

Submission template

Please note that the Department usually publishes and reserves the right to publish any written submission received and the names of persons making written submissions in the course of this consultation process.

If you consider that information in your submission should be treated as confidential, or if you wish to remain anonymous please clearly indicate this in your submission or in a cover note and provide reasons for your request.

The Australian Government reserves the right to accept or refuse a request to treat information as confidential and will use the criteria set out in the Department of Finance and Deregulation's Financial Management Guidance No. 3 on confidentiality in procurement, July 2007, as a guide when determining whether to accept a claim for confidentiality. Information relating to individuals will be protected under the *Privacy Act 1988*. Requests for access to such information will be dealt with under the provisions of the *Freedom of Information Act 1982*.

The template reflects the terms of reference for the review and the issues identified in the issues paper. Please refer to the issues paper and terms of reference for more information.

A field for general comments has been included below for you to raise additional issues.

Written submissions are to be received by 30 October 2009 and sent by email to:
esosreview@deewr.gov.au.

About you:

Institution / organisation

Name:

Community Relations Commission For a multicultural NSW

Sector:

NSW Public Sector

Prepared by:

xxxxxxxxxxxxxxxxxxxxxxxxxxxx

Contact details:

xxxxxxxxxxxxxxxxxxxxxxxxxxxx

Student / individual

Name:

Institution / organisation:

Course / role:

Home Country:

Contact details:

Supporting the interests of students

i. How can the quality and accessibility of reliable information be improved? What role can ESOS have in ensuring providers and their agents are held to account for supplying prospective and current international students with accurate and timely information?

Comments

Pre-departure information is a key element in assisting students during their stay in Australia and promoting a positive educational experience. International students complained that the pre-departure information was often inadequate and inaccurate. Students were presented with what they perceived as an incorrect picture about aspects of living and studying in Australia. For example, they were led to believe that part-time employment was easily accessible, and that they would be offered assistance in finding part-time employment.

Pre-departure information is also inadequate in addressing areas such as accommodation, employment, community support, public safety, etiquette, personal safety, norms and cultures.

There was also a critical lack of information prior to departure about a student's learning environments and academic programs.

Promotional advertisements in India on studying in Australia focused excessively on selling it as a pathway to permanent residency, rather than pursuing academic excellence and the benefit of living in another culture. Students are particularly concerned about the lack of participation of the Department of Immigration and Citizenship (DIAC) in pre-departure processes, and the high costs involved in securing a student visa.

Reports by students about their experiences with overseas education agents indicated that there were varying degrees of agent support.

Though the Education Services for Overseas Student Act 2000 prescribes the obligations of registered providers towards overseas students, and standards on dealings with agents, there is no clear obligation set out for the overseas agents acting on behalf of a provider.

Students enrolled in private colleges noted that agents were mainly driven by a desire to earn commission. Some agents engaged in deceptive conduct and provided misleading information regarding visa conditions. For example, a student was advised that he was able to exceed the 20 hours work limit upon payment of a higher service fee to the agent.

Students noted that the agents were not qualified to provide any information as they themselves had limited knowledge of life in Australia and the academic courses they were selling. There is no central database or a register of overseas education agents, and no available information on agents whose services have been terminated for unethical practices.

Recommendation/s

- Provision of information sessions overseas prior to departure, which will include the

participation of Department of Immigration and Citizenship, and Department of Education and Training officials.

- Pre-departure briefings to include an understanding of how the system works around issues of accommodation, education, transport and personal safety.
- An information kit for international students which includes information on living costs, job prospects and contact details of relevant government departments, Offices of the Consulate General, and local community networks.
- Monitoring mechanism set in place to review overseas agents' conduct.
- Appointing of a panel of agents authorised by the Australian Government to list and periodically review overseas agents' business practices.
- Rating system for agents' reliability should be introduced, whereby clients are asked to rate the service provided by the agent.
- Agents in India who are selling education courses should be licensed.

ii. How should the Australian Government and the international education sector protect international students if a provider closes? How should this be resourced?

Comments

On 28 July 2009, Sterling College, a private college in NSW, went into voluntary administration and closed, approximately 600 students were affected by the closure of the College. Following the closure the Australian Council for Private Education and Training provided assurances that a suitable alternate provider would be found within 28 days, although it took longer than this to place some students.

As a result, throughout this process students felt helpless and frustrated as there was no central reference point, providing information and assistance. They believe the Council had failed to keep them adequately updated on the status of their placements. Students felt that a central information point would have been able to provide support and updated information during a stressful and concerning time.

Recommendation/s

- Establishing drop-in-centres and services for students, with a particular focus on international female students, to provide information, support and referral services regarding welfare services, crisis accommodation, legal assistance, employment rights and health information.

iii. Are different mechanisms needed to support international students to resolve complaints effectively? Are additional complaint mechanisms needed?

Comments

The establishment of a student hotline by DEEWR has been a positive development to support international students to resolve complaints. However further development of this hotline to enable more global feedback to DEEWR would be of benefit. A

system that not only addressed complaints but strategically used the feedback obtained from the hotline to drive any necessary change would be more effective and responsive to student's needs. More generally, extending the hours and days of operation of the hotline would also be of benefit to this initiative.

In addition, the need for a more independent review of grievances has been raised by international students with the Commission. The establishment of an "International Student Ombudsman" at the state governmental level to provide a mechanism for grievance processes which is both independent and expert in issues that particularly relate to the sector would be of merit.

Recommendation/s

- Extending the hours and days of operation of the existing student hotline.
- Establishing an independent reference point at the state level where basic information and assistance can be given.

iv. Should an international student's ability to change their education provider be limited, if so in what way?

Comments

A more open approach to an international student's ability to change their education provider ought to be considered. International students often note that for a number of reasons the course they had enrolled in does not meet their expectations. This is not only related to the quality of the course but also whether the subject of the course is what the student expected. Allowing greater flexibility may provide better outcomes for students if the reality of study is not as they expected.

However, the concerns of education providers around the impact of large numbers of transfers on their costs and business planning is a valid one. This may be alleviated by limiting transfers in only certain educational sectors (eg. vocational education) while being more open and flexible in others. (eg. tertiary/university sector).

Recommendation/s

- International students can change education providers at any time after enrolment for those in the tertiary sector. The 6 month limitation should remain for those outside this sector.

Delivering quality as the cornerstone of Australian education

v. How can the intersection between ESOS and the underpinning education quality assurance frameworks be improved?

Comments

N/A

Recommendation/s

N/A

vi. Where do international students' needs differ to other students, such that additional or different regulation is required?

Comments

As noted in question one there are a number of student information needs both pre-departure and on arrival that require additional or different regulation. In addition, the development of student mentors and one to one services should be required to ensure education providers assist students in a range of educational and non-educational matters. This requirement could be managed by developing a student to counselor/mentor ratio, ensuring that providers maintained appropriate welfare services in line with the needs of the student body within their college or institution.

Recommendation/s

- The development of required ratio of student counselors/mentors to students assisting in their wider welfare requirements.

Effective regulation

vii. Is ESOS compliance and enforcement adequate?

Comments

N/A

Recommendation/s

N/A

viii. Can risk be better addressed through strengthening registration requirements and/or better targeting of compliance and enforcement action? How else can risk be managed?

Comments

N/A

Recommendation/s

N/A

ix. What should be the balance between a focus on inputs and prescription versus outcomes?

Comments

Misleading information and deceptive recruitment practices create unrealistic expectations in international students in relation to the standards of education offered by the provider. According to students, private colleges are largely unregulated and lack facilities and qualified staff.

Students' accounts of support from universities were generally positive. Some universities have an on-arrival desk at the airport and have proper orientation processes in place, they also offer mentoring for the students. University and TAFE websites provide adequate on-campus information, however students lack an understanding of study techniques required to complete the course successfully.

Lack of regulation of the private education sector has left students exposed to fraudulent practices by educational providers. The students were unaware of their rights in relation to transferring to another education provider and the appeal processes involved in seeking a refund of tuition fees.

Qualifications earned in Australia are referred to professional bodies for formal recognition. Students noted that professional bodies often change their criteria without proper consultation.

Recommendation/s

- Naming and shaming educational institutions who engage in unethical practices.
- Providing ongoing information to students and taking a proactive approach to linking students with community groups to take the place of families and friends.
- Providing a website with comprehensive information on accredited educational institutions.
- Producing an information booklet that contains information on risk factors such as alcohol, drugs and security/safety awareness.

x. How can ESOS better support Australia's student visa program?

Comments

N/A

Recommendation/s

N/A

Sustainability of the international education sector

xi. What role should ESOS have in supporting the ongoing sustainability of the international education sector given the challenges it faces into the future?

Comments

N/A

Recommendation/s

N/A

General Comments

N/A

Thank you.