UNDER TREASURER BRIEFING NOTE

FOR	Under Treasurer			REF NO.	04425-2023	
SUBJECT	Cth Best Practice Principles and Standards for Skilled Migration Assessing Au					
Author Details: Position: Principal Economist Contact: Position: Principal Economist Contact: Position: Position: Principal Economist Contact: Position: Principal Economist Contact: Principa		Endorsed by: Position: Director Contact: Section 27/10/2023	Endorsed by: Pat Position: AUT Contact: Date approved: 2	rick Wildie	Endorsed by: Dennis Molloy Position: DUT Contact: Date approved: 31/10/2023	
Date submitted to Under Treasurer	31/10/2023	Approval Required by	3/11/2023		al response required by 3/11/2023.	

PURPOSE

1. To seek your **approval** to progress the response to the Australian Government's Best Practice Principles and Standards for Skilled Migration Assessing Authorities consultation process (**Attachment 1**).

BACKGROUND

- On 11 September 2023, the Australian Government, through the Department of Employment and Workplace Relations (DEWR), released a discussion paper for public consultation on draft best practice guidelines and standards for skilled migration assessing authorities (see Attachment 2).
- 3. Consultation on the draft best practice principles and standards was due to close on 23 October 2023. However, DEWR has agreed to an extension until 3 November.
- 4. A submission in the form of a letter from the Under Treasurer to DEWR has been prepared with input from relevant agencies, including the Department of the Premier and Cabinet (DPC), Trade and Investment Queensland (TIQ), Multicultural Affairs Queensland (MAQ), and the Department of Youth Justice, Employment, Small Business and Training (DYJESBT).

KEY ISSUES

- 5. The Queensland Government submission on the draft best practice principles and standards for skilled migration assessing authorities will help to ensure Queensland's interests continue to be represented as part of the Australian Government's response to the National Migration Review outcomes. The National Migration Strategy is expected to be published in late 2023.
- 6. Treasury and relevant agencies have identified a number of high-level issues that are worth highlighting as part of the response. These are not contentious but more strategic in terms of suggested areas of focus from a Queensland perspective. In summary, the response reflects:
 - the importance of skilled migration to Queensland, particularly in the context of current tight labour market conditions, and the importance of ensuring the new standards support a timely and efficient application processing system which is as simple and integrated as possible. This will be critical for attracting new talent and skills to Queensland by helping ensure Australia's migration system is efficient and competitive
 - key Queensland Government actions focussed on leveraging the benefits of skilled migration, including through the Good People. Good Jobs. Queensland Workforce Strategy 2022–2032, which includes the recently established Skilled Workforce Attraction Office within Trade and Investment Queensland, to further strengthen the Queensland Government's skilled migration policy, advocacy, and attraction activities
 - the importance of the best practice principles and standards ensuring they positively contribute to improved skills assessment processes, to better facilitate and recognise the skills and qualifications of migrants
 - key issues the Australian Government may wish to consider as part of the development of its best practice principles and standards, including ensuring they have regard to:
 - assessment processing times and capabilities across different assessment authorities
 - ensuring consistency in the alignment of qualifications and skills with jobs and how these are reviewed by assessment authorities
 - consistently reviewing and enhancing the best practice principles and standards by seeking regular feedback from stakeholders to ensure they remain fit-for-purpose
 - maintenance of a transparent and equitable fee structure across assessment authorities

- 7. DEWR has indicated that, unless specifically requested, submissions will be published online as part of the review process. Queensland Treasury considers that, given the non-contentious nature of the contents of the letter, and given the submission reflects existing Queensland Government policies and initiatives, there are no concerns with the response being made public.
- 8. Subject to your approval and provision of the submission to DEWR, Economic Strategy will provide a copy to the Treasurer's Office advisors prior to publication for their awareness.

CONSULTATION

9. DPC, TIQ, MAQ and DYJESBT have been consulted on the draft response. These agencies have provided inputs and subsequently reviewed the draft response at senior-officer level. The agencies support the submission and have no objections to this being made public by DEWR.

RECOMMENDATION

- 10. It is recommended that you:
 - **sign** the letter to Ms Natalie James, Secretary of the Australian Government Department of Employment and Workplace Relations, responding to the *Draft Best Practice Principles and Standards for Skilled Migration Assessing Authorities* discussion paper (**Attachment 1**)
 - note the response will be published on the DEWR website.

WA	Signed ☐ Endorsed ☐ Approved ☐ Not approved ☐ Noted
Michael Carey Under Treasurer	Comments Place Pro Ben + Zac



Queensland Treasury

Our Ref: 04425-2023

Ms Natalie James Secretary Department of Employment and Workplace Relations GPO Box 9828 CANBERRA ACT 2601

Email: Section 73 - Irrelevant Information @dewr.gov.au

Dear Ms James

Queensland Treasury welcomes the opportunity to provide input into the *Draft Best Practice Principles and Standards for Skilled Migration Assessing Authorities* consultation process, led by the Australian Government Department of Employment and Workforce Relations.

As part of the National Migration Review, the Queensland Government provided a submission to the Migration Review Panel on 15 December 2022, highlighting the importance of building a responsive and adaptive national migration system that can deliver a simple and fit-for-purpose assessment process for both migrants and employers.

Queensland Treasury acknowledges the draft best practice principles and standards can help to further this objective by improving the quality and consistency of skills assessments by assessing authorities to ensure migrants are appropriately supported throughout the assessment process.

Migration makes a substantial contribution to the prosperity of Queensland, including by supporting skills development, employment and business investment, as well as adding to the diversity and value of our communities. It remains an important mechanism in alleviating skills and workforce gaps and supporting the diversity and productivity of Queensland's economy. This is further reflected in the *Queensland Government's Our story, our future multicultural policy*, available at www.des.qld.gov.au/multicultural-affairs/policy-governance/policy-plan.

Queensland's labour market remains very strong, with employment in Queensland increasing to 282,400 persons above its pre-COVID-19 level as at September 2023, the second largest employment growth of any state or territory since March 2020.

Queensland businesses are continuing to report workforce and skills shortages across a range of sectors, with retaining and recruiting suitable employees being highlighted as a significant issue in the latest BCQ Pulse Survey of Business Conditions (June 2023).

Through the *Good People. Good Jobs. Queensland Workforce Strategy 2022–2032* (Queensland Workforce Strategy), the Queensland Government is progressing a range of actions to further support the development of Queensland's skilled workforce. This includes the recent establishment of the Strategic Settlement Partnerships unit within Multicultural Affairs Queensland, and the Skilled Workforce Attraction Office within Queensland Treasury, to further strengthen the Queensland Government's skilled migration policy, advocacy, and attraction activities.

To ensure Skills Assessing Authorities are equipped to deliver on the migration needs of the nation, Queensland Treasury provides the following comments for consideration.

Principle 1 – User-friendly and migrant-centric experience standards

The Australian Government could consider options to ensure best practice communication methods are adopted by assessing authorities, including use of a variety of communication methods when engaging with applicants, and also explore options to incorporate, where appropriate, alternative skills recognition methods into skills assessment.

Principle 2 – Reasonable and justified fee structures standards

It is recognised the process of skills recognition in some regulated professions remains expensive and potentially inaccessible for some migrants. These costs can add to the overall settlement costs for some migrants and delay their path to employment in occupations that match their skills.

A well-functioning recognition system should ensure costs do not represent a barrier to skilled migrants or refugees due to costly barriers associated with achieving appropriate skills recognition. As such, Queensland Treasury supports efforts which help to ensure skills assessment services remain appropriate and commensurate with demand in an evolving skilled migration environment.

In particular, efforts could be made to ensure cost requirements for recognition are fair, impartial and accessible, and do not impose additional barriers for migrants and refugees. We suggest consideration could be given, where appropriate, to offering discounts or reduced fees for refugees or migrants experiencing financial hardship.

Principle 3 – Evidence based occupational assessment standards

The new standards should ensure English language requirements are clearly and consistently outlined and aligned with visa and industry standards, to reduce testing inefficiencies. For instance, some migrants are currently required to meet multiple English language testing requirements.

This duplication has been observed among some international student graduates that have needed to demonstrate sufficient English language proficiency to undertake studies in Australia but have further been required to meet the cost of additional testing when applying to have overseas qualifications recognised.

Duplication in testing may also negatively impact humanitarian entrants who have attended secondary schooling or further studies in Australia but have not met the time requirement for living in an English-speaking country as required by some registering bodies.

The Queensland Government already supports a range of programs which seek to recognise the unique skills and talents of migrant workers. This includes the *Recognition of Qualifications (Overseas Qualification Unit)*, which provides free general academic assessments of higher education and some higher level technical and vocational qualifications for Queensland residents. Assessments can assist employers to better understand an applicant's equivalent level of education in Australia and support migrants applying to undertake further study by comparing overseas and domestic qualifications.

Principle 4 – Fair and equitable assessment standards

Where appropriate, there is merit in considering practical-based assessment processes or alternative pathways for refugees and humanitarian entrants that are unable to verify their work experience and qualifications. As such, consideration could be given to strategies to allow for increased flexibility in the skills assessment process, including more client centred processes for international student grants and humanitarian entrants that have studied in Australia, particularly when demonstrating English language requirements.

Principle 5 – Timely and efficient skills assessment delivery

While the skills recognition process can be streamlined to minimise barriers for migrants entering the labour market at a level commensurate with their qualifications, a more integrated skills recognition and industry registration process could be considered as part of the new standards. This could help to ensure that barriers and bottlenecks are further minimised and not simply transferred from the skills recognition process to the industry registration process.

Principle 6 – Meaningful employment outcomes are enabled standards

Some migrants currently face significant challenges accessing appropriate support, particularly when trying to access information to support post-assessment migration and employment opportunities. Ongoing engagement by the Australian Government with employers and industry may be needed to ensure the benefits of migration are clearly recognised within workplaces and appropriately reflected in firm hiring practices.

As part of the Queensland Workforce Strategy, the Queensland Government has been proactively exploring opportunities with stakeholders to address knowledge gaps. For instance, the *Attracting and Retaining Engineers from Migrant Backgrounds: A Guide for Employers* provides a useful resource for employers to tap into the pool of international skills, including people from migrant backgrounds with engineering qualifications. This includes support to attract and retain professionals in the workforce, and where necessary, to support the recognition of overseas qualifications.

The Queensland Government is also assisting migrants, refugees and international students gain meaningful employment through the *Diverse Queensland Workforce Program*. The Program is helping to deliver information, employment workshops, mentoring, communications training, and work experience to connect more migrants to diverse experiences and economic opportunities in Queensland.

Principle 7 – Integrity and transparency in operations

It will be important for the new best practice guidelines and standards to elevate and emphasise the importance of embedding robust data collection processes and strong accountability mechanisms as part of standard practice. This will help to promote the delivery of a consistent and high-quality service across skills assessing agencies, while enabling opportunities to evaluate practices to ensure they remain fit-for-purpose.

Collectively, the best practice principles and standards should be clear in how they help to contribute and deliver on Australia's Migration Strategy. In particular, it will be critical the new standards support a timely and efficient application processing system which is as simple and integrated as possible. This will help to ensure the nation is well positioned to attract new skills and talent, while promoting the delivery of an efficient and competitive migration program.

I trust the comments outlined above will be helpful in informing the Australian Government's further consideration of development and implementation of new best practice principles and standards for skilled migration assessing authorities.

Queensland Treasury looks forward to being advised of the outcomes of the consultation process and continuing to engage with Australian, state and territory government counterparts as appropriate on this important work as it progresses.

Yours sincerely

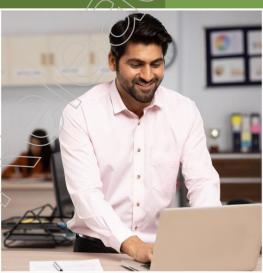
Michael Carey
Under Treasurer

2/11/2023









Discussion Paper

September 2023

Draft Best Practice Principles and Standards for Skilled Migration Assessing Authorities

Queensland Treasury RTI Document No. 7 Right to Information Act 2009

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ACKNOWLEDGEMENT OF COUNTRY

The Department of Employment and Workplace Relations acknowledges the traditional owners and custodians of country throughout Australia and their continuing connection to land, waters and community. We pay our respects to them and their cultures, and Elders past, present and emerging.

Introduction

The skilled stream of Australia's <u>Migration Program</u>¹ is designed to attract migrants who make a significant contribution to the Australian economy, and fill positions where no Australian workers are available. Skilled migrants have high participation rates in the workforce, which helps stimulate economic growth, resulting in more job opportunities and improved outcomes for all Australians.

A skills assessment is required for certain visa subclasses to ensure prospective migrants have the skills, qualifications, and experience to meet Australian occupational standards. This helps maintain trust, safety, and quality by ensuring skilled migrants are appropriately skilled and provides clarity for migrants on requirements for employment in Australia. Skills assessments are conducted by relevant *skilled migration assessing authorities*².

With critical skills shortages persisting across the labour market, skilled migrants remain a vital source of skilled labour to supplement Australia's domestic workforce. Increased global competition for skilled labour post-pandemic has resulted in a greater focus on making sure all elements of the skilled migration system, including skills assessments, are operating effectively.

The <u>Review of the Migration System</u>³ (the Migration Review) indicated that there are challenges for migrants to achieve skills recognition in the current system. The Government's <u>Migration Strategy Outline</u>⁴ states the need to improve and streamline skills recognition, to help more migrants enter the labour market at a level commensurate with their qualifications.

As a result, Government is seeking to support assessing authorities to raise the integrity, quality and timeliness of skills assessments and improve outcomes for migrants, employers, and industry.

Under regulation 2.26B of the <u>Migration Regulations 1994</u>⁵, the Minister for Skills and Training (the minister) is responsible for approving relevant assessing authorities to undertake skills assessments. The Department of Employment and Workplace Relations (the department) supports the minister and provides governance of assessing authorities. The Government's <u>Guidelines for Skilled Migration Assessing Authorities</u>⁶ sets requirements for organisations seeking to become assessing authorities and a framework for ongoing assurance of assessing authorities.

The department is currently reviewing the requirements and assurance framework for the assessing authority sector. Through an **enhanced assurance model**, government will monitor and manage the assessing authority sector more effectively, ensuring skills assessments are migrant-centric and being delivered optimally in terms of process, standards, timeframes, industry requirements and cost.

This model will focus on **continual improvement** for both assessing authorities and government. It will be designed around a shared understanding of **best practice principles** that skills assessment delivery will be monitored against and include **new standards for assessing authorities** to deliver optimised outcomes for Australian employers and migrants.

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¹ Migration Program planning levels (homeaffairs.gov.au)

² Assessing authorities (homeaffairs.gov.au)

³ A Migration System for Australia's Future (homeaffairs.gov.au)

⁴ The Migration Strategy (homeaffairs.gov.au)

⁵ Federal Register of Legislation - Australian Government

⁶ <u>Guidelines for Skilled Migration Assessing Authorities 2021 - Department of Employment and Workplace Relations, Australian Government (dewr.gov.au)</u>

How to make a submission

This discussion paper is testing individuals' and organisations' views on the draft principles and standards for assessing authorities, and on the operation of the current system. It is also seeking feedback on some ideas for reform.

Your answers to the questions below are important to ensure a comprehensive and inclusive approach in shaping the future of the assessment framework, making it more effective and improving outcomes for skilled migrants.

Questions for stakeholder feedback

Questions about the draft principles and standards

- 1) Which standards will improve outcomes? Why/why not?
- 2) Which standards are achievable and why/why not?
- 3) What have we missed?

Questions about the delivery of skills assessments

- 4) What changes are needed to improve skills assessment processes to make them simpler and more migrant centric?
- 5) Are skills assessments appropriately aligned with domestic employment, visa, and licensing/registration requirements? Why/why.not?
- 6) How could skills assessment processes be streamlined with occupational licensing and registration schemes?
- 7) What other functions could assessing authorities deliver to support employment and migration outcomes?
- 8) Should there be more than one assessing authority appointed to assess an occupation? Why/why not?
- 9) Should English language testing be a skills assessment requirement? Noting English levels are tested as part of the visa application stage.
- 10) Is there anything else you want to tell us about skills assessments?

Note: You can navigate back to these questions via links under each principle.

The department welcomes feedback on the Discussion Paper from interested parties and organisations by Tuesday, 31 October 2023. You can make a submission here Consultation hub | Best Practice Principles and Standards for Skilled Migration Assessing Authorities - Department of Employment and Workplace Relations (dewr.gov.au)

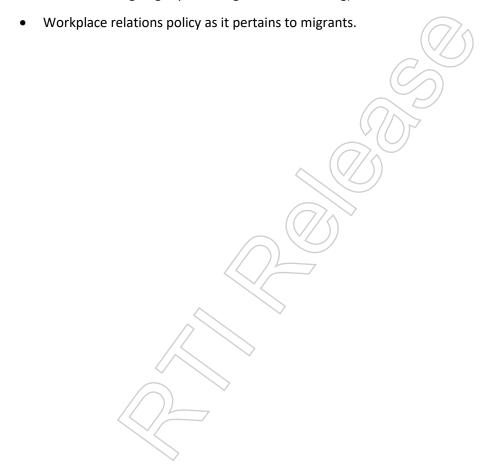
IMPORTANT: The department may publish your feedback on its website or cite your feedback in future reports. If you do not wish your feedback to be made public, please indicate this clearly.

General enquiries can be made to the department via AAPA@dewr.gov.au.

Beyond the scope of this paper

This paper is seeking input in relation to skills assessments for migration purposes. The following is beyond the remit of this exercise:

- The visa framework, migration regulations and policy settings for the various migration streams (Skilled, Family, Humanitarian). These are the responsibility of the Department of Home Affairs and were the subject of the <u>Review of the Migration System</u>⁷ (the Migration Review).
- International mutual recognition of occupational licences from different countries (allowing the registration or licence holder from an international country to practice in Australia without undergoing separate registration/licencing).



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⁷ A Migration System for Australia's Future (homeaffairs.gov.au)

Overview of draft best practice principles and standards

The draft best practice principles and standards will provide an aspirational yet measurable foundation upon which assessing authorities will be expected to deliver skills assessments.

The following **seven draft best practice principles and standards** have been composed based on feedback to date and to stimulate discussion. They will be refined and changed according to your submissions.



Principle 1 – User-friendly and migrant-centric experience

Clear, accessible, and user-friendly skills assessment processes, guidelines, and communications enhance migrants' overall experience and understanding of the system. This supports more efficient and higher quality outcomes.

New standards for assessing authorities may include:

- 1.1 Offering diverse communication channels and adopting user-friendly platforms that are easy to navigate, expressed in simple language, and give helpful information about all aspects of the skills assessment process.
- 1.2 Providing timely, informative, and accessible updates regarding the status of an application.
- 1.3 Exploring options to incorporate alternative skills recognition methods into skills assessments.

Example

Assessing authorities use a variety of methods to communicate with applicants. Such as:

- Using visual aids like videos, infographics, storyboards, and cheat sheets to make complex topics easier to understand
- Online candidate portals to flag missing or inadequate documentation and offer application status tracking for transparency and efficiency.
- Multiple interaction channels like live chat, webinars, information forums, and dedicated case managers.

Principle 2 – Reasonable and justified fee structures

Fees are commensurate with the cost of conducting high-quality skills assessments, do not impose an unreasonable barrier for prospective migrants, and represent value for money for applicants.

New standards for assessing authorities may include:

- 2.1 Providing transparency in setting fees and inclusions.
- 2.2 Innovation through collaboration to identify and implement cost-effective strategies, opportunities, and practices, to remain cost-competitive in a global market.
- 2.3 Undertaking regular and strategic reviews of fees to ensure skills assessment services are appropriate and commensurate with demand in an evolving skilled migration environment.

Example

A current assessing authority demonstrates transparency on its website by providing a clear fee structure, outlining various service offerings that applicants can choose based on their needs. Applicants are able to benefit from selecting discounts for combined assessments including employment-only, qualification-only, or combined assessments.

Principle 3 – Evidence based occupational assessment standards

Well informed assessment standards that are fair, sensible, and relevant, ensure prospective migrants have the requisite skills to secure meaningful employment and contribute to Australian society.

New standards for assessing authorities may include:

- 3.1 Ensuring occupational assessment standards do not go beyond what is required by industry and employers and any registration or licensing requirements for an occupation.
- 3.2 Aligning English language requirements with visa and industry standards to reduce inconsistencies and confusion for migrants.
- 3.3 Setting a schedule for regularly reviewing occupational assessment standards in close consultation with key industry stakeholders such as employers and unions, to ensure continued relevance and competitiveness in a global market.

Example

Various industry peak bodies informed an assessing authority that the Bachelor-level qualification requirement set for an occupation exceeded the skill level needed for employment in the Australian industry. In response, the authority revised the assessment standards for that occupation to an AQF Certificate IV or III plus relevant employment experience.

Principle 4 – Fair and equitable assessments

An objective and unbiased assessment of an applicant's skills promotes consistency and fairness, regardless of a migrant's background.

New standards for assessing authorities may include:

- 4.1 Eliminating bias or discrimination in the assessment process by applying procedural fairness and objective, equitable and consistent assessment standards.
- 4.2 Offering flexible skills assessment processes, including appropriate adjustments and support for applicants with disabilities, refugees, or victims of exploitative employment arrangements.
- 4.3 Offering clear and fair complaints, review, and appeals processes.

Example

Practical-based assessments or alternative pathways are utilised when verifiable work experience and qualifications are unavailable due to exceptional circumstances.

Principle 5 – Timely and efficient skills assessment delivery

The assessment process is optimised to reduce duplication and maximise efficiency.

New standards for assessing authorities may include:

- 5.1 Adopting efficient and streamlined assessment processes to minimise unnecessary delays or bottlenecks.
- 5.2 Using technology to monitor caseloads and systematise and simplify administrative tasks.
- 5.3 Developing robust contingency plans to handle fluctuations in demand and a constantly evolving skilled migration landscape.

Example

- 1. Implementing a client relationship team to ensure application completeness, regular communication, and assessment readiness management.
- 2. Removing redundant requirements, such as excluding exams duplicated in registration/licensing requirements for the occupation, to streamline the process.

Principle 6 – Meaningful employment outcomes are enabled

Post-assessment assistance is provided to help migrants obtain meaningful employment, including vulnerable cohorts such as partners, migrant women, and international graduates.

New standards that assessing authorities could be required to meet include:

- 6.1 Providing end-to-end information and after care for migrants to support their post-assessment migration and employment journey.
- 6.2 Leading or participating in ventures that proactively educate employers and industry on the benefits of a migrant workforce and the hiring of international graduates.
- 6.3 Building an understanding of applicants' visa and employment outcomes post-assessment to inform continuous improvement of skills assessment processes and standards.

Example

- 1. Providing outcome letters to successful applicants which offer comprehensive information on job searching, labour market intelligence, registration/licensing requirements, and relevant unions, ensuring a seamless transition into the Australian employment environment.
- 2. Conducting surveys of successful applicants 6-12 months post-assessment and implementing necessary process changes based on the feedback received.

Principle 7 – Integrity and transparency in operations

Integrity and transparency in the operations of assessing authorities facilitates quality migration outcomes.

In addition to being financially viable and having effective records and risk management practices, new standards that assessing authorities could be required to meet include:

- 7.1 Ongoing engagement and cooperation with government through data provision on skills assessment caseloads, trends, and outcomes, including gender-disaggregated data, and the development and testing of policy solutions to meet the needs of migrants and employers.
- 7.2 Providing applicants with transparency in how data is handled and protected to meet Australian Privacy requirements.
- 7.3 Implementing effective fraud awareness and control measures to safeguard the integrity of skills assessments.

Example

Proactive collaboration with government and third-party providers around fraud detection and awareness provides assessing authorities with clear guidelines for handling suspected or confirmed fraudulent cases. This has allowed authorities to build extensive data libraries to efficiently verify potentially fraudulent documents, further strengthening the integrity of the assessment process.

Glossary

Term	Definition for the purpose of this Discussion Paper	
Assessing authority	A person or body appointed as the 'relevant assessing authority' by the Minister for Immigration in respect to skilled occupation(s) under the <i>Migration Regulations</i> 1994.	
Industry	Includes peak organisations representing small to large businesses, industries, and employers.	
Labour Market	Means the supply of, and demand for, labour; in which employees provide the 'supply' and employers provide the 'demand', e.g., the supply of available employees in Adelaide North does not meet the demand by employers, which indicates that the local labour market is short on supply.	
Micro-credentials	Are short certification courses that enable students to develop specific skills, as an alternative to full qualifications	
Peak Body	A non-government organisation whose membership consists of smaller organisations from an industry area. e.g., an electrical peak body may have electricians and smaller electrical businesses as its members.	
Registered training organisation	recognised training issue nationally recognised dualifications and statements of	
Skills Assessment	An assessment of a person's skills, qualifications and/or employment history for the purposes of supporting a skilled visa application with Home Affairs.	
The department	The Department of Employment and Workplace Relations (DEWR)	
Tripartism/Tripartite partnerships	The Australian Governments approach to genuine consultation, working with State and Territory governments, unions, and industry.	
Vocational education and training (VET)	VET delivers competency-based, nationally recognised, industry-endorsed training. VET offers qualifications across Certificate I to postgraduate.	

Click here for instructions on making a submission