective applicants be awarded points for overseas and/or Australian qualifications? On what basis could ‘eligible’ overseas institutions and qualifications be determined?

TDA believes there are strong arguments for preferring Australian qualifications for prospective migrants and therefore there should be a differentiation in the number of points awarded. The opportunity to study in Australia and gain the relevant knowledge, skills and attitudes required to perform in the workplace has distinct advantages over a qualification gained under a different system and with varying degrees of comparability. There are also well documented advantages which flow from spending time in Australia in a learning environment prior to entering the workforce.

TDA also recognises the value of gaining an Australian qualification in an off-shore environment and there should be no discrimination on the basis of where that qualification was obtained.

Determining ‘eligible’ overseas institutions in the vocational education and training (VET) sector is far more problematic than for the university sector. There are no equivalent ranking systems or gradings for the international VET sector. TDA and our member Institutes do have a wide range of networks and cooperative arrangements with many off-shore VET providers and we could leverage these networks to form some type of reciprocal arrangements and mutual recognition. TDA would welcome the opportunity to discuss this further with the relevant Federal Departments and key stakeholders.

\(^1\) Skills Australia 2010: Australian Workforce Futures; a National Workforce Development Strategy Appendices 2 and 3
**How should high level English language ability be recognized?**

The threshold requirement should attract no additional points. The proposal to award bonus points for higher levels of English language ability may discriminate against applicants whose language abilities more than meet the requirements of their nominated occupation.

There may be some value in specific occupations on the Skilled Occupations List identifying their optimum English language requirements and awarding bonus points on this basis.

TDA would also take this opportunity to encourage the resolution of the DIAC tender process which aims to provide a choice in the type of English language testing system which determines English language ability. There are internationally recognised alternatives to IELTS with appropriate equivalence taxonomies and while TDA does not disparage the value or integrity of IELTS, we do encourage a more open market.

**Should there be changes to points awarded for the age factor (to recognise value of work experience)? Should there be a relaxation of the age limit at the time of application or provides applicants who possess work experience with the ability to access greater points?**

As the list of eligible occupations will be greatly reduced, we see value in relaxing the age limit at the time of application. We would also support access to more points for work experience, particularly in the Australian workplace.

As most VET qualifications require a significant workplace component we would recommend additional points be awarded to those applicants who complete an Australian VET qualification and can demonstrate workplace experience in their nominated occupation. The claim for additional points should be supported by both the provider and the employer.

**Should there be more or differentiated points for higher degree qualifications?**

A minimum level of qualification should be set for each occupation on the Skilled Occupations List. Additional points should be awarded for a higher level qualification in the same field.

While it is noted the acquisition of qualifications at the Masters and Doctorate levels indicate a specific commitment and level of academic expertise, the VET sector does not at this stage have an equivalent pathway in many of the trade areas. We share the discussion paper concerns that an emphasis on higher education qualifications may “disadvantage trade qualified applicants who will continue to be in demand in the Australian labour market”.  

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Should there be points for a well qualified partner?

TDA does not support additional points being awarded for a well qualified partner. However TDA does see some value in considering additional points for the English language level of partners which will enhance their integration into mainstream Australian society.

Should there be points for family sponsorship?

TDA does not have a position on this discussion point.

Should there be points for regional study?

TDA strongly support access to additional points for regional study and for regional work experience. Our regional and rural Institutes offer an excellent quality of provision and their local communities are strongly supportive of broadening the skill base.

Should there be points for community languages?

Combined with a threshold English language level, there is great value in migrants who have a language or languages other than English. As the discussion paper points out, such language skills are valuable to industry and business.

TDA would also argue such proficiency does in fact contribute to labour market outcomes. Australian industry and business are increasingly seeking multilingual employees who can link both local and off-shore ethnic communities and also offer insights into cultural differences and preferences.

Should there be points for State/Territory sponsorship?

TDA strongly supports additional points for occupations identified by States and Territories in their migration plans.

Should Professional Year points be retained?

TDA supports the retention of professional year points in the new GSM Points Test.
Are these factors appropriate to form the basis of a new Points Test? What changes would you make? What other factors may be appropriate?

The factors and recommended changes as set out in our submission are an appropriate basis on which to develop a new Points Test.

Other factors which may be appropriate include:

1. A fixed period of no less than three years in which the Points Test remains static
2. An additional three year period in which points accrued in the first three years can be retained for the purposes of applying for General Skilled Migration

This is essential for the forward planning and resource allocations of our TAFE Institutes. The sudden revocation of MODL and the hiatus before a new Skilled Occupations List and Points Test are to be introduced has had a significant impact on many of our member Institutes.

To quote directly from one of our member Institutes:

There has been a sudden increase in student administrative work as course transfer and withdrawal requests by students need to be processed in accordance with established protocols, in addition to the implications for their visa status.

There has been a sudden increase in student case management work incorporating intervention strategies. As some students have enrolled into particular vocational training programs with permanent residency as one of their aims, their motivation for course attendance and completion is rapidly diminishing, causing frustrations across the organization. This is counter-productive to maintaining a buoyant and healthy relationship between staff, students and management.

Various training delivery resources have been committed for international students. Given the significant movement in international student enrolments after the commencement of the semester, these resources are now under-utilised and will inevitably financially disadvantage the organisation.

Finally we would like to emphasise again the links between study in Australia and permanent residency are complex and cannot be reduced to a simplistic view which brands providers as ‘visa factories’.

A recent research paper by Dr. Ly Tran and Professor Chris Nyland from RMIT University (International Vocational Education and Training – the Migration and Learning Mix, publication pending) concludes that the stereotype that holds VET international students as mere permanent residency hunters is unjust and constitutes a threat to the international VET sector.

Based on 130 interviews with international students and staff from both public and private providers, the study identifies multiple purposes for undertaking VET courses and illustrates how these purposes can be shaped by many influences prior to, during and after course completion.