ACPET response to the Strategic Review of the Student Visa Program 2011 (Knight Review)

Introduction

The Australia Council for Private Education and Training (ACPET) is the peak body for private education and training providers, delivering educational opportunities to domestic and international students. Australia’s private education and training sector offers quality, diversity and choice to students from Australia and around the world. ACPET’s core purpose is to enhance and promote the role of private tertiary education in order to achieve educational outcomes of the highest quality for individuals, their employers and communities. ACPET has more than 1,000 members around Australia representing high quality private higher education, vocational education, schools and English language colleges.

ACPET, on behalf of its members and the broader sector, coordinated sector-wide views and issues prior to the announcement of the Knight Review. Throughout the process, ACPET engaged openly and frankly on the issues facing the industry and the best ways forward to support the whole industry into the future.

ACPET called for a fairer, more transparent and more streamlined process for student visas. This process should not be determined merely by level of qualification or type of institution, but built around robust, independent and fair risk assessment models for all providers in the international marketplace.

ACPET convened a meeting of other industry peak bodies in November 2010 and the Knight Review was announced soon after. ACPET has worked hard to ensure extensive consultation with members after which our submission to the Knight Review suggested:

- a provider-based risk assessment model
- removal of the inequities and discriminatory assessment levels between sectors
- reduction in visa aligned financial obligations for prospective students
- formation of a national international education industry advisory group
- improved transparency and timeliness of processing at posts and removal of Pre-Visa Assessment (PVA) requirement
- enhanced post-study work rights for all graduates.

In considering the 41 recommendations of the Knight Review, ACPET acknowledges a number of positive changes for Australia’s international education sector. However, other areas require further action and some of Knight’s recommendations are of concern for ACPET and its members.

What Knight got right

Streamlined visa processing

The government plans to introduce streamlined visa processing for international students enrolled at universities in bachelor or certain higher degree courses, to commence in the first half of 2012. International students who package their non-university courses with an eligible university course will also be able to access these streamlined arrangements. This would include students coming for semester or year-long non-award courses at an Australian university, for example, as part of an agreed student exchange program.
Review of the Student Visa Assessment Level Framework

This review, announced as part of Knight’s report, will look at ways to reform the current student visa risk management framework to enhance the integrity of the student visa program while facilitating the competitiveness of Australia’s international sector. The review is also expected to open access to the new streamlined visa processing arrangements (see above) to the best of the non-university sector.

Both of the above changes deliver on ACPET’s call for a provider-based risk model. This moves away from the current arrangements which assess risk, based on the educational sector of delivery – as though all providers in the one sector are the same. However, the government seems to have taken an easy way out in initially limiting this benefit to universities.

The financial requirements for some student visa applicants will be reduced while the review takes place – higher risk Assessment Level 3 (AL3) and Assessment Level 4 (AL4) student visa applicants will need less money in the bank when applying for a visa (up to AUD 36,000 less). Applicants for the non-university sector in particular will benefit from these changes that are slated to commence in late 2011. ACPET called for the Australian Government to reduce the financial requirements on AL3 and AL4 countries and we are pleased the government has taken this action.

Visa processing improvements

In addition to the improvements above, the government will take steps to further simplify the student visa application process and the processing of student visas by:

- allowing prepaid homestay fees to be included in the financial requirements assessment for a student visa
- stopping the Pre-Visa Assessment (PVA) policy which requires education providers to receive a PVA letter from the Department of Immigration and Citizenship (DIAC) before they can issue a confirmation of enrolment to Assessment Level 3 and Assessment Level 4 students from outside Australia
- granting student visas up to four months before the start of the course
- regularly updating the living cost component of student visa financial requirements.

More flexible arrangements for English language study

ACPET welcomes the government’s plans to remove the English language test requirements for stand-alone English Language Intensive Courses for Overseas Students (ELICOS) visa applicants.

Establishment of an Education Visa Advisory Group

In direct response to the concerns of ACPET and other industry peak bodies, a high-level advisory group is to be established to oversee education visas. ACPET is pleased to have already received an invitation to be a member of the advisory group – International Engagement Manager, Ingeborg Loon, will be the ACPET representative.

What is lacking

While there are many positive recommendations in the Knight Review, ACPET has concerns about what is lacking in the review and calls for immediate government action to address these concerns.

Determination of a genuine temporary entrant and student criteria

While ACPET understands the importance of determining the most suitable applicants prior to offering a visa to study in Australia, there are concerns about the discretionary capacity at immigration posts to
interpret criteria. The example cited in the review (page 23) regarding a dental technician not being able to command a salary in their home country to compensate for the investment in a course, as one of the potential grounds for not issuing a visa, illustrates a lack of understanding of student motivations and does not consider how students may intend to use these skills in the global workforce. Given some of the problems recently identified by the Australian National Audit Office in DIAC’s handling of student visas, ACPET want close monitoring of changes to ensure overzealous officers don’t misuse this discretion. The monitoring should provide regular data to the new Education Visa Advisory Group.

**Move to offshore vocational education**

The Knight Review indicates the future for VET training is in offshore delivery. ACPET members have been delivering offshore for some time – this is not a new opportunity. It is important to recognise that much of this offshore training is enabled through a strong and secure source of inbound students that enable providers to finance and build such partnerships. It must also be noted that many of the market opportunities cited, including delivery models in India, are yet to be tested. If offshore delivery is to be a focus, there must be a concerted effort from government (state and federal), peak bodies and providers to enable this.

ACPET also questions why a vibrant and valuable sector such as education and training should be advised to explore offshore, when uneconomical and globally uncompetitive industries are supported financially by taxpayers to remain onshore.

This also is dismissive of the broader social, economic, cultural and soft diplomacy attributes of global education. International students have enjoyed their onshore Australian experiences for decades and Australia per capita has been the most favoured international student destination.

**Introducing changes to post-study work rights only for university graduates**

The claim by Knight that Australia is not a competitive destination for international students because we don’t offer post-study work rights is uniform across all education sectors. To only offer post-study work rights to university graduates, as Knight recommends and the government intends, discrimimates against graduates from high quality, private higher education and VET institutions.

ACPET believes there would be long-term benefits across all industries if post-study work rights were also offered to students from high quality non-university providers. Opening up post-study work rights to a broad range of providers would diversify the courses international students are interested in and be a disincentive to students clustering in a small number of university courses or professions on the Skilled Occupations List. Expanding post-study work rights to a broader range of high quality providers would also assist industries to better leverage a wider range of trained international students as skill shortages in new areas emerge.

Finally, such a move would allow private and public education and training providers to specialise in skills in which they have a natural affinity and provide a solid foundation for national or international expansion. Given that DIAC proposes to manage the entry process more stringently, post-study work rights should be open to all high quality providers.

**Details of the implementation**

Many of the recommendations in the report will require significant investment in DIAC resources. The government needs to confirm the number of new staff being allocated to the management and integrity of the new system and implementation of the reforms.