

Education Services for Overseas Students (ESOS) Review 2022 – IRU Response

The Innovative Research Universities (IRU) appreciates the opportunity to provide feedback on the Department's discussion paper on the review of the Education Services for Overseas Students (ESOS) Act. Over the last twenty years, the ESOS Act and associated regulations have played a crucial role in protecting students and the quality of Australia's growing international education system.

The IRU is a group of eight Australian universities, located in every mainland State and Territory, committed to inclusive education and innovative research that advances our communities. Since their founding, our universities have also had a strong commitment to international education and to engagement with the Indo-Pacific region.

Today, the IRU has a unique international profile, quite distinct from other Australian universities. We have fewer international students overall (24% average across IRU), with significantly lower levels of concentration across leading source countries than the rest of the sector. We have high rates of offshore delivery compared to other parts of the system (34% average across IRU) and above-average rates of satisfaction among our international students. IRU universities are also less reliant on research collaboration with any one country than the sector as a whole.

We believe that there are important, long-term opportunities for Australian international education to continue to grow and diversify. These will need to be addressed collaboratively and carefully in the post-pandemic environment. New models of international education will be needed and we are committed to working closely and constructively with the Australian Government to realise the opportunities before us. As a group of universities, the IRU already cooperates on strengthening our international profile to support diversification and growth.

In the IRU 2022 policy statement ([link](#)), we identified international engagement as a priority, particularly with key partner countries in the Indo-Pacific. In our submission to the Department's discussion paper on international student diversity at Australian universities ([link](#)), we stressed the importance of a more joined-up approach across government, to avoid undermining existing diversity across locations and institutions. This will also ensure better support for international students, with clearer information about the measures in place to safeguard the quality of their education and their experience studying in Australia.

We provide specific responses to the questions posed in the discussion paper in the DESE template (attached). As a general observation, we believe that any change to the ESOS framework must be made in careful consultation with the international education sector and with other relevant portfolios within government. There is a risk with the approach set out in the discussion paper of overlap and potential contradiction between ESOS and other Australian Government policy and regulation, for example migration regulations and the Higher Education Standards Framework.

The IRU is committed to evidence-based analysis to support informed higher education and research policy. Overall, the ESOS discussion paper makes little use of available survey (or other student) data to support proposals for legislative/regulatory change. We welcome the recent release of student experience survey data and graduate outcomes survey data specifically for international students and support the ongoing development of international student data through QILT to inform policy. The discussion paper includes a focus on measures to encourage students to choose courses that will align with Australian workforce and skills needs. However the data shows that international students are already motivated by employment opportunities after graduation – the 2020 international student survey shows that this was a factor for 94% of students choosing to study in Australia, up from 76% in 2010. The discussion paper also cites concerns from Australian employers about the employability of graduates (including international students), but the QILT 2021 Employer Satisfaction Survey showed an increase to 87% of employers satisfied with the employability of graduates, with even higher levels of satisfaction for students from non-English speaking backgrounds.

Finally, any changes to the ESOS framework should also be made in light of relevant policy and regulation in key partner and competitor countries, to avoid any disadvantage to Australian providers operating in a global system. The review process would benefit from an up-to-date analysis of best practice regulation for international education in key peer countries, which could form the basis of productive consultation with Australian providers.

Summary of IRU key points and recommendations:

- The ESOS framework was designed to support international students studying onshore in Australia and to protect the quality of their education and experience. It is appropriate and effective for that purpose, but it should not be applied in a one-size-fits-all manner to offshore or online models of international education.
- The ESOS framework should not be considered in isolation – there should be a holistic approach across government to ensure that the various policies and regulations covering international education (for example, also including migration regulations and the Higher Education Standards) are not overlapping or contradicting each other and that the overall legislative/regulatory framework allows flexibility for innovation.
- The IRU recommends that a limit on the percentage of a course that can be studied online by an onshore international student be retained, to maintain an authentic and uniquely Australian student experience.
- The IRU recommends that DESE undertake a separate piece of work to explore the opportunities for offshore, fully online delivery by Australian providers, and best-practice models for regulation, quality assurance and student protection for these.
- International education is about more than addressing Australia’s immediate labour and skills shortages. A focus on short-term labour market needs has the potential to diminish the student

experience for all students (including domestic students) and could have long-term impacts on Australia's competitiveness as a provider of quality international education.

- The IRU believes that there is a need to re-examine post study work rights for international students and the link to migration, in the context of the post-pandemic recovery, significant skills shortages in key sectors of the Australian economy, and the goals of growth and diversification in international education. The IRU recommends that this be done separately from the ESOS review, with a coordinated approach across relevant government portfolios and broad consultation.
- The IRU recommends that the restriction on student visa holders working 40 hours per fortnight while undertaking active study should be retained, to preserve a primary focus on the quality of education for international students.
- Work integrated learning (including non-compulsory WIL) should be de-coupled from the restriction on working hours for international students.
- Any future changes to the rules governing work and WIL (in light of temporary changes made during the COVID-19 pandemic) should be communicated clearly and carefully to students to allow them time to plan and adjust.
- The IRU recommends that the ESOS framework should retain the existing restriction on course changes within an initial 6-month period.
- Government should not introduce an independent assessment of international students' English proficiency – direct application through the individual institution is preferred and university English language centres are already regulated with universities and provide high-quality, fit-for-purpose education.