



Senate Committee Inquiry into the Welfare of International Students

Submission by
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A Executive Summary

This submission proposes that professional development and training of people working in international education roles is pivotal to sustaining and protecting the international education industry.

Professional development and training for people working in the field of international education has been largely neglected and not developed to a degree adequate to sustain and quality-assure international education programs.

The submission argues that, unlike most other industries, international education lacks a systematic approach that requires that its workforce be trained, and suitably qualified and competent to fulfill relevant roles and responsibilities. This creates a serious risk in the provision of services to overseas students.

Furthermore, it argues that education agents are a vital element of the international education supply chain, and should be supported in their activities through training and recognition of their professional role. It maintains that the ESOS regulations that apply to education agents are largely appropriate in holding education providers accountable, although the regulations have been poorly enforced. This has resulted in a perception by some providers that they need not be overly concerned by the risk of sanctions or the imposition of penalties for any inaccuracies in the representations made by agents on their behalf.

B Background

International Education Services Ltd (IES) is a not-for-profit Registered Training Organisation based in Brisbane. IES has been a provider of foundation programs in partnership with the University of Queensland since 1997, currently enrolling 550 international students annually. In 2004, having recognised the need for more professional development opportunities for staff working within international education, IES developed *Professional International Education Resources* (PIER). PIER is a separate, not-for-profit division of IES which provides specialised, accessible and flexible online training courses to international education employees and education agents who work in relationship with education providers. IES won a Queensland Government award for Partnerships for Positive Outcomes in 2007, for its PIER initiative.

Courses delivered by PIER are formally accredited and nationally recognised as part of the Business Services Training Package and include:

- Diploma of International Education Services
- Certificate III in Business Administration (International Education), two units of which comprise the Education Agent Training Course (EATC).

PIER also provides extensive free information resources, and supports a network of over 10 000 people worldwide who are engaged in international education activities.

Welfare services for international students require a number of specialist skills, and an understanding of the international education environment. Providers who employ staff with relevant competencies are able to implement a high level of service, preventative and responsive critical incident management, age- and culture-appropriate pre-departure and orientation programs and on-going advisory support. Without appropriate training, staff working with international students risk delivering inaccurate information and mis-managing the students in their care.

Through its courses and other resources, PIER seeks to strengthen professionalism and reduce the risk of employing unqualified or poorly prepared staff. We support education providers to ensure their staff:

- increase their understanding of the international education environment
- examine their own workplace practices;
- build networks with others across educational sectors and diverse locations
- share information and ideas;
- develop standards of professional practice which can be used as benchmarks across the industry;
- ensure that staff working directly or indirectly with international students are formally qualified in the international education field;
- promote professionalism and quality of service to students and other clients.

PIER has enrolled over 200 professional individuals across all education sectors in the Diploma since its establishment in 2006. More than 1180 education agents from 45 countries have successfully completed the formal assessment for the EATC and form a network of qualified professionals. This indicates that there is strong interest from those engaged in international education to acquire formal qualifications and training.

The Education Agent Training Course (EATC) was developed with the support of Australian Education International (AEI), the Department of Immigration and Citizenship (DIAC) and the major education peak bodies, including English Australia, Universities Australia, TAFE Directors Association, ISANA: International Education Association, Australian Council of Private Education and Training, and the Independent Schools Council of Australia. It provides a means for education agents to identify as professionals and gain explicit recognition for their skills.

The recommendations that are proposed in this submission are developed from the experience of being both a provider of international education services with an extensive education agent recruitment network and from being a training provider delivering services to education agents themselves and other individuals working within the industry.

C – Professional development and training

Recommendation 1:

Institutions should be actively encouraged to provide appropriate training and professional development to staff who interact with international students.

In her address to the DEEWR International Education Roundtable on 16 March 2009, Education Minister Julia Gillard emphasised the importance of the international education industry to Australia, including an estimated 80 000 Australian jobs. It is not known how many of those work directly in international support roles, and there is no systematic data to show providers, or reassure students themselves, how many of these individuals have appropriate training or qualifications for their roles.

While there are many successful professional development activities across the international education industry, a very small proportion of the people who work in the industry access them. Typically, senior managers receive significantly more opportunities for training than individuals whose roles require them to directly interact with international students on a daily basis, such as enrolment or accommodation officers.

Our concern is that many providers do not have a plan or have committed resources for the development of their international education personnel. There is no provision within the ESOS Act or the associated National Code which explicitly requires providers to develop their staff who work with international students. This is of concern given the specialised responsibilities many individuals fulfill in service delivery, international student support and welfare, cross-cultural communication, critical incident management, and legislative compliance.

It is suggested that the identification of professional development needs of individuals and the development of human resources are *ad hoc* in international education, creating strength in some areas and weakness and risk in others. For professional staff entering the field of international student welfare and other roles, professional networks and staff mentoring are important but insufficient to provide individuals with the capacity they need in this complex area.

Australia is a world leader in the provision and regulation of overseas student services, and we should maintain our leadership role in our training of international education professionals. Indeed, skills sets within the Business Services Training package have carefully addressed those skills needed to function effectively within the international education environment. The industry requires more encouragement from government to train its frontline staff in these skills. There are some enlightened education providers and organisations which have formally committed funding and in-principle support to systematic professional development and we commend their initiative. These include:

- **University of Southern Queensland:** In July 2007 Tim Fowler Pro Vice-Chancellor of USQ supported the professionalisation of "the international sector of higher education, and part of that is going to mean bringing in more rigorous systems and process and models in order to enhance the way we work."
- **University of Queensland:** The University pledged funding to provide the Diploma of International Education Services to its international office staff from June 2007.
- **Southern Cross University:** The University made a commitment in 2009 to support staff in the international office to undertake the Diploma of International Education Services as part of its Human Resources professional development program
- **RMIT:** Since October 2007, several international student support staff have been supported by the University to undertake the Diploma of International Education Services to ensure quality international student support services and specialist professional roles in this area of the university.
- **Education Queensland International:** In February 2007 EQI committed funds to support government school personnel working with international students to undertake the Diploma of International Education Services program, as part of their school accreditation process.
- **Queensland VET Export Office:** Since 2007 the Queensland VET Export Office has provided support for a number of staff working in VET providers, both public and private, to undertake the Diploma of International Education Services, and systematic commitment to the professional development of Queensland TAFE employees in international education roles.

D Education Agents

Recommendation 2

The ESOS Act requires education providers to monitor and approve the activities of their education agents. This is the most appropriate approach to regulation and it should be maintained and strengthened by more visible enforcement.

The ESOS Act requires providers to monitor the activities of education agents with whom they have agreements, and to take corrective action if these activities reflect “negligent, careless or incompetent behavior.”¹ This is an important safeguard in ensuring international students are advised correctly and supported appropriately.

There is no peak body or association within Australia that advocates on behalf of or represents the interests of education agents. When a small minority of unscrupulous individuals engage in poor and/or unprofessional behavior in their recruitment activities, education agents present an easy target and are often attacked in media coverage.

Yet education agents are a key driver behind the industry’s growth, and Australia has shown a lead in the management and training of agents in comparison to our competitor countries. An *i-graduate* survey indicated that 60% of all Australia’s international student population were sourced through education agents, compared with 19% in the UK and only 3% in the USA.² Australia outperforms its competitors in terms of recruitment of students from overseas; Australia’s higher education sector has the highest proportional intake of international students amongst OECD countries.³ Education agents are fundamental to the industry’s continued success, and are a valued partner to Australian providers.

It is arguable that many education agents recruiting students for Australian providers are the most qualified and professional in the world, and provide a valuable service to both their student clients and the providers they represent. Approximately 1,200 Education agents have demonstrated a commitment to better knowledge and skills through EATC training.

Indeed, Australian government engagement with the education agent community around the world, promoting training such as the EATC and other activity is regarded as a major success by stakeholders in our industry. For example, a recent series of training workshops commissioned by AEI gathered 1075 individuals from six major target markets, to overwhelming approval from the agent community, according to extensive evaluation data collected.⁴ It is very important that this engagement continues and there is every indication from the present government that it will.

Education Minister Julia Gillard’s media release on 18 March 2009 pledged sector support (to Australian international education providers) which included “supporting education agents in training and development to align agents more to Australia and ensure that students are given the best possible counselling on their education choices.”

¹ The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students, Part D, standard 4.

² International Student Barometer data 2007/2008, presented by i-Graduate at ICEF ANZA Workshop, April 2009, Auckland.

³ Universities Australia, Submission to the House of Representatives Inquiry into Australia’s Trade and Investment Relations with Asia, the Pacific and Latin America, March 2009, page 4

⁴ Data contained in “Draft AEI report, AEI Education Agents workshops May- June 2009”, prepared by Professional International Education Resources (PIER), August 2009.

It is submitted that all bona-fide agents are seeking training for themselves and their staff and seek sustainability for their business operations. They understand the need for quality in the provision of all education services, both those they deliver themselves and those delivered by the education provider they represent. The success in the uptake of the EATC since its introduction in 2005, is a clear example of education agent support for best practice.

We submit that to support education providers in ensuring that their agents perform with professional integrity, training such as the EATC should be strongly encouraged and /or required as part of the education agent's contract with providers. There are several providers who are already implementing this requirement, and we support this measure. In addition, some of Australian Education International's offshore offices, for example in Indonesia, Japan and Latin America, promote only education agents who are listed on the Qualified Education Agent Counselors database to prospective students.

Enforcement of sanctions

Unfortunately there have been examples of poor behavior from individuals acting as agents, often acting in a 'fly-by-night' manner. Typically, these individuals have not undertaken training nor invested much in their own business structures. Nevertheless, we are not aware of any case being brought against any provider for allowing a contracted education agent to act wrongly, or for knowingly accepting a student who has been misled or advised to enter an inappropriate course.

The general education agent community would very much like to see this type of reputation-damaging behavior terminated, as would providers and the community in general. Research into the views of education agents conducted by Australian Education International during May and June 2009 shows that 86% of the 174 agents surveyed across the six locations in the study believed agents should be qualified by undertaking the Education Agent Training Course.⁵

There have been calls from some corners to instigate a regulatory scheme for education agents similar to that which governs the migration industry. The concept is to shift the burden from the education providers themselves and make each individual agent directly responsible for their behavior. Others have called for all education agents to be registered as Migration Agents (RMAs) governed by the Office of the Migration Agent Registration Authority (MARA).

We believe both ideas are misguided and could have potentially serious consequences for the education industry. Australia's education agents are commonly recruiting for our competitor countries and these countries (aside from the USA) have very few constraints on agent behavior. A significant number would make the business decision to focus efforts on recruiting for our competitors if such regulation were introduced. A basic requirement to become an RMA is to undertake a graduate certificate focused on migration law; the majority of the course content is irrelevant to the work of an education agent. Requiring education agents to gain such a high-level, expensive qualification and become RMAs would be unacceptable for many current, high-achieving education agents.

However, many on-shore education agents dealing with international students are Registered Migration Agents (RMA) or have a partnership with a RMA. There are fundamental differences between the activities of education agents, who primarily are providing course option advice, and other related pastoral support such as accommodation services and the activities of migration agents providing immigration advice covering a range of visa categories.

⁵ "Draft AEI report, AEI Education Agents workshops May- June 2009", prepared by Professional International Education Resources (PIER), August 2009, page 40.

RMA's are governed by extensive regulation that prescribes their activities and imposes direct sanction including de-registration of any individuals who act beyond these regulations. Despite these provisions, a minority of unregistered (and registered) migration agents continue to damage the professional standing of migration agent activity. A key finding of a widespread review undertaken by Migration Institute of Australia/MARA in June 2009 said:

*"Stakeholders cited extensive evidence that leads them to suspect that some migration agents, both registered and unregistered, may be involved in fraudulent activity either directly or indirectly both in Australia or overseas"*⁶

Aside from the problems inherent in trying to subject off-shore education agents to Australian law, if the same RMA-like model were adopted for education agents, a large effort would have to be expended in enforcing regulations to weed out fly-by-night operators who represent a tiny minority. The bona-fide education agents would be expected to expend significant energy on compliance activities and many would then choose to focus their efforts on recruitment for our competitors. Furthermore, the migration industry experience demonstrates that deregistration is not a barrier to unscrupulous operators who are prepared to flaunt the law.

The current situation of holding each education provider to account is clearly preferable to any direct regulation of education agencies. Each education provider has an Australian business address, is subject to Australian law and pays an annual registration fee to be on CRICOS. This registration fee could be modified to reflect any proven instances of non-compliance of their education agents. The education agents act in the education provider's name and the latter should be held accountable for the education agent's behavior.

Recommendation 3

That the Government imposes financial sanctions on providers who knowingly accept students from an education agent who is misleading a student or whose information or advice is willfully incorrect.

Even though education providers are supposedly responsible for the activity of their agents and sanctions can be imposed by authorities under the current ESOS Act, there is no evidence of this having ever occurred. There have been a number of highly visible misdemeanors reported in the media and throughout industry channels. It would appear that governments are understandably reluctant to threaten providers with suspension if that could lead to their students being displaced and the consequent negative publicity.

We suggest that the introduction of a more direct and swift financial penalty on such providers whose agents are proven to misrepresent them or mislead students, would be a much more effective sanction. Providers would refuse to accept students from an education agent, if there were concerns over the agent's activity and it was clear that the provider could financially suffer because of this. Sanctions applied in such a manner would not necessarily create a crisis and the possible closure of operations thereby displacing students.

We would anticipate that such a change would force almost all sub-standard education agents out of the industry relatively quickly.

⁶ Changing together: Perceptions and proposals for reform from stakeholders in the migration advice community. Report prepared for the Migration Agents Registration Authority, June 2009.