

# **Trades Recognition Australia ASSESSMENT REVIEW POLICY**

June 2023

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## 1. Introduction

Trades Recognition Australia (TRA) is a skills assessment authority within the Australian Government Department of Employment and Workplace Relations. It is the skills assessing authority for 131 technical and trade occupations specified by the Australian Government Department of Home Affairs (<a href="https://www.homeaffairs.gov.au/">https://www.homeaffairs.gov.au/</a>).

TRA skills assessments are intended to ensure that a successful applicant can perform at the required skill level for their nominated occupation. They also provide an assurance to government and to the individual that their training and experience is relevant and appropriate for the Australian labour market.

## Purpose of a review

The purpose of the skills assessment review is to provide applicants with the opportunity to seek redress if they believe the accuracy of the skills assessment or the integrity of the decision-making process has not been met.

If an applicant receives a skills assessment outcome decision following a valid application for a skills assessment (original application) that they do not agree with, they can apply for an internal review of the decision (review application).

#### **Eligibility for review**

An applicant is eligible for a review of a skills assessment outcome of an original and valid application on payment of the applicable fee and submission of the request within the required timeframes.

Invalid applications are not eligible for a review as the application did not meet program eligibility guidelines and an outcome was not provided.

An application for review must be within the timeframe for each program (See Section 4).

#### Refund of review fees

An applicant is <u>eligible</u> for a refund of the review fee when a skills assessment outcome of the original application has been substituted with a favourable outcome as a result of the review application, where the review was conducted solely based on the evidence provided in the original application.

An applicant is <u>not eligible</u> for a refund of the review fee where the applicant provided additional evidence to be assessed in the review application that was not provided in the original application.

#### TRA in-house programs

TRA conducts in-house skills assessments for the following programs:

- Provisional Skills Assessment
- Job Ready Program
- Migration Skills Assessment

Migration Points Advice.

Applicants requesting a review of a skills assessment outcome under one these programs must apply directly to TRA.

The process for a review of a skills assessment outcome of an original application conducted by TRA's in-house programs is outlined in <u>Section 2</u>.

# TRA outsourced programs

TRA conducts outsourced skills assessments for the following programs:

- TSS Skills Assessment Program
- Offshore Skills Assessment Program.

Applicants requesting a review of a skills assessment outcome under one these programs must contact the TRA-approved Registered Training Organisation (RTO) that provided their original skills assessment outcome.

The process for a review of a skills assessment outcome of an original application conducted by an RTO through one of TRA's outsourced programs is outlined in <u>Section 3</u>.

# 2. TRA in-house programs reviews

- Provisional Skills Assessment
- Job Ready Program
- Migration Skills Assessment
- Migration Points Advice

# How to apply for a review

Review fees for TRA in-house programs must be paid online by Visa or MasterCard credit/debit card through the TRA Online Portal. See <u>Section 4</u> for fees.

#### Provisional Skills Assessment and the Job Ready Program

Applicants applying for a review of a skills assessment outcome of an original application for the Provisional Skills Assessment or the Job Ready Program must also complete a *TRA Assessment Review Request Form* and submit it to TRA via email at <a href="mailto:psaenquiries@dewr.gov,au">psaenquiries@dewr.gov,au</a> (for PSA), or <a href="mailto:jrpenquiries@dewr.gov.au">jrpenquiries@dewr.gov.au</a> (for JRP).

A TRA Assessment Review Request Form form is available on the TRA website under the Policy and Forms page.

## **Migration Skills Assessment**

An application for a review of a Migration Skills Assessment outcome of an original application is submitted through the TRA online portal.

#### **Migration Points Advice**

An application for a review of a Migration Points Advice outcome of an original application is submitted through the TRA online portal.

#### TRA in-house program review process

A review will be assessed by a different TRA officer to the officer who assessed the original application. The TRA review officer will consider:

- 1. evidence supplied in the original application
- evidence obtained by the original assessor as part of the original application's assessment
- 3. original assessor's opinion and reasons for that assessment
- 4. any additional evidence supplied or provided with the review application to support the original application
- 5. Any documents provided by the applicant as additional evidence will only be considered when:
  - a. the documents provided establish or support the applicant's eligibility for the skills assessment as at their original application date.
  - b. the documents submitted with the application for a skills assessment are defined in the TRA Assessment Standards Policy (Section 2.1) and in the relevant Program Applicant Guidelines.

The TRA review officer may undertake further verification of the documents provided in the original application.

The applicant will be notified of the outcome of the review application by letter.

Applicants, who wish to proceed with a further skills assessment following an unsuccessful outcome of a review application, must lodge a new original application for skills assessment.

A new application can be lodged at any time through the TRA Online Portal.

# 3. TRA outsourced programs reviews

- TSS Skills Assessment Program
- Offshore Skills Assessment Program

# How to apply for a review

To request a review of a skills assessment outcome under one of these programs, applicants must contact the TRA-approved RTO that provided their original skills assessment outcome to advise of their intention to seek a review and to obtain the relevant fee code to use for the TRA Online Portal.

Review fees must be paid online by Visa or MasterCard credit/debit card through the TRA Online Portal. See Section 4 for fees.

## TRA outsourced program review process

Under their deeds of service, TRA-approved RTOs must have a review process for a skills assessment outcome of an original application.

The TRA-approved RTO will assign a review officer to conduct the review when it has confirmation that the applicant's review fee has been received.

The review will be assessed by a different officer to the officer who provided the recommendation for original skills assessment outcome:

- in the case of a review of a Documentary Evidence Assessment the RTO will complete a review of the documents originally supplied by the applicant in support of their application for a Skills Assessment plus any additional documentary evidence
- in the case of a review of a Technical Assessment the RTO will complete a review of the original technical assessment decision. This includes information provided in the original application for the Technical Interview and Practical Assessment (if a Practical Assessment was undertaken).

The applicant will be notified of the outcome of the review application by letter.

#### **Additional Information**

Under these programs, applicants may apply for reassessment following the completion of additional training to address skills gaps identified in the initial assessment process. Applicants are eligible for reassessment for up to 12 months after they received their initial assessment outcome. See sections 2.6 – 2.7 of the Offshore Skills Assessment or TSS Skills Assessment Program guidelines for more information including fees.

# 4. Review fees, timeframes and refunds

#### Table 1: Review timeframes and fees

Fees for reviews, as listed below, are made under sub regulation 5.40(1) of the Migration Regulations 1994 (see: Migration (Fees for assessment of qualifications and experience) Instrument (LIN 23/002) 2023 ). Note that the review for of Job Ready Final Assessment under the Job Ready is not reflected in this instrument as it has no fee.

TRA in-house programs	A review must be requested within	Review fees
	the following days of the outcome of the original application:	(AUD)
Job Ready Program Registration	45 days from the date of the	
and Eligibility/Provisional Skills	assessment outcome letter	\$130
Assessment		
Job Ready Program	45 days from the date of the final	
Job Ready Final Assessment	assessment outcome letter	No fee
Migration Points Advice	90 days from the date of the	6275
	assessment outcome letter	\$375
Migration Skills Assessment	90 days from the date of the	
Wigiation Skins Assessment	assessment outcome letter	\$610
	assessment outcome letter	
TRA outsourced programs:	A review must be requested within:	Review fees
TRA outsourced programs:  TSS Skills Assessment & Offshore	A review must be requested within:	Review fees (AUD)
	A review must be requested within:	
TSS Skills Assessment & Offshore Skills Assessment Programs	A review must be requested within: seven business days from the date of	
TSS Skills Assessment & Offshore		(AUD)
TSS Skills Assessment & Offshore Skills Assessment Programs  Documentary Evidence	seven business days from the date of	(AUD)
TSS Skills Assessment & Offshore Skills Assessment Programs	seven business days from the date of the assessment outcome letter	(AUD) \$700
TSS Skills Assessment & Offshore Skills Assessment Programs  Documentary Evidence  Technical Interview - Pathway 1	seven business days from the date of the assessment outcome letter seven business days from the date of	(AUD) \$700
TSS Skills Assessment & Offshore Skills Assessment Programs  Documentary Evidence	seven business days from the date of the assessment outcome letter seven business days from the date of the assessment outcome letter	\$700 \$700
TSS Skills Assessment & Offshore Skills Assessment Programs  Documentary Evidence  Technical Interview - Pathway 1  Technical Interview - Pathway 2	seven business days from the date of the assessment outcome letter  seven business days from the date of the assessment outcome letter  seven business days from the date of	\$700 \$700
TSS Skills Assessment & Offshore Skills Assessment Programs  Documentary Evidence  Technical Interview - Pathway 1	seven business days from the date of the assessment outcome letter  seven business days from the date of the assessment outcome letter  seven business days from the date of the assessment outcome letter	\$700 \$700 \$700

# 5. Document Particulars

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The document must be attributed as the Trades Recognition Australia Assessment Review Policy.

# **Document change history**

Version	Date published	Authors	Summary of change	Authorised by
1.0 to 10.0	From April 2011 to March 2015	TRA	Previous document reviews Details of previous changes can be located at version 10.0 saved at HPE Content Manager ED11/017630	Various Branch Managers
11.0	April 2017	TRA	General document review and removal of ability to provide new evidence with a review	Anne Flynn, A/g Branch Manager, Foundation Skills and TRA
12.0	June 2017	TRA	Removal of references to the Optional Skills Assessment Service	Anne Flynn, A/g Branch Manager, Foundation Skills and TRA
13.0	April 2018	TRA	Update information to reflect the new Department of Home Affairs (formerly the Department of Immigration and Border Protection). Change program name to reflect abolition of the Temporary Work (Skilled) visa (subclass 457) and the introduction of the Temporary Skill Shortage (TSS) visa.	Kevin Brahim, Branch Manager, State Network and TRA
14.0	March 2021	TRA	General document review, reinstatement of ability to provide new evidence with a review (in line with Immigration Regulations) and removal of reference to TRS.	Jane Hayden, Assistant Secretary, Trades Recognition Australia
15.0	January 2022	TRA	Updated link to Migration Instrument (LIN 21/023) 2021)	Jane Hayden, Assistant Secretary, Trades Recognition Australia

Version	Date published	Authors	Summary of change	Authorised by
16.0	February 2022	TRA	Updated fee table.	Jane Hayden, Assistant Secretary, Trades Recognition Australia
17.0	July 2022	TRA	Updates to reflect the recent Government changes including department name and brand changes as TRA transitions to the new Department of Employment and Workplace Relations.	Jane Hayden Assistant Secretary Trades Recognition Australia
18.0	June 2023	TRA	Updates to reflect review eligibility, distinction between the PSA and JRP programs, and updated review fees.	Jennifer Roberts, Acting Assistant Secretary Trades Recognition Australia