

EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS

Senate Inquiry – Welfare of International Students Friday 18 September 2009 – Question on Notice

Outcome 3.6

Question

DEEWR Question No. 1 p. 74, para 3:

Senator CASH—My questions, then, are: in relation to the acknowledgement by the department that you were first advised of this situation on 31 July, when did the department first take action? I would also like to know: has the department had any concerns surrounding this particular college; have you had any discussions with the minister's office; who initiated the communication to the department in relation to the college; and what is the status of the action being taken?

Answers

a) when did the department first take action?

The Dept commenced its preparations to investigate this provider immediately upon receipt of information on 31 July 2009.

b) I would also like to know: has the department had any concerns surrounding this particular college;

As the Queensland operation was not registered on CRICOS the Department had no prior knowledge of its existence.

c) have you had any discussions with the Minister's office;

The Minister's office is informed of Departmental actions involving registered providers when appropriate.

d) who initiated the communication to the department in relation to the college;

The Queensland Department of Education and Training referred information on to DEEWR.

e) and what is the status of the action being taken?

The college in the Gold Coast was instructed to close and has done so. The possibility of further action is also under active consideration. Alternative placements for the affected students are currently being arranged.

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DEEWR Question No. 2 (pg. 74, para 6)

Senator CASH—Okay. Is the department able to confirm that the college in question is the Maewill English College, Gold Coast campus?

Answer

Yes.

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DEEWR Question No. 3 (pg. 75, para 2)

Senator HUMPHRIES—Okay. Sure. In relation to that, I might ask if you could also take on notice to inform us how many prosecutions there have been in, say, the last five years on CRICOS issues and how many convictions there have been with respect to those CRICOS cases.

Answer

There have been no criminal prosecutions under the ESOS Act.

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DEEWR Question No. 4 (pg. 77, paras 7 – 8)

Senator HANSON-YOUNG—How would you break down what the regulation costs would take into account? Is it promotion of the education sector in Australia to overseas students? Is it monitoring? Is it compliance? Is it legal action for colleges that are breaching the CRICOS

Answer

The regulation costs take into account a range of activities including:

- administration of the Education Services for Overseas Students Act (ESOS) and the National Code, including compliance with the ESOS Act;
- managing the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS);
- managing the Provider Registration and International Student Management System (PRISMS); and
- advising providers about their obligations under the ESOS framework and investigating potential breaches of the ESOS Act;
- encouraging better practice, for example, supporting the development and dissemination of good practice guidelines and the ESOS national education program;
- workshops for providers on compliance;
- training programs for education agents;
- education and professional recognition;
- quality frameworks and policy coordination, including the review of ESOS; and
- other communication activities.

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DEEWR Question No. 5 (pg. 89, para 8)

Mr Walters—To the best of my knowledge, if the student has got the qualification then the student has got the qualification. To my best of my knowledge, I do not think that would not affect it. I will take that on notice and if that proves to be wrong then I will let the committee know.

Mr Walters—It is a complex question you have asked. I will take it away and correct that if it is at all wrong, but at this stage I do not think the CRICOS registration has a bearing on it. If the If the

RTO—

Senator FISHER—On the validity of—

Mr Walters—On the validity of the qualifications, yes

Answer

Registration on CRICOS is required for a Registered Training Organisation (RTO) to offer courses to overseas students. However, it is through registration as an RTO under the relevant State legislation that an RTO is authorised to deliver training and issue qualifications to both domestic and international students.

The validity of a qualification issued by an approved RTO that is authorised to issue the qualification at that point in time stands regardless of any subsequent changes to the RTO's status or operations.