

12-month appraisal of the Simplified Student Visa Framework

Navitas Position Paper

February 2018

Executive summary

The following are the major points Navitas wishes to convey regarding the Simplified Student Visa Framework (SSVF). Our associated recommendations are at **Attachment A**.

It is essential from both a systemic risk and sound public policy perspective that a detailed, granular and transparent analysis of the trends in the student visa program be undertaken and shared with the sector. This is particularly relevant if there is shown to be a concentration of students within providers at each assessment level and a concentration of students from a narrow number of source markets.

There also needs to be recognition of the immigration risk that providers carry on behalf of the government and steps taken to acknowledge and manage this risk burden.

The current operation of the provider risk ratings is driving some unintended, potentially perverse outcomes and behaviours, including:

- Immigration risk ratings are perceived in market as a quality measure
- The application of risk ratings as a proportion of a cohort unfairly disadvantages small providers
- The significant difference in the practical operation of the framework between AL1 and AL2 providers; and the relatively small difference between AL2 and AL3 providers needs to be reviewed. The Department of Home Affairs (DHA) should also communicate the scale of any prolonged poor performance of AL3 providers and how it addressed such behaviour
- When a student transfers onshore from one provider to another the risk associated with that student must transfer with them to the receiving provider. DHA should also take early action to intervene where receiving providers who ignore PRISMS-generated warnings.

Additional modifications are required to the provider risk ratings in the areas of visa cancellations, rate of refusals, rate of refusals on national security grounds, rate of student visa holders becoming unlawful non-citizens and temporary protection visa applications.

Improving the transparency and consistency of the application and operation of the Genuine Temporary Entrant requirement would assist the international student market to function more efficiently. Lessons from other countries, such as the Canadian Guaranteed Investment Certificate are worthy of consideration.

Inconsistencies in terms of the minimum IELTS 4.5 for packaged enrolments and the English language requirements for Extended Foundation programs are simple to address and should be undertaken as a matter of urgency.

Finally, there are a range of improvements to the granularity, accessibility and timeliness of student visa data that would yield very significant benefits for the sector and the government as this data would support providers in managing their immigration risk, which in turn supports the integrity of the whole immigration system.

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Purpose

The purpose of this paper is to reflect on the first 12 months' operation of the Simplified Student Visa Framework (SSVF) and make recommendations on enhancements to the framework that ensure it maintains a high level of immigration integrity, while at the same time supporting the sustainable growth of Australia's third largest export industry. Navitas' breadth and scale across our global operations span higher education, vocational education and training and English language training – delivering to tens of thousands of learners annually – giving us a unique perspective on the operation of Australia's student visa program.

The recommendations (see **Attachment A** for a consolidated list) in this paper draw not only on our first-hand experiences of SSVF, but also on the appraisal feedback that we contributed to via membership of peak bodies – the Australian Council for Private Education and Training (ACPET) and English Australia (EA). We also echo many of the views of our colleagues in Universities Australia (UA), TAFE Directors Australia (TDA) and the Council of Private Higher Education (COPHE) in their submissions to the Department of Home Affairs (DHA) via the Education Visa Consultative Committee (EVCC).¹

Substantive issues

1. Data analysis required to determine the impact SSVF has had on the nature and character of the international education market

Navitas supports the policy intention behind a single immigration risk framework to create 'a more level playing field'. This is demonstrated by the inclusion of all CRICOS approved providers in SSVF, which was not the case under Streamlined Visa Processing (SVP). However, what is not currently able to be assessed is the impact the changed policy settings – and their operation – have had on the nature and character of Australia's international education market. Questions such as which providers (or cohorts of providers) are experiencing growth and which are experiencing declines, and where there are concentrations of particular country cohorts (by providers and/or locations), are central to managing systemic risks to Australia's third largest export industry.

It is essential that a detailed, granular and transparent analysis of trends in the student visa program be undertaken and shared with the sector. ACPET noted this in their SSVF appraisal submission saying 'no definitive data appears to be available to indicate that SSVF is a more competitive framework in comparison to its predecessors'. Indeed, TDA highlights the point that there is a 'lack of available data to unpick some of the trends anecdotally identified

¹ Navitas thanks ACPET, EA, UA, TDA and COPHE for sharing their submissions with us and acknowledges their contribution to the preparation of this position paper.

throughout this submission' and calls for 'interrogation of DHA data, both onshore and offshore, to confirm the trends outlined in the submission'.

A comprehensive analysis that compares the period of the operation of the Assessment Level (AL) framework, with the period of the operation of the Streamlined Visa Processing (SVP) framework with the 12-months of operation of SSVF is required. Navitas, at a meeting with the Hon Assistant Minister Hawke, MP and ACPET through its SSVF submission, have advocated strongly for this analysis to be undertaken (see **Attachment B**). By reviewing the extent to which there are marked changes in the make-up of the program at each point in time, government and industry are able to reflect on the policy settings that were in place, and to draw conclusions about aspects of the program that work well and those that require adjustment. At the very least, 2016-17 should be the baseline / benchmark program year. Without thorough analysis the industry is left with perceptions that while Australia's international education industry is a 'bigger' playing field, it is not a more 'even' playing field.

Recommendation 1 – *That DHA, in consultation with the sector, undertakes an in-depth analysis of trends in the student visa program comparing the operation and outcomes of the Assessment Level Framework, Streamlined Visa Processing (SVP) framework and SSVF.*

2. Acknowledgement of the immigration risk that providers carry on behalf of the Government

The series of reforms in moving the student visa system from the Assessment Level Framework (AL) to Streamlined Visa Processing (SVP) and now the current Simplified Student Visa Framework (SSVF) have seen a gradual, but substantial, shifting of immigration risk from the Government to education providers. The shifting of risk to providers has come at great cost due to the investment in systems and resources to manage that risk throughout the student lifecycle – from recruitment to beyond the students' time in our programs. This transfer of risk has a significant impact on providers who are required to invest in processes to assess a student's genuineness, absorb the risks of these decisions and then bear the impact of these decisions in immigration risk ratings. Providers do so without access to data available to DHA that would allow them to improve their systems and processes, and reduce risk. The level of resources required to appropriately undertake the assessment functions of SSVF is high and Navitas has made significant investments to ensure we have robust systems in place to manage this risk.

Navitas and other education providers acknowledge the benefits of SSVF in supporting the entry of students to Australia. However, we are seeking Government's acknowledgement that providers carry a high degree of public risk which is only marginally offset by the individual benefit accruing to providers.

Recommendation 2 – *Some demonstrable and concrete ways that the Government could acknowledge this risk burden include:*

- *provide greater and more timely access to information and risk profiles so that providers can better assess a potential student's genuineness, make better assessments of fraudulent documentation and other risk factors*

- *implement a fast, well-resourced referral service for providers to refer difficult cases for pre-application assessment*
- *publish consistently, as the Canadian immigration agency does on its website, detailed information country-by-country about what is considered appropriate evidence, that takes account of market realities particularly for criteria such as proof of funds – see website [here](#)*
- *instigate a formal appeal process to refer decisions that providers consider unfounded, to be reviewed in line with predefined criteria, by a central DHA review team. This would go some way to improving the decision-making process, which is currently subjective and opaque.*

3. Operation of provider risk ratings driving unintended, potentially perverse outcomes and behaviours

In Australia, Navitas has 39 campus locations that operate in the international education sector across our University Partnerships (higher education), Careers and Industry division (VET and higher education) and Navitas English colleges. We have experienced first-hand, and are observing across the sector, some unintended and potentially perverse outcomes and behaviours that are driven by the current operation of the provider risk ratings.

Risk rating as a quality measure

Navitas is concerned that the risk framework's binary output of a student visa applicant being required to submit either more- or less evidence of language and financial capacity, has been interpreted as a quality rating by too many in the market – particularly agents, parents and students. This is an unintended consequence, however one that is damaging to Australia's overall perception in the market.

Recommendation 3 – *That DHA and the sector, through the International Education Council and the Education Visa Consultative Committee, develop a communication strategy for countering market perceptions that the provider risk rating is a quality measure.*

Application of risk ratings as a proportion of a cohort

The fact that a provider's risk rating applies as a proportion of their overall cohort – that is the percentage of rejections, the percentage of visa cancellations, etc – means that providers with the capacity to recruit large numbers of students have greater capacity to absorb adverse visa outcomes because of the volume of students they are enrolling. Small, and especially niche, providers are disproportionately disadvantaged. This methodology unfairly advantages large providers and arguably distorts the market in their favour.

Recommendation 4 – *That DHA assess the risk rating of providers with student enrolments between 50 and 100 international students using two years of data.*

Practical operation of the three provider assessment levels

Navitas' observation is that the difference between an Assessment Level 1 provider and an Assessment Level 2 provider is not incremental – it is significant. Students applying to an AL 1 provider, rightly and appropriately, have a

relatively light evidentiary burden. However, the evidentiary requirements placed on students applying to an AL 2 provider are substantially more and disproportionately heavy for a provider assessed as a moderate risk.

This is further compounded, in Navitas' experience, by there being little discernible difference in the requirements of DHA for AL 2 or AL 3 providers, particularly when operating in Assessment Level 2 or 3 markets. Of particular concern, there appears to be no consequences for continued poor performance of AL 3 providers. As highlighted by TDA, there are minimal consequences in the current risk methodology for prolonged, and potentially intentional, poor performance by providers with a Level 3 risk rating.

Recommendation 5 – *That DHA consider changes, particularly to evidentiary requirements, that more appropriately recognise the moderate risk level of AL 2 providers. Such changes would differentiate them more clearly and appropriately from AL 3 providers.*

Recommendation 6 – *That DHA communicate to the sector its approach to monitoring and addressing prolonged poor immigration risk performance by AL 3 providers.*

Risk must transfer with a student

A major issue with the current immigration risk methodology is that the risk associated with a student visa in many cases does not transfer when the student changes provider. This is particularly the case when students transfer within the same sector/level of study. This is a fundamental flaw of the system and must be addressed as a priority.

Recommendation 7 – *Where a student transfers to a new provider onshore the immigration risk associated with that student transfers with them to the receiving provider and is part of the assessment of that provider's risk rating.*

Student transfers onshore in Australia

Navitas recognises the importance of striking a balance between students exercising their ability to transfer between providers once onshore and the provision of a policy and system that appropriately manages this to ensure that the original providers are not disadvantaged in risk levels or commercial activities.

Navitas' experience to date relating to student transfers onshore under the SSVF has not been particularly positive. Our colleges and institutes have experienced and observed large numbers of students being attracted to lower-quality, lower-cost providers once they are onshore. These providers have not typically required the student to supply a release letter from their original provider before enrolment (in contravention of the National Code). Navitas therefore fully supports the measure implemented on 1 January 2018 that only allows a receiving provider to issue a Confirmation of Enrolment (CoE) to enrol a transferring student when the student has been officially released via the Provider Registration and International Student Management System (PRISMS). Our understanding of revised Standard 7 of the National Code is, that while PRISMS allows the receiving provider to 'ignore' a warning generated in the system at the point of processing a new CoE, this action triggers an automatic alert to DoET / DHA of a likely breach.

Navitas strongly encourages the commitment of resources by the government to intervene at this point in the process and follow-up with the student and receiving provider. This is important as our experience has been that DHA has not taken action until the expiration of the student's visa. Navitas is also aware of some potentially inequitable refusals by providers to grant student releases where the student is not succeeding academically – with the only outcome for the student being continued study with the original provider or a return to their home country. We consider this action in withholding release by some providers detrimental to the wider industry and to student choice – and would suggest additional clarifications be communicated to providers regarding the requirements to release.

We acknowledge that DHA currently cites a very small proportion of students (less than two percent) who are 'course-hopping'. Navitas' experience – and that of many in the sector – is that student transfers are much more prevalent than that statistic would suggest. It would therefore be beneficial to have a clear and mutually understood definition of the term 'course-hopping' and how it is currently being counted in DHA data.

Recommendation 8 – *That DHA share with the sector the statistical analysis – including the base assumptions – for the data on course-hopping so that providers can understand what exactly is being measured and to enable any statistical loop-holes to be identified.*

Recommendation 9 – *Now that there is a trigger in PRISMS at the point of enrolment, that DHA take swift and appropriate action with the provider and student.*

Potential for current operation of the provider risk rating system to distort the market

In the current framework, AL 1 providers, rightly, are afforded the ability to recruit students with relatively few evidentiary requirements. As was pointed out above, AL 2 providers have a disproportionately higher evidentiary burden for the students they wish to recruit. It is arguable, that this may lead to the potential to distort the international student market. This is because the lesser evidentiary requirements for AL 1 providers mean that they are able to more easily attract and recruit prospective students. This is self-evident, and indeed how the policy is intended to operate. The problem arises in the context of managing systemic risk, if and when there becomes a concentration of international students in the relatively small number of AL 1 providers. It is therefore vital that government undertake systemic level analysis to understand the composition of the market through the lens of provider assessment levels, that is: what are the trends in the number and proportion of students enrolled with providers at each level; how many providers are in each Assessment Level; and what is the country of origin concentration in each grouping of providers.

Recommendation 10 – *That DHA and DET undertake trend analysis of the number and proportion of students enrolled with providers at each level and share that analysis with the sector.*

4. Provider risk rating methodology review

Recommendation 11 – *Navitas supports the calls from sector peak bodies such as English Australia and Universities Australia to convene a sector working group to work with DHA to review and refine the provider risk methodology.*

Navitas strongly suggests that the following aspects of the immigration risk methodology be reviewed.

Visa cancellations

Rate of visa cancellations (25 per cent weighting)

- Risk based on fraud is difficult for most providers to detect given limited access to information other than that provided by the applicant. However, if a provider detects fraud post-enrolment it is subsequently penalised for reporting this to DHA for a visa cancellation.
- The application of risk based on non-genuineness can appear highly subjective. Many providers have examples of similar cases, where one applicant is deemed genuine and another applicant is refused by DHA, potentially due to knowledge or information outside of what is reasonably available to an education provider.
- The application of risk based on breaches of visa condition 8202 whereby a student must maintain enrolment, attendance, course progress etc., is again counterintuitive to provider reporting. In this instance, good providers that commit appropriate time and resources to monitoring and reporting are penalised, whereas non-compliant providers are not penalised for not reporting breaches.

Further, as visa cancellations carry a 25 per cent weighting in the risk methodology, it would be useful for providers to be informed of the reasons attached to cancellations in order to identify any patterns and develop strategies to mitigate this risk. Navitas suggests that one possible measure to support this could be to make enhancements to PRISMS to enable providers to better identify and manage its student cohort to reduce immigration risks.

Recommendation 12 – *Address the inequity of provider risk being applied due to decisions made by DHA where a provider could not reasonably have accessed particular information, and the penalty for providers for reporting of non-compliance.*

Rate of refusals

Rate of refusals (excluding fraud) where applicant lodged overseas (10 per cent weighting)

- There is no clear rationale for the separation of offshore vs. onshore applications lodged. While Navitas carries out a proportion of recruitment onshore in Australia, we share the concerns of others in the sector that some providers who solely or largely recruit onshore, have a reduced risk exposure because students' immigration risk does not transfer from the original provider to the receiving provider.
- Navitas believes that it is fair, reasonable and appropriate that the immigration risk shift if and when a student changes provider.

Recommendation 13 – *When a student transfers onshore from one provider to another the risk associated with that student transfers with them to the receiving provider.*

Rate of student visa holders becoming unlawful non-citizens

Rate of student visa holders becoming unlawful non-citizens (15 per cent weighting)

- Navitas questions the appropriateness of an education provider being responsible for the actions of individuals post their completion of study. It is not sensible or equitable that an education provider is penalised for the actions of students who DHA has assessed as genuine and who have complied with all relevant visa conditions during the period of their study – often three or more years – but who subsequently overstay their visa for more than 28 days.
- Navitas contends that it is entirely reasonable for individuals to be penalised for their actions and potentially restricted from future visas. However, it is not fair or reasonable for the education provider to be held liable and to be subject to adverse risk outcomes.

Recommendation 14 – *Address the inequity of providers being held responsible for individual student’s actions post study.*

Temporary protection visas

Rate of subsequent protection visa application (10 per cent weighting)

- Navitas’ strong recommendation is for this risk factor to be removed from provider risk calculations. DHA undertakes Genuine Temporary Entrant (GTE) assessments as part of the visa grant process. Factors cited by DHA for visa refusal include the economic or political circumstances in an applicant’s home country. If DHA is satisfied that the applicant meets GTE criteria at the time of application, it is not reasonable for a provider to subsequently have an adverse risk rating outcome based on circumstances out of their control. This is particularly relevant to developments such as changes in the social and political status of the home country which have occurred after the visa is granted.
- Further, data related to subsequent protection visa applications are not included in the Provider Risk Report and therefore there is no transparency about where the issues have occurred, providing no options for the provider to address the circumstances through future recruitment practices.

Recommendation 15 – *Removing the rate of subsequent protection visa applications from risk calculations acknowledges that a provider has no ability to control this action and should not be accountable.*

5. Improving SSVF to increase Australia’s competitiveness

Australia’s competitiveness relative to other major markets, particularly Canada, is being diminished due to the clarity of their evidentiary requirements by country and innovative approaches that take into account market realities (eg funds issues) whilst still maintaining immigration integrity.

Measures to support provision of documentary evidence of financial capacity

Prospective students are attracted by the transparent, detailed and tailored (country by country) approach of the Canadian Student Visa Processing System. A strength of the Canadian approach is that they take into consideration market realities (eg funds issues) and have established mechanisms to prove financial capacity whilst still maintaining immigration integrity through measures such as the Guaranteed Investment Certificate (GIC). This is a service provided by approved Canadian financial institutions, which allows an applicant to purchase a GIC as evidence that they can cover their living expenses. Currently, two Canadian banks are approved for this program – Scotiabank and ICICI Bank Canada.

Recommendation 16 – *That DHA works with providers - such as Navitas that operate globally - to identify best practice approaches to managing student visa programs, including establishing a mechanism similar to the Canadian Guaranteed Investment Certificate (GIC).*

6. Subjectivity of visa decisions and the application of GTE criteria

Transparency and consistency of rationale for rejections

Navitas has significant concerns with both the rationale provided in many cases of visa rejection, and the level of detail provided. With regard to the rationale, there has been considerable inconsistency in the assessment of similar cases from similar countries. Factors that have been used for rejections, including an applicant's age and/ or marital status, appear discriminatory, and are also treated vastly differently in different cases. Likewise, if an applicant has a family member in Australia, this can be deemed as positive or negative with no clear rationale or consistency for the decision.

Navitas understands that DHA may have access to information that is not accessible by an education provider, for example the immigration history of a family member. However, if this is not accessible by the provider it does not appear reasonable that the visa rejection counts toward the provider's risk rating. This factor should be considered further as part of the requested review of the risk methodology framework.

The rationale for rejecting a student based on a similar course of study being available in their home country does not appear justified and undermines the positioning of Australia as a high quality international education destination. In most instances, a similar course of study is available in a home country, however this rationale for a rejection is subjectively applied in particular instances, which frustrates the applicant and the Australian education provider. Further, we have had examples of students having a visa rejected on the basis that they 'changed streams'. That is, the student did a business studies stream in high school and then applied for an undergraduate engineering program. This also seems a highly unreasonable justification for a visa rejection. Finally, Navitas supports the provision of a training framework for DHA visa assessors to ensure the provision of up to date information on the career value of emerging fields of work such as creative media, cyber-security and health and aged care. Navitas, along with others in the sector, would be happy to offer briefings and / or case studies on such fields for inclusion in training for DHA assessors. This could be updated annually.

It would be helpful if visa rejection letters were more specific regarding the reason for an applicant being rejected. This would assist providers in identifying risk factors or assessing the profile of applicants to ensure that appropriate measures are put in place to mitigate risk.

Finally, as raised at our meeting with Assistant Minister for Home Affairs, the Hon Alex Hawke, MP in December 2017, Navitas is compiling some recent examples of rejections that we would question. These will be provided separately to this paper. These cases from across our colleges demonstrate the need for greater transparency and consistency in visa rejections and affirm the case for DHA to implement the measures outlined above to support providers in managing risk.

Visa decision-making beyond originating DHA post

Navitas shares the views of peak bodies in this area. For example, English Australia notes that the mandatory online lodgement allows DHA to move applications (caseload) across different posts depending on volumes. The reduced processing times across the entire caseload is a positive outcome due to the ability of DHA to distribute the workload across the system. However, it also heightens issues with regard to subjective decisions, particularly when a case officer makes a decision citing an applicant's age, marital status, or the economic conditions of their home country. Whilst the first two could be considered discriminatory in any regard, if the case officer is not aware of standard social norms, or doesn't have a deep understanding of a country's economic conditions then this can lead to significant variance in the decisions made for similar cases across different posts. There is a strong need for further training and a 'precedent reference resource' to assist assessors dealing with such aspects, particularly those operating from posts outside the actual source market.

In its SSVF submission, TDA cited the example of a case in which two sisters with the same background and circumstances applied for the same course. One application was processed in Perth and one in Thailand. The application processed in Thailand was accepted, but the application processed in Perth was rejected. Universities Australia makes the same observation, as reported by their members, that visa applications of a similar nature from the same market have resulted in quite different outcomes – depending on which DHA office processed the application.

Recommendation 17 – *That whenever possible, case officers with a good knowledge of local conditions assess a student visa application. When it is not possible, the assessor be guided by other similar cases assessed in-country. To assist, a 'precedent reference resource' could be developed to assist assessors dealing with such aspects.*

Packaged ELICOS enrolments

There is a clear misalignment in the treatment of ELICOS students applying as part of packaged enrolments and ELICOS-only enrolments. The current practice of requiring the students to have IELTS 4.5 or equivalent English proficiency for packaged enrolments is not logical under the current framework. It is a legacy issue. In the case of a packaged offer, the education provider (or multiple providers) will have undertaken an additional assessment of

academic ability for the application, and the student will have met GTE requirements. Navitas calls for the minimum IELTS 4.5 requirement for packaged enrolments to be removed as a matter of priority.

Navitas, and the broader ELICOS sector, welcomed the removal of the maximum English study period, although is treating this with caution to ensure students applying for extended durations are not rejected based on GTE rationale. However, the fact that a student could theoretically undertake any period of ELICOS-only study, yet must be at a particular level if assessed for an academic pathway, is not logical.

Recommendation 18 – *That the minimum IELTS 4.5 requirement for packaged enrolments be removed.*

Extended Foundation Programs

Navitas has identified an inconsistency in the area of English language requirements for Extended Foundation programs. One of our colleges, the Newcastle International College (NIC), delivers an Extended Foundation program consistent with Standard 2b of the National Standards for Foundation Programs (regulated by the Tertiary Education Quality and Standards Agency – TEQSA) with an English language entry requirement of IELTS 5.0. The National Standards for Foundation Programs are available [here](#).

Under the current framework, DHA requires a student with IELTS 5.0 to be packaged with a minimum of 10 weeks ELICOS. However, in the case of NIC's Extended Foundation program, this is beyond what is required by TEQSA. Further, this approach does not recognise that NIC's Extended Foundation program embeds 300 hours of scheduled course contact hours of English language study, including 150 hours of contact time which is equivalent to 10 weeks of full-time ELICOS study and sufficient to achieve a 0.5 increase in overall IELTS score.

Navitas calls for DHA to align their English language requirements for Extended Foundation programs with the minimum requirements stated in the National Standards for Foundation Programs, and not require these programs to be packaged with an additional 10 weeks of ELICOS study.

Navitas raised this issue with DHA in February of last year. As yet it has not been addressed.

Recommendation 19 – *That DHA align the English language requirements for Extended Foundation programs with the minimum requirements stated in TEQSA's National Standards for Foundation Programs (5.0), and not require these programs to be packaged with an additional 10 weeks ELICOS study.*

Provider access to the online ImmiAccount

While Navitas believes the ImmiAccount is a useful tool, one limitation to usability is that it defaults the data period to 12 months prior to the month and year selected. To allow providers to obtain an accurate view of how they are tracking it would be helpful if the provider could select the data period it is interested in viewing rather than the system default to the current 12-month period.

DHA reviews and updates provider risk ratings every six months, in March and September. The March update is based on 12 months' data from the previous calendar year. The September update is based on the 12 months' data from the previous program year. If a provider wants to see how it is tracking in the lead up to a review, it needs to be able to select the period that will be included in the review. For example, in December a provider would be interested in viewing the data for the period 1 January to 30 November, however, the default 12-month period would draw data from 1 December to 30 November. The December data that would be included in the report is not helpful as it would not be included in the actual review that will determine the provider's risk rating. Also, if a provider becomes aware of an integrity issue and takes action to resolve or counteract any market trends, it is unable to isolate reporting periods to assess the impact of the measures implemented.

Recommendation 20 – *Enhance ImmiAccount to allow providers to select the data period they wish to view rather than the system default to the current 12-month period.*

Improved data – granularity, accessibility and timeliness

There are a number of improvements that DHA could make to the granularity, accessibility and timeliness of data that would have huge benefits for the sector. Some of these are highlighted below.

Unlocking pivot tables

Navitas, along with all peak bodies, has advocated for years for DHA to unlock student visa lodged and student visa granted pivot tables. We would support these being made available behind Austrade's Market Information Package (MIP) pay-wall so that only subscribers can access the data. Unlocking the pivot tables gives providers the opportunity to analyse market trends and use the sector data to benchmark against internal data.

Recommendation 21 – *Unlock visa lodged and visa granted pivot tables on the DHA website.*

Add a 'provider type' filter to pivot tables

Navitas supports the call from TDA to be able to filter the visa lodged and visa granted pivot tables by 'provider type' as is the case with international student enrolment and commencement data. This allows for greater granularity of analysis that goes to understanding shift and trends in the nature and character of Australia's international education sector, which in turn supports the long-term sustainability of the sector.

Recommendation 22 – *Add a 'provider type' filter to pivot tables.*

Monthly release of pivot table data

The timeliness of data is key to enabling providers, and the sector as a whole, to keep abreast of changing market trends and to better manage immigration risk. Again, the international student enrolment and commencement data is updated on a monthly cycle. Aligning the release of the two data sets would be very beneficial.

Recommendation 23 – *Institute a monthly release of pivot table data.*

Making available via PRISMS the date that visa applications are lodged

Navitas requests that DHA and the Department of Education and Training (DET) collaborate on a system enhancement that allows providers to see the date that an applicant's visa documentation is lodged. At the moment, providers have no coverage on when this occurs, making it extremely difficult to track visa turnaround times, which in turn makes managing intakes very difficult.

Recommendation 24 – *Make available via PRISMS the date that visa applications are lodged.*

Pivot table of visa turn-around times by country and sector

Related to the above, Navitas supports the call from UA for more clarification on turn-around times, including a breakdown of the statistics by country and sector. This could be achieved via a new (unlocked) pivot table.

Recommendation 25 – *Publish a pivot table of visa turn-around times by country and sector.*

Comparable sector data accessible via ImmiAccount or similar

Providers value the immigration risk reports available via the ImmiAccount. However, as suggested by UA, for providers to receive optimal benefit from these reports, access to comparative sectoral and regional data is needed. Universities Australia notes that such data was previously provided (sectoral) under the SVP system and providers regret the absence of this information under the new framework. Providers only have access to their own risk rating information and the system does not support providers in understanding and managing their immigration risk relative to the sector.

This increased access to comparative sector and regional data would greatly assist providers in the enrolment of genuine students and thereby support risk management.

Recommendation 26 – *Make comparable sector data accessible via ImmiAccount or similar.*

Agent performance data

The Department of Education and Training in a recent communication to providers has indicated that providers will now be able to access reports of their own agent performance in terms of a student's enrolment outcomes. Navitas supports this measure and the Department's plans to consult the sector on future reports. It would be very beneficial for providers to have data on education agents' visa outcomes, broken down by visa refusals, cancellations and cessations, and to have access to agents' average performance by sector / country as well as whole of sector / country averages in order for individual providers to benchmark the performance of their agents.

While all providers monitor and analyse agent performance internally, it would be useful to have data on which to benchmark this performance. Similar suggestions were made by English Australia, ACPET and UA in their SSVF appraisal submissions.

Recommendation 27 – *That DHA and the Department of Education and Training work with providers to develop approaches to agent performance data and reporting as flagged in a communication to providers of 30 November 2017.*

Whole-of-government / cross-sector data working group

Navitas recommends the establishment of a whole-of-government, cross-sector (peak bodies and other sector representatives) data working group to address and work through these, and broader, international education data issues.

Recommendation 28 – *That DHA, the Department of Education and Training and Austrade work with the sector to establish a representative data group with sector data experts.*

Consolidated List of Recommendations

Recommendation 1 – *That DHA, in consultation with the sector, undertakes an in-depth analysis of trends in the student visa program comparing the operation and outcomes of the Assessment Level Framework, Streamlined Visa Processing (SVP) framework and SSVF.*

Recommendation 2 – *Some demonstrable and concrete ways that the Government could acknowledge this risk burden include:*

- *provide greater and more timely access to information and risk profiles so that providers can better assess a potential student’s genuineness, make better assessments of fraudulent documentation and other risk factors*
- *implement a fast, well-resourced referral service for providers to refer difficult cases for pre-application assessment*
- *publish consistently, as the Canadian immigration agency does on its website, detailed information country-by-country about what is considered appropriate evidence, that takes account of market realities particularly for criteria such as proof of funds – see website [here](#)*
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Recommendation 5 – *That DHA consider changes, particularly to evidentiary requirements, that more appropriately recognise the moderate risk level of AL 2 providers. Such changes would differentiate them more clearly and appropriately from AL 3 providers.*

Recommendation 6 – *That DHA communicate to the sector its approach to monitoring and addressing prolonged poor immigration risk performance by AL 3 providers.*

Recommendation 7 – *Where a student transfers to a new provider onshore the immigration risk associated with that student transfers with them to the receiving provider and is part of the assessment of that provider’s risk rating.*

Recommendation 8 – *That DHA share with the sector the statistical analysis – including the base assumptions – for the data on course-hopping so that providers can understand what exactly is being measured and to enable any statistical loop-holes to be identified.*

Recommendation 9 – *Now that there is a trigger in PRISMS at the point of enrolment, that DHA take swift and appropriate action with the provider and student.*

Recommendation 10 – *That DHA and DET undertake trend analysis of the number and proportion of students enrolled with providers at each level and share that analysis with the sector.*

Recommendation 11 – *Navitas supports the calls from sector peak bodies such as English Australia and Universities Australia to convene a sector working group to work with DHA to review and refine the provider risk methodology.*

Recommendation 12 – *Address the inequity of provider risk being applied due to decisions made by DHA where a provider could not reasonably have accessed particular information, and the penalty for providers for reporting of non-compliance.*

Recommendation 13 – *When a student transfers onshore from one provider to another the risk associated with that student transfers with them to the receiving provider.*

Recommendation 14 – *Address the inequity of providers being held responsible for individual student's actions post study.*

Recommendation 15 – *Removing the rate of subsequent protection visa applications from risk calculations acknowledges that a provider has no ability to control this action and should not be accountable.*

Recommendation 16 – *That DHA works with providers - such as Navitas that operate globally - to identify best practice approaches to managing student visa programs, including establishing a mechanism similar to the Canadian Guaranteed Investment Certificate (GIC).*

Recommendation 17 – *That whenever possible, case officers with a good knowledge of local conditions assess a student visa application. When it is not possible, the assessor be guided by other similar cases assessed in-country. To assist, a 'precedent reference resource' could be developed to assist assessors dealing with such aspects.*

Recommendation 18 – *That the minimum IELTS 4.5 requirement for packaged enrolments be removed.*

Recommendation 19 – *That DHA align the English language requirements for Extended Foundation programs with the minimum requirements stated in TEQSA's National Standards for Foundation Programs (5.0), and not require these programs to be packaged with an additional 10 weeks ELICOS study.*

Recommendation 20 – *Enhance ImmiAccount to allow providers to select the data period they wish to view rather than the system default to the current 12-month period.*

Recommendation 21 – *Unlock visa lodged and visa granted pivot tables on the DHA website.*

Recommendation 22 – *Add a 'provider type' filter to pivot tables.*

Recommendation 23 – *Institute a monthly release of pivot table data.*

Recommendation 24 – *Make available via PRISMS the date that visa applications are lodged.*

Recommendation 25 – *Publish a pivot table of visa turn-around times by country and sector.*

Recommendation 26 – *Make comparable sector data accessible via ImmiAccount or similar.*

Recommendation 27 – *That DHA and the Department of Education and Training work with providers to develop approaches to agent performance data and reporting as flagged in a communication to providers of 30 November 2017.*

Recommendation 28 – *That DHA, the Department of Education and Training and Austrade work with the sector to establish a representative data group with sector data experts.*

Data analysis that should inform the Education Visa Consultative Committee review of 12 months' operation of the Simplified Student Visa Framework

Context and Terms of Reference

The SSVF is a key component of the National Strategy for International Education 2025. It is designed to ensure Australia's student visa program remains internationally competitive and to support the sustainable growth of the international education sector.

Overarching principle

The student visa supports Australia's international education sector by facilitating the visa process for genuine overseas students wishing to study in Australia while maintaining strong levels of integrity at Australia's border.

DHA invites each Education Visa Consultative Committee (EVCC) member to provide a submission appraising SSVF's performance in achieving this broad strategic objective. We would appreciate if the submission could be concise and consolidate the views of your members and stakeholders, where appropriate.

Following are some questions you may wish to consider when developing your submission.

- How well do you think the following features of the SSVF are working?
 - Single Student visa (Subclass 500)
 - Single Immigration risk framework – streamlined evidentiary requirements creating a more level playing field
 - Mandatory online lodgement
- How well do you think the following operational aspects are working?
 - Immigration risk methodology used to calculate risk ratings for education providers and countries
 - Provider access to Immigration risk rating report through ImmiAccount
 - The online tool that advises students what documentation they need to provide with their application
 - Effectiveness of the Department's engagement with the international education sector (student.visa.programme@border.gov.au mailbox, provider updates, regular teleconferences, meetings, etc)
- To what extent do you think the SSVF is an improvement to the previous student visa framework (Streamlined Visa Processing (SVP) and Assessment Level (AL) framework)?
- What features of the SSVF require further improvement?
- What are the best three features of the SSVF that should be highlighted?
- What impact do you think the introduction of the SSVF has had on the recruitment of genuine international students?
- What impact has the SSVF had on education providers' processes for enrolling students?
- Do you think the SSVF policy settings are having a positive effect on the competitiveness of Australia's international education sector?
- To what extent do you think the SSVF is a sustainable framework going into the future?
- Have you identified any emerging integrity issues since the introduction of SSVF? If so, what are they?
- Any other comments?

Data analysis to inform review of the SSVF

There are a series of key questions that should be considered to inform the review of 12 months of the operation of the Simplified Student Visa Framework (SSVF).

Thorough, open and transparent analysis is required to understand the impact current visa settings are having on the international education market in Australia.

The questions and the underlying data needed to undertake the analysis are detailed below.

1. What are the key characteristics of the student visa program now (end program year 2016-17) and how does it compare to the following:

- The previous 'high watermark' for Australian international education in 2010 (end of program year 2010-11) and the student visa program operated under the Assessment Level framework; and
- End of program year 2014-15, as it was in March and November 2014 that two previous visa policy reforms were made: Streamlined Visa Processing (SVP) was extended to 19 non-university higher education providers and simplification of the student visa assessment levels; and then SVP was extended to all non-university higher education and vocational providers that offer advanced diplomas; and
- End of program year 2015-16, as it was the year prior to the introduction of SSVF.

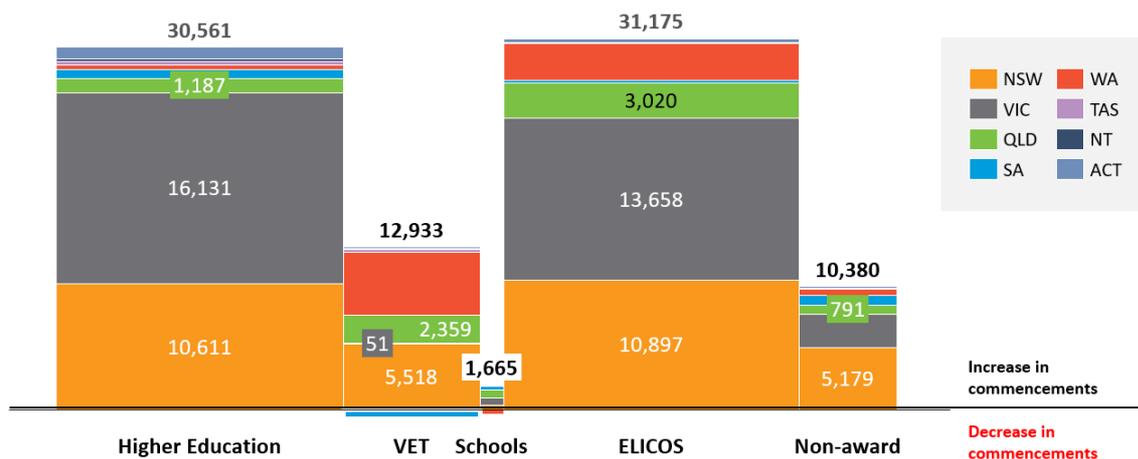
This set of analysis goes to the diversity and sustainability of the sector. By looking at the extent to which there are marked changes in the make-up of the program at each point in time, we are able to reflect on the policy settings and program implementation guidance that was in place to draw conclusions about aspects of the program that work well and those that may require some adjustment.

The analysis that would illuminate this question would be:

- What has been the change (how many more or less) in state/territory distribution of visa grants by sector:
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.

Raw data in tables should be provided for all data queries, however the chart below is a model for how to present each year's comparison, but obviously it would be charting the change in visa grants.

Change in International student commencements by sector and state, between 2010 and 2016



Note: Column width is based on change in total enrolments from 2010 to 2016.

Source: Austrade (AEI) (2016) 'International Education Student Data'

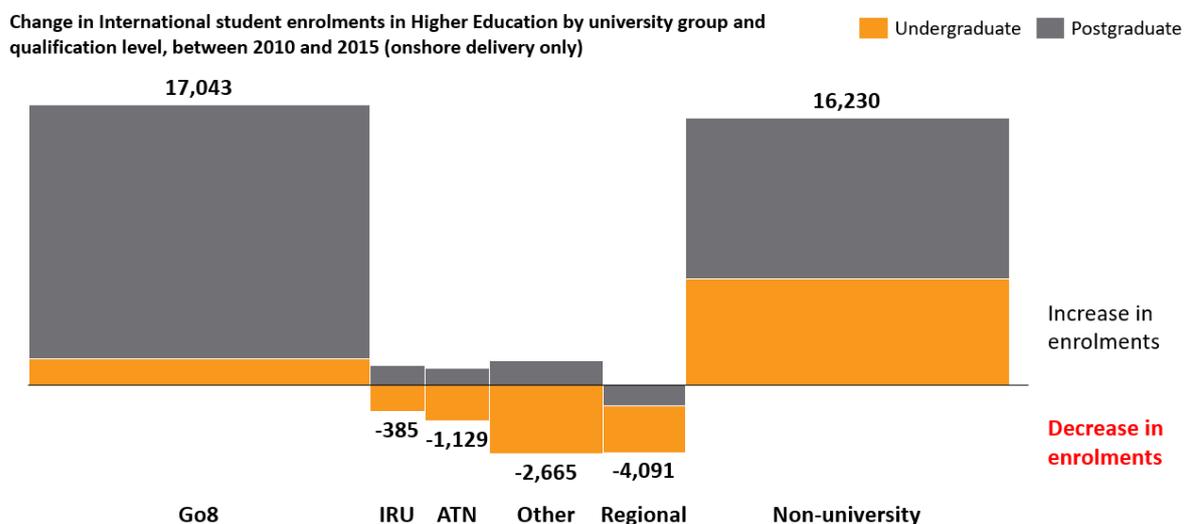
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- What has been the change (how many more or less) in sector distribution of visa grants:
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and

- Between 2015-16 and 2016-17.
- What has been the change (how many more or less) in higher education and postgraduate research visa grants by key provider groups [use individual provider data to aggregate up for the following groups: Group of Eight (Go8); Innovation Research Universities (IRU); Australian Technology Network (ATN); Regional Universities Network (RUN); other non-aligned universities; and Non-University Higher Education Providers (NUHEPs)]:
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.

The chart below is a model for how to present each year's comparison, but obviously it would be charting the change in visa grants.



Note: undergraduate and postgraduate enrolment share based on enrolment figures for onshore and offshore delivery. Column width is based on change in total enrolments from 2010 to 2016. Source: Department of Education and Training (2016) uCube

- What has been the change (how many more or less) in vocational education and training visa grants by public and private providers [use individual provider data to aggregate up for the following groups: TAFEs; and private Registered Training Organisations (RTOs)]:
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.
- What has been the change (how many more or less) in standalone ELICOS visa grants by public and private providers (use individual provider data to aggregate up for the following groups: Public Universities and TAFEs; and private ELICOS):
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.
- What has been the change (how many more or less) in schools visa grants by government and non-government schools (use individual provider data to aggregate up):
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.

- What has been the change (how many more or less) in Non-Award visa grants by public and private providers (use individual provider data to aggregate up):
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.
- What has been the change (how many more or less) in Foreign and Defence visa grants by education sector (HE, HE research, VET, ELICOS):
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.
- What has been the change (how many more or less) in visa grants from Australia's top 15 source countries (using data from Visa Programme report 31 December 2016), in order: China; India; Brazil; Nepal; South Korea; Thailand; Vietnam; Malaysia; Colombia; Indonesia; USA; Hong Kong (SAR); Taiwan; Japan; and Pakistan:
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.
- What has been the change in the visa rejection rate (applications divided by grants) from Australia's top 15 source countries (using data from Visa Programme report 31 December 2016), in order: China; India; Brazil; Nepal; South Korea; Thailand; Vietnam; Malaysia; Colombia; Indonesia; USA; Hong Kong (SAR); Taiwan; Japan; and Pakistan:
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.
- What has been the change in the visa rejection rate (applications divided by grants) from Australia's top 15 source countries (using data from Visa Programme report 31 December 2016), in order: China; India; Brazil; Nepal; South Korea; Thailand; Vietnam; Malaysia; Colombia; Indonesia; USA; Hong Kong (SAR); Taiwan; Japan; and Pakistan by sector (Foreign Affairs or Defence; Higher Education; Independent ELICOS; Non-Award; Postgraduate Research; Schools; and VET):
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.

That is, for each of the top 15 source countries, what was the change in the visa rejection rate for each sector between: 2010-11 and 2016-17; between 2014-15 and 2016-17; and 2015-16 and 2016-17.

- What has been the change in the main reasons for visa rejections by sector:
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.
- What has been the change in the main reasons for visa rejections from Australia's top 15 source countries (using data from Visa Programme report 31 December 2016), in order: China; India; Brazil; Nepal; South Korea; Thailand; Vietnam; Malaysia; Colombia; Indonesia; USA; Hong Kong (SAR); Taiwan; Japan; and Pakistan:
 - Between 2010-11 and 2016-17; and
 - Between 2014-15 and 2016-17; and
 - Between 2015-16 and 2016-17.

2. How well is the student visa program operating now (end program year 2016-17) and how does it compare to the following:

- *The previous 'high watermark' for Australian international education in 2010 (end of program year 2010-11) and the student visa program operated under the Assessment Level framework; and*
- *End of program year 2014-15, as it was in March and November 2014 that two previous visa policy reforms were made: Streamlined Visa Processing (SVP) was extended to 19 non-university higher education providers and simplification of the student visa assessment levels; and then SVP was extended to all non-university higher education and vocational providers that offer advanced diplomas; and*
- *End of program year 2015-16, as it was the year prior to the introduction of SSVF.*

This set of analysis goes to the effectiveness and efficiency of the student visa program in delivering on its dual purpose to ensure the recruitment of genuine international students while supporting the competitiveness of Australia's international education sector. Again, by looking at the extent to which there are marked changes in the operational metrics of the program at each point in time, we are able to reflect on the policy settings and program implementation guidance that was in place to draw conclusions about aspects of the program that work well and those that may require some adjustment.

The analysis that would illuminate this question would include:

Processing times

- What was the average, median and range of visa processing times for the whole student visa program in program years:
 - 2010-11;
 - 2014-15;
 - 2015-16; and
 - 2016-17.
- What was the average, median and range of visa processing times for each sector (Foreign Affairs or Defence; Higher Education; Independent ELICOS; Non-Award; Postgraduate Research; Schools; and VET) in the program years:
 - 2010-11;
 - 2014-15;
 - 2015-16; and
 - 2016-17.
- What was the average, median and range of visa processing times for Higher Education and Postgraduate Research sectors by key provider groups [use individual provider data to aggregate up for the following groups: Group of Eight (Go8); Innovation Research Universities (IRU); Australian Technology Network (ATN); Regional Universities Network (RUN); other non-aligned universities; and Non-University Higher Education Providers (NUHEPs)] in the program years:
 - 2010-11;
 - 2014-15;
 - 2015-16; and
 - 2016-17.
- What was the average, median and range of visa processing times for vocational education and training by public and private providers [use individual provider data to aggregate up for the following groups: TAFEs; and private Registered Training Organisations (RTOs)] in the program years:
 - 2010-11;
 - 2014-15;
 - 2015-16; and
 - 2016-17.
- What was the average, median and range of visa processing times for standalone ELICOS by public and private providers (use individual provider data to aggregate up for the following groups: Public Universities and TAFEs; and private ELICOS):
 - 2010-11;
 - 2014-15;
 - 2015-16; and

- 2016-17.
- What was the average, median and range of visa processing times for schools sector by government and non-government schools (use individual provider data to aggregate up):
 - 2010-11;
 - 2014-15;
 - 2015-16; and
 - 2016-17.
- What was the average, median and range of visa processing times for Non-Award sector by public and private providers (use individual provider data to aggregate up):
 - 2010-11;
 - 2014-15;
 - 2015-16; and
 - 2016-17.
- What was the average, median and range of visa processing times for Foreign Affairs or Defence by education sector (HE, HE research, VET, ELICOS):
 - 2010-11;
 - 2014-15;
 - 2015-16; and
 - 2016-17.
- What was the average, median and range of visa processing times for Australia's top 15 source countries (using data from Visa Programme report 31 December 2016), China; India; Brazil; Nepal; South Korea; Thailand; Vietnam; Malaysia; Colombia; Indonesia; USA; Hong Kong (SAR); Taiwan; Japan; and Pakistan:
 - 2010-11;
 - 2014-15;
 - 2015-16; and
 - 2016-17.
- What was the average, median and range of visa processing times for Australia's top 15 source countries (using data from Visa Programme report 31 December 2016), China; India; Brazil; Nepal; South Korea; Thailand; Vietnam; Malaysia; Colombia; Indonesia; USA; Hong Kong (SAR); Taiwan; Japan; and Pakistan by sector (Foreign Affairs or Defence; Higher Education; Independent ELICOS; Non-Award; Postgraduate Research; Schools; and VET):
 - 2010-11;
 - 2014-15;
 - 2015-16; and
 - 2016-17.

That is, for each of the top 15 source countries, what was the average, median and range of visa processing times by sector for 2010-11; 2014-15; 2015-16; and 2016-17.

Onshore Visa Cancellations

- What was the total number of onshore visa cancellations by Australia's top 15 source countries (using data from Visa Programme report 31 December 2016), China; India; Brazil; Nepal; South Korea; Thailand; Vietnam; Malaysia; Colombia; Indonesia; USA; Hong Kong (SAR); Taiwan; Japan; and Pakistan:
 - 2010-11;
 - 2014-15;
 - 2015-16; and
 - 2016-17.
- What was the number of onshore visa cancellations for Australia's top 15 source countries (using data from Visa Programme report 31 December 2016), China; India; Brazil; Nepal; South Korea; Thailand; Vietnam; Malaysia; Colombia; Indonesia; USA; Hong Kong (SAR); Taiwan; Japan; and Pakistan by sector (Foreign

Affairs or Defence; Higher Education; Independent ELICOS; Non-Award; Postgraduate Research; Schools; and VET):

- 2010-11;
- 2014-15;
- 2015-16; and
- 2016-17.

That is, for each of the top 15 source countries, what was the number of onshore visa cancellations by sector for 2010-11; 2014-15; 2015-16; and 2016-17.

Provider transfers

- What was the number of onshore provider transfers by sector – that is the sector the student is transferring from and to - for Australia’s top 15 source countries (using data from Visa Programme report 31 December 2016), China; India; Brazil; Nepal; South Korea; Thailand; Vietnam; Malaysia; Colombia; Indonesia; USA; Hong Kong (SAR); Taiwan; Japan; and Pakistan by sector (Foreign Affairs or Defence; Higher Education; Independent ELICOS; Non-Award; Postgraduate Research; Schools; and VET):
 - 2010-11;
 - 2014-15;
 - 2015-16; and
 - 2016-17.

That is, for each of the top 15 source countries, what was the number of onshore provider transfers by sector – the sector the student is transferring from and to – for 2010-11; 2014-15; 2015-16; and 2016-17.