



Friday, 26 September 2014

Ms Lydia Ward  
Director  
Policy and Legislation (ESOS)  
ESOS and South Asia branch  
Australian Government Department of Education

Dear Ms Ward,,

ISANA International Education Association welcomes the opportunity to provide input into the consultation process on the Post-Implementation Review (PIR) of some of the legislative changes that resulted from the 2012 amendments to the *Education Services for Overseas Students Act 2000* (ESOS Act). ISANA's responses to the questions posed in the consultation paper are as follows:

1. ISANA members have had limited experience with placements and refunds to students affected by institution closures. However, this experience suggests that the universal placement is working well.
2. The default reporting has had a major impact on our members in meeting reporting obligations. Timeframes are far too short and clash with extremely busy times. Extra pressure has been placed on limited resources with questionable benefit, particularly given that only two (2) of the approximately forty thousand (40,000) reports made to the TPS Secretariat have been an issue.

ISANA would like to take this opportunity to request consideration to increase the reporting deadline to 14 days in line with ESOS reporting timeframes. This would mean eliminating the 5 day requirement to commence the default and only have the 14 day requirement.

There were discussions quite some time ago that PRISMS would be modified so that all reporting only had to be done once - however, this has not occurred. TPS and SCV remain separate and in a lot of cases become duplicate reporting. Again, there is no apparent benefit in reporting that a student has not commenced on their agreed start date, given the number of reports made to TPS and the limited number that have been an issue.

The requirement to provide refunds within the required timeframe can be difficult if the student does not provide the necessary information. The premise of the TPS reporting regime is that both the education provider and student combine to meet the required timeframes – these timeframes are often unmet due to pending documentation to meet education provider refund policy requirements. Consideration could be given to transferring refunds to the TPS if the institution has not been able to obtain the information required from students. The TPS could then liaise directly

with students to ensure they receive the refund that is forthcoming.

3. The main benefits of a universal tuition protection mechanism are a consistent, regulated consumer-centric approach. It is a safeguard against the high risk providers and protects the students as a consumer. High risk providers should still be required to report provider defaults in a timely fashion to protect affected students.

4. Education providers should be well aware ahead of time of their ability to deliver subjects for the next study period. Although we acknowledge there are costs (tuition and administrative) to deliver the course, students are severely disadvantaged if the study period has not been completed and students haven't been awarded their final grades i.e. results for the subjects they have undertaken. Completed subjects on official academic transcripts are like currency to students who require them to gain academic credit to an alternative course at another institution.

Therefore, students who are able to obtain final grades for the subjects they have paid for should not be entitled to a refund. However, students have paid for and undertaken a portion of a study period with no final grades should be entitled to a full refund.

5. No impacts resulting from the introduction of this change were reported from ISANA members.

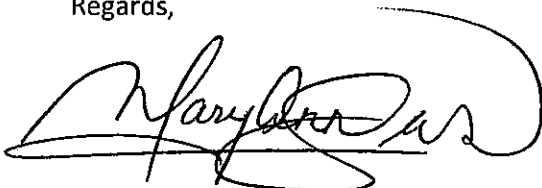
6. There have been no cost savings in registration for institutions that are dual sector. Fees are payable to TEQSA and ASQA for the processing of the application.

There are cost savings for institutions who decide to combine their registration across states. However, there are a number of institutions who decide to have separate CRICOS registrations. The administrative costs have been reduced in that the preparation of only one application is required.

7. There would be a benefit for dual sector institutions if they could pay a single registration fee and not be charged by both TEQSA and ASQA for the processing of their CRICOS re/registration.

Once again, thank you for the opportunity to provide input. If there are any queries relating to our submission, please do not hesitate to contact us.

Regards,

A handwritten signature in black ink, appearing to read 'Mary Ann Seow', with a large, sweeping flourish at the end.

Mary Ann Seow, National President  
ISANA International Education Association