



AIEC Conference 2010
Enhancing the Student Experience: Global Initiatives
A World Leading Regulatory System



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Friday 15 October 2010



The Education Services for Overseas Students (ESOS) Act

- Established 1991 in response to rapid growth in international students
- World's first comprehensive tuition protection framework for international students
 - Provides consumer protection
 - Protects and enhances industry reputation
 - Ensures integrity of student visa program



National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (National Code)

- Established under ESOS Act
- Legally enforceable
- Complements existing national quality assurance frameworks in education and training
- Revised in July 2007 to improve clarity and give institutions more flexibility



**The ESOS Amendment Act 2010
(Re-registration of Providers and Other Measures)**

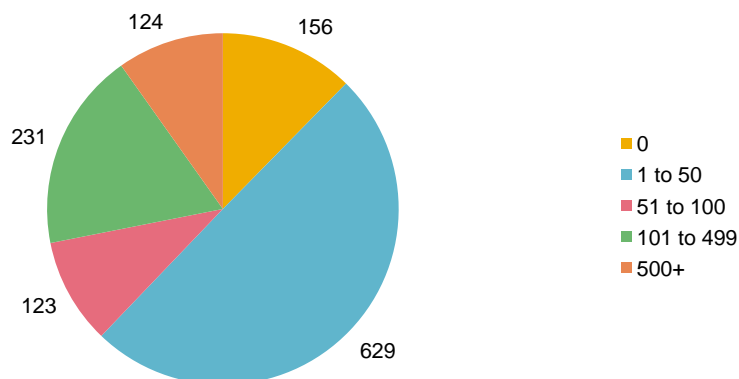
- Strengthened registration process with two new tougher registration criteria:
 - Principal purpose to provide education
 - Capacity to provide education of a satisfactory standard
- Re-registration of all CRICOS providers by 31 December 2010 - to be risk managed
- Education agents to be listed on institution websites

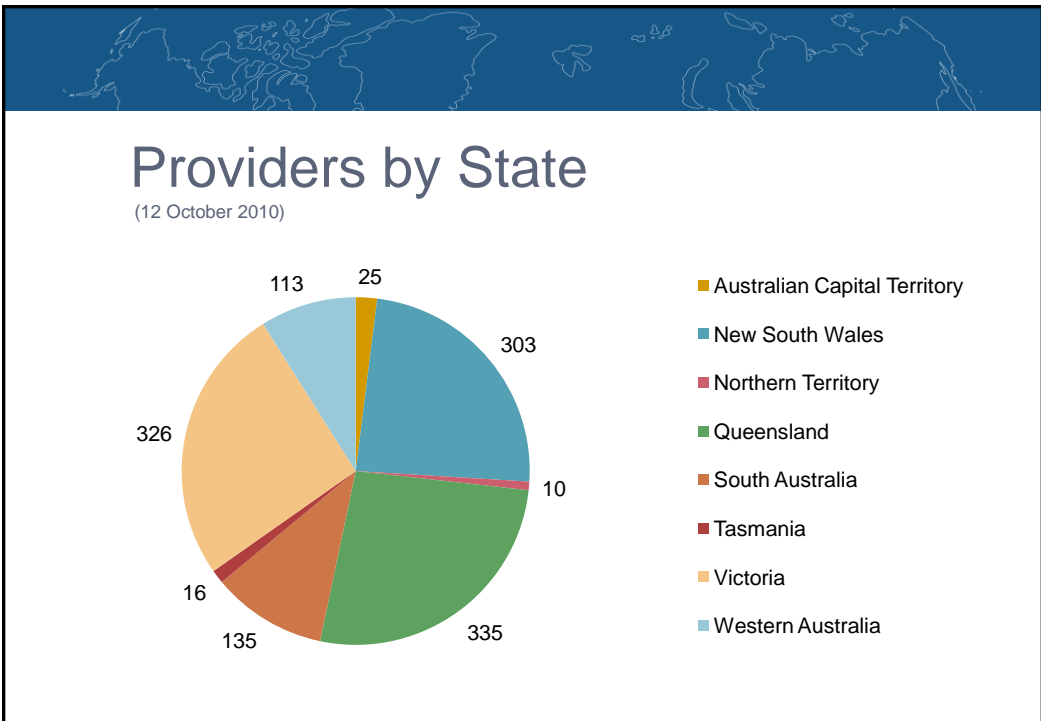
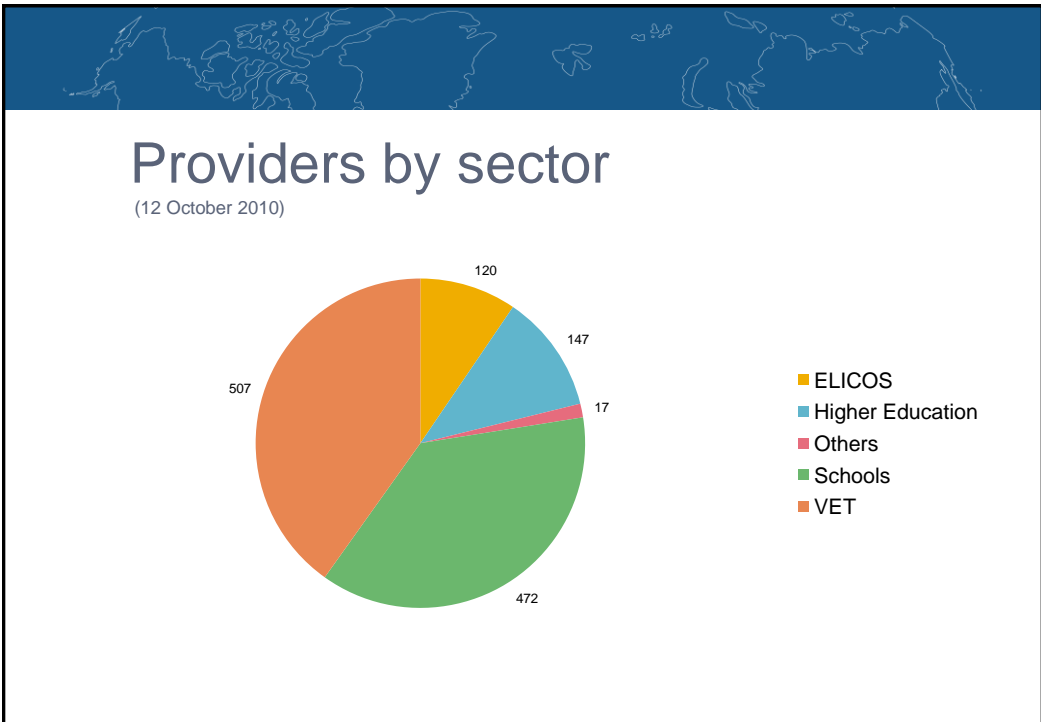
Implementation of the re-registration measure

- Commenced in March
- Joint process - Commonwealth and states
- Over 97% providers have applied
- Many already re-registered or close to finalised
- Many completed self-assessments and site audits
- Positive feedback from providers and regulators about lifting the bar on quality

Providers by Student Enrolment

(12 October 2010)





The Australian Quality Training Framework (AQTF) Reforms

From 1 July new AQTF conditions and standards will provide greater protection for all students undertaking VET in Australia and ensure quality of delivery outcomes



Tertiary Education Quality and Standards Agency (TEQSA) and National Regulator

TEQSA:

- Legislation developed for introduction 2010 Spring Sittings
- Interim Chair and CEO appointed Denise Bradley AC and Ian Hawke

National Regulator:

- NSW to introduce referral legislation. Commonwealth legislation to follow
- Interim Chair and CEO appointed – Kaye Schofield and John Smyth



Education Services for Overseas Students Act 2000 – Baird Review

Extensive consultation with stakeholders across Australia found ESOS is considered a sound legislative framework which has served Australia's international education sector well. However, the lack of consistent and rigorous enforcement of the legislation generated significant concern.

The Hon Bruce Baird, AM



Implementation of initial group of recommendations from the Baird Review

- First set of proposed changes to the ESOS Act:
 - strengthening the gateway and regulation by:
 - greater scrutiny of business capability
 - Risk management e.g. placing conditions on registration
 - increasing range of financial penalties
 - Broadening the Commonwealth Ombudsman's jurisdiction to cover private providers
- Introduced to Parliament 23 June 2010 - Bill lapsed when Parliament was prorogued 19 July 2010



Developing a Government response to the remaining Baird recommendations

Remaining recommendations from the Baird Review:

- Ensuring standards are clear and enforceable
- Ensuring providers course delivery arrangements support student visa integrity
- Harmonisation with national Quality Assurance regulation
- More effective monitoring and enforcement
- Increasing the range of information available to prospective and current students
- A simpler more robust consumer protection regime.



Education Agents

- Key source of information for students
- Critical role in recruitment and growth
- While many are professional, emerging concerns about some unethical behaviour contributing to student complaints and reputational damage
- Use of education agents an emerging issue in other countries as well as Australia
- ESOS requires providers to monitor the activity of their agents
- Re-registration legislation requires education agents to be listed on institution websites



TOWARDS AN INTERNATIONAL CHARTER OF ETHICS FOR EDUCATION AGENTS AND CONSULTANTS ?

Aim: to recognise excellence in standards and encourage best practice

- **facilitating the sharing of information**
- **and promoting global quality in international education through professional development and responsible business ethics**



What an international charter of ethics could look like

- Responsible business ethics
- Providing information in a responsible manner
- A written agreement between student and agent
- Protecting the interests and needs of minors
- Access to information about agents
- Professional development of agents



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