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## **AUSTRALIAN SYMPHONY ORCHESTRAS' RESPONSE TO DRAFT CORE SKILLS OCCUPATIONS LIST (CSOL)**

### **1. PREAMBLE**

Symphony Services Australia ("SSA") provides a range of services to Australia's six symphony orchestras (the Adelaide, Melbourne, Queensland, Sydney, Tasmanian and West Australian Symphony Orchestras). In addition, we also support other orchestras in Australia and the region. Where efficiencies can be made by working together (for instance when bringing international guest artists to Australia for concert tours), SSA acts on the orchestras' behalf. This submission is made by SSA on behalf of the six symphony orchestras.

The orchestras currently employ a very small number of orchestral musicians and senior arts administrators from countries other than Australia, where the orchestras' recruitment exercises are unable to identify suitable Australians to fill those vacancies. In 2022 SSA's member orchestras directly employed 2,496 people (including 1,975 artists) with thousands more employed indirectly across allied industries. 777 people are engaged as permanent full-time or part-time employees, of whom just 16 individuals are not Australian citizens.

The number of non-Australian artists and artworkers would be considerably larger if the entire performing arts sector was taken into consideration, however SSA's data only extends to our six member orchestras. We support the submission being made by Live Performance Australia (LPA) which contains data on a broader base than ours. But despite the small numbers being referred to in this submission, the importance of those individual roles cannot be overstated.

### **2. THE ISSUE**

Orchestras are a highly specialised workplace. Roles for musicians and senior arts administrators are specific and require the highest level of skill to maintain the professional reputation of the orchestra, domestically and internationally. While local recruitment is always the first preference, there are limitations on the number of locals who have the skills and experience to fill each particular role at any one time.

A local recruitment process is always held either prior to, or concurrent with, the international process. International candidates are only appointed after local options have been exhausted. There is no possibility of the number of international employees ballooning or getting out of control.

In the infrequent cases where international candidates are appointed to a position in an Australian orchestra, they are offered either a permanent position or a long contract to provide the stability the orchestra needs in order to operate at the highest level and to match the long planning cycles of the orchestra (artistic planning begins approximately 3-4 years in advance of each concert season). This

also provides the candidate with a reasonable incentive to leave an existing stable position in Europe, the UK, USA or other country and move to Australia.

In 2017 when 457 visas were abolished, four relevant job codes were placed on the Short Term Skilled Occupation List (STSOL). This jeopardized the orchestras' ability to recruit appropriately and SSA, LPA and other industry leaders advocated strongly for those codes to instead be placed on the Medium- and Long-Term Strategic Skill List (MLTSSL). After thorough consideration and much discussion, the relevant codes were all placed on the MLTSSL which provided the opportunity for a pathway to permanent residency for the small number of relevant job candidates that were affected.

We now find that one of the most important codes (*Musician – Instrumental*, job code 211213) and a number of other relevant job codes have been placed on the Draft CSOL Confident Off and Draft SCOL Targeted For Consultation lists. This is of grave concern to us, and we ask that you move these codes to the Draft CSOL Confident On list. This will potentially allow the Australian orchestras to continue employing a very small number of international employees when there are no appropriate local candidates.

### **3. RELEVANT JOB CODES**

<b>Job Code</b>	<b>Description</b>	<b>Current CSOL list</b>	<b>Requested action</b>
111111	Chief Executive officer or Managing Director	Confident On	No change
139911	Arts Administrator or Manager	Confident On	No change
211211	Composer	Confident Off	Move to Confident On
211212	Music Director	Target for Consult	Move to Confident On
211213	Musician (Instrumental)	Confident Off	Move to Confident On
211214	Singer	Confident Off	Move to Confident On
211299	Music Professionals NEC	Confident Off	Move to Confident On
399515	Musical Instrument Maker or Repairer	Confident Off	Move to Confident On
399599	Performing Arts Technicians NEC	Target for Consult	Move to Confident On

Of these codes, the two that are of most importance to our member orchestras are 139911 (*Arts Administrator or Manager*) which we are pleased is on the Confident On list and to which we require no change, and 211213 (*Musician, Instrumental*) which is of vital importance and is currently on the Confident Off list. Other job codes are used less frequently but still valuable to our members. We would like to see the entire list of job codes above included on the Confident On list. Further information on these codes and our request can be found below.

### **4. DETAILED INFORMATION ABOUT RELEVANT JOB CODES**

#### **4.1 Crucial roles on the Confident Off list**

##### *Musician, Instrumental (211213)*

Orchestral musicians are employed in a variety of roles, some in leadership positions (Concertmaster, Co-concertmaster, section leaders and principal players) and others in "rank and file" or "tutti" positions. Concertmasters are generally employed on an individual fixed-term contract and do not fall under the Enterprise Bargaining Agreement that applies to all other members of the orchestra.

### Current employment process

Symphony orchestras are truly globalised businesses, with each orchestra continuously striving for internationally recognised artistic excellence and reputation. To ensure their artistic aspirations are met, Australian orchestras recruit only the best musicians to vacant positions through a rigorous and lengthy audition and trial process of peer review and assessment. Only musicians of outstanding musical excellence are offered a permanent position in one of our orchestras. If successful at audition and trial, a musician will be offered a tenured position in the orchestra. Where a musician fails to exhibit the highest artistic standards they will not pass the lengthy trial period and proceed to tenure.

Each of the Australian orchestras is committed to supporting Australian and New Zealand musicians by restricting their initial rounds of audition to Australian and New Zealand (“local”) musicians only. It is only when a local musician cannot be identified at audition and/or does not pass the trial period that the audition process is opened up to international applicants. When this occurs, generally after two local rounds have been held, the process is opened to local and international musicians concurrently.

Under the current visa requirements for 408, 482 and 858 visas, an international musician who is offered a permanent position in one of our orchestras can, subject to immigration requirements, commit themselves and their families to making a lasting contribution to Australia’s artistic and community life. Many have committed to the orchestra and gone on to apply for permanent residency and then citizenship.

These leadership roles are not unskilled labour positions, rather they are highly skilled roles at the upper end of a musician’s capability. They require the highest standard of musician who is not only a master of their own instrument, but is a fine soloist, an expert ensemble player and has the leadership skills to lead, direct and manage the rank and file musicians in their section and in some instances the entire orchestra. As any recruiter would attest, when the right person is found they need to be retained, as orchestral recruitment is a lengthy, resource intensive and costly process – more so than a normal employee recruitment process.

### Why do orchestras need international players?

Unlike some industries, roles within a symphony orchestra are highly skilled and specific (eg a flautist cannot fill a role as a cellist). Leadership roles such as Concertmaster and section principals require skills that may not yet be developed by younger or less experienced musicians. If the right person isn’t identified through the local audition process, the global market generally provides a pool of appropriately qualified applicants who are willing to come to Australia, often bringing their family with them for an extended period of time or even permanently. To maintain their excellence, orchestras tend to be highly stable with low turnover and a strong commitment to the artistic goals of the company.

Truly excellent orchestras inspire their musicians (whether Australian or international) through ensuring they work with the best guest artists, conductors and orchestral colleagues. If Australian orchestras are unable to attract the best musicians they will struggle to attract the best guest soloists and conductors, who ensure we continue to offer musical excellence in Australia, which in turn enhances our reputation on the world stage.

The current artistic standards of Australian orchestras are such that we attract the highest calibre of artists. Australian audiences, corporate sponsors, donors and government funding agencies expect a high-quality concert experience in return for their support, which helps the orchestras remain financially viable in the face of static government funding. This quality will decline if the orchestras are unable to attract international musicians to roles when there are no appropriate local candidates.

### The new system

Most non-Australian employees working in Australian symphony orchestras are here on 408 Temporary Activity visas, which can provide a potential pathway to permanent residency via a skills assessment and various other criteria. However from time to time, this pathway is not appropriate for an applicant and we instead use either an 858 (Distinguished Talent) visa or the Temporary Skill Shortage visa subclass 482, which we understand will be replaced by the end of 2024 with the new Core Skills pathway for employees earning between \$70,000 and \$135,000 per annum. The majority of roles we would fill from overseas would fall within these salary parameters.

The job code *Musician (Instrumental)* (211213) has been placed on the CSOL Confident Off list, which could mean we unable to offer a pathway to permanent residency. An international musician successful at audition and trial would then be unlikely to accept a permanent position in the orchestra. International musicians will not be attracted to working with Australian orchestras if we cannot offer a reasonable expectation of a pathway to permanent residency.

An international musician will usually accept a position in an Australian orchestra at the expense of resigning from a permanent position with an overseas orchestra. Not only will an international musician forfeit that permanent position in order to accept the Australian offer, but they also will forfeit their ability to take on regular additional work with other orchestras in the Northern Hemisphere. It is common for tenured players in the Northern Hemisphere to undertake such additional work, which adds to their reputation and fee earning capacity.

The reality of our geography means that international musicians commit solely to their Australian orchestra and Australia's musical life when they accept a position with one of our orchestras, as it is generally impossible for them to accept short term offers of work overseas whilst playing with us. Without the ability to offer tenure and a secure position in Australia, the end result will be a negative impact on the artistic quality and standards of our Australian orchestras.

**Recommendation I:** Move *Musician (Instrumental)* (211213) from CSOL Confident Off list to CSOL Confident On list as a first priority.

### **4.2 Other relevant roles on the Confident Off list**

*Composer* (211211), *Singer* (211214), *Music Professionals NEC* (211299), *Musical Instrument Maker or Repairer* (399515)

Although these job codes are less frequently used by our member orchestras, they are nevertheless important and require similar skill levels to those outlined above for *Musician (Instrumental)*. We particularly draw your attention to SSA's December 2023 submission to ANZSCO's Comprehensive Consultation and our response in February 2024 to the Jobs & Skills Australia Skills Priority List survey, both submitted on behalf of our member orchestras. In each of these submissions we outlined in detail the need for *Piano Tuner & Technician* to be separately listed as an occupation title within Unit Group 3995, *Performing Arts Technicians*. To do that, we asked that it be disaggregated from the Occupation Title 399515 *Instrument Makers & Repairers*. We further noted that the vital profession of Piano Tuners and Technicians is at risk because statistics about its skills shortage are not visible, as it is currently aggregated within the Subcategory 399515 *Instrument Makers and Repairers*, which is showing NO SHORTAGE. We provided evidence that there is, in fact, a critical shortage of piano tuners and technicians in Australia and this is impacting our industry.

By including *Musical Instrument Maker or Repairer* (399515) on the Confident On list, we will improve the possibility of bringing international piano tuners to Australia when required. Additionally, *Composer* (211211), *Singer* (211214) and *Music Professionals NEC* (211299) are less frequently used but still important to our industry and we request they too be moved to the Confident On list.

**Recommendation II:** Move *Composer* (211211), *Music Professionals NEC* (211213) and *Musical Instrument Maker or Repairer* (399515) from CSOL Confident Off list to CSOL Confident On list.

#### **4.3 Relevant role on the Targeted for Consultation list**

##### *Music Director (211212)*

Australian orchestras each have an artistic or creative leader, often called the Chief Conductor, Artistic Director, Music Director or similar title. This role is filled by an extremely high-level conductor who fulfils a range of duties including the overall artistic leadership of the company. Music Directors must be of the highest artistic calibre with the reputation and ability to inspire the musicians and staff of the orchestra.

Music Directors are employed on a fixed term contract and often spend several short periods in Australia each year, while also fulfilling conducting roles with other orchestras around the world. They usually take on a mentorship role for young Australian conductors who are working their way up in the industry, with aspirations to one day lead an orchestra in Australia or elsewhere. The role of Music Director is another example of the global industry that orchestras inhabit.

The Music Director code has been targeted for consultation. Although this is a lower priority for the orchestras (because other visa options may be possible), we request that the code be moved to the Confident On list.

**Recommendation III:** Move *Music Director* (211212) from the Targeted for Consultation list to the CSOL Confident On list.

#### **4.4 Crucial roles on the Confident On list**

##### *Chief Executive or Managing Director (111111) and Arts Administrator or Manager (139911)*

Australian orchestras throughout their brief history have faced challenges in recruiting Chief Executives and Artistic Planners with the skills and experience to successfully lead and artistically guide them. An orchestra's chief executive requires not only the usual solid business acumen and leadership skills, but also extensive knowledge of the classical music repertoire and an international reputation to attract the best guest artists, conductors and musicians. Only a very small pool of candidates within Australia possesses all of these attributes.

Artistic Planners must be well connected with artists, conductors, agents and managers (mostly based overseas) to be able to ensure season after season of appealing musical offerings to our subscribers, customers and patrons. Very few local candidates possess the skills, contacts and experience required.

When a local chief executive or Artistic Planner cannot be appointed, it is imperative that the orchestra be able to attract an international candidature. Since divestment from the ABC, the orchestras have invested in young arts administrators who may one day fill these roles, and it is always extremely pleasing when a local candidate can be found to fill a leadership role within an orchestra. However, this is not always the case and similar to musicians, it is unlikely that highly skilled CEOs and planners will be willing to give up stable positions overseas in order to come to Australia for a relatively short

contract. Additionally, a short term visa does not reflect the planning cycle of a global orchestra, which can be booking artists and planning a season up to 4 years in advance.

We are pleased that *Chief Executive or Managing Director* (111111) and *Arts Administrator or Manager* (139911) are on the Confident On list and ask that they remain there.

**Recommendation IV:** Keep *Chief Executive or Managing Director* (111111) and *Arts Administrator or Manager* (139911) on the CSOL Confident On list.

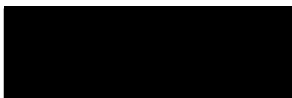
## 5. SUMMARY OF RECOMMENDATIONS

Symphony Australia, on behalf of the Australian symphony orchestras, requests the CSOL lists reflect the following recommendations:

- I. Move *Musician (Instrumental)* (211213) from CSOL Confident Off list to CSOL Confident On list as a first priority.
- II. Move *Composer* (211211), *Music Professionals NEC* (211213) and *Musical Instrument Maker or Repairer* (399515) from CSOL Confident Off list to CSOL Confident On list.
- III. Move *Music Director* (211212) from the Targeted for Consultation list to the CSOL Confident On list.
- IV. Keep *Chief Executive or Managing Director* (111111) and *Arts Administrator or Manager* (139911) on the CSOL Confident On list.

Thank you for the opportunity to elaborate on the specific concerns and needs of our members. While the number of jobs that are relevant to these job codes may be comparatively small, they are vital to the ongoing success of Australia's six state symphony orchestras, flagship arts organisations that are leaders in their sector. Please do not hesitate to contact me if you have any further questions or require additional information.

Yours sincerely,



Symphony Services Australia

31 May 2024