

**SUBMISSION TO SENATE EDUCATION, EMPLOYMENT
AND WORKPLACE RELATIONS COMMITTEE**

**INQUIRY INTO
INTERNATIONAL STUDENT WELFARE**

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INDEPENDENT EDUCATION UNION OF AUSTRALIA

Introduction

The IEUA is the federally registered union representing over 65,000 education professionals (teachers and other education staff) in the non-government education sector.

In particular the IEUA is responsible for supporting those teachers and other educational professionals working in English Language Colleges and other private providers of education to international students across the nation.

In making our submission, the IEUA has drawn upon the experiences of IEUA members as qualified practitioners in delivery of education in this sector.

The concerns around international students have been of interest to the IEUA, the union covering staff in the private college sector, for some time. The Union also has great concerns around the employment practices routinely used in this sector. It is the Union's view that the *laissez faire* approach to employment in this industry is indicative of attitudes widely held by providers, agents and other stakeholders. There appears to be little emphasis put on education or student welfare, but rather profit appears to be the primary motivating force.

The IEUA feels that there is insufficient (or, at best, inefficient) regulation of this sector, and the regulation that does exist is piecemeal and ad hoc in nature. Consequently, there are far too many cracks for students to fall through, and too little professionalism by providers for a properly educational culture to develop.

For example, in the ELICOS sector, English Australia (EA) and the National ELT Accreditation Scheme (NEAS) are the two groups that have the roles of peak industry body and accrediting body. However, these roles are complicated by the fact that NEAS is owned and operated by EA. This causes obvious complications and conflicts of interest. Membership of EA and NEAS overlap and consists primarily of college directors and owners. These members are then contracted by NEAS to perform accreditation inspections on new ELICOS colleges. This gives directors and owners of an ELICOS college the ability to provide a

recommendation to the NEAS Accreditation Panel about whether their competition should receive accreditation.

In Queensland for some time ELICOS accreditation is complicated by anomalies that exist between NEAS Accreditation Standards and the ESOS Act (The Act that provides standards for ELICOS colleges). It is our understanding that complying with NEAS standards can cause a college to breach the ESOS Act. However, failure to comply with NEAS standards will result in the loss of NEAS accreditation. Much of the contention between NEAS and the Queensland Department of Education is related to course structure and the wording of documents such as “refund” and “grievance policies”.

These are prime examples of the lack of co-ordinated oversight by an independent body to ensure that rigorous standards are both set and applied and that they are seen to be in place and effectively monitored.

As the provision of education services to overseas students is important in terms of Australia’s image overseas and important to the economy, it would seem logical that the Federal Government should set up an effective regulatory body with the authority to ensure its policies are adhered to.

(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 formation, advice, service delivery and support, with particular reference to the following:

(i) Student Safety

Anecdotal evidence that many colleges do not take much interest in their students outside of school. Consequently, there is little or no protection of students outside of school hours. Often student welfare off-site falls to concerned staff members or other unpaid people.

(ii) Adequate & Affordable Accommodation

Many schools offer “homestays” with local families, but these are of varying quality. Students also stay in crowded share houses with other students, sometimes with several people to one room. This is not so unusual for students in an expensive city, though obviously not ideal.

(iii) Social Inclusion

Many students often find it difficult to integrate with mainstream Australian society, due to language, cultural and personality reasons. Many schools do offer activities that allow students to socialise, and some teachers often take it upon themselves to socialise with their students in their own time.

However, most commonly students tend to stay with other students of their own national group, minimising their exposure to Australian culture.

(iv) Student Visa Requirements

Students usually need to pay “up front” and be accepted into a college before applying for their visa. This encourages schools to misrepresent what they have to offer, and makes it hard for students to change schools after arrival. This tends to work against any competitive forces to operate within the industry, as students are unable to “shop around” before enrolling, except via the internet, which can often be misleading.

(v) Adequate International Student Supports and Advocacy

Student support is very ad hoc in nature, and it is often very unclear to students who they should turn to in times of trouble. There are some groups set up by students themselves, but these tend to be geared towards particularly ethnic groups, so those students coming from smaller countries tend to fall between the cracks. The better schools have counselors on staff, but more often than not, well-liked teachers take on a de facto role of student support. As this is inevitably unpaid for the teacher concerned, it tends to be only of marginal and irregular value.

(vi) Employment Rights and Protections from Exploitation

Many students need to work to fund their stay in Australia, which is usually more expensive than the cost of living in their own country. Consequently, students often work too many hours to allow them to put adequate time into their studies. It is not unusual for students to turn up tired and unengaged after working late into the night. Often these jobs are at the bottom end of the

employment market, with low casual rates and little job protection. Many students by necessity work over their legal working hours (20 hours per week), and often for below award rates and without other employment protections.

Employees in these colleges (both teaching and non-teaching) are also victims of a culture that encourages profit over any other concern. Teachers are often paid at rates lower than the Award/Agreement minimums or to that paid to their colleagues in comparable school settings, or are subject to sham “contractor” arrangements. This tends to lead to low job security and satisfaction, and so students get little continuity of teaching and other staff, further undermining their experience at Australian colleges. Non-teaching staff (often former students) are more often treated in an even worse fashion.

(vii) Appropriate Pathways to Permanency

Many agents and colleges openly advertise their colleges as offering a pathway to permanency, using the list of occupations allowed for by Australian Immigration as a guide to what courses they teach (hence the plethora of hair cutting and cookery schools). Teachers are often appointed to teach these courses who are not necessarily qualified in these fields, and students do not often pursue a career in these fields after they graduate. Often schools mislead students as to what courses are appropriate, and then push them into further courses (with consequent fees), chasing that elusive Permanent Residency.

(b) The identification of quality benchmarks and controls for service, advice and support for international students studying at an Australian educational institution.

As stated earlier, the international student sector has very little regulation, and where there is regulation it is haphazard and poorly enforced. The IEUA recommends that the Federal government streamline the existing regulatory framework pertaining in this sector. There should be a central Ombudsman appointed to deal with student complaints, and a clearer list of requirements for providers to follow. It is not unheard of, for example, for colleges to continue trading even when insolvent, so more frequent auditing is clearly

required. There is also a need for more rigorous accreditation, as is the case in regular schools, both for the schools themselves, and for the courses they offer.

It is clear that the education sector catering to international students needs to be greatly improved and more closely monitored, but there also need to be cultural changes among the providers. Too many colleges pursue profit at the expense of all else, to the detriment of students and also of staff.