

# Queensland Government submission

## Senate Inquiry into the Welfare of International Students



# **Queensland Government Submission to the Senate Inquiry into the Welfare of International Students**

## **Introduction**

On 17 June 2009, the Senate referred the following matter to the Reference Senate Standing Committee on Education, Employment and Workplace Relations for report by 19 November 2009:

(a) the roles and responsibilities of education providers, migration and education agents, state and federal governments, and relevant departments and embassies, in ensuring the quality and adequacy in information, advice, service delivery and support, with particular reference to:

- (i) student safety,
- (ii) adequate and affordable accommodation,
- (iii) social inclusion,
- (iv) student visa requirements,
- (v) adequate international student supports and advocacy,
- (vi) employment rights and protections from exploitation, and
- (vii) appropriate pathways to permanency;

(b) the identification of quality benchmarks and controls for service, advice and support for international students studying at an Australian education institution; and

(c) any other related matters.

## **The Queensland Government's commitment to international students**

Please refer to Attachment 1 for a current profile of the international education and training industry in Queensland. There is a significant and growing international student population in the state.

The Queensland Government recognises the importance of the international education and training industry, including the valuable contribution international students make to Queensland, not only in the short term, but the lifelong links that are established through the study experience that provide broader cultural, social and economic benefits.

The Queensland Government strives to ensure all international students have a safe, productive and positive experience in Queensland. To this end, the Queensland Government, through Queensland Education and Training International (QETI) and the Department of Education and Training (DET) supports the international education and training industry through a range of initiatives aimed at improving the student experience in Queensland, which are outlined at Attachment 2.

To date, Queensland seems to have avoided significant incidents of assault and other forms of crime against international students; however this is no reason for complacency. The recently established Queensland Education and Training International Student Experience Reference Group includes student representation and the Queensland Government is committed to keeping an ongoing dialogue with student groups to address common concerns relating to the student experience and the need for information dissemination in particular.

### **The Queensland Government's support for improving the international student experience**

The Queensland Government strongly supports the range of recent Commonwealth initiatives to improve the quality of provision for international students including:

- The review of the *Education Services for Overseas Students (ESOS) Act 2000* led by the Honourable Bruce Baird
- The review of the Migration Occupations in Demand List (MODL) to be jointly undertaken by the Department of Immigration and Citizenship and the Department of Education, Employment and Workplace relations
- Development of a National International Student Strategy including the international student roundtable held on 14 and 15 September 2009
- The COAG Agreement on 12 June 2009 to:
  - provide comprehensive information about studying and living and working in Australia
  - target audits of education providers
  - design and implement the Tertiary Education Standards and Quality Agency (TESQA)
  - bring forward the review of the ESOS Act.
- Recent and future delegations by the media, officials and politicians between India and Australia and the commitment of both governments to work cooperatively on a range of critical issues
- The establishment of a hotline by DEEWR to allow international students to raise their concerns and the responses to these concerns that will be published on the Study in Australia website ([www.studyinaustralia.gov.au](http://www.studyinaustralia.gov.au)) so all international students can benefit from the information.

### **Identified areas of concern and recommendations**

#### **REGULATORY IMPACTS**

International students are exposed to risk when there is inadequate enforcement of the regulations and consumer protection mechanisms governing the industry.

#### **Recommendations**

As such, it is recommended that:

- more rigorous enforcement of the current regulations should be explored to address provider breaches, rather than the creation of new multi-level systems
- regulations should be more consistently enforced across all jurisdictions
- more resources are allocated to the enforcement of regulations to ensure the system is rigorous
- an enhanced commitment is made to information sharing among jurisdictions with respect to regulatory matters, particularly in circumstances where providers are seeking to relocate or expand their operations to other states

- improvements should be made to the CRICOS database, known as PRISMS, to enhance the detail and quality of information it holds, both current and historical, and its utility for regulatory authorities.

## **STUDENT SAFETY**

There is a range of issues for consideration, raised by recent reports of assaults on international students and discussion in the community about their safety.

It should be noted that the increase of international student cohort in Australia increases the likelihood of an international student being involved in an assault even if the assault rate remains the same. Also, lack of reliable data available on assaults against international students and international student deaths has led to misinformed media coverage on the topic.

Large increases in numbers of self-funding international students needing to work to cover living and tuition expenses, and sometimes debt repayment, places these students at higher risk of assault, due to their need to work odd hours and commute long distances, often at night.

Large numbers of self-funding students on tight budgets may be forced to live in low socio-economic suburbs, often in group houses, where crime rates may be higher. Where there are large numbers of these students moving into lower socio-economic suburbs, where other recent migrant groups reside, may place stresses on these communities to absorb them without conflict.

Self-funding international students will be competing with local young people for scarce part-time work at a time of increasing domestic unemployment, which can lead to resentment and conflict.

## **Recommendations**

As such, it is recommended that:

- nationally consistent orientation materials and safety and wellbeing information be provided when the Confirmation of Enrolment is issued, to ensure all students receive relevant and up-to-date orientation information prior to beginning their study in Australia. At this time, students could also be directed to relevant information sources for future reference
- the PRISMS database should be improved, so that when a student's enrolment ceases, a reason is recorded, with an optional field to provide more detailed information about that reason (for example, student died as a result of a car accident)
- an assessment should be undertaken of the problems associated with international students' ability to fund their living and tuition expenses to determine whether there is an issue with the threshold used to prove financial independence or if the process of proving financial dependence is flawed.

## **PROVIDER PRACTICE**

The Queensland Government is committed to working with the Commonwealth to improve the experience of international students and supports the following actions:

- re-registration of all institutions currently registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) by 31 December 2010;

- two new registration requirements for education providers:
  - the principal purpose of the provider is to provide education, ; and
  - the provider has demonstrated capacity to provide education of a satisfactory standard;
- a requirement for providers to:
  - list the names of education agents who represent them and promote their services and
  - comply with any matters prescribed in the regulations concerning their agents;
- discretionary removal of the prohibition on education providers collecting monies from studying students when a course has been suspended;
- conditions imposed by states and territories on education providers to be recognised by the Commonwealth;
- exemptions from punitive provider default refund requirements for providers changing their legal entity;
- clarification of the definition of “suitable alternative course”, ; and
- additional investment to guarantee a sufficiently rigorous accountability framework.

### **Recommendations**

It is also recommended that:

- a mechanism is developed for State regulators to establish connections between providers across jurisdictions is critical to making informed regulatory decisions. This is not easily achieved under current arrangements
- examples of best practice within industry are actively promoted
- a cooperative approach is adopted to establishing a national International Student Ombudsman's office (or Advocate's office) with powers of investigation and reporting integrated with the respective regulatory authorities - while meantime investigating options to strengthen complaints and investigation pathways for international students in Queensland's legislation.

### **BEHAVIOUR OF AGENTS**

The Queensland Government acknowledges that institutions and providers carry responsibility for the behaviour of agents or anyone else acting on their behalf in Australia or overseas.

#### **Recommendation**

Queensland supports the establishment of a transparent listing and an industry code of conduct for all education agents.

### **INTERSECTION WITH NATIONAL MIGRATION POLICY**

Changes to Australia's migration policy, especially the April 2005 changes to General Skilled Migration (GSM) eligibility, created inappropriate pathways for Permanent Residency (PR) via gaining Australian Vocational Education and Training (VET) qualifications. This led to a dramatic rise in international student enrolments, especially in MODL-aligned courses in the VET, and to a lesser degree, higher education sectors. It also led to a rise in institutions offering MODL aligned courses aimed primarily at international students.

The rapid and significant growth in this sector together with the impacts of the global recession has placed stress on existing student support infrastructure such as registration and compliance together with accommodation and avenues of employment.

The Queensland Government notes that changes to migration policies have significant consequences for the international education and training industry – particularly retrospective changes.

### **Recommendations**

The Queensland Government supports policy settings that:

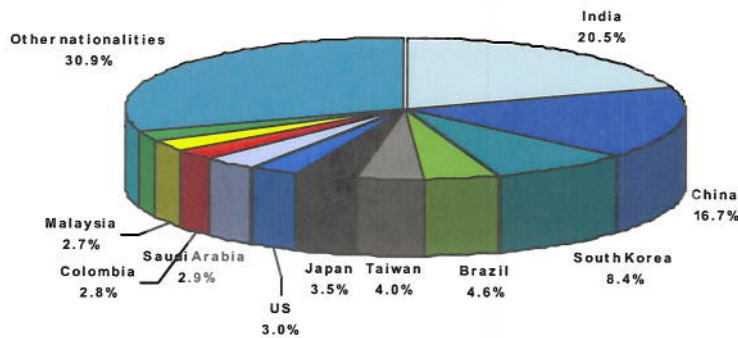
- clearly articulate a vision for Australia's International Education sector
- decouple Australia's international education and migration policies, with a collaborative approach between DEEWR and DIAC
- put in place fair transition arrangements to apply to current international students (that is, those who have applied and those planning to apply for PR)
- clearly define the objectives of Australia's General Skilled Migration program and communicate them clearly to prospective international students.

**Attachment 1 - The International Education and Training Industry in Queensland**

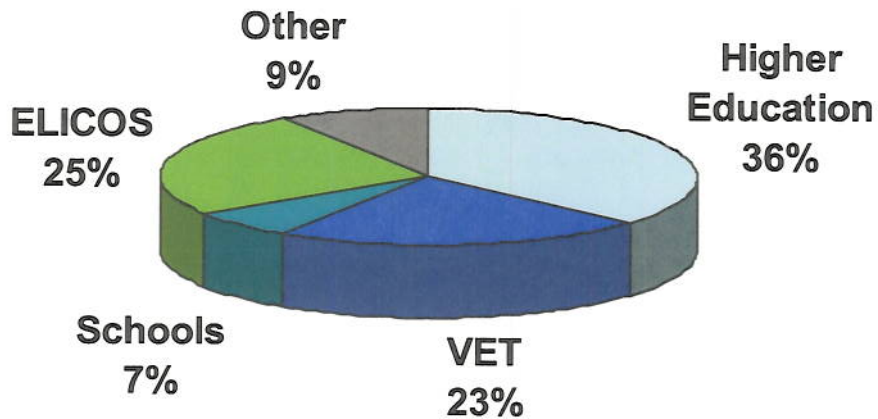
The international education and training industry contributes significantly to the Queensland economy. In 2008, ABS data indicated that the international education and training industry had grown to become Queensland's fourth largest export industry, worth \$2.099 Billion (2007/08). AEI data for July 2009 indicates there were 87,909 international student enrolments in Queensland from over 160 countries, representing 16.05 per cent of the total 547,663 international student enrolments in Australia. This is an increase in Queensland of 26.94 per cent in enrolments on July 2008. Courses for international students in Queensland are offered by more than 330 public and private institutions including: 9 universities, 107 vocational education and training institutions, 35 English language institutions, and 176 state and non-state schools.

The following graphics show international student enrolments in Queensland by both nationality and industry sector as at July 2009.

**International Student Enrolments in QLD  
By Nationality - July 2009**



**International Student Enrolments in QLD  
by Sector - July 2009**



## **Attachment 2 - Queensland Government initiatives to support the international education and training industry**

Queensland Education and Training International (QETI) was established in 2001 to assist with the development of a sustainable international education and training industry in Queensland. QETI leads, develops and maintains a collaborative Queensland Government and industry approach to meet this goal.

QETI is guided by an advisory Board chaired by the Honourable Paul Braddy, a former Queensland Minister for Education and Minister for Training. Four QETI Working Parties cover the four industry sectors: Higher Education; Vocational Education and Training; Schools; and ELICOS (English Language Intensive Courses for Overseas Students) provide close stakeholder liaison.

QETI's strategic objectives are defined in the QETI Strategic Plan 2009-11 which has a key focus to build a sustainable international education and training industry through building industry capacity and best practice and to enhance the student experience. QETI works in partnership with institutions and providers, regional organisations, Queensland and Commonwealth Government agencies and international education and training stakeholders to maximise coordination and focus on quality outcomes for Queensland. A whole-of-government industry approach is a key driver to ensure industry sustainability.

QETI profiles Queensland to international students through its Study Queensland website (<http://www.studyqueensland.qld.edu.au>). Additionally the website is designed to be used by Queensland universities, colleges and schools and a range of testimonials from international students about their study experience in Queensland are also included on the Study Queensland website.

A key focus for Queensland Education and Training International working in partnership with industry is the provision of quality outcomes and a positive and fulfilling international student experience through activities such as coordination of the Queensland Education and Training International Student Experience Reference Group; the annual Queensland Education and Training International Awards for Excellence; professional development for staff who work with international students; and publications such as the Guide to Providing Homestay in Queensland, which provides a framework for home stay providers and individual families supporting international students with accommodation.

In addition, the Queensland Department of Education and Training (DET) is committed to supporting the welfare of international students in Queensland.

DET international (DETi), incorporating the brand Education Queensland International (EQI), provides schooling programs and services to international students. EQI assists international students to enrol in educational programs at every level in the Queensland Government schooling sector, from Prep to senior secondary school. For more than 20 years, this area has provided world-class international education services in Australia and around the world.

DETi onshore programs receive students from over 84 countries studying in 239 Queensland Government schools. In Term 1, 2009, 2374 international students participated in DETi programs. Additionally, over 5800 international students are enrolled in 12 TAFE institutes in a range of vocational education and training (VET) courses.



DET providers (Education Queensland schools and TAFE institutes) comply with the National Code by ensuring that student welfare and support services for overseas students meet nationally consistent standards. These services offered to international students assist with the transition and adjustment to life in Australia.

Examples of such services include:

- access to student counsellors
- additional tutoring, if required
- access to Overseas Student Health Cover
- advice regarding student rights under the ESOS Act
- information about living in Queensland/area of stay
- co-ordination of accommodation
- DETi 24-hour emergency contact for school students
- fully supervised holiday programs, coordinated by DETi for international students during school vacation periods.

Providers conduct orientation days/programs for international students. The programs provide targeted and relevant information for students on a range of study and livelihood issues at a local community level.

Providers host a range of student social activities that aim to provide opportunities for international students to meet Queensland students and develop a sense of community and understanding of their local environment.

Welfare arrangements for the international students in Queensland schools include students over the age of 14 living in homestay accommodation, if not residing with a close relative for the duration of their study program. All homestay families undergo orientation, training, police checks and hold a government-authorized permit (Blue Card) to host international students.

There is an international student coordinator and/or homestay coordinator in each school who organises and monitors homestay accommodation for international students.

The VET Export Office (VEO) has worked with Arts Queensland to develop *In2Arts*, a searchable web-based resource for young people to discover ways to engage in social and cultural activities across the State. This was an initiative of the VET Export Office, funded by Queensland Education and Training International and aimed to provide international students with information on activities in their local community. The *In2Arts* website can be accessed at <http://www.arts.qld.gov.au/in2arts>.

With support from QETI, the VEO recently developed and launched an *International Education Agent Best Practice Guide* for the Queensland VET sector to support providers' activities with agents and ensure best practice is employed.

Additionally, DETi and TAFE institutes undertake international business activities through offshore programs where products, services and staff are exported in order to deliver training contracts, capacity building in educational reform for facilities management.