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Student Policy Projects
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Dear Mike,

Re: TDA response to *Future directions for streamlined visa processing discussion paper*

TDA welcomes the opportunity to contribute to the future directions for streamlined visa processing. Our response takes a broader perspective and then focuses on future directions rather than analysing current arrangements.

It is worth noting that the 2009/10 crisis in the international student market was driven by many factors including inadequate oversight and a failure of provider regulation, the high value of the Australian dollar and concerns over the welfare of international students.

What is clear from this period of instability is that students who did not comply with their visa conditions were a very minor factor in maintaining the integrity and reputation of international education in Australia.

The responses to this crisis were many and varied including three major reviews (Baird, Knight & Chaney), a national approach to regulation and student protection, and a range of student visa policy changes.

Much of this work has had a very positive effect. However some initiatives such as the introduction of streamlined visa processing have created distortions in the market.

We now have a limited number of providers who gain both a reputational and operational advantage, notwithstanding additional costs to those providers in ensuring a low visa noncompliance rate.

Agents are more selective in which institutions they promote; SVP providers are particularly cautious in selecting business partners for pathways programs or choose not to offer such pathways at all; providers with limited or no offshore recruitment are greatly advantaged by low non-compliance rates; onshore SVP students are targeted by agents and/or providers offering cheaper and shorter courses.

None of these activities benefit the overall international student program. It is not a sustainable model and it does not guarantee the quality of provision and support for international students.

Future directions

In the very early stages of discussing SVP, the question was raised as to why all CRICOS providers could not be rated according to their visa compliance rates. This would enable all providers with an appropriate rating to offer streamlined visa processing for applicants, regardless of their education sector or the number of international students they recruited. The answer was there were insufficient resources to develop an IT system which could effectively do this.

It is time to revisit this question and seek an appropriate Federal budget allocation to create such a system.

However visa non-compliance rates should not be the only factor used to determine the quality and integrity of the provider or the broader international education sector. Governance, financial strength, appropriate teaching and learning facilities, and effective teaching and assessment processes are just as important.

We now have three national agencies, TEQSA, ASQA and the TPS, which regulate these critical aspects of education provision for international students. We also have state and territory government agencies with an additional regulatory role for TAFE institutes and schools.

Earlier this year, the peak bodies proposed a model which aimed to develop a comprehensive risk profile for all providers. Such a model incorporated visa non-compliance rates and risk ratings from the three national agencies. As each of these agencies has a slightly different approach and purpose in risk rating providers, such a model may not be achievable in the short term.

TDA now proposes the following:

A Simplified Visa Processing program

All CRICOS providers will be given an immigration risk rating, updated at least annually, and based on the current four indicators. Exemptions will apply to those with less than 100 students.

Those at or below the non-compliance threshold of 2.70, as well as providers with less than 100 students, can enrol international students under the same terms and conditions of Assessment Level 1. All courses offered by these providers are eligible. Pathways programs require all participating providers to be below the threshold.

Those above the threshold will be subject to the relevant country's current education sector assessment level (1, 2 or 3).

All CRICOS providers will be required to demonstrate compliance with the relevant regulator standards. Non-compliance may lead to suspension or cancellation of their CRICOS registration.

No lists of 'approved providers' or categories of providers based on their risk rating will be published. Providers may choose to promote their ability to simplify the visa process.

The genuine temporary entrant criteria will still apply but activated once a formal offer of enrolment has been issued by the provider/s.

A single Australian Study Visa

In addition, TDA suggests a new approach to the overall student visa program. Currently there are eight subclasses, each with their own terms and conditions. To simplify this we suggest a single *Australian Study Visa* and provide below some suggestions on how this might be framed:

The *Australian Study Visa* will set out the terms and conditions on which the student is permitted to enter Australia. These include:

- a) Student name, address, contact details
- b) Country of origin
- c) Name of approved provider and location (multiple if a pathways program)
- d) Course of study and AQF level (multiple if a pathways program)
- e) Date of issue and period of validity (based on proposed start date/s and completion date/s)
- f) Work rights (during and after completion of course/s)
- g) Approved mode of delivery (outlining the approved percentage of face to face instruction, research, work placement/internship, online etc.)
- h) Other conditions

The visa fee will have a base charge plus a supplementary fee based on the period of validity. For example, a short ELICOS course visa would be significantly cheaper than a three year undergraduate program visa. Any changes to the terms and conditions would require provider/s and DIPB approval and be subject to an administration charge levied by DIPB and the provider/s.

TDA proposes a working group be formed to refine and expand on this framework with implementation to commence in 2016 at the earliest. The final framework must ensure sufficient data is collected at the enrolment and commencement stages to enable DIPB and other government agencies to generate reports and trends relevant to each education sector and each country of origin.

Current and future visa holders prior to implementation would be either transferred to the new single visa or have their current visa conditions grandfathered. Applicants already in Australia on other visas (eg Tourist) would make a separate application for a Study Visa.

We welcome the opportunity to discuss these proposals in more detail in early 2015.

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