Response to the Strategic Review of the Student Visa Program

Australian Council for Private Education and Training (ACPET)

Contents

- Introduction 2
- Response to Questions 2
  - Migration Risk 2
  - Assessment Levels 6
  - Processing 7
  - Work Rights 8
  - Financial Requirements 9
  - English Language Proficiency 10
  - Communication and Consultation 11
- Attachments 12
INTRODUCTION

The Australia Council for Private Education and Training (ACPET) is the peak body for private education and training providers, representing more than 1,100 members and delivering educational opportunities to domestic and international students. The government’s approach to managing student visas is significant for our members and we welcome the review and the opportunities it provides to continue to enhance and improve Australia’s international education sector.

Overall ACPET is pleased with the Discussion Paper and believes that the majority of the significant issues currently facing the industry have been included for consideration.

RESPONSE TO REVIEW QUESTIONS

Migration Risk

- Can migration risk be measured and managed more effectively?
- How can providers be differentiated for migration risk?
- What are fair and objective measures to calculate provider risk?
- Will differentiating providers enhance the integrity of the student visa program and the competitiveness of the international education sector?

Response Summary

<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Can migration risk be measured and managed more effectively?</td>
<td>Yes</td>
</tr>
<tr>
<td>What are fair and objective measures to calculate provider risk?</td>
<td>Individual providers across all sectors should be measured against the same compliance criteria. Measures should be established through substantiative and ongoing consultation with industry.</td>
</tr>
<tr>
<td>How can providers be differentiated for migration risk?</td>
<td>Risk assessment within the VET and higher education is developing from a previously low basis. In the international education sector governments have worked hard to identify risks and this work should inform the work of the Review Panel. A provider’s track record of compliance with the existing regulatory requirements of DIAC, DEEWR and the State Registering Bodies should be included as differentiators. In the same manner membership of a relevant peak body with stringent requirements for membership should also be considered.</td>
</tr>
<tr>
<td>Will differentiating providers enhance the integrity of the student visa program and the competitiveness of the international education sector?</td>
<td>Yes – on a number of levels, providers will be rewarded for performance and compliance and encouraged to improve processes. Genuine students from low risk countries will have</td>
</tr>
</tbody>
</table>
increased access to the whole of the Australian education system. These factors will enhance the competitiveness of the sector and Australia’s position as a quality provider of international education.

Managing ‘Migration Risk’

The role of migrants in Australia’s history should not be ignored, given that around one quarter of the Australian population were born overseas and almost half (around 40%) have at least one parent born overseas. The many well reported benefits of migration include:

- substantial contributions to Australia’s economic and social systems
- filling skills shortages
- supporting cultural and global economic integration
- increasing the range and viability of recreational and cultural activities
- providing different skills which can lead to new types of businesses, and
- fostering links with their home countries and develop intercultural connections.

ACPET believes that the discourse in Australia surrounding the issue of migration ‘risk’ and its relationship with international education needs to be reconceptualised. Whilst countries across the world scramble to attract skilled individuals to foster a robust labour market and support economic growth, Australia continues to be short-sighted in regard to international students and overlook a locally skilled, highly willing source of skilled labour.

The terminology ‘migration risk’ which is now being used, we believe foster negative connotations of international students; painting them as potential threats or ‘risks’ to the country – whereas public discussions should be about the benefits they bring.

ACPET believes that this Review provides an opportunity for Australia to recognise that a number of individuals do want to come to Australia to study and seek to stay. The student pathway is one mechanism for this to occur. ACPET would like to see consideration given to developing clearer and more transparent systems to support students who Australia would benefit from having stay on and live in Australia. By way of example, the Canadian Government has an active policy that recognises the value of a skilled labour market and maximises the use of this.

‘The new Canadian Experience Class makes it easier and more convenient for international students to apply for permanent resident status in Canada. If you have graduated from a post-secondary program at an eligible institution in Canada, and you have at least one year of work experience in Canada in a managerial, professional, and technical or trade occupation after graduation, you may be eligible.’ Source: Citizenship and Immigration Canada

Australia is currently experiencing the highest ever levels of emigration and there are drastic skill shortages forecast. This Review provides an ideal platform for a policy rethink on the potential of international students. More information on Australian Skills Shortages as identified in the DEEWR Skills Shortages Australia 2010 Report can be found in Attachment 2.
The current approach and what needs to change

The current approach and policy adopted by DIAC in mitigating ‘migration risk’ is a significant issue for ACEPT and its members. ACPET’s position is that whilst country assessment levels are a valid mitigation strategy this should not be applied differently across the education sectors within Australia.

As outlined in ACPET’s submission to Reforming ESOS: Consultations to build a stronger, simpler, smarter framework for international education, for too long providers delivering education in different sectors (e.g. ELICOS, VET or higher education) have been treated as three homogeneous groups, with no recognition of differing levels of performance of individual providers. (January 2011).

It is suggested that learnings be adopted from the NZ model. This model employs a risk category to providers and facilitates streamlined processing for those providers with a proven track record. Such a model ensures timely processing and provides confidence in visa decision making. An indicative model for Australia, based on approaches from other markets can be found below. It is important to note that any such process would need to be developed, implemented and updated in close consultation with the sector to ensure it meets the industry’s needs. ACPET would also like to ensure significant consultation with the industry on any base level benchmarks for established providers and those set for new start up providers. (Please see discussion on consultation for suggested communication models).

ACPET believes that a two layered approach to risk mitigation is a more effective approach than the current one. See below model.

One layer would involve assessing and categorising countries according to their risk (discussed in more detail below). All students coming from that country would be assessed against the same country based risk criteria no matter which sector, program or suite of programs they were enrolling in.

The second layer of mitigation would be to assess individual providers across all sectors and benchmark them against established, transparent and meaningful criteria. This should be informed and coordinated, and build a total picture of a providers’ performance using the resources and knowledge of:

- assessment of the provider’s track record in international education (e.g., historical adherence to ESOS and immigration regulations)
- the state and subsequent national regulators (e.g., compliance with educational quality standards)
- the industry association / peak body that oversees that sector/providers

ACPET is taking the lead in supporting and encouraging quality compliance for private education and training providers and has recently strengthened its Code of Ethics for members. This code outlines the professional standards expected of members and sets conditions for admission to, and continuing membership of the Council. ACPET has also developed a set of benchmarks and criteria
for Tuition Assurance Scheme (TAS) coverage to ensure minimum standards. ACPET supports the use of such frameworks by peak bodies /associations as part of a suite of tools to manage risk.

ACPET notes that the discussion paper has asked for clear criteria measures for such a model as described above. ACPET strongly agrees that clear and transparent criteria, benchmarks need to be established. However whilst ACPET has suggested some criteria for consideration within each compliance category, it strongly believes that criteria should be established and reviewed through substantiative and ongoing consultation with industry. Further it is not the intention of ACPET to suggest another layer of compliance for education providers but suggests enhancing available quality and legislative requirements and data collection (specifically the AQTF, CRICOS, ESOS, the national regulator, DIAC and PRISMS data).

Differentiating providers based on their track record will enhance the integrity of the student visa program and the competitiveness of the international education sector in Australia. ACPET sees the benefits not only strengthening the current quality framework but also competitively enhancing Australian providers who are complying with the current quality regime. These providers will be rewarded through faster and more effective visa processing. This approach will also provide real incentives for providers who are assessed in a low compliance category to improve their performance. The model also suggests that DIAC works with other government departments such as DEEWR, TEQSA and ASQA, and other industry representatives to align migration risk with compliance to quality legislative frameworks.

While TEQSA and ASQA progress their work on risk assessment, it is intended that in each case they will be based on a range of provider characteristics including size, scope, history and demonstrated quality performance against the relevant benchmarks within the sector. ACPET supports this approach and believes if other models, such as ‘provider categories’, are introduced there is a risk of oversimplifying and creating unnecessary divides and inequality across the sector.

Australia has a reputation as one of the world’s highest quality assured education providers. The model being proposed will enhance this reputation and allow genuine students to access all sectors within our education system. The model proposed is clear, fair, transparent, and consultative and uses established quality assurance frameworks and resources ensuring the one outcome of enrolling genuine students and providing a quality experience during their studies. Thus ensuring Australia remains competitive.

ACPET acknowledges whilst there may be some non-genuine students within the system the majority of students are genuine and are actively seeking to build the skills and knowledge necessary for a pathway to continuous learning and a global career. ACPET has many case studies to demonstrate such examples. Some of these are provided in Attachment 1.

The Discussion Paper does not consider the role and impact of education agents on the visa application process. ACPET would like to note that there is an opportunity for government to mitigate against any risks associated with the use of agents within the student visa application process and also investigate the possibility of outsourcing targeted visa applications to trusted agents.
A Proposed Model for Risk Mitigation

Provider Risk Profile Concept

<table>
<thead>
<tr>
<th>Element</th>
<th>Indicative Approach</th>
</tr>
</thead>
</table>
| **Approach**        | Compliance assessments applied to individual providers (standard across all sectors) based on:  
  - assessment of the provider’s track record in international education – through adherence to ESOS and DIAC regulations  
  - national regulator endorsement  
  - industry association / peak body membership and or endorsement |
| **Intent**          |  
  - To improve processing time and assessment of bona-fide / genuine students coming from low risk countries by placing additional trust in low risk providers that have demonstrated adherence to the regulations over a set period. |
| **Indicative compliance categories** |  
  - **High compliance/Low risk** – Thorough student assessment processes in place to ensure genuine students and no major noncompliance issues recorded; track record of acceptance of genuine students through the DIAC data and provider’s data management; government ownership and/or association/memberships with peak bodies and associations who rigorously assess provider quality. Established partnerships and pathways with educational providers and employers.  
  - **Medium compliance/medium risk** – Student assessment processes in place, some minor issues recorded. Inconsistent record of enrolment of students, with non compliance of conditions.  
  - **Low compliance/High risk** - No or limited student assessment processes in place and/or major noncompliance reported. |
| **Features**        |  
  - Providers with a lower risk rating are afforded a higher level of trust and as such are rewarded with benefits such as faster processing, priority services and reduced reporting requirements.  
  - Low risk providers are able to offer prospective students more flexible processing options (such as online, offshore assessment).  
  - Providers move between the compliance categories depending on their performance over a given period.  
  - Academic and English language entry requirements set by the provider.  
  - Reviews conducted every 12 months. |
| **Indicative low risk provider** |  
  - No major non-conformance listed in national regulator audits.  
  - Maintenance of registration / endorsement through the industry peak body or government ownership |
<table>
<thead>
<tr>
<th>requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>- No serious immigration compliance issues reported for the duration of the risk rating.</td>
</tr>
<tr>
<td>- Low risk providers must demonstrate their process to ensure as far as possible that genuine students only are accepted.</td>
</tr>
</tbody>
</table>
Assessment Levels

- Does the existing Assessment Level system effectively manage migration risk?
- Are there too many risk levels?
- Are there too many visa subclasses?
- What would effective consultation and sufficient notification look like?

Response Summary

<table>
<thead>
<tr>
<th>Question</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the existing assessment level system effectively manage migration risk?</td>
<td>Yes</td>
</tr>
<tr>
<td>Are there too many risk levels?</td>
<td>Country risk assessments should be reviewed</td>
</tr>
<tr>
<td>Are there too many visa subclasses?</td>
<td>Risk should be assessed on an individual provider basis rather than a sectoral (subclasses) basis</td>
</tr>
<tr>
<td>What would effective consultation and sufficient notification look like</td>
<td>High level industry advisory group</td>
</tr>
</tbody>
</table>

ACPET acknowledges that different risk levels may apply to different countries but it firmly disagrees that there should be different risk ratings for the same country across the education sector (e.g., difference between higher education, VET and ELICOS). It is preferred that DIAC set different levels for different countries or regions based on overall risk profile but all applicants from the same country, regardless of course level or education sector have the same assessment level. ACPET believes that countries risk levels should be based on a matrix of factors which may include economic, political, social indicators and data based evidence of patterns of non-compliance.

Whilst ACPET believes that there should be a move away from subclasses to manage risk, the value and merit in the information and reporting generated through this segmentation is recognised. Mechanisms should be continued to capture this data and disseminate it to industry.

ACPET’s position is that regular, substantive and ongoing consultation is a critical requirement if there is to be a truly sustainable and responsive approach to managing international education in Australia. There are significant changes occurring domestically and globally and these changes will continue. Any government policy must be responsive and current and this can only occur through regular and substantive engagement with the industry.

ACPET believes that an effective formal consultative mechanism is needed to achieve informed policy making. Such an approach could be modelled on the Tourist Visa Advisory Group (TVAG). The terms of reference for this group are embedded in government policy to enforce and ensure effective consultation. The Group provides a forum for the government and the tourism industry to share information on visa initiatives, seek feedback and input on performance and policy developments and discuss emerging issues. ACPET believes that such a model provides a legitimate
voice for the tourism sector and should be considered and contextualised for the international education sector.

A formal advisory group for the international education sector could consider and provide relevant advice on items such as:

- proposed changes to country assessment levels
- anomalies in processing of visas
- DIAC data and reports, and
- possible implementation approaches and impacts of visa policies.

The extent of change, degree of impact and need for timeliness should be deciding factors in the level and degree of notification of potential changes.
**DIAC Processing**

- **Should DIAC officers have more discretion when assessing student visa applications?**

| Should DIAC officers have more discretion when assessing student visa applications? | No – increased transparency of processes and guidelines of are required rather than increased discretion |

As a priority ACPET wishes clarification and cessation of apparent instances of applied discretion by DIAC whereby certain postgraduate Indian students and selected providers have been given preferential treatment. ACPET has heard unofficially that the ‘Indian pink sheet’ visa issue has resulted from personal relationships between students and DIAC staff. Discretion applied in this way makes a mockery of the system and gives no confidence for the sector or potential students that are following protocols. ACPET would like a clear statement made on this issue and if any such activities are occurring that they be stopped as a priority.

ACPET supports complete and consistent transparency of visa processes, which should also apply to the manner in which refinements are developed and applied to the program. ACPET believes that the example cited above it one where industry consultation and full disclosure should have been demonstrated by DIAC.

Further to this ACPET is aware of a number of cases where individual student applicants with the same history and background have differing outcomes in visa assessments. Feedback from ACPET members has also highlighted the issue of high turnover of DIAC officers at some posts. As such ACPET does not support increased discretion for officers; rather approaches must be informed and consistent. The proposed risk management model suggested above and ACPET’s position on streamlining of the visa processing (documented below) would, in ACPET’s view, increase the transparency of the visa application process and decrease the need for DIAC officer discretion.

ACPET believes, as part of improving the transparency of the current system, DIAC and the industry should conduct two way sharing of information. ACPET proposes that industry has an opportunity to be involved in the education of DIAC officers to demonstrate how their policies are put into practice. In addition the government could consider an education campaign in targeted markets to support potential students in their understanding of and integration into Australia. Such a model is employed by Citizenship and Immigration Canada (CIC) whereby CIC outsource the delivery of integration workshops to Canadian colleges.

ACPET also supports a move to increased online processing as a timelier and more cost effective approach to assessment. All straight-forward applications that meet certain conditions can be moved to online processing and face to face meetings can occur when questions need to be addressed.

- **Are Australia's processing times for student visas too long?**

Yes, ACPET members have provided feedback to suggest that there are significant variations in processing times. This uncertainty is providing significant challenges to providers in their marketing
efforts and in efforts to align visa approvals with key provider intake periods. The uncertainty for potential international students also makes Australia’s competitors with more streamlined processes more attractive giving them a significant market advantage.

ACPET believes that a move to online processing for clear cases will greatly improve the associated timelines. This will have the added benefit of directing resources to cases that need the most attention. In addition, by monitoring trends for providers and markets DIAC (in consultation with the suggested advisory group) should be able to identify any anomalies and then assess the need to move to face to face processing to ensure no dubious activities are occurring. If risk management is implemented as outlined above there should be added confidence in the effectiveness of online processing.

- **Is the visa application charge too high?**

Yes, the charges are too high relative to other markets and a reduction in this cost may support a student’s decision to choose Australia. Despite this, ACPET is primarily concerned with the need to consider the length of course attached to a visa. We propose a sliding scale or proportionate costing structure be developed so that people studying for a shorter period are not disadvantaged. In addition the cost for renewal needs to be reviewed. It currently sits at the same rate as an initial visa. This can be very expensive for students that need extra time to complete their studies. A number of VET vocations (such a pilot training, horticulture, building, etc) may be affected by natural conditions, such as weather and students may not be able to complete their course in the allotted time. This results in the student needing to pay the full application charges again for what may be a very short extension period.

Other factors must also be considered in addition to the direct application charge. Potential students are also required to pay other costs associated with an application. These include overseas student health cover (OSHC), medical examinations, police clearance, English language testing, the certification of documents, postage and permission to work permits. These charges could be in excess of $1000. Consideration needs to be given to the total charges imposed on students and our relative position against competitor countries. ACPET suggests that a table of comparative costs be developed related to the visa application process as part of a more transparent system.

ACPET would also like to see consideration given to directing a proportion of funds generated through student visa applications to social awareness campaigns and student support activities that aim to foster improved understanding and encourage international student integration in Australian communities. The “Think Before” initiative is an example of such a campaign.

ACPET also notes that there is a significant difference in the cost of onshore and offshore charges, when compared with competitor countries. We are not aware of the rationale for this and it may warrant further investigation.
Work Rights

- What is the right number of hours that students should be allowed to work?
- Do the work restrictions make sense for higher degree by research students? N/A

ACPET acknowledges that a key strength and competitive advantage of the Australian system is the ability of international students to work part time (up to 20 hours) during study and full time during breaks. A student’s ability to work whilst studying improves their overall experience of Australia and provides valuable employability skills and workplace English. It also supports the development of industry experience in a learner’s chosen vocation.

ACPET does not have a position on the question related to work restrictions for higher degree by research students.

- How should Assessment Levels be managed for students who enter to undertake a preliminary course prior to commencing their principal course?

ACPET’s position on migration risk management is stated earlier. That is, assessment levels should consistent across all sectors and an assessment should be made on the compliance profile of an individual provider. By standardising the assessment levels across sectors, issues related to pathways are removed.

ACPET recognises that consideration needs to be given to the impact of student transfers where provider risk profiles are assessed at different levels. The approach currently adopted by the ESOS legislation could be employed whereby it is a requirement for the student to stay with the original provider for 6 months and after this time a face to face interview be conducted with a DIAC Officer to assess the rationale for moving. A second option could be that the student application is given a composite risk profile based on an aggregate of the providers. For example, if the first provider is low risk (high compliance) and the second provider is high risk (low compliance); the aggregate would be a medium risk profile for that application.

- Do overseas students have sufficient opportunities to work in Australia after graduation?
- What is the right length for a post-study work entitlement?

Response Summary

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Do overseas students have sufficient opportunities to work in Australia after graduation?</td>
<td>This could be improved.</td>
</tr>
<tr>
<td>What is the right length for a post-study work entitlement?</td>
<td>Three years</td>
</tr>
</tbody>
</table>
As noted above, ACPET believes that the right to work during and post study provides a significant competitive advantage for Australia.

ACPET concurs with other industry stakeholders that three years post study work rights are desirable. From an industry and potential employer point of view, research suggests that a return on investment for a new staff member is only achieved in a minimum of three years.

ACPET acknowledges it is preferential for any employment undertaken by students to be in their field of study, but this would be difficult to regulate and should not be mandatory. It is noted that preference in employment may be given to students that have experience in their field.

ACPET recognises that international students can support the economy and assist to address skill shortages in times of high employment. It is also acknowledged that a three year option may need to be reviewed (in close consultation with the sector) during times of high unemployment. ACPET would like to see a flexible and responsive approach depending on the economic conditions. ACPET sees that the role of setting the number of approved work permits as Government’s responsibility. Australian education providers should position themselves as developing skills for the global market and as such students will increasingly find employment post study in markets with high skilled labour demand.

ACPET would like to see government consideration and support given to the professional year approach adopted by some industries. ACPET believes there is considerable merit in the government supporting the education sector to work with industry to formalise such employment programs. This will provide a competitive advantage to Australia by supporting a student’s ability to transition from study to work seamlessly.

It needs to be acknowledged that in many situations genuine and successful international students are not able to secure employment. Anecdotal evidence suggests that industry both domestically and internationally can discriminate against certain international students. The government and education sector need to work in tandem to ensure industry is accepting of international students and the many benefits their employment can bring.
Financial Requirements

- Overseas students are currently required to demonstrate or declare that they have access to $18,000 in funds to contribute towards living costs for every year of intended study in Australia.

- Does this put Australia at a competitive disadvantage?

<table>
<thead>
<tr>
<th>Does this put Australia at a competitive disadvantage?</th>
<th>Refinement of current financial requirements is essential to bring Australia more into line with competitor countries.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>A 12 month cap should be placed on financial requirements and pro-rata requirements for courses of shorter duration.</td>
</tr>
</tbody>
</table>

Whilst ACPET supports measures to improve the living standards for international students it also believes the set cost of living requirements are higher than is necessary. ACPET believes the refinement of current financial requirements is essential to bring Australia more into line with competitor countries.

Any changes to financial requirements should be made after consultation with industry. ACPET notes that DIAC initiated such an approach in June 2010 with their Financial Workshop. Whilst ACPET supports this approach the workshop was conducted nearly twelve months ago with no follow up evident thus far. A fresh approach is urgently needed on the issue of financial requirements. ACPET would encourage further consultation and discussion around: the amount of funds students require, a pro rata approach to financial requirements based on program length and provider profiles, as well as an investigation of guarantor models.

The most pressing issue is the requirement for students to have all the funds for tuition and living cost for the course duration available at the time of application. ACPET would like to see the amount of funds required capped at a maximum of 12 months of the course fees and living allowance. By way of comparison the US, UK and Canada all require that students only have financial capacity for 12 months regardless of the duration of their course.

ACPET also believes that financials should also be assessed on the length of the course. At present all students require a minimum of 12 months, even students completing a 14 week ELICOS program. ACPET would like to see the amount of money students require to meet the set financial requirements levels determined in line with the length of a students’ visa and the amount assessed based on the provider risk profile.

ACPET would also like to see consideration given to an approach whereby recognition is given to the individual’s and/or family’s ability to save for the costs leading up to and during study. New Zealand offers an option for a guarantor through the completion of a Financial Undertaking form.  

ACPET strongly maintains that any financial model should position Australia competitively in the global international education market.
Are there any institutional barriers to increasing the inflow of high grade research students from overseas into Australia?  

N/A

ACPET does not have a position on the question related to institutional barriers to increasing the inflow of high grade research students from overseas into Australia.
English Language Proficiency

- Should there be a minimum standard for English language proficiency by students coming to Australia for English language training either independently or prior to commencing an award course?
- Should there be a maximum period of English language study?

Response Summary

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Should there be a minimum standard for English Language proficiency by students coming to Australia for English Language Training independently or commencing an award course?</td>
<td>No, academic and English levels should be set and managed by the provider.</td>
</tr>
<tr>
<td>Should there be a maximum period of English Language Study?</td>
<td>No</td>
</tr>
</tbody>
</table>

ACPET believes that no minimum English language proficiency should be set. ACPET suggests that it is the provider’s responsibility to determine the appropriate academic and English Language requirements for their courses. English should be treated as any other study option and the risk management approach as indicated previously, be employed.

ACPET also asserts that setting maximum periods for English Language Study does not take into account individual learning styles and rates or existing levels of skills and that a maximum period should not be set by DIAC. ACPET strongly believes this is an academic decision based on individual learning styles. Further the risk management approach above would identify providers who are consistently extending English Language students visas.

ACPET acknowledges that there may be minimum English requirements post study to secure work in specific occupations, such as nursing.

- Should there be a minimum age for international students seeking to undertake school education in Australia?
- Does the current visa program effectively support changing patterns of demand by international students school based education?

Response Summary

<table>
<thead>
<tr>
<th>Question</th>
<th>Answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Should there be a minimum age for international students seeking to undertake school education in Australia?</td>
<td>No</td>
</tr>
<tr>
<td>Does the current visa program effectively support changing patterns of demand by international students school based education?</td>
<td>No</td>
</tr>
</tbody>
</table>
ACPET believes there should be no minimum age for international students seeking to undertake education in Australia. ESOS outlines a valid and robust approach to the management and support of minors. Pastoral care practices under ESOS are very effective. The very nature of schools means that they are the best institutions to educate young learners and are set up to provide quality pastoral care for them. Adopting a minimum age would severely disadvantage the Australian school market.

ACPET believes that the current visa system does not allow the school sector to be responsive to market opportunities. According to our members there is a growing market for short term study and exchanges within the school sector. Under the current system all school students must be on a school visa even though some are coming for a short course and will not complete a full school qualification.
Communication and Consultation

- Do we need a better means of consultation and communication between key stakeholders?

Yes, ACPET would like to see improved consultation and communication from government with key stakeholders. As previously outlined, ACPET would like to see a formal group established to ensure effective ongoing consultation and communication. The role and terms of reference for any such group should be clearly communicated to the sector and it should be accessible. Simple, user friendly systems need to be developed to ensure all relevant issues can be heard.

ACPET firmly believes that all policy development must be done in close and substantive consultation with the sector. ACPET frequently receives feedback from members on the impact of policy changes on providers at the coal face. Such information is crucial to support effective continuous improvement across the industry and can best be addressed through a coordinated approach.

Equally important is the approach to policy implementation. It is vital that continuous review and consultation is undertaken to ensure policy implementation is timely, responsive and coordinated. Coordination between the national regulators, TEQSA and ASQA, and DIAC will be critical for future policy development to ensure changes work effectively. A regular process of engagement between DIAC, Austrade and other government bodies needs to be established to enable these stakeholders to provide compatible and consistent messages to international students.

ACPET would also like to see better approaches to providing clear and transparent information to the sector to ensure consistency and mutual understanding.
ATTACHMENT 1

How ACPET Supports the Positioning of Australia as a Study Destination of Choice for Genuine International Students

International Student and Employer Success Stories

ACPET members are delighted to contribute and enhance the international recognition of excellence for Australian qualifications and support Australia as a study destination of choice for international students. Australian education is globally recognised as providing high quality skill and knowledge development. The Study in Australia brand is synonymous with quality and effective education that provides individuals with real skills that meet the needs of global employers.

As the global middle class swells there is increasing demand for high quality education and training that is internationally recognised. Individuals are seeking to differentiate themselves in the global labour market by studying in a recognised and well regarded education system, and developing the skills that meet the needs of industry and thus offer opportunities for employment worldwide. In addition individuals are looking for courses that recognise the importance of a globally focused curriculum to support their desires for an international career. ACPET members fill the gaps as many of these demands are not met in home country institutions.

Pathways Alternatives

There are also a growing number of students that are seeking learning pathways to allow them to achieve a career goal and who do not have the minimum requirements for direct entry to Australian higher level programs. Various pathway options are provided through ACPET members as outlined in Diagram 1.

*Diagram 1: Sample learning and career pathway option for international students*
Whilst not exhaustive this model is indicative of the many and varied options available to international students through the Australian education system. The clear and coordinated pathway alternatives available in Australia provide a significant competitive advantage that should be leveraged.

The choice of Australia as a destination is further supported by global employer recognition that Australian qualifications are developed in conjunction with industry and that means graduates from Australia are work ready and require less in-house training. Many ACPET members have established relationships with industry employers that see graduates having guaranteed jobs across the world.

ACPET members support thousands of genuine students to develop the necessary skills and knowledge for a rewarding and successful career. We provide options for students to enhance their practical employability skills whilst studying in Australia and offer a range of industry partnerships and connections that can lead to employment across the world.

**Summary of ACPET’s Offering**

ACPET members contribute to the overall success of Australia’s education export by providing:

- quality courses across a diverse range of disciplines – offering choice and flexibility
- high chances of global employment leveraging the recognition of the Australian qualification
- targeted and relevant industry based programs to ensure graduates have skills sought by employers from across the world
- various pathways between English, schools, vocational education and training and higher education to enhance options for international students
- accessibility to programs not available through home country providers; and
- practical and realistic experience in industry relevant workplaces.

**Indicative International Student and Employer Case Studies**

Below is a set of indicative international student and employer success stories that help demonstrate the reasoning behind the strong demand for Australian qualifications across the world. These examples are a microcosm of the experiences of the many thousands of genuine students that study with ACPET members.

**Mike - ELICOS, Diploma & Bachelor Hospitality Management, Macau**

Mike, an international student from Macau, recognised the excellence in quality service provided in Australia and the fact that Australia is leading the world in delivering high quality training for the hospitality industry. Mike selected Australia as his study country of choice.

After choosing Australia, Mike undertook a brief English language refresher program to ensure he had the necessary language skills for his course and then progressed onto the Diploma of Hospitality and subsequently a Degree in Hospitality. During his diploma course Mike received industry-
relevant skills and a qualification which is recognised and respected globally and is fully transportable. The curriculum and content mirrored that required by leading global education institutions so he also received multiple international qualifications as part of his course.

After graduation Mike had no trouble finding employment in his chosen field of hospitality in countries across the world. Mike has worked in some of the world’s leading hotels in China, Italy and Hong Kong. During his employment Mike has played a pivotal role in improving the quality of service within the organisations he has worked for. Recognising Mike’s excellent training and industry experience, Mike has since been contacted by a fellow Australian graduate looking to fill a new senior position.

Mike believes that the quality and thoroughness of the Australian education he received provided him with an excellent foundation skill set for every field within the hotel industry. He also notes that the Australian qualification’s reputation and network has helped him get to where he is today.

**Dayanitha - Diploma of Golf Management, Malaysia**

Dayanitha’s dream was to work in the golf industry. To achieve her dream Dayanitha explored options to develop the skills, knowledge and networks she needed from across the world and realised she would need to leave Malaysia and study in Australia. Dayanitha undertook a Diploma in Golf Management with one of ACPET’s members and was immersed in an industry targeted and relevant training program.

Dayanitha graduated with a Diploma of Golf Management and immediately secured a job as a management trainee at the prestigious Mines Resort and Golf Club in Kuala Lumpur. Under the tuition of the provider Dayanitha excelled and was awarded an Order of Merit.

While Dayanitha enjoyed the social and lifestyle elements of the program, her main focus was to complete the course with the view of getting a job in the golf industry. Dayanitha believes that the knowledge she gained from her study was invaluable and her success would not have been possible if she had stayed in Malaysia. Dayanitha said that the course is a very well recognised program that provides students with a good understanding of the current needs of the industry and she highly recommends it to others.

**Darren - Diploma in Network Engineering**

Immediately after completing his Diploma in Network Engineering, Darren secured a position at Ericsson in China. Within 12 months he was appointed as the lead engineer responsible for the test environment network. Darren was subsequently approached by his managers to coordinate an acquisition project in Beijing. Darren then moved on to work in a senior management role in Sweden, responsible for activities across the Asia Pacific. Darren is currently working in Japan managing a project and aims to return to China in two years.
**Anna – Diploma of Hospitality (Patisseries), Thailand**

Anna completed her Diploma of Hospitality (Patisserie) in Australia and returned to Thailand to start up her own bakery. With the knowledge and skills Anna gained in Australia she opened her bakery offering a wide range of quality western style pastries as well as traditional Thai pastries. Anna has also passed on skills to her parents, who now help her to run the business as it expands. Anna believes the skills she learnt from her Australian study are a great asset and have been instrumental in supporting her to set up and manage her successful bakery business.

**Industry Seeks Australian Graduates**

- In an effort to fill positions across the world a leading multi-national 5 star hotel chain has systematically developed relationships with ACPET members to source vocational and higher education graduates directly.
- A Queensland based equine college has a staggering 100% employment rate for graduates. The graduates find success with the global racing and breeding industries across a wide range of career paths.
Global Skill Shortages drive demand for skilled workers

- According to the 2009 Manpower Australia Annual Talent Shortage Survey, 49 percent of Australian employers struggled to fill positions despite the economic crisis. In the Asia-Pacific, this figure was more than 30 percent.

- Skill shortages continue to be evident across the world and as such the demand for quality, well educated staff will continue to grow. DEEWR\(^\text{ii}\) reports that the number of trade occupations in shortage has risen by around 10% since mid 2009, with the number of professional occupations in shortage remaining relatively steady. Shortages are evident in at least one occupation in each cluster but are most apparent in occupations in the following groups:
  - engineering professions
  - health diagnostic and therapy professions
  - nurses
  - automotive trades
  - construction trades
  - food trades

- DEEWR research suggests employers are seeking workers who hold formal qualifications but they also place significant value on relevant experience.

---


\(^1\) Please note: These examples are based on success stories and case studies provided by ACPET members.