Good practice in monitoring an education provider's Evidence Level
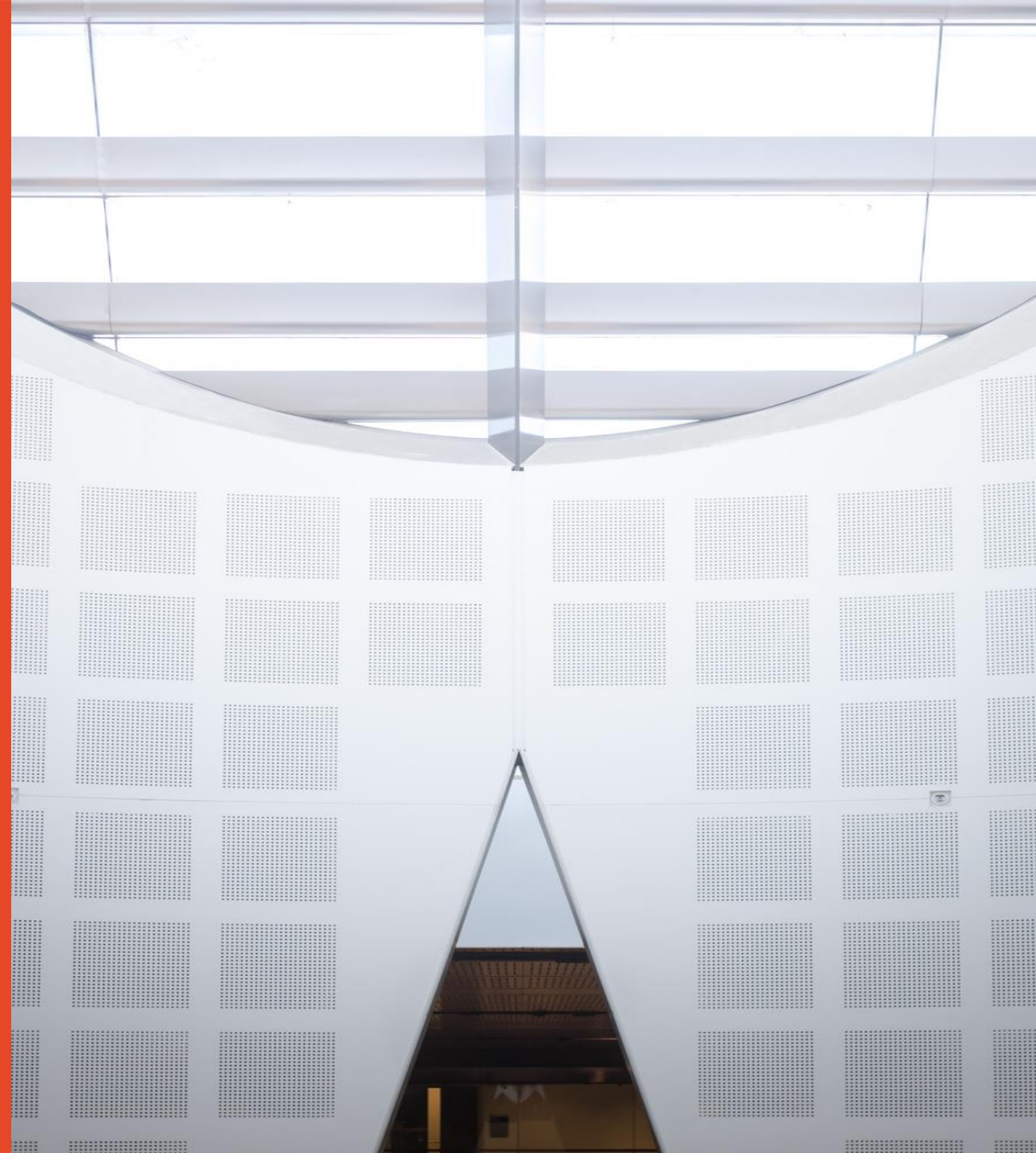
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THE UNIVERSITY OF
SYDNEY

Introduction

Mandy Baric
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University of Sydney acknowledges that as a G08 we have inherent filters:
- High Tuition Fees
- High Entry Requirements

This alone is not enough to mitigate the rise of our Evidence Level (EL).
The University of Sydney:
1. Invests in the structure of the Compliance Team
2. Monitors and Tracks EL levels
3. Implements an Agent Management Framework

Internal/External Auditing

- If you have funds within your budget, do an external/internal ESOS audit
- Develop a Compliance Framework
  - Who is accountable?
  - Succession planning

- Develop a TEQSA working Group
  - Highlight risks under ESOS Framework and the Higher Education Threshold Standard

- Develop reporting to Senior Committees or boards on risk

University of Sydney Investment – Team Structure

High correlation between investment and a lower risk index

Director, Compliance and Student Affairs
- Provides high-level advice in relation to anomalies in practice & procedure when compared with policy provisions. Identifies risk areas for the University in relation to student visa holders. Reviews MRT decisions and develops training material for University Stakeholders.

International Reporting & Compliance Manager
- Liaises with regulatory bodies such as TEQSA or the government to report University course offerings and fees on the CRICOS register. Manages course compliance and sits on associated committees.

Senior Compliance Officer
- Coordinates fraudulent document checks, staff training sessions, and provides recommendations for risk mitigation. Audits under -18 service providers.
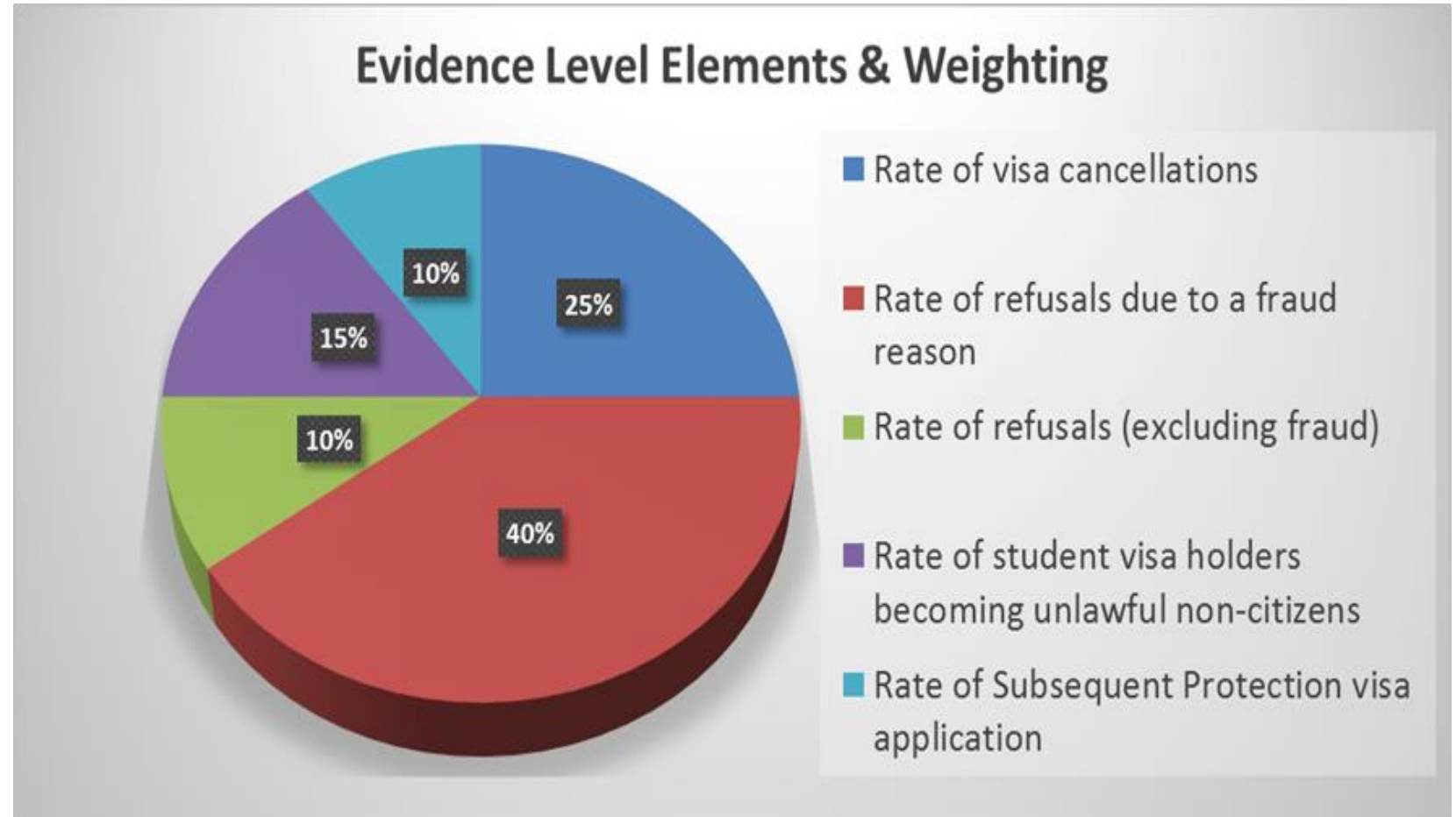
Agent Compliance Officer
- Investigates complaints against agents, agent misconduct and visa refusals; conducts GTE assessments. Develops training material for agents.

Compliance Officers (5)
- Provide support to students with issues related to student visas and general enrolment/academic progression as it relates to ESOS requirements.

Evidence Level

1. What evidence level consists of
2. What we do in relation to visas granted and refused
3. Protection visas - Are monitored but not actively responded to.

Evidence Level Elements & Weighting

Pie chart segments:
- 25% — Rate of visa cancellations
- 40% — Rate of refusals due to a fraud reason
- 10% — Rate of refusals (excluding fraud)
- 15% — Rate of student visa holders becoming unlawful non-citizens
- 10% — Rate of Subsequent Protection visa application

Evidence Level Monitoring

Evidence Level report is provided by DHA

- We analyse the report quarterly. We track the numbers and rates to see if there are any significant increases and any new trends.

Reporting

- Internal Reporting – alert most senior staff quarterly
  - Deputy VC – Education, VP Operations, VP External Relations, and any other relevant teams

Feedback to recruitment

- Inform Working Groups
  - Agent Compliance Committee
  - Recruitment and Compliance Committee (pathway providers)
- Example: High number of students from same country have a visa refusal - suspicious.
  - Investigate: Conduct checks on all documents from students from that region (even those with visas granted), consult with recruitment, contact agents involved.

Monitoring and investigating Visa Refusals

Daily Monitoring of PRISMS *Visa Actions*
- Visa refusals
- Cancellation

Running of monthly PRISMS Visa Refusal reports

Investigate all visa refusals/cancellations for direct applicants (agents to be discussed later)
- Student is contacted to share the Visa Notification Letter and a decision is made whether student will be allowed to apply again.
- What is reason for refusal/cancellation?
- Missing OSHC/Medical documentation or error with payment submission – Student allowed to re-apply.

Non GTE – student must demonstrate how application will change for future submission.
- Must provide documentation
- Must explain why the additional information and evidence was not included in initial application
- If this is not provided, no further offer to the University of Sydney is provided

Genuine Temporary Entrant (GTE) Assessment

Ministerial Direction 69 Guidelines and additional checks:

Factor 1 - The applicant's circumstances

Factor 2 - The applicant's immigration history

Factor 3 - If the applicant is a minor, the intentions of the parent, legal guardian or spouse of the applicant

Factor 4 - Other relevant matters

Factor 5 – Skype interviews and back to source checks

*We do not progress an application without above requirements.

GTE checks on:

- Direct applicants from high risk regions identified by the Recruitment Manager and the Director of Compliance
- Process must be flexible enough to change on short notice

Agents

- We put onus on agents to conduct thorough GTE checks based on DHA requirements (contractual provisions).
- Agent Monitoring Framework – accountability and responses to University required for every visa refusal.

Genuine Temporary Entrant (GTE) Assessment – Form

Designed to compel students to provide required information consistent with the guideline as much as possible, plus more.

Students must:

- Declare the information provided is genuine

- Give consent to USYD for necessary verifications on documents provided

- Sign the form, will not be assessed if not signed by the student

Back to the source verification on the academic documents (including the medium of Instruction letter) will be conducted.

Genuine Temporary Entrant (GTE) Assessment – Continued

Tracking

- Collect data for GTE assessments
  - How many sent?
  - How many received?
  - What were responses?
  - Look for trends
- Example: A consent form for a back to source checks is included with the GTE form and the response rate for GTE requests has significantly dropped.

Training on ESOS Compliance

- Recruitment team and pathway providers receive a bi-annual training session
- Recruitment – hosts an agent week
  - ESOS Compliance training is provided to Agents
- Ad hoc training provided to agents as required
- Admissions yearly review

Yearly review of GTE form

- Update questions to reflect industry changes and trends

GTE – Stats and Visa Refusal Reasons

GTE assessment stats	2019	2018
GTE Rejection Rate	71%	45.68%

Recently reviewed GTE form and rejection rate increased

The top reasons for GTE rejections are:
- Financial capability
- No demonstrable incentives to return to home country after the completion of the study
- No clear understanding of the selected course value
- Student is undertaking a 2nd Masters course
- Previous rejection to the US

Agent Monitoring Framework

- Agent Compliance Officer
- Agent Compliance Committee
- Agent Watchlist
- Remedial Action
- Annual report on agent performance
- Agent monitoring project

Agent Monitoring Framework – Agent Compliance Officer

Investigates:

- Complaints against agents
- Agent misconduct
- Fraudulent cases

Conducts GTE assessments.

Reviews every visa refusal (requires agent follow up)

- Agent must provide GTE assessment for the student
- Confirm what assistance they provided to the student.
- What is the strategy and plan to improve the visa application?
- If there is insufficient documentation for an improved application, a further submission will not be allowed. Discretion to reject sits here.
- Poor responses by agents results in matters to be is raised to the Agent Compliance Committee.
- Committee decides remedial action.

Agent Monitoring Framework –Agent Compliance Committee (ACC)

Membership: Compliance & Student Affairs; Admissions; Recruitment; English Language Provider

Meetings: Monthly

The Committee ensures the University and its authorised representatives understand and meet obligations under the ESOS Framework.

- Ensures the performance of agents is systematically reviewed, beyond KPIs and attendance at study fairs.
- Provides advice and input regarding agent management strategies.
- Escalates issues or cases requiring disciplinary action.
- Establishes working groups to investigate or manage specific matters, and these are reported to the committee as required.
- Reports relevant concerns to senior executives.

Agent Monitoring Framework – Agent Watchlist and Remedial Action

Purpose: To monitor the implementation of corrective action for agent misconduct

Misconduct Examples:

- Agent provided or assisted student in providing fraudulent documents
- Did not complete a thorough GTE check
- Student submitted formal complaint about agent

Corrective Action Examples:

- Warning Letters
- Agent required to provide documented changes to current process (GTE checks and assessment)
- Additional agent training required
- Contract not renewed (reviewed every 3 years)
- Termination of the Agreement

Agent misconduct and corrective action is monitored and tracked. Data included in the annual agent performance report.

Agent Monitoring Framework – Annual Report on Agent Performance

Report on Agent Performance is compiled from:
- PRISMS Agent Performance Reports
- USYD data from agent monitoring/tracking

Report showcases:
- Detailed comparisons of the individual agent performance in past years
- Visa Refusal ratings for Non –GTE reasons
- Student retention rates and trends
- Student completion rates and trends
- What is the trend for students who do not complete first year?
  - Information used to update GTE Form

Shared with University stakeholders:
- Deputy VC – Education, VP Operations, VP External Relations, and any other relevant teams
- Recruitment, Admissions and Compliance

Student Integrity Issues

- Targeting sampling of 11% of each commencing cohort
- Target determined based on trends in student misconduct and fraud
- Turnitin authorship
- Use of BOTS for fraudulent medical certificates and special consideration.
    - Firms (KPMG) will send interns out
- Academic Honesty Modules

Watch this space!

Questions