



# Review of the effectiveness of the operations of the Jobs and Skills Australia Act 2022

Skills Insight Jobs and Skills Council

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Skills  
Insight

Skills Insight acknowledges that First Nations peoples have been living on and caring for Country for thousands of years. This is respected in our values and the way we work.



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## Acknowledgement of use

This response may be published or cited by JSA with attribution.

We agree to the JSA guidelines and policies related to this consultation.

Skills Insight is available for further consultation and remains committed to supporting JSA in fulfilling its functions.

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# Jobs and Skills Australia Act Legislative Review Response

## Overview

Skills Insight welcomes the opportunity to provide a submission into the review of the *Jobs and Skills Act 2022* (the Act). Jobs and Skills Australia (JSA) performs a valuable role in the Australian jobs and skills system, improving available workforce data and providing researched insights into key economic areas. The *Jobs and Skills Australia Act 2022* has been an appropriate and effective foundation for JSA's operations.

Skills Insight works with stakeholders across diverse sectors that collectively contribute significantly to Australia's economic prosperity, employment landscape, productivity gains and social wellbeing. They span more than 70 sectors across agribusiness, fibre, furnishing, food, animal and environment care industries. Together, these industries generate \$245 billion in annual revenue, contribute \$55 billion in exports, and employ more than 585,000 people.

They are committed to protecting Australia's \$6.5 trillion in environmental assets and are responsible for managing 55% of Australia's land. Through skills in biosecurity, ecosystem management and animal health and welfare, they sustain Australia's flora and fauna, and farm production while supporting the nation's transition to net zero.

These industries are the backbone of regional and rural economies, with 55% of the workforce living in regional, rural and remote Australia. They play a vital role in Closing the Gap by providing culturally appropriate employment opportunities in First Nations communities. They also underpin the nation's food security, produce essential clothing, furnishings and construction materials, and are foundational to wider economic activity and supply chains.

Through these stakeholders, Skills Insight provides insights reflecting millions of jobs, substantial GDP contributions, and critical social infrastructure supporting workforce participation, regional development, and national resilience.

While Skills Insight does not identify the need for major legislative change, this submission identifies areas where JSA's operations, under the Act, could be strengthened to better achieve the tripartite, collaborative and evidence-based objectives envisaged by Parliament. The review provides an opportunity to consider whether adjustments to operations (and potentially legislative refinements) could better reflect the key goals of JSA's work and enhance its impact across the sectors our stakeholders represent.

## JSA functions under the Act

The functions of JSA as defined by the Act are generally suitable and have operated effectively to describe the work of JSA.

Prior to its establishment, Skills Insight suggested the following principles should be considered in defining the functions of JSA:

- acting primarily as a tripartite, leading advisory body across the whole skills system
- ensuring that Skills Ministers have access to the evidence-base and diversity of viewpoints to make policy and priority decisions
- operating through networks, ensuring it is able to harness existing capacity without duplication
- creating an environment of trust and respect with focus on shared visions and broad social and economic benefits
- taking framework approaches which allow diversity of solutions
- working collaboratively to minimise duplication
- playing an active role in the coordination across federal state and territory systems.

These principles are largely covered by the Act's provisions. However, in several operational areas discussed below, Skills Insight has identified (through engagement with stakeholders) opportunities for JSA to take greater advantage of the flexibility and adaptability the Act provides, particularly regarding operating through existing networks and collaborative consultation models.

### Addressing access

The review should consider including a specific statement within the Act concerning the foundations of the jobs and skills system. The Australian Government Employment White Paper (2023) suggests that this foundation is the opportunity for equitable access to the fundamental rights of education, training and sustained and inclusive employment.

In March 2025, the Skills Insight JSC Stakeholder Forum noted:

*“Equitable access to VET: Industry-specific formal training is not available in much of regional, rural and remote (RRR) Australia and there are further barriers to priority cohorts’ participation. These needs are focus areas for significant improvement.”*

Although this is implied throughout the Act, a specific statement would serve as a reminder that JSA and other bodies must consider equitable access, especially for regional, rural and remote Australia (RRR) and priority cohorts. As one stakeholder noted in Skills Insight research:

*“High quality training delivery has significant benefits for learners, employers, industry and the wider economy, but VET’s complexity has given rise to inefficiencies and inequitable access.”*

This is particularly important given the sectors Skills Insight represents employ significant workforces in regional and remote areas where skills development and access to training face unique challenges.

## **Providing guidance on systemic decision-making**

The review should consider whether JSA needs a clearer statutory role to provide guidance on how decisions can be made systemically and the consequences of failing to consider system-wide impacts. The Australian jobs and skills system is complex which needs to be considered when making decisions.

For example, stakeholders have highlighted that decision-making should include considerations of worker safety and the risk profiles of industry when determining whether formal training is required, even where there are currently low enrolments in programs. Skills Insight stakeholders in high-risk industries emphasise that workforce data analysis must be integrated with safety, compliance and quality considerations, not viewed in isolation.

The Skills Insight research report, *Exploring Training Demand and Supply Challenges* identifies data that should impact on decision-making in detail<sup>1</sup>.

This systemic approach supports both productivity outcomes and the social contribution of a safe, skilled workforce.

## **JSA as the primary source of workforce data**

The review should also consider whether JSA should be explicitly identified as having primary responsibility for the collation and use of workforce data. Currently, responsibility can be unclear. While ABS produces OSCA data and assigns nominal skill levels, the ABS has a far wider focus than workforce data and the ABS-determined nominal skill levels are not aligned to other important classifications used by industry and the VET sector, most notably the occupational skills standards listed in the National Training Register.

JSA should have the primary statutory role of deciding how workforce data will be used for decisions being made directly relating to the jobs and skills system, as well as developing additional workforce data. The scope of system where JSA would have the primary role is well described in the overview of the jobs and skills system,

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<sup>1</sup> <https://skillsinsight.com.au/project/exploring-training-demand-supply-challenges/> especially Appendix 3

stakeholders and policies in the *JSA Jobs and Skills Roadmap for Regional Australia Phase 1 Report* (Figure 5, p23).

This would also apply to skills shortages lists, job classifications, occupation and apprenticeship priority lists, and similar strategic uses.

## Effectiveness of Operations under the Act

### Quality

JSA has consistently delivered high quality outcomes and have improved the availability and quality of workforce data. JSA has identified gaps in the data and taken steps to address the data that they produce within the reasonable use of available resources. The detailed analysis and use of intersectionality have helped improve the use and understanding of data.

In studies and reports, the use of available qualitative data to help explain quantitative data is also improving. However, this is an area where continued improvement is important, particularly for sectors where workforce contributions (especially economic, social and productivity impacts) cannot be fully captured through quantitative metrics alone. The Act does not constrain the use of qualitative data, and this operational improvement aligns with the tripartite, consultative functions envisaged under section 10 of the Act.

In particular, the JSC accessible version of the Jobs and Skills Atlas has proved to be very useful and continually improving, supporting Skills Insight and our stakeholders' capacity to understand workforce trends across their sectors.

### Impact

Skills Insight regularly uses the data produced and collated by JSA. A full list of the JSA products reviewed and used by Skills Insight is included in Appendix 1. This data is used extensively in the development of the Workforce Plan, to inform research and to provide guidance for Skills Insight activities.

An area of potential improvement is the follow-up of recommendations from studies and reports where they fall within the functions of JSA. For example, in *An Essential Ingredient - the Food Supply Chain Workforce*<sup>2</sup>, Recommendations 10 and 41 relate directly to improvement of workforce data. JSA has the authority under the Act to play a direct facilitation role in implementing each of these recommendations.

Recommendation 41 in particular is important, given the considerable difficulties and gaps in the quantitative data outlined in the report, which need to be addressed for

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<sup>2</sup> <https://www.jobsandskills.gov.au/publications/essential-ingredient-food-supply-chain-workforce>

the industries in the food supply chain, including data related to labour hire, seasonal and casual work, and services from the gig economy.

## **Performance and reporting**

Skills Insight considers that the reporting requirements, performance metrics and transparency provisions in the Act are appropriate. However, operational implementation has created challenges. The deadlines provided for consultation are regularly too short and unrealistic for JSCs to respond with the rigour needed, particularly obtaining key stakeholder input based on industry experience. More realistic deadlines would improve the quality of studies, consultation reports and evidence-gathering.

Tight deadlines may have impacted JSA's ability to utilise existing networks and work more collaboratively, as envisaged under section 9 of the Act and the Minister's expectations. This has flow-on effects for the quality of intelligence JSA gathers, particularly regarding the economic, social and productivity contributions of industries.

## **JSA's stakeholder model**

The Act provides sufficient flexibility and adaptability for JSA to operate effectively and to minimise duplication and consultation fatigue. However, JSA is not utilising these provisions as effectively as intended. In particular, as detailed in other parts of this submission, JSA are not working through JSCs and collaboratively on consultations with stakeholders, utilising the existing networks of JSCs, or providing enough time for JSCs to provide stakeholder contributions.

Consultation fatigue can set in when stakeholders perceive that:

- they are being asked to spend too much time contributing to consultations by others rather than their core operations
- there are too many overlapping and duplicative consultations, especially where related organisations lack coordination
- consultations achieve limited results (“reports sitting on the shelf gathering dust”)
- resource implications of consultation become too great.

This is particularly concerning for Skills Insight stakeholders. Time diverted to multiple, overlapping consultations reduces their capacity to focus on productivity, innovation, and the employment and training outcomes JSA seeks to support.

## The Minister's expectations

Following extensive consultation, the initial Bill was changed by the 2023 Amendment Bill. In particular, the Explanatory Memorandum noted in relation to section 9 that:

*"Jobs and Skills Australia will consult with Jobs and Skills Councils to strengthen tripartite input into the national evidence base and to facilitate the Jobs and Skills Councils' role in determining sectoral workforce needs, defining job roles, mapping pathways, and developing fit-for purpose qualifications and micro-credentials."*

In the Minister's second reading speech, he stated:

*"As part of its functions, JSA will regularly contribute to industry consultation forums, to strengthen the national evidence base and industry-specific expertise. This function specifically includes collaborating with jobs and skills councils to help facilitate their role in defining jobs roles, mapping pathways, determining sectoral workforce needs, and developing fit for purpose qualifications and microcredentials."*

Further, the Minister explicitly stated:

*"I expect JSA will establish a subcommittee devoted to collaboration with jobs and skills councils."*

These provisions and Parliamentary expectations reflect recognition that JSCs maintain deep relationships with the sectors that drive Australia's economic performance, job creation and social outcomes, which are not being fully realised. For example, JSA held a forum on the North Australian workforce in Cairns, in conjunction with the Developing Northern Australia Conference, but did not invite (or provided extremely late notifications) JSCs, who were also in Cairns to conduct a workshop to assist with the development of a proposed Northern Australia Workforce Plan.

Full implementation of section 9 would leverage these relationships more effectively.

## Working collaboratively with JSCs on consultations

In the initial submission made on the Act, Skills Insight's predecessor organisation emphasised:

*"This question is based on a design which emphasises the need for JSA to be a service provider and consulting directly with stakeholders rather than a collaborative body working with other bodies that already consult with stakeholders. Given the existing structures in the Australian Skills System, JSA should rarely, if ever, have to build engagement for major studies, as most of these can be undertaken within other parts of the Skills System and brought together by JSA. Engaging with a number of different partners in the skills system to deliver each of these studies will result in diversity of views and better outcomes."*

*"The time and resources for stakeholders to engage with the skills system is limited, given that the primary purpose of industry is the productivity, economic development*

*and growth that underlies jobs and skills. If JSA implements an additional engagement burden on industry and other stakeholders, this will further dilute industry intelligence outcomes gathered by Jobs and Skills Councils, which we hope will become the key industry networks that JSA relies upon.*

*“There are established national, state and territory bodies with this direct remit - to undertake broad-based engagement of skills and industry stakeholders. Central to these systems are the Jobs and Skills Councils and the state and territory Industry Training Advisory Bodies. There are other bodies established to undertake engagement for research purposes, including NCVER, CRCs and RDCs.*

Following this and submissions made by other organisations, amendments were proposed and the Explanatory Memorandum and Second Reading Speech included the quotes above.

Skills Insight was able to collaborate reasonably closely with JSA during the food supply chain capacity study, but the level of collaboration has reduced since that time. Skills Insight stakeholders have expressed concern about the amount of in-kind time and resources that they are allocating to the immense range of consultations that take place, and the effectiveness and outcomes achieved. This is leading to reports of consultation fatigue across the work of both JSA and the Jobs and Skills Councils.

This undermines the capacity of sectors, which make substantial contributions to employment, economic output and productivity, to engage effectively with the skills system. The Act provides JSA with the flexibility to address this through collaborative consultation models, but these provisions are underutilised

Skills Insight maintains the view that JSA should utilise the growing expertise and relationships of the JSCs by taking a network approach to consultation, utilising the available services of the JSCs. This may include consultations being co-designed and organised by JSCs, attendance by JSCs at JSA events, and joint consultation processes that reduce duplication.

## **Greater data transparency & education**

Stakeholders are directly impacted by the various priority and shortage lists developed by JSA and other bodies. It is important for stakeholders to understand what data is used and how it is analysed.

As reported in the Skills Insight Workforce Plan 2024 (p25), growing markets such as animal grooming and allied health services remain under-represented in ANZSIC and ANZSCO, leading to limited available workforce data. ‘Veterinary services’ is the only defined ANZSIC class for animal care and management sectors, (apart from Zoological and Botanical Gardens Operation, which is classified in another sector) despite there being various established and emerging industry sectors, especially for animal services, such as grooming and physiotherapy, and pet product retailers. Most of these markets - and their value - continue to be hidden from standard government

and market analyses. This impact is particularly important for companion (\$2billion+ industry) and assistance animal (important community service) sectors.

Native forestry is not separated from plantation forestry in ANZSIC – both are under ‘forestry’ – but disaggregated data is required for workforce planning strategies to address the phasing out of native forestry in Western Australian and Victoria and the need to support displaced workers.

In the Occupation Shortage List (OSL), occupations will often be reported as “not in shortage” when there is no current quantitative evidence of shortage, which would be more accurately reported as “no evidence”. Another example is the use of the Survey of Employers who have Recently Advertised (SERA) data, which stakeholders do not see.

As far as possible, data use and analysis should be visible and transparent for stakeholders so that they can contribute more accurately to the work of JSA.

Publishing qualitative stakeholder inputs to consultations (such as for the OSL and SERA) would also support the work of JSCs and other bodies, both to supplement the available evidence base and to identify issues for further investigation. This transparency would enable sectors to better understand how their economic, social and productivity contributions are reflected in workforce data and policy priorities.

## **JSA operating model**

The Jobs and Skills Act has sufficient powers to enable JSA to be proactive and responsive. However, JSA may not be utilising these powers to full advantage, particularly regarding collaborative models and diverse resourcing.

### **JSC position in structure and governance**

Skills insight is unsure whether the Minister’s expectations of a sub-committee with the JSCs has really been implemented in a practical and outcome-focused manner. While JSA regularly attends the JSC CEO meetings, this appears to operate more as an information provision exercise by JSA, rather than a collaborative group working together to assist achievement of outcomes under the Act.

Stronger implementation of the collaborative model envisaged under section 9 would enable JSA to better access sectoral intelligence regarding workforce contributions, skills needs, and productivity opportunities across the industries represented by Skills Insight stakeholders.

### **Resourcing**

The original staffing proposal was amended in the 2023 Amendment Bill to allow JSA to seek staff from outside the Department of Employment and Workplace Relations (DEWR), including from other federal, state and territory departments and bodies.

This amendment followed submissions recognising that much of the skills system operates within state and territory government control, and that industries work with various departments on strategies, policies and regulations.

Most of the staffing of JSA appears to now sit within DEWR. Skills Insight would like to see JSA take greater advantage of the opportunities available for more diverse staffing. This could include secondments from industry, JSCs, state-based industry advisory organisations and State governments. Such diversity would strengthen JSA's capacity to understand the economic, workforce and productivity dynamics of the sectors Skills Insight represents.

## **The Ministerial Advisory Board**

Skills Insight and stakeholders have little insight and visibility of the operation of the Ministerial Advisory Board, and so cannot comment on its effectiveness. Greater visibility of its role and operations would be helpful to stakeholders. The creation of this body may have impacted on the available resources to work with the JSCs. Greater involvement or membership of a JSC representative should be considered.

## **Conclusion**

While minor adjustments could be made to the Act, major legislative changes are not necessary. JSA has been able to establish itself and produce high quality work within its statutory functions under the Act.

The key opportunities for improvement lie in operational implementation of the Act's existing provisions, particularly:

- Section 9 and collaborative consultation with JSCs
- greater utilisation of the flexibility and adaptability the Act provides
- stronger implementation of the network-based, tripartite model envisaged by the Minister
- enhanced data transparency to support stakeholder engagement
- more diverse staffing arrangements as enabled by the Act
- clearer follow-through on implementation of recommendations within JSA's functions.

These improvements would strengthen JSA's capacity to understand and respond to the workforce needs, economic contributions, productivity opportunities and social impacts of the diverse sectors represented by Skills Insight and other JSCs. They would also support the tripartite, collaborative and evidence-based approach that is the foundation of the Act.

# Appendix 1: JSA data, dashboards, tools and publications reviewed and used by Skills Insight

The following data, dashboards and tools published on JSA's website have been used extensively by Skills Insight to inform our identification of industry trends and support insights:

- Occupation Shortage List
- Employment Projections
- VET National Data Asset
- Jobs and Skills Atlas
- Occupation and Industry Profiles
- Labour Force Trending
- Nowcast of Employment by Region and Occupation (NERO)
- Internet Vacancy Index
- Recruitment Experiences and Outlook Survey
- Regional Labour Market Indicator
- National Skills Classification (to be replaced by National Skills Taxonomy)
- VET Qualification Similarity Analysis
- Occupational Gender Pay Gap Dashboard

In addition to these data products, Skills Insight have utilised the data and insights published by JSA in reports and consultation papers, including:

- An Essential Ingredient: The Food Supply Chain Workforce
- Jobs and Skills Roadmap for Regional Australia - Phase 1
- First Nations People Workforce Analysis
- Clean Energy Capacity Study
- Foundation Skills Discussion Paper
- VET Workforce Study 2024
- New Perspectives on Old Problems: Gendered Jobs, Work and Pay
- Education and training divides - Gendered skills, pathways and outcomes
- Opportunity and Productivity: Towards a Tertiary Harmonisation Roadmap
- 2024 Core Skills Occupations List - Key Findings Report

- Jobs and Skills Report 2024
- Strong and Responsive VET Pathways
- RTO Typology
- Data on Occupation Mobility: Unpacking Workers Movements
- Towards a National Jobs and Skills Roadmap