

# AUSTRALIA-CANADA ROUNDTABLE ON FOREIGN QUALIFICATION RECOGNITION

## April 12 - 15, 2011

### PURPOSE

As Canada and Australia share either common or similar problems, policy approaches, commonwealth based government systems and cross professional standards, it's believed that mutual learning and collaboration between governments, regulatory bodies and professional associations was called for.

Both the governments of Canada and Australia recognize that labour market pressures are growing in many developed countries due to the "combined effects of demographic change, economic shifts, and global competition for talent." The stated purpose of this symposium is for the two governments to broaden their strategies for economic development through immigration using "inter-governmental and mutual recognition agreements" with a particular focus on "improving foreign qualification recognition (FQR) processes." The Canadian government often refers to the approach as Foreign Credential Recognition (FCR) but there's no consistency so consider them interchangeable.

### BACKGROUNDER

The *Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications* was established on November 30, 2009, by the Canadian First Ministers. Implementation is the responsibility of Human Resources and Skills Development Canada (HRSDC). It's defined as the "process of verifying that the education and job experience obtained in another country are equal to the standards established for Canadian workers." I will do an in-depth review of this initiative and how dentistry stacks up against the Framework's objectives in the concluding section of this report.

While the Federal Government's approach applies to all professions and trades, it put together what could be called a hit list of target occupations that it considered desirable and/or where there was perceived need. Last year the focus was on architects, engineers, financial auditors and accountants, medical laboratory technologists, occupational therapists, pharmacists, physiotherapists, and registered nurses. Beginning this year the spotlight is on dentists, engineering technicians, licensed practical nurses, medical radiation technologists, physicians and teachers.

By 2005 Australia had the world's highest percentage of foreign-born - 24.6% of the population, with over 240 nationalities. Canada came second at 19.2% and the US at 11.7%. Beginning around 1996, Canada and Australia started to focus on the need to attract skilled migrants. In 2004 Canada selected 133,746 people in the "economic" category, in particular substantial numbers of points-tested Principal Applicants (PA's) qualified in the professions. Skilled migrants constituted 59.6% of Canada's total planned intake at this time (224,346 people), far exceeding the targets set for family (51-56,000) and refugee/humanitarian (30-33,000) entrants. The proportion of economic migrants selected by Australia in 2004-05 was 58%, near identical to Canadian levels, based on 77,800 applicants out of a permanent migrant/humanitarian intake of 133,000 people.

Ms Corinne Prince-St-Amand, Executive Director, FCRO (Foreign Credentials Recognition Office), CIC, Government of Canada, relayed to the attendees during the inaugural speeches the essence of the *Pan-Canadian Framework on FQR*, namely, that Canada and Australia need to develop a "more comprehensive and efficient approach to labour mobility in order to effectively address this growing demand for high-skilled workers" and there's a belief that the best approach is through "improvements" to FQR. Both countries of course have federal systems with provincial/state and territorial governments responsible for many other levels of governance including the regulation of trades and professions and qualification recognition. This fact, however, is viewed as a "barrier", reportedly adding to the confusing and lengthy process for many foreign trained professionals. Citizenship and Immigration Canada (CIC) sees evidence in Canada and Australia that efficiency and consistency in an approach to immigration and qualification recognition is critical to economic growth.

A major contributor and presenter to this roundtable was Professor Lesleyanne Hawthorne, Associate Dean International, University of Melbourne. Ms Hawthorne has 25 years experience researching high skilled migration, foreign credential recognition, and labour market integration. She is a well respected and very prolific expert who is regularly commissioned by both the Australian and Canadian governments and UNESCO to do research. Much of the statistical data and comparisons heard throughout the Roundtable was hers. This entire report is in essence a redaction of the 30 or so presentations made during the forum combined with a multiplicity of other sources including Canadian and Australian websites, government sites and multi-year reports plus information from personal contacts with other regulators and meetings with government.

One of the honoured speakers was Mr. William Fisher, Australia's High Commissioner to Canada between 2005 and 2008. His speech was very revealing. He commented that one day in 2007 he got a phone call from our Prime Minister's office. Reportedly the newly elected conservatives weren't happy with the "status quo of liberal policies and were having difficulty finding their feet." They wanted to know how things ("everything") was done in Australia and were looking for advice and assistance. Mr. Fisher provided several contact numbers and the love affair with Australia has been consistent since then. I mention Ms Hawthorne and Mr. Fisher as examples of how influential and how serious Australian policy and approaches are taken by our Canadian government.

## **STATED OBJECTIVES & DESIRED OUTCOMES**

The roundtable is a joint enterprise funded predominately by Citizenship and Immigration Canada with contributions from assorted Australian government departments and organizations. It was administered and organized by the Public Policy Forum (PPF), "an independent, not-for-profit organization dedicated to improving the quality of government in Canada through enhanced dialogue among the public, private and voluntary sectors."

*This project will pursue the following objectives:*

*Review the necessity for and changes to immigration policy. Share recent developments in Canada and Australia to improve foreign credential assessment and recognition processes.*

*Discuss ongoing issues and best practices in pre-arrival assessment and recognition of foreign credentials.*

*Examine strategies for improving overseas services that offer information and assessment opportunities for internationally trained professionals before immigration.*

*Explore opportunities for establishing and expanding mutual recognition agreements with a focus on FQR and the 14 target occupations.*

## **SKILLED MIGRATION**

### **Trends in Skilled Migration to Australia and Canada**

Both Canada and Australia use a combination of "lists" of desirable occupations or qualifications and a points based system as immigration selection criteria. The points system is actually one that Australia borrowed from us. How they have been implemented and evolved over the past 20 – 30 years in the two countries have

been markedly different however. Given the economic dependence on immigration, a great deal of time was spent during the Roundtable on the recent history, direction, mistakes and re-direction of immigration policies in the two countries. Understanding the history is imperative to understanding where we're going.

Mr. Peter Speldewinde, Assistant Secretary, Department of Immigration and Citizenship (DIAC), Australian Government, informed the delegates that there was unprecedented change taking place. They (Government/Immigration) only started analyzing immigration trends in the past 4-5 years. In doing so they learned that policies had "been out of balance and out of control" with some unexpected outcomes. The 1990's drive to emphasize skilled and highly skilled, permanent migration had failed. The majority of the influx had been temporary workers and students and net immigration numbers were actually falling. Peak numbers occurred in 2008-09 with around 315,000 people entering the country with an equal break down between permanent, temporary and student visas. They expect around 180,000 annually for the next few years.

It should be noted at this point that large numbers of degree-qualified individuals arrive in Australia and Canada via family and humanitarian immigration categories (some 100,000 between 2004 and 2009). These applicants are not picked up by selection criteria (points system) at point of entry, yet ultimately have a large affect on economies as they try to obtain work in their trained professions but without having been filtered for their "human capital" potential or assessed vis-à-vis language proficiency or foreign credential recognition. An offensive phrase to some, "human capital" is commonly used by both countries and is defined as the stock skills, knowledge and experience by an individual resulting in the ability to perform labour and produce economic value (negative cost factors can also be part of the formula).

Another large goal starting in 1999 was (and is) for larger and larger numbers of economic migrants to be sourced in Australia rather than offshore. Meaning, rather than trying to recruit mature-age professionals who had been fully trained offshore (still the norm in Canada) the aim was to recruit young, current and former international students trained in Australia through an approach termed "two-step migration". An initiative with seismic problems, it's a prime example of how 'solutions' can go terribly awry. The Australians believe that recent changes have put them back on track.

To give the specifics, former international students are "highly acceptable to Australian employers" across the board and regardless of where they come from.

In 1999, following the removal of a three-year ban, international students immediately became eligible to migrate. Within a year of the policy change, 50 percent of immigration applicants held Australian degrees. Since 2002, former international students were permitted to apply onshore, and given a major advantage (60 immigration points) for their vocation-related degree, another 30 points for being young (18 to 29) and 20 points for having basic English proficiency. An additional 20 bonus points was given for an occupation “in demand.” By the time of Australia’s 2006 economic migration review, former international students had a 99 percent chance of being selected. Another significant side effect is that the student market became Australia’s “third largest export” with students generating A\$26.7 billion per year by 2008. At that time 474,389 international students were enrolled in Australian universities, vocational education and training (VET), ESL courses and sundry other schools.

One of the seismic problems mentioned earlier respecting this policy was that it “unintentionally coincided with the development of perverse educational incentives.” While numbers certainly increased substantially the outcomes were not as expected or desired. There was increasing evidence in all categories that there was a chasm between what the marketplace wanted/needed and what Immigration was recruiting (this has proved to be the case in Canada as well). In addition and not surprisingly, the incentives put in place also had the result of encouraging international students to study in Australia for the sole purpose of being able to immigrate. Ballooning numbers were enrolling in programs with no intention of actually working in the career paths they had been trained for. Students en masse were picking the lowest educational level that immigration would recognize and that required the least amount of time, money and effort.

The 2006 review demonstrating “things were out of control” showed that former international students granted status in Australia had:

- higher unemployment rates than native born;
- lower annual salaries;
- lower average weekly earnings;
- lower job satisfaction; and
- many had secured work below their formal qualifications (part of the “deskilling” phenomenon.)

The allocation of 20-25 bonus points for applicants with a qualification on the governments Migration Occupations in Demand List (MODL) resulted in 42 percent of student migrants taking advantage of that method compared to only 9

percent before the bonus was in place. At the same time diploma and certificate level trades were being added to the list in unprecedented numbers: 47 by 2007 compared to 3 in 2002. "Wily" private enterprises rushed in to steer international students to fit into the government models. These models had flawed forecasting and lacked true understanding of the marketplace resulting in "oversubscribed" occupations. International enrolment in business, accounting and IT for example, resulted in large numbers being unemployed or in low-skilled jobs. "There was a growing concern that widespread rackets among private trade colleges were...undermining Australia's education, immigration and employment systems."

As reported by Ms Hawthorne, *outcomes for international students were significantly worse than those of Australia-born recent graduates. Age and lack of experience were not the key issues. A number of factors were identified as contributing to this phenomenon, in particular:*

- *unrealistic assumptions on the part of the government concerning the speed and certainty of international students' post-arrival English development, in a context where short English courses could deliver guaranteed access to degree and diploma courses (in some institutions) regardless of level of improvement;*
- *potentially compromised academic entry and progression standards (in select institutions);*
- *inadequate surveillance and quality control of the rapidly emerging private training sector that provided courses for students in the burgeoning vocational education sector; and*
- *the high level of cultural and linguistic enclosure experienced by many international students in these private training facilities, where students were sometimes totally segregated academically. In terms of English language testing, for instance, from 1999 to September 2007 international students seeking migration were exempted on the assumption that their English and acculturation levels were at "vocational" level by time of selection; that is, they were expected to score band 6.0 on the International English Language Test System (IELTS). The skilled migration review provided compelling evidence that this was not always the case.*

In Canada, new immigrants in all categories or pathways from 1996-2001 were more than twice as likely as the Canada-born to be degree-qualified (37% compared to 15%). In each case, however, these skilled migrants could not find employment commensurate with their training, particularly in the first 5 years of

arrival, again the “deskilling” syndrome often sensationalized by the media in Canada – “doctors driving taxi-cabs”.

### **Changes to Skilled Migration Policies, Australia**

Given all the data, beginning in September 2007 the Australian government began significant reforms to address “the needs of industry, the different skill demands emerging across the country and the growing interaction between temporary and permanent migration in Australia.” These initiatives are intertwined but the key steps included:

- improve domestic training within a decade with the goal that 40% of Australia’s youth obtain Bachelor degrees, referred to as Australia’s “education revolution”.
- breaking from Australia’s historic reliance on the supply-driven model, the government shifted to a demand-driven model for permanent migrants. Recognizing that stakeholders knew the market best, employer and state/territory sponsored migrants were given priority or fast-tracked. An estimated 70 percent of temporary and permanent skilled migrants are now sponsored.
- a major review of the former Migration Occupations in Demand List was initiated in 2009 (the MODL had offered up to 25 immigration points). This followed 3 years of previously mentioned serious ‘imbalances’ when five occupations had accounted for “almost half the visas granted to all primary applicants.” As referenced earlier, a qualification on the list could assure selection and therefore international students sought out these occupations in their course selection resulting in these imbalances, a good example being 28,800 primary applicants in the seriously oversubscribed field of accounting.
- for unsponsored applicants the critical determinant of selection became having a qualification on the newly devised Critical Skills List, which now emphasized degree-level courses. After the failures mentioned previously of the student-migration pathway and Australia’s education industry were brought to light, the Department of Immigration and Citizenship (DIAC) “explicitly decoupled” study in Australia from expectations of skilled migration.

By my understanding I wouldn’t call it a decoupling at all since Australia still believes firmly in student two-step migration. They did revamp the MODL, which mutated into the Critical Skills List with dramatic consequences. A good example, if not warning, that we should not blindly follow without question ‘solutions’ that government’s promote, this policy had serious ramifications. Many private training sectors were put out of business. **Current and recent**

international students became disadvantaged almost overnight – in particular those from China and India. One example, **111,273 international students** enrolled in business courses (believing it made them migrant worthy) whose skills were suddenly deemed undesirable by the Australian government **had their migration advantage pulled**. So yes, thousands were “decoupled” but by a change to the Critical Skills List priorities, not by a policy change respecting student migration.

By May 2009 just three trade occupations were included on the Critical Skills List, now dominated by virtually all health professions, engineering and IT professions. Student enrolment patterns changed immediately in response: university enrolments surged by 13 percent in March 2010, and demand for technical courses declined rapidly. Additional hurdles also began in January 2010 when skilled onshore applicants were required to sit a “jobs ready” test to check that they had the skills being claimed.

In tandem with the other changes stated above, an overhaul of the ranking and points based immigration program had immediate affects and are continuing to be implemented. From July 2011, 65 points (rather than 120) will be required for migration selection. Other key changes include:

- *Occupation: In marked contrast to the approach begun in 2007 just reviewed above, now no points will be allocated to applicants with an occupation in demand (a qualification on the Skilled Occupation List introduced in July 2010 representing a hurdle rather than a points-rewarded requirement).*
- *English: No points will be allocated for meeting Australia's threshold English language requirement of IELTS 6 or equivalent. By contrast 20 points will be allocated to applicants with IELTS 8 (near native speaker level) and 10 points to primary applicants with IELTS 7 – English reinforced as a key determinant of selection.*
- *Place and level of qualification: Minimal advantage will now flow from simply possessing Australian qualifications (just 5 bonus points). Instead, level of qualification will be rewarded - 20 points for a PhD, 15 for a Bachelor or Masters degree, and 10 for a vocational qualification (regardless of study location).*
- *Age: Eligibility for skilled migration will be extended to PA's aged up to 49 years, with the greatest points now allocated to young and experienced workers (25-32 years) rather than new graduates (as previously the case) or older applicants.*



- *Experience: Bonus points will be provided for both Australian and overseas experience, with only a slight premium for recent Australian employment.*

Clearly, these points test changes have profound significance for Australia's permanent skilled migration program. The government's aims in this policy transition are clear – to “deliver the best and brightest skilled migrants by emphasizing high level qualifications, better English language levels, extensive skilled work experience, and to maximize employment outcomes.” While these massive changes are arguably necessary and laudable (undoubtedly to be emulated by many countries including Canada) I can't help but be struck by its ruthlessness as well. Numerous “wily” schools and entrepreneurs have been wiped out though the simple retort is that there's no guarantee in commercial enterprise. What seems somewhat more unconscionable is the fact that hundreds of thousands of students expecting to immigrate to a new life are left hanging. While one could argue that governments must make unemotional, calculated decisions in the name of the greater good, it is ironic and a dichotomy that it's increasing during the age of Fairness Commissioners and human rights recognition.

### **Skilled Migration to Canada & Recent Changes**

Mr. Neil Yeates, Deputy Minister, Citizenship and Immigration Canada (CIC), began his presentation with the now familiar mantra about aging populations, stagnation etc. and that there are not enough Canadians to fill the economic gaps. This means we will be 100% dependent on migration in the next five years. Canada has been averaging 200,000 immigrants a year. The largest intake in over 50 years occurring in 2010 with 280,636 permanent residents admitted. CIC expects 245 – 265,000 in 2011, 60% “economic” or primary applicants and 40% family and refugee class.

Like Australia, Canada is an immigrant-receiving/dependent country and needs to look at labour market realities and find ways to meet the challenge of attracting skilled workers. We too have a points-based immigration selection model with various programs. One that's doing “very well” according to Mr. Yeates is the Federal Skilled Worker Program (introduced with the Immigration and Refugee Protection Act in 2002) that “prioritizes human capital over specific labour market demands. By focusing on such broad criteria as language skills, age, and education, the program favours those who can demonstrate long-term economic adaptability.” There is also the Provincial Nominee Program (PNP) and the Temporary Foreign Worker Program (TFWP). Identical to Australia, the PNP enables provinces to nominate immigrants based on the particular economic and

labour market needs of the province while the TFWP facilitates the temporary entry of foreign workers to meet the short-term needs of employers that reportedly can't be met by the domestic labour market.

The main source countries for permanent residents have been China, the Philippines, India, the US, and the UK. Canada also continues to bring in a significant number of temporary migrants, admitting 182,322 temporary foreign workers and 96,147 foreign students in 2010. Unlike the dominance of Asian countries in permanent migration, the top source countries for temporary foreign workers include the US, Mexico, France, the Philippines, and the UK. In terms of skill profiles, 24 percent of temporary workers fall under the intermediate or clerical category, 18 percent are professionals, and 14 percent are in the skilled or technical category.

Ms Corinne Prince-St-Amand, Executive Director, FCRO, CIC, spoke about Canadian policy changes to ensure Canada stays competitive and meets our economic needs. The *Action Plan for Faster Immigration* was instituted in June 2008. Parliament approved changes to the Immigration and Refugee Protection Act removing the obligation to process all applications CIC receives, and authorizing the Minister to issue instructions to immigration officers regarding which applications are eligible for processing, based on the Government of Canada's goals for immigration. It was explained that the change was absolutely necessary given that there was a backlog of 900,000 applicants with a processing/wait time of 6 years. Eligibility now focuses on pre-arranged employment, prior experience studying or working in Canada, or professional practice in one of the in demand occupations, which was decreased from 38 to 29 occupations in June 2010. Ms. Prince-St-Amand claims the wait time is now 6 months.

Also introduced in 2008, the Canadian Experience Class stream targets temporary foreign workers and foreign students who obtained Canadian degrees and have Canadian managerial, professional, or technical/trade work experience, and English fluency.

Given a recent review of the Federal Skilled Worker Program, academic research, and comparisons with international "best practice" (Australia being a primary role model) CIC will be making further substantial changes to the current selection and points system. As part of the *Pan-Canadian Framework for Foreign Qualification Recognition*, CIC is holding consultations with stakeholders across the country and has already met with the first group of 8 Regulatory Bodies on the hit list. The discussions include requiring basic language proficiency, enhancing accessibility

to skilled trade's people, placing greater emphasis on youth, reallocating points from work experience to other criteria, and addressing the issue of fraudulent employment.

One of the "best practices" executed by Australia that impresses CIC is in the area of pre-arrival supports (see "VETASSESS"). HRSDC and CIC want increased access to clear and accurate information and assessment services pre-migration. For their part the Government of Canada funded the Association of Canadian Community Colleges (ACCC) to develop and implement the Canadian Immigrant Integration Program (CIIP) which prepares newcomers for economic integration while still in their country of origin. Launched as a pilot project in 2007, CIIP is now a three-year program (2010-2013) that is funded by CIC. CIIP:

- provides free pre-departure orientation to Federal Skilled Workers, Provincial Nominees, their spouses and adult dependents, while they are still overseas during the final stages of the immigration process,
- helps immigrants prepare for economic success by providing information, planning and online support through partners in Canada,
- offices are located in China, India, Philippines and the United Kingdom and services are available in additional service delivery locations,
- over the next three years expanded services will include a new overseas office in the UK that will also provide services to Nordic and Arab states.

Free orientation sessions provide labour market information, individual advice and planning, and referrals to a host of services available in Canada. To enhance the orientation sessions there will be "additional tools and services (such as the FCRO's Essential Workbook for Newcomers), occupation and sector-specific fact sheets, as well as online tools and resources to initiate the foreign qualification recognition process and support workplace integration."

## **Canada and Australia Compared**

Although both Canada and Australia use points-based immigration selection criteria to select economic migrants, Ms Hawthorne points out that in the last decade there was a "sharp divergence on the values and priorities informing these programs." Canada's goal was, and is, nation building, based on large, sustained immigration flows using the Human Capital model of selection. As recent as 2006, the prevailing Canadian view was that 'well-trained flexible individuals... who have experience in the labour force' should be able to 'adapt to rapidly changing

labour market circumstances'. In consequence 'general' rather than 'specific' competence was sought. Canadian selection criteria didn't differentiate between those with poor English language skills, non-recognized qualifications or qualifications that weren't in demand and PA's who conversely had all the desirable attributes. This human capital model, however, has proven to be flawed — "delivering Principal Applicants lacking the 'knowledge economy' attributes employers want, namely, superior English language skills, recognized credentials, and qualification in fields associated with buoyant labour market demand."

Australia by contrast progressively abandoned the human capital model from 1996 as 'out of balance and out of control'. Ms Hawthorne states: *It believed the family and humanitarian intakes would likely serve the broad, general interests that Canada was relying on from all migrants. It considered focusing on specific and skilled economic migration would support national interests much better and therefore considered its actions to be legitimate and necessary. Two thirds of Australia's migration program is now skewed towards skilled migration. By the time of the 2006 Census, 57 percent of all degree-qualified information technology (IT) professionals, 52 percent of engineers, 45 percent of doctors, 41 percent of accountants and 25 percent of nurses were born overseas. Three of the top six attributes as making 'a good skilled applicant' are 'obtaining a job soon after arrival that uses their skills... become quickly established' and 'not requiring benefits'. "In commissioning successive reviews of the program in 1997, 1999, and 2006, the government determined to use the research evidence to fine-tune economic selection criteria, in the process optimizing immediate as well as long-term employment outcomes.*

Despite the roller coaster ride to get there, it appears Australia has been successful in its goals. Success of course also depends on which side of the fence you're standing on. Australia is granting citizenship to those it considers will benefit its goals, meaning that since 1999 an increasing number of PA's have been excluded from migration at point of entry due to their perceived risk of delayed or de-skilled employment, overprescribed skill or lack of commercial value. From the government's side, Australia has secured early and increasingly positive employment outcomes.

As established by the Census data analysis of both countries (Mr. Yeates revealed that the Canadian government tracks the tax returns of immigrants in order to know how successful they are), Canada and Australia are highly comparable as sites that attract immigrants. Ms Hawthorne adds, however, that *economic migrants perform indisputably better in Australia post-arrival — their immediate*

*work outcomes strongly correlated to longer-term labour market integration rates. Far greater proportions of new arrivals in Australia now than in Canada secure positions fast, access professional or managerial status, earn high salaries, and use their credentials in work. In the process unprecedented numbers are avoiding the labour market displacement typically associated with select birthplace, language, age and gender-related groups. The latest available data confirm the benefits of this policy refinement to be dynamic.*

Of separate interest, international students by definition are self-funded. This not only supports Australia's export education industry but addresses market needs with less government funding. The promotion of 2-step migration is viewed as less ethically problematic when compared to the recruitment of mature-age professionals who have been fully trained offshore. Students or parents rather than countries had resourced these students' tertiary education. From an ethical perspective therefore it seems more defensible than the "brain drain" policy frequently criticized internationally and the recruitment norm for Canada across many years.

## **FOREIGN QUALIFICATION RECOGNITION OVERVIEW**

The PPF summed up this challenge nicely:

*Judgment of the quality of foreign qualifications requires sustained investment of resources, in a context where credential assessment can involve the analysis of any course, studied at any institution, at any recent historical point in time over the past 30 years – a highly resource-intensive process. Key variables include the extent to which quality assurance mechanisms exist; their governance and operational mode; their voluntary versus mandatory nature; their application to private compared to public sector institutions, and their focus (whether on institutional quality or actual course).*

With the necessity for, and heavy reliance on, increased immigration now well established combined with the drive to meet both market demands and attract high level economic migrants, foreign credential/qualification recognition becomes a key policy challenge and priority for Canada and Australia. Regulatory bodies, whether directly or indirectly through third party providers such as examiners and educational institutions, control FQR. Accordingly, we can expect the same vigor from government that was evident when it wanted labour mobility implemented.

Mr. Yeates, the Deputy Minister from CIC, described the progress in FQR as the number 1 issue in Canada and a “stubborn challenge” where much more substantial progress was needed. The “regulatory drag on efficiency had to be addressed” he said. Mr. Yeates then told this room full of Regulators that Citizenship and Immigration Canada “bonds” with those seeking to call Canada home and that there is an “assumption that our points system bestows acceptance of their credentials by the Canadian government. That social contract is then broken by Regulators across the country.”

An identically revealing attitude was voiced by Mr. Speldewinde, Assistant Secretary, DIAC, Australian Government. They [DIAC] now “keep going back to skill assessors and asking them to re-think things.” “Assessors are gate keepers”, he remarked, and “we’re dragging them to re-evaluate their standards.” In the context of Canadian dentistry the NDEB is of course our major “skill assessor” followed by the RCDC and the Universities with the qualifying/degree completion programs.

There were endless occupation specific presentations by various agencies, institutions, government bodies and regulators respecting how foreign qualification recognition is conducted in both countries. For those who are interested, the PPF provided an overview of the selected occupations which can be found at Tab 1. As with the topic of immigration, I will focus on the information and global policy approaches that have and are occurring in both countries which we will have to be prepared for.

Dentistry, by the way, was not asked to make a presentation and the Australian representative and I believe it’s because, comparatively speaking dentistry is doing quite well and has managed to stay just one step ahead of government’s demands. We already have a reciprocal agreement and national approaches, which are “good practices” promoted by both governments. This isn’t to say, however, there won’t be ongoing challenges, enquiries and pressures.

## **FOREIGN QUALIFICATION RECOGNITION**

As illustrated in the first section, Australia has been more aggressive than Canada in dealing with the topic of immigration; its approach to assessing foreign qualifications is no less so. This is a federally driven agenda and Australia has invested a lot of time and money in government departments while actively seeking and encouraging private industry to invest in support systems. Numerous agencies and levels of bureaucracy permeate throughout the trades and

professions. The roundtable participants were overwhelmed with the unending acronyms and felt somewhat like Alice tumbling down the rabbit hole.

By 2008, DIAC (Australia Immigration) had 27 regulatory and professional bodies (subject to government oversight), operating. It has an impressive data bank on many professions and trades going back decades that has tracked where people were coming from vis-à-vis country, university and their assessment results. This has translated into high levels of immediate recognition in some instances (e.g. engineering, accounting and 60-70 per cent of trade applicants). Australia is not immune though, to the challenges we all face in this arena given the differences in tertiary education and training, the limits of their databanks and the barriers to securing sufficient and accurate information.

## **Key Players Close Up, Australia**

In response to the FQR dilemma, Australia created the numerous agencies and levels of bureaucracy referenced above so let's now delve into the wonderful world of acronyms.

**DEEWR** (the Department of Education, Employment and Workforce Relations) is the lead government agency providing national leadership in education and workplace training and workplace conditions. Purely for your interest I've attached their mind boggling organizational chart at Tab 2. DEEWR is one pivot point between immigration and credential recognition.

DEEWR's Population and Migration Policy Branch "informs" policy respecting temporary and permanent migration programs. "Trades Recognition Australia" (TRA) covers onshore as well as offshore assessment for GSM's (General Skilled Migrants) in 180 vocational-sector fields, and (since July 2009) the "457" temporary visa class. "Skills Australia" (established in 2010) is also located in DEEWR, and administers oversight and development of Australia's Skilled Occupation List mentioned in the immigration section.

The **AQF** (Australian Qualifications Framework) was introduced on 1 January 1995 and phased into full implementation in 2000. Each State and Territory has legislative responsibility for authorizing the issuance of qualifications in the senior secondary schools, vocational education and training and higher education sector and Universities are empowered to accredit their own qualifications. The AQF, however, is the master coordinator bringing all of Australia's education and

training qualifications into one comprehensive framework underpinning the Australian qualification system. Its mandate includes:

***For students:***

- *the AQF encourages lifelong learning and assists students to plan their careers and learning at whatever stage they are within their lives and wherever they live*
- *AQF qualifications allow students to start at the level that suits them and then build up their qualifications as their needs and interests develop and change over time*
- *the registers of registered education and training providers and accredited courses provide assurance that courses and providers are approved by government*

***For employers:***

- *the AQF supports national standards in education and training*
- *AQF qualifications are recognized across Australia*
- *the AQF ensures understanding of what each qualification name and level means*

***For education and training providers:***

- *the AQF includes policies and guidelines for credit transfer, articulation and recognition of prior learning*
- *policies for issuing qualifications ensures consistency and protection of qualification titles*

***For accrediting authorities:***

- *AQF qualification guidelines to describe qualifications provides a standard for each qualification ensuring consistency for course approval*
- *the AQF applies to all States and Territories*

The “international arm” of DEEWR, **AEI-NOOSR** (the Australian Education International–National Office for Overseas Skills Recognition) is the official National Information Centre for Australia. In this capacity it provides information about the Australian higher education system to promote the recognition of Australian qualifications in other countries. For our purposes they are the ones who also offer information and advice about international education systems and “facilitate” the recognition of overseas qualifications in Australia. The International Cooperation Branch coordinates bilateral and multicultural agreements.



AIE-NOOSR provides the following service in qualifications recognition:

- information on how overseas qualifications compare with Australian qualifications by looking at their “Country Education Profiles” on 119 countries and the standards set by the AQF
- educational assessments of overseas qualifications
- financial assistance for programs that support international recognition of Australian qualifications and professional recognition of overseas qualifications
- professional development courses and workshops for organisations that assess or recognise overseas qualifications
- representation of Australia in international forums on international qualifications recognition

This is one huge machine that on the surface appears astonishing. One could be forgiven for believing that the internationally trained has it a lot easier trying to enter Australia with this kind of sophisticated data collecting and networking, and for some that is true. For most, however, “what’s most important is the lens looking at the qualification. It may be a fantastic degree in India but must be looked at thru the Australian lens” as voiced by Margaret Proctor, Director, Educational and Professional Recognition Unit, DEEWR. In other words, particularly when you move beyond the trades and recent leaps respecting physicians, the reality is that there remains enormous inconsistency and differences in curriculums and quality in tertiary education around the world. Ms Proctor admits that their educational assessments are for general purposes, that the comparisons are “at the generic level only.” AIE-NOOSR assesses overseas qualifications by comparing them to established Australian educational standards set by the aforementioned AQF but they do not:

- provide skills assessments
- provide trade qualification assessments
- bestow professional recognition of qualifications to work in a specific profession or qualify individuals for membership in a professional body
- perform informal assessments of qualifications over the phone, by email or fax
- provide representation on behalf of individuals who have had their qualifications assessed by them.
- compare qualifications by subject or study area (e.g. an overseas Bachelor of Science is compared only to an Australian Bachelor Degree) or competency standards,

- qualify individuals for admission into university.

AEI-NOOSR isn't the final arbitrator in this convoluted system but provides "support to a number of migration assessing authorities for professional occupations in their assessment work."

These Government appointed assessing authorities include:

- Architects Accreditation Council of Australia
- Australasian Podiatry Council
- Australasian College of Physical Scientists and Engineers in Medicine
- Australasian Veterinary Boards Council
- Australian and New Zealand Society of Nuclear Medicine
- Australian Association of Social Workers
- Australian Computer Society
- Australian Dental Council
- Australian Institute of Management
- 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 Physiotherapy Council
- Australian Psychological Society
- Council of Occupational Therapists Registration Boards
- Council of Pharmacy Registering Authorities
- Council on Chiropractic Education Australia
- CPA Australia
- Dieticians Association of Australia
- Engineers Australia
- Institute of Chartered Accountants in Australia
- Institution of Surveyors Australia
- National Accreditation Authority for Translators and Interpreters
- National Institute of Accountants
- Optometry Council of Australia and New Zealand
- Speech Pathology Australia
- State Osteopathic Registration Boards
- Teaching Australia

So in the end it's still Regulators, Councils, and Associations etc. that decides who will be licensed but that sector too has been transformed (See "AHPRA" for Health).

During her presentation Ms Proctor chastised the Canadian government for not ratifying the Lisbon Recognition Convention. In brief, a process concerning the recognition of higher education in Europe actually began in 1979 with a UNESCO convention. Jumping to 1997, the "UNESCO Convention on the Recognition of Qualifications concerning Higher Education in the European Region" took place in Lisbon. It was not too different in content from the original; however, it more explicitly laid out the responsibilities of the ratifying countries and became known as "The Lisbon Convention". Following the signing of the Lisbon Convention, development work continued and in 1999, the Ministers of Education from 29 countries signed an agreement in Bologna and thus you also often hear references to the Bologna Declaration or Agreement. It's all the same subject.

Specifically, the Convention is a commitment by each signatory country to do a variety of things ranging from the innocuous, such as setting up national information centres and information sharing, to making higher educational standards and quality assurance standards more comparable and acceptable throughout not only Europe but globally, thus improving mobility and economic outcomes. Depending on who you ask you will find dramatically different responses to what it all means and the success or failure of the movement. Some dismiss the whole enterprise as politics with no legal obligations while others couch it in terms of a "binding commitment." Additional confusion arises out of the sensitivity of higher educational institutions around autonomy and diversity. The language that surrounds this topic is therefore typically obfuscatory. Even terms like "harmonization", "standardization" or "uniformization" are avoided and the Universities talk about a "convergence" of academic recognition rather than actually getting down to making their programs consistent in curriculum, standards, quality and so forth.

There are now approximately 50 participatory countries to the convention and therefore it's certainly no longer Europe centric in its thrust. There have also been at least 5 major meetings and revisions of the Convention since 1997 and whatever one might think of its outcomes it continues to be extremely influential.

Canada signed the Lisbon Recognition Convention but has never ratified it (the legal step to actually make it binding). This isn't the first time Canada has been criticized for this fact and Ms Prince-St-Amand from CIC nodded knowingly over

the embarrassment. This is one Canada keeps avoiding but I wouldn't be surprised given the current environment that we see government change its position in the next couple of years and ratify the Convention, particularly if it continues seeking a trade agreement with the European Union.

Though simplistic, for the purposes of AEI-NOOSR, Ms Proctor summed up the key aspects of the Lisbon Convention as follows:

- recognition processes and procedures are defensible and transparent,
- they call for establishment of National Information Centres who are the recognition authority and can give official information (e.g. AEI-NOOSR)
- Promotion of recognition tools such as the Diploma Supplement
- Must demonstrate 'substantial difference' if the qualification is not fully recognized
- Applicants entitled to a fair assessment within a reasonable time

The Lisbon Convention, and Ms Proctor, states that comparing different education systems requires flexibility, "not superficial differences such as length or mode of study." "Learning outcomes are more significant than duration of program", she added. The PPF pointed out that in 2010 the Shanghai Jiao Tong University ranking system (highly respected and viewed as relatively unbiased) categorized the top 500 world universities as follows:

- 204 in Europe (overwhelmingly located in North West Europe, including 41 in the UK/Ireland, 39 in Germany and 22 in France, with 7/8 of Switzerland's universities also rated);
- 187 in the Americas (154 in the US, 23 in Canada, and just 10 in all Central or South America);
- 106 in the Asia-Pacific region (34 in China, 25 in Japan, 17 in Australia, 10 in South Korea, 7 in Israel, 5 in New Zealand, 2 in Singapore, and just 2 in India;
- 3 in Africa (all in South Africa); and
- 2 in Saudi Arabia (no other Middle Eastern university listed)

This is all to say that while there's no question that differences exist between education systems, the planet is churning out graduates of higher education with a new global mindset and expectation that their skills are transportable. Countries like Canada and Australia that are 100% dependent on migration to drive their economies are going to have to improve the way they assess "foreign" qualifications.

“**VETASSESS**” (Vocational Education Training Assessment Services) is considered Australia’s “leading assessment and workforce skills developments organization.” The criteria for skills assessment varies extensively with the occupation. VETASSESS is hailed as a success story for all to emulate. With representation in over 20 countries and growing, VETASSESS not only assesses the trade qualifications of Australians who want national recognition of their skills, they also conduct assessments for migrants. Both governments are particularly impressed with the fact that the skills assessment can frequently take place off shore before the candidate ever sets foot in Australia. Moreover, it provides short course training both onshore and offshore in order to award recognized Australian credential recognition, suitable for employment purposes, at point of entry to Australia. They are, naturally, yet another supporting link for **DEEWR** and **AEI-NOOSR**.

Another key function of VETASSESS is to administer examinations, course selection tests and literacy & numeracy tests for various external organizations including for defense recruiting, the police and for selection into various health courses. They specialize in development and delivery of online assessment systems. “VETASSESS tailors its services to meet ‘industry requirements, national standards and client needs’ in a wide range of countries (including Canada, Chile, China, Ethiopia, India, Indonesia, the Philippines, South Africa, Sri Lanka, the UK and the USA).”

Although it may seem like health professions fall into a different silo, our Government is pushing for the VETASSESS approach regardless of the profession and wants to see pre-arrival assessments of foreign credentials as well as offshore testing. I spoke with Robert Broadbent, Chief Executive Officer, Australian Dental Council, about what aspects of the ADC’s requirements could, or already are, being performed offshore. He replied that, as with numerous professions, English proficiency testing was offshore and they’ve also given the ADC “Preliminary Examination of Dental Knowledge” (2 multiple choice papers of 80 items each, plus 3 questions based on clinical scenarios/practice) offshore.

Mr. Broadbent offered that he’d had a similar discussion with Jack Gerrow around the possibility of holding the Assessment of Fundamental Knowledge test, step 1 in the NDEB Equivalency Process, offshore. Reportedly, Dr. Gerrow had great concerns about the practice and was aware of breaches in security that had occurred. Whether it is dentistry or any trade or profession, offshore testing arguably can be open to increased abuses whether it be culturally based or technologically based. For example, there are cases where the locally hired

administrator or security was found to have permitted a “substitute” to take a test for a relative or friend. Hacking into websites and computer based testing systems to alter results have occurred as well. I will simply say that government is high on the concept of pre-arrival assessments and it will be heavily promoted as part of its FQR campaign.

## AUSTRALIAN REGULATORY PARADIGM SHIFT

There are several tsunami-like power shifts happening in the realm of regulation, specifically the move from the historical model of state/territory based regulatory powers to centralized/Federal/national organizations. These developments are occurring at every level, namely, education standards and accreditation, assessment agencies (e.g. VETASSESS, AQF already covered), funding, and licensing. Presented as grand utopian schemes there was a clear lack of balance or shall we say a voice from those being affected. Needless to say, like labour mobility was in this country it is a subject of great debate in the regulatory sectors.

**TEQSA** (the Tertiary Education Quality and Standards Agency) was introduced to Parliament in March 2011 making it the latest sea change to be developed by the Australian Government. TEQSA represents a new approach to accreditation, quality assurance and a regulatory framework for higher education. Mr. Ian Hawke is the interim Chief Executive Officer managing this transition stage and gave excerpts from a report he gave in Madrid only a week earlier. I have appended at Tab 3 his Madrid report as this is a fascinating approach to education and deserving closer attention on its own. Here are some highlights:

TEQSA will be an independent body with powers to register providers and accredit courses of study, carry out evaluations of standards and performance, and protect and assure the quality of both domestic and international education. It will merge the areas of quality assurance currently under the Australian Universities Quality Agency (AUQA) with State and Territory Government Accreditation Authorities to bring together regulation and quality assurance in one agency. **This will reduce the number of regulatory bodies (education related) from nine to one, and Australia’s 190 higher education providers (including 39 Universities) will deal with a single regulator.**

As referenced at the beginning of this report, TEQSA is the initiator of Australia’s “education revolution” with a reform agenda that aims:

- by 2020, to have 20 per cent of higher education enrolments at the undergraduate level be people from a low socioeconomic background; and
- by 2025, to have 40 per cent of all 25 to 34 year olds hold a qualification at the bachelor level or above.

Unheard of change to the funding formula is planned with 6 billion dollars over 6 years being allocated to a student choice driven model. Simply put, where currently you might have the government funding 50 seats in a University program and that's the cap even if 100 candidates qualify, now as many students who enrol in any program will be funded. This is all the result of a major swing in perspective in 2008 culminating in a government review of Australian higher education (the 'Bradley Review') which "recognized the close links between tertiary skills and economic and social progress. *Only citizens who are resilient, informed, adaptable and confident will manage the consequences of the new global economy with all its opportunities and threats. A strong education system designed to ensure genuine opportunity for all to reach their full potential and to continue to improve their knowledge and capacities throughout their lives will build such people.* (Bradley Review)

A further consequence of an expanded higher education system is that additional students may require tailored mentoring, support and more flexible delivery options. Funding will be given to universities based on their respective share of domestic undergraduate students from low socioeconomic backgrounds. It's hoped that higher education providers will compete to attract these students by offering a more creative, diverse and tailored selection of programs.

I'm sure you can already hear the cries from Academia respecting autonomy but TESQSA's stated goal "is not to interfere with academic freedom or stunt diversity in higher education." The new quality assurance system "will be used to define threshold issues, while others will serve to guide practice and aim to improve quality. The standards will be designed to articulate the expectations that the public, including students, government and academics, have for any acceptable higher education provider and its courses."

Still, of significant note from the regulatory perspective, TEQSA signals yet another change, that being from a quality assurance body that has "**powers of persuasion**" to one that has "**powers to take action**". "TEQSA will have legislated powers to intervene with an escalating set of actions where a lapse in quality is identified. This will include the power to impose conditions on a provider's registration, impose sanctions, and in the most extreme circumstances,

to remove or limit self-accrediting status and /or de-register a higher education provider, including a university.”

“**AHPRA**” (The national Australian Health Practitioner Regulation Agency). Mr. Martin Fletcher, AHPRA CEO, described this one as “a change so monumental that it’s visible from the moon.” Finalized in July 2010, AHPRA now regulates:

1. Chiropractors, 2. Dental care (including dentists, dental hygienists, dental prosthetists & dental therapists), 3. Medical practitioners, 4. Nurses and Midwives, 5. Optometrists, 6. Osteopaths, 7. Pharmacists, 8. Physiotherapists, 9. Podiatrists, and 10. Psychologists. By 2012 they will add Aboriginal and Torres Strait Islander Health Practitioners, Chinese Medicine, Medical Radiation Practitioners and Occupational Therapists.

**Before July 2010...**

- 8 States and Territory based arrangements
- >85 health profession boards
- 65 Acts of Parliament

**Since July 2010...**

- One national scheme
- 10 health profession boards
- nationally consistent legislation

AHPRA is the organization responsible for the implementation of the “National Registration and Accreditation Scheme” across Australia. Its operations are governed by the *Health Practitioner Regulation National Law Act 2009*, which came into effect on 1 July 2010. This law means that for the first time in Australia, 10 health professions are regulated by nationally consistent legislation. AHPRA supports the now 10 National Health Practitioner Boards that are responsible for regulating the 10 health professions. The primary role of the Boards is to protect the public and they set standards and policies that all registered health practitioners must meet. The objectives of the Legislation are:

- Protection of the public
- Workforce mobility within Australia (register once, practice anywhere)
- High quality education and training
- Rigorous and responsive assessment of overseas trained practitioners
- Facilitate access to services in accordance with the public interest (efficiency and uniformity – consistent national standards, registration and professional conduct)
- Enable a flexible, responsible and sustainable health workforce and enable innovation (interprofessional collaboration and learning)



## The Big Picture - How it Works

As in Canada, governing authority is shared between a central entity and the provinces or states. The Council of Australian Governments (COAG) is a forum to initiate, develop and implement national policy reforms requiring cooperation between the three levels of government: national, state or territory, and local. With labour mobility in Canada we had a Federal Act that was then transposed down into provincial Acts. The implementation of the National Scheme was reliant on a national law that was given effect by an Act of a “host jurisdiction” (in this case Queensland), which was then adopted and applied as state or territory law. I’m not completely clear on the political system but my impression was that some did not consider this move to be constitutional. So many clauses were worked into the Commonwealth Bill that it doesn’t appear anyone actually had a choice. Clearly there had been some push back but in the end the states adopted the change.

*Each jurisdiction that adopts the National Law will have an equivalent provision in its adopting Act so that the National Law will be the law of each jurisdiction and is not only the law of Queensland. The effect is that a person registered as a health practitioner under the Act is registered nationally, rather than requiring registration in each jurisdiction, and each of the entities created by the National Law is created not only by Queensland law but the law of each jurisdiction. For example, each National Board will be not only a Queensland body but also a body of each of the jurisdictions in which the National Law is applied. Section 7 of the National Law clarifies that the effect is the creation of a single national entity rather than separate bodies in each jurisdiction. (Health Practitioner Regulation National Law Bill)*

**The structure, functions and powers schema** (as recorded in the *Health Practitioner Regulation National Law Bill*):

- *Australian Health Workforce Ministerial Council approves registration standards, approves professions for specialist recognition, specialties and specialist titles, approves endorsements and issue policy directions as needed.*
- *Australian Health Practitioner Regulation Agency (AHPRA) is responsible for the administration of the National Scheme in accordance with the legislation and policy directions issued by the Ministerial Council.*
- *National profession-specific boards for the ten health professions that are within the initial scope of the National Scheme.*

• *Australian Health Workforce Advisory Council provides independent advice to the Ministerial Council on matters related to the National Scheme.*

• *The National Law also establishes the following functions and processes to protect the public and enhance the Australian health workforce:*

- national registration standards and processes, including identity and criminal history checking, English language competence and recency of practice requirements to ensure a consistently high quality of registration occurs nationally;*
- national requirements for registered health practitioners to only practice with appropriate professional indemnity insurance arrangements in place and to complete the continuing professional development requirements for their profession;*
- national accreditation standards and functions that are largely independent of governments and will ensure a consistently high standard of accreditation occurs nationally;*
- nationally consistent arrangements for receipt of complaints and notifications and dealing with the management of health, performance and conduct matters to ensure protection of the public;*
- national mandatory reporting requirements obligating all registered health practitioners and their employers to report notifiable conduct on the part of a registered health practitioner to protect the public from harm;*
- national requirements for the registration of students undertaking programs of study that lead to registration in a health profession;*
- national mandatory reporting requirements obligating registered health practitioners and education providers to report a student who may place the public at substantial risk of harm in the course of undertaking clinical training in order to protect the public from harm;*
- recognition of co-regulatory jurisdictions that will have jurisdiction specific arrangements for health, performance and conduct matters that are substantially equivalent to those of the National Scheme and ensure that decisions of co-regulatory authorities in those jurisdictions regarding registered health practitioners and students are implemented by the National Scheme to ensure protection of the public;*
- privacy protections to ensure a nationally high standard of protection is provided.*

**AHPRA's specific responsibilities are:**

(a) to provide administrative assistance and support to the National Boards, and the Boards' committees, in exercising their functions;

- (b) in consultation with the National Boards, to develop and administer procedures for the purpose of ensuring the efficient and effective operation of the National Boards;
- (c) to establish procedures for the development of accreditation standards, registration standards and codes and guidelines approved by National Boards, for the purpose of ensuring the national registration and accreditation scheme operates in accordance with good regulatory practice;
- (d) to negotiate in good faith with, and attempt to come to an agreement with, each National Board on the terms of a health profession agreement;
- (e) to establish and administer an efficient procedure for receiving and dealing with applications for registration as a health practitioner and other matters relating to the registration of registered health practitioners;
- (f) in conjunction with the National Boards, to keep up-to-date and publicly accessible national registers of registered health practitioners for each health profession;
- (g) in conjunction with the National Boards, to keep up-to-date national registers of students for each health profession;
- (h) to keep an up-to-date and publicly accessible list of approved programs of study for each health profession;
- (i) to establish an efficient procedure for receiving and dealing with notifications against persons who are or were registered health practitioners and persons who are students, including by establishing a national process for receiving notifications about registered health practitioners in all professions;
- (j) to provide advice to the Ministerial Council in connection with the administration of the national registration and accreditation scheme;
- (k) if asked by the Ministerial Council, to give to the Ministerial Council the assistance or information reasonably required by the Ministerial Council in connection with the administration of the national registration and accreditation scheme;
- (l) any other function given to the National Agency by or under this Law.

**Health profession agreements:**

- (1) AHPRA must enter into an agreement with the National Boards that makes provision for the following—
  - (a) the fees that will be payable under this Law by health practitioners and others in respect of the health profession for which the Board is established (including arrangements relating to refunds of fees, waivers of fees and additional fees for late payment);
  - (b) the annual budget of the National Boards (including the funding arrangements for its committees and accreditation authorities);

(c) the services to be provided to the National Boards by AHPRA to enable the National Boards to carry out their functions under the Law.

(2) If AHPRA and a National Board are unable to agree on a matter relating to a health profession agreement or a proposed health profession agreement, the Ministerial Council may give directions to the National Agency and National Board about how the dispute is to be resolved.

(3) Each National Board must publish on its website the fees for which provision has been made in a health profession agreement between the Board and AHPRA.

### **Key Players and Responsibilities, Canada**

The Federal government has jurisdiction over immigration but the integration of those migrants and the level of success they experience is a complex, multi-tiered enterprise that provincial regulatory bodies play no small part in. As established in the preamble, the Federal Government has made foreign qualification recognition a priority. Arguably the Australians are far ahead of us with Canada's focus being on "human capital" and until very recently on the internal recognition of skills and movement. Examples are the Agreement on Internal Trade (AIT), the Trade, Investment and Labour Mobility Agreement (TILMA) between British Columbia and Alberta with Saskatchewan joining in April 2010, the Ontario/Quebec trade agreement and the Interprovincial Standards Red Seal Program providing national endorsements to certified trades people.

FQR initiatives include - the Foreign Credential Referral Office (FCRO), the Foreign Credential Recognition Program (FCRP) developed by Human Resources and Skills Development Canada (HRSDC), the Internationally Educated Health Professionals Initiative (IEHPI) of Health Canada and the Government of Canada's "Going to Canada" immigration portal. And of course the current major project is the \$50 million that the government has allocated to harmonizing a national approach to foreign qualification recognition through the "*Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications*". It's described as a "public commitment by federal, provincial and territorial governments to take action in addressing FQR barriers". According to Ms Prince-St-Amand it is:

- ✓ *Principles-based: Processes and practices must be fair, transparent, timely and consistent*

- ✓ *Collaborative: Successful implementation requires a collaborative, supportive, and respectful environment.*
- ✓ *Results-focused: Governments agreed to implementation with 16 regulated occupations as an initial focus for collective action (dentistry being one).*

As part of her presentation Ms Prince-St-Amand actually held up labour mobility legislation as the first salvo in attacking the issue of FQR. "Having worked together to improve interprovincial qualification recognition, regulatory bodies can now collaborate on improvements to recognition of international qualifications."

Although an internal trade agreement, the government understands clearly the 'fear factor' AIT generated, reiterating that while provinces may have control over setting occupational standards, differences are barriers that won't be tolerated - "the recognition of foreign qualifications in one jurisdiction requires that other jurisdictions accept that licensing decision." It could be said that in their presentations the Australian government representatives boasted, perhaps rightfully so, about the size and breadth of their sweeping changes. Almost so not to be outdone, Ms Prince-St-Amand bragged (in my view inappropriately) about how the Canadian government had forced AIT down the throats of Regulators. About how "the Premiers had ordered their Bureaucrats to release the dogs, to go forth and make AIT happen and to threaten Regulators not to post any legitimate objectives." Needless to say her slide presentation did not exhibit this tone but her message to this room full of Regulators was loud and clear.

Ms Prince-St-Amand declared that the "target occupations" (again that includes dentistry) "will have in place the processes and supports necessary to ensure the application of the Framework's principles, including achieving the Pan-Canadian Commitment to timely service, by December 31, 2012." Over the next year the CDRAF will be contacted and the provincial DRA's summoned, as we were with labour mobility, to discuss implementation. Over the past year HRSDC and CIC met with the first group of target occupations and:

- ✓ Identified and analysed gaps and priorities related to FQR processes and practices for the initial target occupations,
- ✓ Held consultations to engage regulatory bodies and other stakeholders to discuss gaps and set priority areas for action,
- ✓ Developed action plans with each target occupation to lay the foundation for improving FQR processes and practices,
- ✓ Will work toward reporting on results of the Framework implementation.

## So What Does This Mean For Dentistry?

In my view and by comparison, dental Regulators in Canada have addressed almost every one of the principles and benchmarks that the FQR Framework is looking for and should be proud of their national accomplishments. To facilitate upcoming discussions with HRSDC and CIC I'll now review what can be expected, make suggested responses and look at the weak areas as the review goes along.

The **PRINCIPLES & BENCHMARKS** HRSDC & CIC will be focused on are:

### **FAIRNESS**

- *The criteria used for determining recognition of qualifications are objective, reasonable, do not exhibit bias and are cost effective.*
- *The methods used for assessing qualifications are both necessary and sufficient for determining whether occupational standards are met.*
- *Canadians and internationally-trained applicants will be treated equally with regards to the requirements that must be demonstrated in order to achieve qualification recognition.*
- *Communication of assessment results involves clear explanation of the rationale for the decision that has been taken, including the identification of additional requirements for licensure and registration, as well as avenues for internal review and appeals.*
- *Assessment processes are efficient and avoid duplication, particularly where there are multiple assessments required by different parties during the assessment process of an individual applicant.*
- *Information regarding assessment approaches and tools is available online, and opportunities exist for practitioners and other affected stakeholders to share best practices regarding assessments.*

In respect of this principle it's interesting to note how close these expectations and benchmarks are to Fairness legislation spreading across the country. *Fair Access* legislation is actually named in the FQR Framework as a "party" to the Framework and one that "regulates" the registration practices of Regulatory authorities. Those of us who have Fairness legislation have most likely already experienced the request to justify our registration requirements.

HRSDC, CIC and Health Canada have commenced analyzing the target occupation's processes and will no doubt seek clarification and a better understanding of them when we are interviewed. As stated, I don't believe we have much to worry about but we should be prepared. If it is of any assistance, at Tab 4 is an excerpt from a report I had to submit to Ontario's Fairness Commissioner

that directly addresses some of the major principles described above including why dentistry's requirements are necessary, relevant, fair, timely and cost effective.

The creation of the NDEB Equivalency Process has also done much to deflect looming intervention. When the only option was the two-year qualifying/degree completion program there was increasing pressure and criticism from different tiers of government and certainly from the internationally trained community that such an approach was not fair, objective, reasonable or cost effective nor in keeping with the global perspective (e.g. Lisbon Convention) or human rights precepts. Whenever I would explain dentistry's process to other regulated professions they would always gasp and wonder how we got away with it. With the NDEB Equivalency Process we now have a strong defence against these accusations.

Having said that, *the* focus of the roundtable was foreign qualification recognition, the first step of which for the vast majority of professions is credential assessments. With the exception of the American and now Australian graduates, in dentistry everyone is funneled immediately into the Equivalency Process or two-year programs and not assessed or recognized based on a review of their documentation or original dental program.

Dentistry's short circuiting of the whole paper review process is I believe ahead of the curve but that also means outside the box and therefore not always understood. Eliminating the credentialing phase befuddles many but there is a growing recognition that paper reviews are pointless and that the focus should be on competency. Interestingly, in this tactic we are far closer to how the trades broach this subject than how other professions do, including many health professions.

Candidates and Government give a lot of time and money to organizations such as Australia's AEI-NOOSR's, "WES" (World Education Services and an official adviser for the Ontario government) and the Alberta government's "IQAS" (International Qualifications Assessment Service) amongst numerous other providers jumping on the bandwagon. For dentistry it is well-established that it is absolutely impossible to determine educational equivalency with a paper review. Clinical competency is a whole other matter. For candidates this "service" only creates animosity when regulators reject the "certification". For Government, immediate licensure based on paper reviews would be easy, cheap and solve a lot of their headaches. Not surprisingly then, both WES and IQAS are government favourites and both attended the roundtable (the politics and competition between the two was palpable).

When we are called into the HRSDC/CIC interviews and questioned as to why we don't do credentialing we need to loop back to why dentistry's approach is necessary, reasonable and justified as described in the report at Tab 4. While I hope this might be of some assistance I should also point out that this report has not yet been reviewed by Ontario's Fairness Commissioner and therefore we don't yet know what their reaction is. Regardless, we should maintain a united front and the fact we don't do credential assessments should be presented as a positive, creative, forward thinking process that actually expedites matters and any notion that it's a negative be discounted.

One other area of potential weakness is the aforementioned benchmark that requires the "communication of assessment results involving a clear explanation of the rationale for the decision". Examination bodies tend to provide "general areas of weakness" to candidates who fail examinations and not the actual sections or questions that were unsuccessfully answered. The reason given for this is usually to the effect that the 'integrity' of the examination must be maintained and that it's not as simplistic as just missing a few questions.

Candidates, however, are challenging this response more and more by lodging complaints and launching appeals before human rights tribunals, appeal Boards and the Courts demanding that they have a right to know exactly where they erred and how to correct it. Government tends to philosophically side with this position. Please note that in most cases, when CIC met with the first target groups they did not want third party providers to be part of those consultations. They view the Regulatory authorities as being fully responsible for what and how registration requirements are implemented including examinations.

#### **TRANSPARENCY**

- *Requirements for applying to a specific occupation, as well as the methods for assessment and criteria for recognition of foreign qualifications, are fully described, easy to understand, and widely accessible to immigrants.*
- *Where applicable, applicants are informed of all remaining options when full recognition does not initially occur.*

When it comes to "Transparency", between our individual websites and staff, the NDEB, CDAC, University websites and the information I developed for the CDRAF website I believe we can claim that dentistry's registration requirements are very transparent. The CDRAF web info is detailed and provides a broad scope of information. The NDEB website is easy to understand and openly describes the competencies that candidates will be measured against. Every question the NDEB



has used in its examinations appears on the website – you can't be more transparent than that. Whether it's the final NDEB examination or the various stages of the Equivalency Process, each step is well defined and the areas of assessment explained.

I recently attended an information session arranged by Ontario's "Access Centre", a creation of Ontario's Fairness Legislation. It arranged for 150 internationally trained dentists, who are at various stages of trying to qualify for licensure, to listen to and ask questions of the NDEB and the Dean's of the University of Toronto and the University of Western Ontario. A frequent angry complaint voiced was that they had been "recruited" by Canada Immigration and didn't understand why they were being made to suffer through the process of re-qualifying. In our discussions with government I think it is very important that we throw the issue of transparency back in the lap of our immigration officials rather than taking the blame, as our Deputy Minister said, for "breaking the social contract."

#### ***TIMELINESS***

- *The assessment and recognition of foreign qualifications, as well as the communication of assessment decisions, are carried out promptly and efficiently.*

Ms Prince-St-Amand told the roundtable participants that the FQR Framework's commitment "is that within one year, an individual will know whether their qualifications will be recognized, or be informed of the additional requirements necessary for registration, or be directed toward related occupations commensurate with their skills and experience." The assessment and recognition process begins when an individual presents required documentation to the regulatory authority. The commitment is met when a qualifications recognition decision is communicated to the applicant.

The Australians almost laughed when they heard the one-year timeline and were highly critical of it, believing that the process should be days or weeks. Ms Prince-St-Amand explained that currently there are individuals waiting years for this information and given the diversity and complexity of the assessment field not only between different trades and professions but within the same profession in different jurisdictions, CIC believes a one year timeframe to be reasonable. Australia of course has all the same challenges and I don't believe bought into the explanation.

In any case, I would say dentistry is meeting the benchmark. If you follow CIC's commitment, "that within one year, an individual will know whether their qualifications will be recognized", the NDEB's turnaround time for verifying credentials (not assessing) is one month and well below the set criterion. Taking examinations and completing programs does not fall into the one year timeline, it's basically just informing the candidate of whether he/she has "full recognition, no recognition or has partial recognition" and requires upgrading. The majority of our candidates have partial recognition and for those working their way through the Equivalency Process, all stages can be completed within nine months so even if we expand on the Framework's definitions we remain under the one year timeframe.

### **CONSISTENCY**

- *The methods for assessment and criteria used for determining recognition of qualifications for specific regulated occupations are mutually acceptable in each province and territory of Canada so that the results of the assessment processes are mutually recognized.*

"Consistency" is a requirement dentistry should get high marks for but also one we need to remain vigilant about. Despite AIT and its potential for 'reducing standards to the lowest common denominator', many professions continue to have disparate requirements, processes, attitudes and approaches across the country. It continues to frustrate government to the extent that it is a focus in the FQR Framework. Government expects that a pan-Canadian methodology respecting foreign qualification recognition, both profession specific and interprofessionally, to be developed. The fact that dentistry has had for many years national examinations, predominately the same requirements, a mutually recognized system of accreditation and qualification streams (two-year programs and NDEB Equivalency Process) serves as an example for others to emulate.

### **PREPARATION AND PRE-ARRIVAL SUPPORTS**

- *Immigrants are able to make contact with key stakeholders, including the appropriate regulatory authority, prior to their arrival in Canada.*
- *Improved availability and quality of assessment preparation and other early intervention support tools, including occupation specific self-assessment tools and reference and exam preparation materials.*
- *As early as possible in the immigration process, immigrants will have access to reliable and accurate information and assessment services.*
- *Immigrants are adequately informed of and prepared for the assessment requirements for registration in their chosen field.*

Notwithstanding our successes, there will continue to be challenges and pressures from government to improve and speed up migrant integration. "Pre-arrival supports" is an example of one. I doubt any of us have any difficulty with the first bullet and many probably receive international emails on a regular basis. I also respond weekly to email enquiries coming into the CDRAF. The NDEB has a "self-assessment tool" as part of the Equivalency Process and as mentioned a lot of information about the examinations, suggested text books and examination questions.

Where we fall down is in pre-arrival supports. When revealing the key players in Australia I talked about the role of VETASSESS and that one of their services was conducting offshore examinations for various trades and professions. I referenced the fact that the NDEB is reportedly resistant to the idea but they do recognize that we must keep pace with the rest of the world. My understanding is the NDEB will offer the Assessment of Fundamental Knowledge exam in England next year and possibly Hong Kong after that. We will most likely be asked our position on offshore testing when interviewed and we can now demonstrate that again dentistry is moving in the right direction. It's probably still worth having a conversation with Dr. Gerrow, and to a lesser degree the RCDC, to have a fuller understanding of the pros and cons of offshore testing in order to demonstrate to HRSDC/CIC that we're investigating the matter.

On a different front, the University of Western Ontario has a preparatory course for parts of the NDEB Equivalency Process, specifically the assessment of clinical skills and assessment of clinical knowledge phases. It is the only service of its kind in Canada and they claim a huge success with people flying in from all over the world to attend. Reportedly they're hitting a target audience that wants to test themselves on the likelihood of success before making the decision to immigrate. The course has steadily increased its number of modules and days to complete (now 9) and it's likely to get longer. The course is offered twice a year but will be offered three times in 2012 given its popularity. The \$5,000 price tag doesn't seem to be a barrier. The idea is sound and the kind of support (though not necessarily the price) that HRSDC/CIC is looking for so encouraging such courses in other provinces would be welcomed.

Another support that is not profession specific but one that has proved extremely useful to both potential migrants and individuals post migration (also loved by Fairness Commissioners) involves migrants being indoctrinated into the Canadian health care system. Ms Christine Nielsen, Executive Director, Canadian Society for Medical Laboratory Science explained that the course is actually not

profession specific and has been hailed as an excellent example of interprofessional collaboration. The course fulfills requirements for some professions (e.g. Physical Therapists), is officially recommended for other professions (e.g. Nursing, Occupational Therapists), is a pre-requisite for some bridging programs (e.g. Pharmacy) and several other professions recommend it as a support (e.g. med lab).

The course is designed to provide learners “with a deepened understanding of the Canadian health care system, what Canadian patients expect from their health care providers, and how to communicate with patients and caregivers. Participants have an opportunity to interact with other internationally educated health care professionals in a supportive learning environment.” Some of this information is touched upon in the qualifying/degree completion programs but I have heard concern from a variety of quarters that those coming through the Equivalency Process will not have the same benefits. The course is designed to be equally effective for those considering immigrating and can be completed offshore through the internet or in Canada at actual physical locations where there are additional benefits. It therefore also fulfills the expectations of the FQR Framework respecting pre-arrival supports. A 5-year pilot project has been funded by the Government of Canada and managed by the Association of Canadian Community Colleges (ACCC).

Accordingly, the CDRAF (and individual DRA's) might wish to consider even just referencing the course on our websites as a valuable resource. I believe the course can even be altered to be more profession specific if that is desired. I would be happy to investigate that option if you so instruct. I have appended at Tab 5 Ms Nielsen's PowerPoint presentation and a copy of the website information.

#### **BRIDGE-TO-LICENSURE**

- *Immigrants have access to information regarding the availability of training that responds to the identified gaps in qualifications.*
- *Immigrants are able to acquire relevant pieces of upgrading with minimal repetition of previously acquired training, where appropriate.*
- *Immigrants have access to information regarding career alternatives, where skills upgrading is not a viable option.*

In the round of interviews with the first group of targeted occupations, HRSDC & CIC have recognized that the last bullet, career counselling, is not the role of regulatory bodies. The first two bullets remain a challenge for dentistry. While great strides have been made in securing foreign trained recognition in tandem

with our duty to public safety (Qualifying programs/Equivalency Process), there are undoubtedly candidates who fail the Equivalency Process but don't necessarily require two-years of upgrading. In this scenario we do not meet the benchmark of offering immigrants the ability *to acquire relevant pieces of upgrading with minimal repetition of previously acquired training.*

I still believe dentistry's processes are eminently defensible but again we must be prepared for questions about tailoring upgrading to candidate's specific needs. While our schools offer the usual (and justified) reasons, namely a shortage of facilities and instructors, entrenched and archaic government funding pyramids, lack of efficient and reliable assessment tools and so forth, no one has actually said it would be impossible if the necessary supports and funding was available. Similar to the University of Western's preparatory course, this is a potentially profitable enterprise and the CDRAF might give consideration to investigating the possibilities with the Universities. I have no doubt it will be met with initial resistance but it's worth having the discussion and looking at whether CIC would assist with funding such a venture (Tab 6 – CIC project funding information).

CIC should be reminded of the skill atrophy that occurs when the facilities to assess or re-qualify candidates are not available. Funding both more seats in the qualifying/degree completion programs plus special projects such as those mentioned above would move candidates more quickly into the workforce and reduce the frustration if not outright anger many currently experience. In addition, an attitude if not institutional change must occur respecting student loans and other personal and family supports. I encounter on a weekly basis individuals who are willing and prepared to take qualifying examinations or initial IDAPP type programs but simply cannot afford to do so.

## **In Conclusion**

At the end of the Roundtable everyone agreed that it had been a highly informative and interesting adventure. One complaint was that it totally focused on the research and party lines of the participants. As one participant put it - "we often learn more from our mistakes". She then attempted to ferret out weaknesses in the new initiatives but all such questions were deflected. In the same vein, the original agenda had several breakout sessions planned where small groups could have more in-depth discussions and more direct answers. Regrettably due to time constraints, each day ended with the breakout sessions being cancelled in order to get through all of the booked speakers.

While the two countries mirror each other in numerous ways, the different approaches are more fascinating. Australia has moved away from the Human Capital model, consolidating and streamlining many processes, focusing on off-shore supports and recognition practices and an enormous current drive for centralization in education – TEQSA, and regulatory sectors – AHPRA.

Canada continues to put its faith in the Human Capital model and future adaptability of its immigrant population and has focused on the harmonization of policies and approaches. It's too soon to know whether Australia's sweeping centralizing legislation will be successful or have ramifications that are "out of balance and out of control" as some earlier, equally earnest, government interventions proved to be.

In the meantime, the Canadian government is impressed with Australia's accomplishments and after tasting success with the Federal Labour Mobility initiatives appear, to be blunt, to smell blood in the water. The *Pan-Canadian Framework for the Assessment and Recognition of Foreign Qualifications* is the Federal plan du jour for the moment but I fully expect to see an increasingly Australian approach informing Canadian policy. Cross-professions, we can anticipate greater demands for flexibility in credential recognition, for gap training, for pre-arrival assessments, for much higher English proficiency levels and pressure on Regulators to form national bodies or Federal pressures on the Premiers to support government mandated centralization.

There were references made during the roundtable about "skewed reciprocity" where certain Canadian occupations could be immediately licensed in Australia but the Australians coming to Canada would be only partially recognized. In this regard watch out for increased pressure for not just mutual recognition agreements but for more "permit to permit" recognition and not just with Australia – the European Union is still looming large on government's agenda. As happened with Labour Mobility here, concerns about migrants finding the easiest path to enter the country and thus lowering the standards for all will increase as you're forced not only to deal with inter-provincial variables but the political and trade agreements of other countries such as Australia's "Trans-Tasman Mutual Recognition Agreement" between New Zealand and Australia.

Dentistry, to reiterate, has an excellent foundation to build upon. Regulatory bodies recognized as being role leaders at the Roundtable and known here in Canada for their efforts include engineering, medicine, physiotherapy, accounting

and dentistry. Continued dialogue, mutual respect and forward thinking will keep us pro-active rather than re-active like many others.

Thank you for the opportunity to participate in this historic meeting. I would be pleased to provide further assistance at any future Canada/Australia Roundtable or to the CDRAF if it is invited (as I believe it will be in addition to the provincial DRA's) to the discussion table with HRSDC and CIC.

