

International Student Education Agents Association

Objective 1

1. Are there further reforms governments should consider that will improve the quality and integrity of the sector?

Overview:

ISEAA the International Student Education Agents Association is the peak body for education agents in Australia. ISEAA from its inception has been dedicated to improving the quality and integrity of the international student recruitment and study journey. ISEAA runs regular webinars and events to inform and education agents on compliance and changes in international education. Education agents work in the best interests of students and the provider and supply a unique service promoting Australia as a study destination across the globe. Education agents play a pivotal role in supporting international students and ensuring the smooth operation of Australia's international education sector. However, their contributions often extend beyond the scope of their official duties, involving significant unpaid services and long-term commitments to students. ISEAA thanks the Department of Education for the opportunity to contribute to the International Education and Skills Strategic Framework.

The necessity for improved oversight and regulatory adjustments in Australia's international education framework is unequivocal. The Australian Skills Quality Authority (ASQA), the designated regulator for Vocational Education and Training (VET), has historically managed quality and integrity issues of Registered Training Organizations (RTOs) in the international student market primarily on a reactive basis. This approach has facilitated the emergence of RTOs operating under a model characterized by low or non-existent attendance, commonly referred to as 'ghost colleges.'

The phenomenon of 'ghost colleges' is not a recent development. For over two decades, the regulator has struggled to effectively identify and close such operations. The Nixon Review has highlighted the severity of this issue, identifying these businesses as potential facilitators of human trafficking and the entry of sex workers under the guise of student visas. These malpractices not only jeopardize the integrity of Australia's education system but also pose significant risks to the international students and tarnish the country's reputation as a leading educational destination. However, the number of these RTOs is small in comparison to the 1000+ VET RTOs in CRICOS and to implement legislation and regulation that applies to the whole industry is punitive. A more forensic, and data-driven investigation could have identified and immediately closed these operations under criminal law rather than use bureaucracy to slowly identify and send letters to close them.

Recommendations

1. Enhanced Proactive Measures:

ASQA should adopt a more proactive stance, employing advanced data analytics and intelligence gathering to identify non-compliant RTOs

2. Increased Resources:

Use the additional resources to ASQA, enabling the regulator to conduct more frequent inspections and audits to ensure compliance and quality across the sector.

3. Collaborative Efforts:

Foster greater collaboration between ASQA and industry stakeholders, including ISEAA, to share intelligence and insights, thereby enhancing the effectiveness of regulatory actions.

4. Public Transparency:

Increase transparency by maintaining a publicly accessible register of non-compliant RTOs, helping students make informed choices and discouraging non-compliance.

ISEAA hopes that with increased resources and a more proactive approach, ASQA will be able to effectively track down and close RTOs that do not deliver legitimate training. By working together, we can safeguard the integrity of Australia's international education sector and ensure a high-quality experience for all students.

A further reform would require students to reapply for a visa if they switch courses and study areas before completing the initial course. Reapplication would eliminate most course hopping, focusing on genuine student criteria.

2. What more can providers do to improve the integrity of the international education sector?

Education Agent Training

Providers are responsible for overseeing their education agents under the ESOS Act. ISEAA believes that introducing some barriers to entry to becoming an education agent combined with an ongoing professional development program can provide the initial benchmark to operate. This would aid providers in choosing education agents and ensuring their agents are informed and give the best possible advice to students. ISEAA is in consultation with ICEF, a global operator of education agent events and training that hosts education agent training for countries such as Canada, USA, France, and Ireland

- a. Education Agent training for all counsellors – using the revamped EATC Education Agent Training Course now run by ICEF –in conjunction with a CPD program run by groups such as ISEAA, NEAS, English Australia, and ISANA through monthly webinars and updates.
- b. Education Agent registration via ICEF IAS (ICEF Agency Status) – a global background check on the education agent business owner's practices.
- c. Set up a Student visa advisor course overseen by ISEAA, ISANA, and providers for submitting student visas by education agents—increase in quality of student visa compliance. ISEAA has initially talked with DHA on a possible model to make education agent advice on student visa matters lawful.

ISEAA has advocated this approach since 2019 and would like to work with the government to professionalise the industry further and differentiate education agents that undertake training and background checks.

Agent-Provider Agreements:

ISEAA strongly advocates for implementing clear guidelines and mandatory agreements between education agents, providers, and students to enhance transparency and accountability within Australia's international education framework.

Education agents play a crucial role in the international student market, acting on behalf of both the student and the education provider. However, the lack of standardised agreements and clear definitions has led to ambiguities and potential conflicts of interest.

ISEAA believes that all agents should have a written agreement with a provider to clearly mark them as an agent of the provider. If there is no written agreement no commission should be paid. The definition of an education agent should be clear that it involves a written agreement, and that the agent is not a paid employee of the provider. If there are sub-agents, they should also be identified when submitting an application for a student.

Agent-Student Agreements:

Education agents often serve dual roles, working on behalf of both students and providers, which can lead to conflicts of interest without clear agreements. Implement a requirement for a written agreement between the agent and the student. This agreement should detail the services provided by the agent, disclose that a commission may be received from the provider, and include other services such as Overseas Student Health Cover (OSHC) that may pay for the agent's services. This practice aligns with the standards for migration agents, who must disclose any commissions received from providers and other services introduced to clients.

Commission Transparency

Public disclosure of commission payments to specific agents could lead to unfair comparisons and requests for kickbacks from students. While transparency is essential, it should be managed carefully to prevent misuse and ensure fairness. If information is gathered it should be given only to the Department of Education under the Tuition Protection Service (TPS) that could use them as part the annual metrics. Excessive commission payments can be 'red flags' that would warrant further investigation by ASQA/TEQSA on how providers are working with education agents and if the provider is financially viable.

Objective 2

1. What factors should inform government's approach to allocating international student enrolments across sectors, providers, and locations in Australia?

Student Choice of Destination and Course

The constraints on student numbers or caps for sectors and dictating numbers of students and types of courses that international students may take, is overreach by the government into a global market where students would like to make their own choice of course as well as the destination. As noted by Andrew Norton , students do not always choose Australian education to supply skilled labour for Australia but personal development that may have no connections. 'International students should follow their own interests and career plans' It has been noted that 80% of international students do not stay and return after their student visa or post graduate work visa expires.

Regional Destinations

ISEAA agrees that regional destinations should be continued to be promoted by the government. International students would usually like to study in major cities due to the choice of education providers and availability of employment and post graduate employment. Regional destinations that actively promote the destination and provide employment and accommodation services such as Study Gold Coast are excellent examples of integrating services that attract students to a region.

2. What considerations for government should inform the overall level of international students in Australia?

The post-covid spike in students was a one-off event that should be seen as temporary jump and will revert to normal levels. Placing caps on students for sectors and providers is unnecessary and an overreach, inflicting an economic downturn in Australia for no good reason. The study by the ANU Migration Hub explains that the departures of temporary visa holders was skewed by government policy to encourage longer stays by temporary visa holders during a labour shortage (student visa extensions, Covid Visa subclass 408) that will drop of its own accord.

It is important to recall the post-covid border opening when we had the lowest number of international students for many years. The labour shortages and high wages needed by sectors such as hospitality and

aged care were driven by the lack of international students in Australia. A balanced approach to informing the broader public on reasons for housing shortages and the real advantages of a vibrant international student community is far better than demonising a successful export industry.

3. How will this approach to managing the system affect individual providers?

It will be extremely difficult for providers if they are given a restricted number lower than their CRICOS allocated number of students. Business planning for exporters is not usually given such restrictions of limiting their business. The CRICOS allocated number and facilities of providers can be looked at to determine if it is correct. The current restrictions on student numbers through visa refusals are already impacting the sector and quality RTOs and ELICOS colleges are under financial stress of lower visa grant rates and having to refund money due to visa refusals. Further cuts and restrictions could badly impact providers and close quality, long-term RTOs and colleges. ISEAA recommends that a sunset clause be put in around this legislation for review in 2028/29 to further check on impact to the sectors.

4. Should sectors other than higher education and vocational education and training, such as schools, ELICOS and non-award be included in approaches to manage the system for sustainable growth?

ELICOS is an established pathway for students in other sectors, and restricting numbers is problematic to the student journey – students should have the ability to start with an English course and then choose to continue to a VET or Higher Education Course

5. How should government determine which courses are best aligned to Australia's skills needs?

There is opportunity to oversee and incentivise students to take courses that assist Australia to fill skills gaps in trades as well sectors such as, healthcare, aged care, information systems, and data. Having only students that work and study in these areas ensures that the students are committed to staying in that work area post-graduation.

The government now has the Jobs and Skills Councils (JSC) to determine future demand the best they can. The Government can modify work restrictions on student visas for trades and sectors where a work and study, or a work integrated learning model may be best. A tripartite consultation between unions, providers, and industry can identify with the JSC, jobs that need gap filling beyond what can be supplied by Australian students and apprentices. A student visa with enhanced work rights and oversight of employers via universities, RTOs or a Group Training Organisation model can allow some of the skills needs to be met via international students.

6. How should government implement a link between the number of international students and an increased supply of student housing?

Despite the links made by the government (and opposition) that temporary visa holders such as students have helped cause the rental crisis, studies have shown that international students comprise just 4% of the rental market. Students are more likely to use share house accommodation (only 1% live alone), homestay, and have limited impact on the overall market.

The homestay model for student accommodation needs to be reinvigorated in Australia. This form of housing takes capacity in Australian homes located near or on public transport routes to providers. A government sponsored campaign could encourage more Australian homes to take in international student/s to alleviate some of the housing pressure and provide a much-needed income stream to many homes. Homestay is a tax-free income (conditions apply) and a way of culturally integrating students to Australia. Building purpose-built student accommodation can take years due to development and

planning restrictions and is only viable if there are no restrictions by the government on student numbers for investors to have confidence in building.

7. What transition arrangements would support the implementation of a new approach?

A complete change in a business export model brought in by a government such as caps on student numbers and courses would warrant an 18-month transition. The unofficial capping of international students from a number of countries via DHA student visa refusals in 2023/24 heavily impacts VET and ELICOS providers now and higher education soon after. This would also allow the government to determine the net overseas migration (NoM) impact of international students coming to Australia. The government should reflect on the unintended consequences of rapid and radical changes and visa refusals on an export industry that up until late 2023 was a source of pride. To this end a sunset clause for 2028/9 should be part of the changes to ensure this change is fit for purpose.

Objective 3

- 1. What are the barriers to growth in offshore and transnational delivery of Australian education and training?**
- 2. Where can government direct effort to support transnational education?**