

Appendix B

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:

Government Education and Training International Tasmania

Sector:

State Government

Prepared by:

xxxxxxxxxxxx

Contact details:

xxxxxxxxxxxx

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

In addition to the recent amendment to ESOS requiring providers to list the education agents that they use, there is an opportunity to establish a register of 'accredited' education agents who are reputable and have minimum qualifications (such as the Education Agents Training Course) and an understanding of the Australian education and training system. ESOS could promote such a register as 'best practice' for both education agents wishing to operate in Australia and for providers in their use of education agents, rather than a mandatory regulatory requirement. Providers and education agents could use this listing as a marketing tool demonstrating their commitment to providing high quality and reliable information to prospective and current international students. There would also need to be a mechanism to remove agents where they were found to be engaging in misleading or disreputable practices.

Recommendation/s

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

Comments

GETI is supportive of continuing a formal mechanism to provide assurance to international students in the event that a provider closes. Ideally, the costs should be borne by the sector itself, with a contribution based on an assessment of the level of risk of closure a provider represents. GETI supports all jurisdictions continuing their existing practice of working collaboratively to assist students when a provider closes, including identifying possible alternative courses so that students can resume their study as soon as possible.

Recommendation/s

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

Comments

International students have access to the full range of supports and complaints mechanisms that are available to domestic students. However, these complaints mechanisms are less visible and accessible to international students and are more difficult for them to successfully navigate. Existing complaints processes can differ by institution, sector, and state and territory. In addition to this confusing array of possible complaints processes, international students may also be reluctant to make complaints for cultural reasons or for fear that their visa may be cancelled. Because international students are limited in their awareness of available supports and complaints and of their rights and responsibilities they are a particularly vulnerable student group. These problems might be alleviated by a single point of contact (whether by state or territory, or nationally) that could do one of more of the following:

- (a) refer international students to existing supports and complaints mechanisms (nationally and locally),
- (b) conciliate any disputes between a provider and international student, and/or
- (c) the capacity to investigate complaints.

Recommendation/s

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

Comments

As a general principle, any restrictions on an international student's capacity to change provider should be very limited. International students arrive in Australia with much less information about the quality and reputation of providers that domestic students are very familiar with. It seems unfair to unnecessarily restrict international students' capacity to change providers in the absence of a similar level of information about the service that they will be receiving 'site unseen'. Allowing this flexibility could give international students greater opportunities to put market pressure on providers to improve the quality of education they provide, but also may encourage better student supports and pastoral care. Of course with such an approach the risk of students transferring institutions simply as an attempt to avoid DIAC becoming aware of a failure to comply with visa requirements must also be taken into consideration.

Recommendation/s

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

The underpinning education quality assurance frameworks as relevant to each sector must ensure that a provider, particularly a new market entrant, has the capacity and expertise to sustainably deliver the education and training it intends to provide.

Regulation should particularly focus on high risk providers and new entrants. One high risk group of providers are those working solely with overseas students. The domestic quality assurance arrangements in all sectors assume a set of checks and balances from the differing interests of students, parents and employers that do not apply equally to providers servicing solely or predominantly overseas students. For instance, learners and employers have a strong interest in the quality of the education and its outcomes. The existence and complaints to the registering authority when these expectations are not met make an important contribution to the health of the system. Where a provider is primarily or solely working with international students these inherent checks and balances may not apply for the following reasons:

- (a) there may be no external scrutiny of quality of training if it is not used by learners or employers (ie if the students are largely using the course for migration outcomes),
- (b) learning is not purchased by industry or government, therefore no scrutiny on the return on investment of public funds,
- (c) students are more reluctant to complain due to fear of visa cancellation.

Recommendation/s

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

Comments

As discussed in the issues paper, international students are at a significant disadvantage compared to domestic students in relation to information provision. International students need access to credible, consistent and reliable information before departing their home country, upon arrival in Australia and regularly throughout their stay. There is a lot of information sources for international students, the challenge is directing them to authoritative sources. A greater focus on the information provided to international students should be on the transition to life in Australia (including from the perspective of studying in Australia and living in Australia). There should be a greater emphasis on ensuring that providers provide pastoral care and support to international students to assist them in this transition to life and study in Australia.

There are also other aspects of difference including the lack of medicare coverage for international students and the need for them to have health insurance, and possibly travel insurance, for the duration of their stay in Australia.

Recommendation/s

Effective regulation

vii. Is ESOS compliance and enforcement adequate?

Comments

There is a perception that compliance and enforcement of ESOS has not been adequate in recent times and has not kept pace with the rapid growth in the international education sector. There is an opportunity to strengthen ESOS compliance, auditing and enforcement activities on the foundation of the current suite of rapid audits being undertaken in each jurisdiction and the program to re-register all providers over the next year. The continuation of a risk based approach to prioritising compliance checking may be an appropriate and cost effective approach. There may also be opportunities for greater early detection of compliance issues as well as financial sustainability and to rectify problems early to prevent or minimise closures.

Recommendation/s

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

Recommendation/s

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

Comments

Recommendation/s

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

Comments

Recommendation/s

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

Taking the lead from the schooling sector, there could be greater emphasis on providing publicly available information on performance of providers, enforcement actions, outcomes of student surveys. This could contribute to continuous improvement by providers and the sector as well as providing more transparent information to prospective and current international students.

Recommendation/s

General Comments

Thank you.