



Inquiry into the Welfare of International Students

An ATN Submission

The Australian Technology Network of Universities (ATN) welcomes this opportunity to provide a submission to the Senate Education, Employment and Workplace Relations Committee inquiry into the Welfare of International Students. Australian higher education brings significant economic, social and cultural benefits to the Australian community. With a commitment to providing high quality professional and vocational education, research oriented towards the needs of industry and the community and a genuine focus on international education, the ATN is a major partner in delivering those benefits.

ATN universities enrol 20% of the nation's students, of which over 61,000 are international students. The ATN is committed to continuing to provide all of our international students with a positive experience both on our campuses and in the community.

Despite many Australian industries suffering a downturn in the wake of the global financial crisis, the international education industry continues to grow at an unprecedented rate. In fact, numbers of international students in Australia are at a record high with the number of full-fee international students having grown by 21.4% from December 2008 to February 2009. However, in recent years Australian universities have experienced particular challenges in attracting and retaining international students: reduced public funding, the impact of Voluntary Student Unionism and increased competition for international students have created downward pressures on international student numbers. Added to this is the negative impact recent student safety issues have had overseas. While this is the focus of the current Inquiry the opportunity exists to address more broadly the challenge for all stakeholders in ensuring that international students feel satisfied with their Australian educational experience.

This submission will address the key themes identified by the Committee and the current challenges that the ATN as a network would like to emphasise. In making this submission the ATN as a network notes that individual ATN members may make their own more detailed submissions to the Inquiry.

The ATN international on-shore student profile

	Curtin	QUT	RMIT	UniSA	UTS	ATN Total	Australia	ATN % of Australia
2007	8,118	5,011	7,749	4,739	6,408	32,025	183,176	17.5

Table 1: Number and distribution of international students across the ATN

	Curtin	QUT	RMIT	UniSA	UTS	ATN
2007	25.5	12.9	24.9	17.2	21.0	20.0

Table 2: Percentage of total student body

	Curtin	QUT	RMIT	UniSA	UTS	ATN	Australia	ATN % of Australia
2007	2,143	1,794	2,634	2,165	2,830	11,566	69,537	16.6%

Table 3: Number and distribution of international postgraduate students across the ATN

	Curtin	QUT	RMIT	UniSA	UTS	ATN	Australia	ATN % of Australia
2007	5,975	3,217	5,115	2,574	3,578	20,459	113,639	18.0

Table 4: Number and distribution of international undergraduate students across the ATN

Source: DEEWR 2007 Student Reporting

Student safety

There currently exists a dearth of accurate data defining the extent and nature of safety issues confronting international students. The reasons include:

- The variability across the sector in collecting information at the institutional level,
- The sensitivity of the data makes it difficult for law enforcers to easily collect data,
- The capacity of law enforcement officials to accurately report a victim's race, i.e. "victim appears to be Indian, victim appears to be Caucasian".

A comprehensive, evidence based understanding of the nature and frequency of crimes perpetrated against international students will allow for a more targeted policy approach that delivers tangible solutions for students, the community and government to adopt.

The ATN recommends that further work be undertaken to develop a systemised approach for the collection of data in consultation with all stakeholders that provides an evidence base for future strategies on student safety.

All ATN universities have in place a range of services to ensure student safety on campus, which includes escort services to transport, 24 hour security personnel, CCTV monitoring and well lit public spaces. In addition each ATN includes sessions on safety, in some cases involving the relevant state police department, as part of the comprehensive orientation programs offered to international students on their arrival.

The ATN recognises the benefits international students bring to the wider community in terms of their contribution to the economic and cultural life of Australia. In this regard ATN universities work actively with other stakeholders, such as police and DIAC to ensure international students remain aware of safety issues and the supports that are available to them in ensuring a positive experience during their stay. Many overseas students access the opportunity to undertake part-time work which often necessitates travelling and working at times that increase their risk. There is currently an inconsistency across the States in the availability of international student concessions for travel on public transport. **The ATN supports the call for universal student concessions for public transport** as a means of removing any barrier to opportunities for employment and study during standard hours. Further, any reduction in student living expenses may also reduce the reliance on part-time work to meet basic needs.

Accommodation

Finding and accessing suitable accommodation is a critical success factor in the international student experience. The options range from university provided on/off campus facilities, to privately owned management companies specialising in the development, operation and management of student accommodation, as well as the private rental market. While the weakened economy as a result of last year's GFC and an uncertain employment market has seen rent prices stabilise after the extraordinary boom of recent years, students are still finding themselves in a state of "housing stress". As a general rule vacancy rates of around 3% is considered acceptable, however some Australian inner city suburbs are citing vacancy rates at 1.1% forcing international students ever-wider in the search for accommodation, often to locations of questionable safety.

The issue of providing on-campus accommodation needs to be a decision for each institution. For some this is a competitive advantage which will also allow for some control over quality and price. For others partnership agreements with private providers are the preferred option. Whatever the preferred option, there is an obligation on the institutions to monitor the quality and services of accommodation options that they recommend. In an ideal world, this will not only ensure a safe and comfortable environment but one that provides a supportive learning community in which to develop personally and academically.

The ATN recommends that the Federal government consider extending the National Rental Affordability Scheme specifically to attract public-private partnership investment in international student accommodation to ensure an adequate, affordable supply of accommodation for students.

Current accommodation options, especially those offered by private sector providers, tend to be less flexible in terms of the provision of cheaper accommodation options – e.g. twin share rooms etc. The reality of international students choosing to share rooms indicates that there is a demand for cheaper share-room options. Subject to this style of accommodation not becoming ‘ghetto-ised’ barrack-style accommodation, but remaining safe, healthy and well-supported, these options should be accepted as part of the solution to the lack of affordable accommodation on or close to our campuses.

To date the few private ‘specialist’ providers of student accommodation tend to have fairly rigid models of accommodation that have not done much to make accommodation affordable. Most of the private operators and press articles covering this topic have emphasised the ‘well-heeled’ international student with an emphasis on ‘luxury’ accommodation options (e.g. http://www.unilodge.com.au/news_display.asp?ID=1). In addressing this end of the market only, universities and their private accommodation partners have often ignored the less affluent international student (who probably represents the majority, though this is hard to establish). Some more creative solutions are required to address the issue of providing students with a positive and affordable living experience. Many of these ‘affordable’ options also often appeal to the Y generation’s growing sensitivity to responsible use of resources. In this regard there is an opportunity for government to assist in the provision of such accommodation options.

The ATN recommends that the Federal government consider investing in/developing creative, affordable housing solutions.

Social inclusion

As education providers are by and large the first contact international students have with Australian society, they by default carry responsibility for the primary pastoral care of students. The ATN recognises the need to provide an environment that is inclusive of all students and particularly so for international students. Our responsibilities commence prior to arrival and each ATN provides comprehensive pre-departure information to students in an effort to ensure a successful transition to their life in Australia. On arrival, further assistance is provided with orientation programs that include international student mentors/buddies with the aim of providing an ongoing point of contact and support for international students.

As universities provide the foundation for much of the international student experience, student associations have an important role to play in broadening opportunities for social inclusion. In recent years, with the advent of VSU many services have declined. The introduction of the Student Amenities Fee should see a return to activities that favour (amongst other things) a more socially inclusive environment and which allow for services and support beyond the basic standards implied by the ESOS Act.

That said, there is a role too for the broader community in welcoming international students. A recent study undertaken by the Centre for Research and Social Inclusion shows the broader community has limited understanding about international students and the contribution they make to Australian society. There exists an opportunity for education providers to work beyond the campus gate to support communities engagement and understanding of international students.

Student visa requirements

In 2007-08, visas were granted to students from over 190 different countries. The Department of Immigration considers each of these student visa applications on their individual merits and apply an Assessment Level (AL) to each application. There are five Assessment Levels in the student visa program and they function to align student visa requirements to the immigration risk posed by applicants from a particular country studying in a particular education sector. Assessment Level 1 represents the lowest immigration risk and Assessment Level 5 the highest. The higher the Assessment Level, the greater the evidence an applicant is required to provide to support their

claims for the granting of a student visa. Significantly applicants must be able to attest to having sufficient funds to support their stay while in Australia. If a student falls into the Assessment Level 2–5, documentary evidence is required that shows a student can meet expenses for the first **24 months** of stay in Australia. The current requirement is course fees plus \$12,000 per year. Students are entitled to supplement their living expenses by undertaking paid employment up to 20 hours per week during the academic year; however with the downturn in the Australian economy, the availability of work has compromised this. Thus a review of the mandated amount required for successful granting of visas would be opportune.

The ATN recommends that a review of the Temporary Visa (international student visa), be undertaken by the Department of Immigration and Citizenship.

The coupling of immigration and education.

In examining the extent to which enrolments of overseas students at Australia's tertiary institutions are being driven by opportunities for permanent residence on completion of their Australian courses, the ATN is concerned about the “disconnect” between the Department of Immigration and Citizenship (DIAC) and the DEEWR.

In essence, Government needs to see international higher education as one of the key characteristics of a world class university system, and one which requires a whole-of-government approach to its support. This approach must extend to policy regulation – in areas such as trade, immigration, foreign affairs and industry policy as well as in education – that affects this industry. This will require formal structures to ensure interdepartmental liaison and industry support from different levels of government. Such support can take different forms: for example, in seeking consistency in discussions around cross-border accreditation, and in providing diplomatic assistance when universities become the target of criticism or even boycott on the basis of a perceived slight to the policies of another nation. Such a change requires an attitudinal shift on the part of governments.

The ATN recommends that visa processing and institutional student reporting systems between the Departments of Education, Employment and Workplace Relations and Immigration and Citizenship be better aligned.

Migration agents

Recent attention has been focussed on the quality of migration agents with the government undertaking to tighten regulation of agents operating in Australia. This is in response to allegations of forged documents and false promises of permanent residency. Migration agents are a critical link to Australia's international education industry and the **ATN supports the initiatives proposed by the**

Migration Institute of Australia:

- Comprehensive reform to the education and training of agents
- Requiring current Registered Migration Agents to requalify to a higher standard of English language and professional competence
- Introduce a tiered system of registration to protect consumers
- Formation of an independent complaints body with the power to review fees

Responsibility for change should be shared by education providers, the Department of Education, Employment and Workplace Relations and the Department of Immigration and Citizenship.

However, there are few standards in place relating to the operation of education agents overseas. The ATN recommends that a Code of Practice with penalties for breaches be developed as a means of ensuring the welfare of students in their decision making as well as providing institutions with leverage in working with agents.

The ATN recommends that the Department of Education, Employment and Workplace Relations in consultation with education providers develop a Code of Practice for overseas education agents.

Employment rights and protections

As stated above, international students have the right to undertake paid employment up to 20 hours per week to supplement their living expenses while studying in Australia. In 2007, these entitlements were modified to permit international students to obtain up to a further 18 months work experience on completing their studies. There is growing evidence purporting many international students experience severe financial stress while studying in Australia and are forced to accept very poor conditions of employment. Added to this is an often relative inadequacy of language skills, local social support, cultural knowledge and as highlighted above, too little non-wage income support. The growth in number of international students and the 2007 modifications extending the time students can remain and work in Australia have exacerbated their already vulnerable status in the workforce. A review of recent literature reveals that the extent of exploitation is difficult to conclusively define as students are often reluctant to fully divulge both the

amount of hours they are working and conditions of employment due to the potential impact this may have on their visa status, however the plight of international students is receiving increased attention, particularly in recent times. While there is a role for government to play in addressing the mechanisms that have created this disparity, the education sector has a primary duty of care to ensure students are fully informed of their rights and responsibilities in employment. There is strong evidence to support that higher education providers do provide comprehensive information to international students however the ATN is concerned about the quality of information provided by some private VET providers that are significant educators of international students. This disparity and inconsistency across the tertiary sector is increasingly undermining the quality of the Australian international education industry and severely damaging our reputation.

Quality assurance

The recent events associated with Indian students have brought to the fore broader issues beyond those of student welfare. The ATN is of the view that while there is room for improvement, the Australian higher education sector provides a quality, safe experience for international students. We are very concerned however, that the growth of the international student education market across all sectors has resulted in an inconsistent approach to policing standards of quality assurance, particularly in relation to private providers, that has undermined “brand Australia”. ESOS legislation provides a comprehensive framework which seeks to protect Australia’s reputation for delivering quality education services and the interests of overseas students, by setting minimum standards. The legislation mandates a nationally consistent approach to registering education providers so that the quality of the tuition, and care of students, remains high. The professionalism and integrity of the industry is further strengthened by the ESOS legislation’s interface with immigration law. This imposes visa related reporting requirements on both students and providers. The ESOS framework is based on a co-operative regulatory model between the Australian Government and state and territory governments. The respective roles and responsibilities in administering the ESOS framework are outlined in The National Code attached to the legislation. The Australian Government is responsible for protecting the reputation of Australia’s international education and training industry and its capacity to provide quality education and training services while maintaining the integrity of the student visa programme. State and territory governments have responsibility for the regulation of education in their jurisdictions and it is a widely held view that it is often at this level where the system fails.

The ATN recommends a harmonising and strengthening at the national level of the regulation of higher education, vocational education and training and adult education at State and Federal levels.

In summary, the issue is not the need for *greater* regulation but the capacity to ensure compliance with it. Higher education providers recognise the imperative to operate within the framework however not the same commitment exists across the entire education sector leaving the door open for a largely “unregulated” training sector to flourish.

One national regulatory body.

There is a further regulatory issue that needs to be addressed in a national postsecondary education system that has a mix of institutions, including public, not-for-profit and for-profit providers. At present there are national systems for quality assurance, split between international and domestic issues and covering all post-secondary providers for international quality assurance and compliance and higher education providers only for other national quality assurance.

However the decision about whether an institution can offer certain types and levels of education is subject to State-based accreditation regimes, even if they are based on national protocols. For self-accrediting institutions, there is no accreditation of wholly owned subsidiaries that offer education in their name. Accreditation of other providers varies in its intensity and scrutiny by State.

Given the diversity in the sector and the scale of international higher education it is important that there is national certainty about the capacity and quality of the sector in order to ensure a world-class system. To this end, it is imperative that the independent national accreditation authority announced by the government in March is able to provide oversight for all types of institutions to validate capacity to offer particular levels of education, and assures the quality of offering.

The ATN recommends that the new Tertiary Education Quality Standards Agency be responsible for registering and auditing providers for the purposes of the Education Services for Overseas Students (ESOS) Act.

Conclusion

Australia's international education story is unprecedented in its success. However it appears that little is understood about the international student experience. The recent negative attention has damaged Australia's reputation overseas as an education destination which will take some time to repair. This Inquiry and its timing with the review of ESOS legislation presents the opportunity to develop a robust framework involving all stakeholders that ensures a strong and vibrant international education industry where the student is centre in that framework.

The ATN believes ensuring a satisfying and positive experience for international students rests with many stakeholders. The education sector and the Australian government as the beneficiaries of a vibrant education industry hold the primary responsibility. While universities by and large have well established programs and services in place for international students there is room for improvement to ensure they are targeted, appropriately communicated internally and externally, and demonstrate the seriousness about which the sector views the student experience.

Government must provide a policy and legislative framework that addresses student safety and welfare. In this regard the forthcoming review of the ESOS Act is timely. However the ATN recommends a review of the integrity of the Temporary Visa (international student visa) in all classes of tertiary education. In addition, there is a role for both Federal and State governments to ensure international students are not unjustly discriminated against in employment settings, i.e. they are afforded the same right to a safe workplace that is afforded the domestic population.

In essence, Government needs to see international higher education as one of the key characteristics of a world class university system, and one which requires a whole-of-government approach to its support. This approach must extend to the raft of policy and funding regulation – in areas such as trade, immigration, foreign affairs and industry policy as well as in education – that affects this industry. This will require formal structures to ensure interdepartmental liaison and industry support from different levels of government, for example the relationship between migration policy, workforce and education. Government also needs to take a more proactive and effective approach to promoting the contribution of Australian higher education internationally: not just from the point of view of building international student numbers, but in terms of developing stronger awareness of the Australian higher education industry.

Finally, the ATN is of the view that the higher education sector and the government develop a co-ordinated campaign of public awareness to support community understanding of international students and that this be led by Universities Australia and AEI.

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