

# Proposed streamlined visa processing for providers in non-university sectors

Provider summary

August 2012

# Proposed expansion of streamlined visa processing arrangements to non-university sectors

## Background

The Department of Immigration and Citizenship (DIAC) has developed a proposal to expand streamlined visa processing arrangements to a number of low immigration risk providers from the non-university sectors from November 2012.

Provision of this expansion was both a key finding of the Review of the Student Visa Assessment Level Framework and a response to the Council of Australian Governments (COAG) announcement of 13 April 2012. COAG stated *'In relation to the review of the Student visa Assessment Level Framework, COAG agreed to expedite the implementation of the revised framework for low immigration risk providers so that they are able to have access to streamlined student visa assessments in the second half of 2012.'*

There are a range of challenges associated with expanding streamlined visa processing arrangements to non-university sectors, including, but not limited to;

- Changes to DIAC systems and legislation required to support this initiative;
- Development of a methodology for selection of low immigration risk providers to participate in the arrangements; and
- Ongoing management and monitoring of the arrangements.

These challenges are considered to be resource intensive for all parties, system workarounds will be necessary for DIAC processing officers and providers will require time to become accustomed to requirements and their obligations under the arrangements.

## Selection of low immigration risk providers

There are approximately 1200 providers across all education sectors registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). DIAC will use the Assessment Level (AL) methodology to identify providers with the lowest immigration risk of AL1 to participate in streamlining. The AL methodology considers the rates at which prospective students meet visa requirements, and the rates at which visa holders comply with their visa conditions.

Statistical analysis indicates that a provider must have data relating to 400 students in order to be confident that the results can be attributed to low immigration risk rather than random chance. This means that, regardless of whether they have a rating of AL1, a provider with less than 400 international students or prospective students associated with them does not demonstrate enough instances of low risk to make an informed decision about their immigration risk. While there are currently 470 non-university providers with an AL1 rating, many have only a small number of prospective students or visa holders. This small data set fails to provide enough evidence about a provider's ongoing immigration risk and as such they will not be considered for streamlining under the current proposal.

Using this methodology, DIAC proposes to invite providers to participate in expanded streamlined visa processing arrangements from November 2012 on the basis that they are AL1 and have at least 400 prospective students or visa holders. Preliminary consideration of these criteria by DIAC indicates there are approximately 21 providers who could be invited to participate in streamlined visa processing.

As evidenced by the introduction of streamlining for universities, implementation and ongoing monitoring and management of streamlined visa processing is a complex and resource intensive process. Limiting the expansion arrangements at this time to a relatively small group of low risk non-university education providers will allow DIAC to effectively monitor the arrangements while continuing to manage the integrity of the Student Visa Program. A measured approach to the expansion of streamlined visa processing, that allows time for process refinement, will also assist should the Minister agree to expand these arrangements to more providers in the future.

## Processing commitments

Arrangements similar to those implemented for universities will be put in place to extend streamlined visa processing to certain invited providers operating in non-university sectors from November 2012. There will be no provision for providers to self-nominate for inclusion in these arrangements.

Each invited provider's participation in the arrangements would be contingent on their agreement to comply with policy guidelines and provision of an application comprising a commitment document. Once submitted, commitment documents will be assessed by an inter-departmental panel chaired by DIAC, and including representatives from the Department of Industry, Innovation, Science, Research and Tertiary Education (DIISRTE) and other relevant departments and agencies such as Tertiary Education Quality and Standards Agency (TEQSA) and Australian Skills Quality Authority (ASQA). Based on the panel's assessment of each provider's written commitment, DIAC will provide the Minister with a recommendation regarding each provider's participation in the arrangements. Providers approved by the Minister will be specified in a Legislative Instrument, in line with the current process for participating universities.

Following submission of their written commitment documentation, DIAC will provide each provider with AL data showing their respective immigration risk. AL data will also be provided to each participating provider at six monthly intervals from commencement, with an annual review. Providers that receive a rating of AL2 or above will receive a formal warning and be required to put in place strategies to reduce the AL to AL1 within six months from the date of the review or be removed from the arrangements.

## Other considerations

Unlike the streamlined arrangements for universities, packaging will not be offered as an option to the non-university sectors. This is due to packaging greatly increasing the risk and complexity of streamlining. However, the proposed streamlining arrangements for non-university sectors will apply to Student visa applicants who have a Confirmation of Enrolment (CoE) for any course of study registered under CRICOS with a participating provider. This is a more flexible approach than arrangements which currently apply to universities, which prescribe that streamlined visa processing arrangements only apply to Student visa applicants applying for a course with a participating university at Bachelor, Masters or PhD levels.



Department of Education

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**THE HON CHRISTOPHER PYNE MP  
MINISTER FOR EDUCATION  
LEADER OF THE HOUSE**

Our Ref BR13-003367

The Hon Scott Morrison MP  
Minister for Immigration and Border Protection  
Parliament House  
CANBERRA ACT 2600

Dear Minister *Scott,*

2 OCT 2013

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Action Area

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I am writing in relation to the extension of streamlined visa processing to non-university degree awarding providers and to seek your assistance in implementing arrangements which could progress this important issue.

Streamlined visa processing has been available for university students since March 2012. It has been regarded as an effective mechanism to increase the responsiveness of the higher education sector to prospective students and has also improved the competitive position of our key educational institutions. The current arrangements have limitations and only apply to international students enrolled in a Bachelor, Masters or Doctoral degree at an approved Australian university.

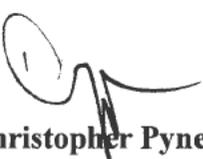
As Minister for Education, I am keen to ensure that appropriate non-university higher degree awarding providers also have access to these arrangements and would appreciate your consideration of appropriate mechanisms to enable this to occur.

I recognise there are important policy considerations to ensure the integrity of the visa system to minimise risks to immigration but I believe there are appropriate strategies which can be implemented which will enable us to deliver on our shared objectives.

While this is a policy issue which sits within your portfolio responsibilities, I am keen to be able to report to key stakeholders on the progress on this initiative as soon as possible.

I would be happy for us to meet on this issue in the near future to ensure early progress is made.

Yours sincerely

  
Christopher Pyne MP



**THE HON CHRISTOPHER PYNE MP  
MINISTER FOR EDUCATION  
LEADER OF THE HOUSE**

Our Ref BR13-004301

The Hon Tony Abbott MP  
Prime Minister  
Parliament House  
CANBERRA ACT 2600

Dear Prime Minister

I am writing in relation to your letter of 7 November 2013 to my colleague the Hon Scott Morrison, Minister for Immigration and Border Protection, regarding the extension of streamlined visa processing to the vocational education and training sector and improving post-study work arrangements.

My view is that our government should do everything it can to enhance the international education industry. I will consult with the Minister for Industry, the Hon Ian Macfarlane MP, as to what is appropriate in the vocational education and training sector but in any case I am of the view we can do more to expand and promote international education for higher education institutions.

As you would be aware, Minister Morrison and I worked closely together on the recent extension of streamlined visa processing to 22 non-university higher education providers announced on 29 October 2013. The announcement also outlined the simplification of the Department of Immigration and Border Protection's Assessment Level Framework, which will result in providers of international education, and their students, finding the visa application process simpler and less onerous.

Given my department's policy responsibility for international education, I will continue to work closely with Minister Morrison and Minister Macfarlane to consider options for a further extension of streamlined visa processing.

I also recognise how important it is to offer overseas students appropriate incentives to choose Australia as their study destination. As you indicate, a major attraction is the opportunity for them to work here after they have completed their study. Please be assured that I will work diligently with my colleagues to seek opportunities for expanding post-study work rights where reasonable and appropriate.

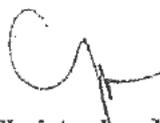
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05 DEC 2013

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Action Area		Reply by Dept
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I have tasked senior officers in my department to work closely with the Department of Immigration and Border Protection on expansion of the numbers of providers accessing streamlined visa processing arrangements without jeopardising system integrity, possible arrangements for expansion of post-study work rights, and options for reducing the administration and cost burden on institutions and students where possible.

Yours sincerely



**Christopher Pyne MP**

04 DEC 2013

cc: Minister for Immigration and Border Protection, the Hon Scott Morrison MP  
Assistant Minister for Immigration and Border Protection, Senator the Hon Michaelia Cash  
Minister for Industry, the Hon Ian Macfarlane MP