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Submission to the Australian Government's review of Australia's migration system

Compiled by Sharon Cook, ISANA National President, on behalf of ISANA members in Australia.

ISANA International Education Association has represented professionals employed in international student support across the international education sector since 1989.

ISANA has over 400 members in a large range of professional roles, including but not limited to, student advisors, student counsellors, admissions and compliance staff, careers staff, teaching and academic staff, accommodation provision, health care, and OSHC representatives, state government and local government international education staff, education agents from over 50 organisations in Australia.

ISANA has gathered feedback from our membership consultations to outline the key challenges with the current migration system, as the membership is made up of experienced frontline staff in education providers throughout Australia. Our members are experienced in operating in legalisation terms and guidance, translating it into local working operations models, and ensuring compliance with policy requirements.

We are grateful for the opportunity to contribute to this consultation.

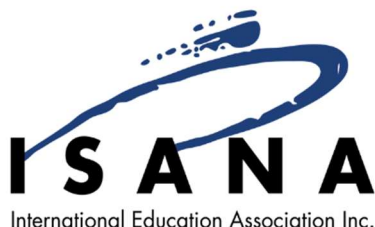
International students are an important component of the Australia's future skilled workforce.

Following the Covid-19 pandemic, Australia is more reliant than ever on the migration of skilled and unskilled workers into Australia to make up the skill shortages being experienced across industries and regions throughout Australia.

International students have the skills and capabilities to support a more diverse workforce with greater innovative and industrial capacity than we have today.

Past lessons learned

In 2002, changes to the migration regulation permitted international students graduates to stay in Australia to apply for permanent residency, hence establishing a clear link between international education and skilled migration. That policy change contributed to the next ~8 years of unprecedented growth in the international education sector. However, the challenges



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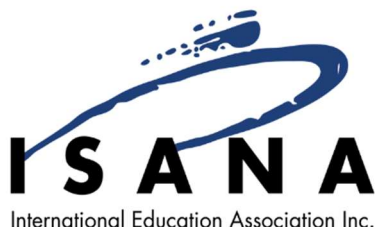
and issues international students and the education sector experienced included workplace and education provider exploitation due to poor design, implementation, and monitoring of the ecosystem. The skilled migration program at that time did not effectively address industry skill shortages, and the international education sector grew in areas of study that provided a direct path to permanent residency. This resulted in a crisis in the international education sector and a population of skilled international student graduates granted permanent residency who were often both working in unskilled occupations and not using the qualifications they had obtained in Australia.

Future migration policy and regulation must learn from past lessons, but also be bold in creating a system that reinstates the intentional link between international student graduates and permanent skilled migration to create a clear and seamless pathway from international student visas to permanent residency on a skilled visa to an Australian citizen. Careful migration program design that ensures Australia can retain skilled talent must also adequately consider the impact of policy settings on the education sector and current education regulations, such as the ESOS Act. Quality assurance mechanisms must be embedded to ensure that visa pathway progression is not exploited and is framed by verifiable skills assessment. Quality assurance mechanisms must include improved protection for international students working in Australia to avoid exploitation, and extend access to housing, housing affordability, and cost of living.

Guiding principles and messaging

The Commonwealth government needs to recognise and promote global citizenship, diversity, and inclusion as principles that should guide the migration strategy. With this underpinning the way forward, bold, and innovative changes to migration policy are possible. The government should openly acknowledge the value of international students to Australia, and the contribution of international students to Australia's education sectors, community, research, workplaces, and the broader economy. Simple messaging should reinforce that international education is a legitimate pathway rather than a back door to permanent migration in Australia. We need to ensure quality education prevails, we attract the students we want, and the meaning and reason Australia has an international education sector and a migration strategy. Ensuring Australia continues to grow its multicultural communities in a cohesive and inclusive nature, for future migrants and current residents. There is a need to address conscious and unconscious bias and a responsibility to dispel myths of assumptions about international students and migration.

Choosing courses in Australia – the influence of migration opportunities



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It is commonly known among ISANA members, recruiters, and education agents that even as early as secondary school, students will often choose courses to fit with migration opportunities, such as when occupations are 'on the list' and students will choose courses that are directly related to skilled occupations that lead to skilled migration. This is not likely to change with any migration system that lists specific occupations – and education systems that provide education and qualifications for the listed occupations.

Temporary post-study work visas

In 2022, temporary postgraduate visas were extended, indicating the need for international students to remain in Australia once they complete their studies to help address skilled workforce shortages across the country. However, remaining in Australia on temporary visas provides uncertainty and is not a sustainable approach to retaining skilled talent and building a highly productive workforce that is required to meet future skills and workforce demand in Australia.

Temporary visas do not provide certainty in residency, healthcare, education, and other rights such as income and crisis support afforded to permanent residents. With many international students eligible to remain in Australia on temporary visas only, Australia will see not only the skilled talent choosing alternate countries to migrate to, but prospective students will choose to be educated in alternate countries offering streamlined permanent migration opportunities. Therefore, the migration policy settings are critical to not only the economy and workforce of Australia but the international education sector.

Barriers to graduate employment

Prior to the Covid-19 pandemic, many employers offering graduate employment programs restricted entry to international students, often citing those applicants were required to be either permanent residents or Australian citizens. The visible policies openly discriminating against international student graduates from Australian education providers of many well-known companies have been a major barrier to utilising the talented graduates in Australia.

Employers have also resisted engaging international students citing the complex visa system as a main barrier. International students may choose Australia as a study destination, build networks, and friendships, and desire a migration outcome, but they will not stay in Australia without a job with clear career advancement related to their qualifications, particularly if there are opportunities in their home or other 'competitor' countries. To assist employers to overcome the real and/or perceived challenges in the visa system, in 2022, IEAA published a guide for employers that outlines initially the benefits to businesses and industry in engaging international students. There is a greater need to increase messaging and educate businesses



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on the benefits and opportunities to employ International Students, including an understanding of cultural competency and literacy. This has the potential to benefit future services, and products and diversifies market offerings.

Current and future skilled workforce shortage solutions

Prior to 2022, international students have been very fortunate to be able to experience employment in their field of study in Australia. Graduate employers often won't consider temporary visa holders and the graduate employment cycle is systematically set up to disadvantage student visa holders because they are normally unable to secure permanent residency status prior to making graduate program applications.

The shortage of skilled workers and increased workforce demand in Australia in has created more opportunities for international students. Over the past 12 months, there has been a reported increase in the number of companies willing to employ students in entry-level roles and train them in their chosen field of study. Companies are reportedly paying induction and ongoing professional development; this is reported by members to be across many fields and roles. In the 2022 upcoming summer semester, there is an increase in the number of students opting to work in roles related to their study, rather than previously when they would be undertaking additional study during this time to speed up the completion of their education or use that time to make up for units they may have failed.

However, this situation is dependent on a very tight labour market, offering an opportunity to re-think how the student visa could be structured to provide more stability such that the pathway to migration is determined at the onset of applying for the course of study.

In the initial application to the course, the students could be engaged and begin their migration journey at the commencement of their education course. This might require additional study or work experience components, such as those provided through the 'professional year' programs and integrated into the degree so that the student graduate is 'job and migration ready' to be granted skilled migration and obtain employment in their chosen field. This would require collaboration between education and migration departments – as well as the education sector, however, it might offer Australia the competitive edge to rebuild the international education sector while preparing to meet future workforce skill demands.

Qualification recognition

There are also many international students arriving in Australia with qualifications already completed prior to coming to Australia to study. Many students are postgraduate so have already got work and study experiences. Building qualification recognition into student visa applications and considering eligibility for visas with work rights that address skills shortages



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would be extremely beneficial to the economy, as it will ensure that the skilled workforce and student population are utilising their qualifications and experience.

Student visa conditions impacting work-study balance

In 2020 the Federal government changed the student visa condition, previously limiting students to 40 hours of paid work per fortnight, to allow unlimited work rights. Many ISANA members have reported that since this change, there have been increased issues with non-compliance, non-completion, and failing of courses, due to students who had previously faced severe financial stress, prioritising paid work over study. Prior to Covid19, many students were known to be working over 40 hours per fortnight, which has indicated that the 40-hour limit may be too restrictive, however, unlimited work rights leave many students vulnerable to failing and not completing their courses on time. A revision of the appropriate number of hours of paid work per week is overdue and timely given the current temporary arrangement ceasing in June 2023.

From an industry perspective, with any changes to student visa work rights conditions, consideration should be given to the impact on the education sector, in relation to successful education outcomes, alongside the employment outcomes of international students as a key attraction for students to study in Australia, and Australia's economic prosperity and workforce demand. One key change that could be easily incorporated is to remove any student work placements or industry experiences from counting towards the current 40 hours per fortnight in the restricted work limits, thereby opening opportunities for many students whose courses do not mandatorily require work placements as part of the qualification.