National Code Good Practice Guide

A Guide For Education Providers

March 2013
ESOS National Code Good Practice Guide

A Guide developed by members of Victorian TAFE International Inc.

Prepared by VTI Executive Officer, Kate Dempsey with input and advice from Pam Edwards, Elizabeth Lakey and members of the VTI Compliance & Quality Special Interest Group.

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Contents

Acronyms .................. 4
The VTI Compliance Group .... 6
Purpose of this Guide ....... 6
Members involved in the
development of the Guide ..... 7
How to use the guide ......... 8
The National Code of Practice 9
ESOS National Code Links .... 10

Standard 1 .................... 11
Standard 2 .................... 12
Standard 3 .................... 13
Standard 4 .................... 14
Standard 5 .................... 15
Standard 6 .................... 16
Standard 7 .................... 18
Standard 8 .................... 20
Standard 9 .................... 21
Standard 10 ................... 22
Standard 11 ................... 24
Standard 12 ................... 25
Standard 13 ................... 26
Standard 14 ................... 27
Standard 15 ................... 28

Appendix 1 Sample Position Description 30
Standard 1 Sample Documents .... 31
Standard 2 Sample Documents .... 42
Standard 3 Sample Documents .... 56
Standard 4 Sample Documents .... 57
Standard 5 Sample Documents .... 61
Standard 6 Sample Documents .... 78
Standard 7 Sample Documents .... 98
Standard 8 Sample Documents .... 109
Standard 9 Sample Documents .... 112
Standard 10 Sample Documents ... 118
Standard 11 Sample Documents ... 133
Standard 12 Sample Documents ... 135
Standard 13 Sample Documents ... 137
Standard 14 Sample Documents ... 143
Standard 15 Sample Documents ... 145
Acronyms

**AU IDF**: Australian International Directors Forum

**CAAW letter**: Confirmation of Appropriate Accommodation and Welfare letter. This is a letter issued by the education provider to the Department of Immigration and Citizenship (DIAC). It states that a student under the age of 18 is not living with a relative/legal custodian, and the education provider approves of the student’s accommodation arrangements. The provider will use this PRISMS form to notify DIAC of accommodation and welfare arrangements, where arrangements are approved by the institute.

**Caregiver**: Is a person(s) who is head of the Homestay where an Under 18 Student is residing and has responsibility for overseeing the welfare, support and accommodation arrangements of that student.

**Caregiver Service**: A provider approved service provider, appointed by a parent/legal guardian to act as Caregiver to an Under 18 Student and to arrange Homestay and welfare services on behalf of the institute.

**CoE**: Confirmation of Enrolment.
A document, provided electronically, which is issued by a registered provider to intending overseas students and which must accompany their application for a student visa. It confirms the international student’s eligibility to enrol in a particular course offered by the registered provider.

**Credit Transfer**: a process that provides students with agreed and consistent credit outcomes based on identified equivalence on content and learning outcomes between matched qualifications. In Vocational and Further Education credit transfer may be considered distinct from RPL as it does not involve a formal assessment process but relates directly to documentation of qualifications, which have been formally validated as equivalent. To obtain credit the student must present a national and/or state recognised qualification or statement of attainment issued by a registered training organisation (RTO).

**Course Related Fees**: Includes all course money as defined by Section 7 of the ESOS Act and all optional fees or charges.

**Course Progress**: The measure of advancement within a course towards the completion of that course irrespective of whether course completion is identified through academic merit or skill based competencies.

**CRICOS**: The Commonwealth Register of Institutions and Courses for Overseas Students.

**Critical Incident**: A traumatic event, or the threat of such (within or outside Australia), which causes extreme stress, fear or injury.

**DIAC**: The Department of Immigration and Citizenship.

**DIISRTE**: The Department of Industry, Innovation, Science, Research and Tertiary Education.

**Education Agent**: An organisation which recruits overseas students and refers them to Australian education providers.

**ESOS Act 2000**: Education Services for Overseas Students Act 2000.
**Homestay:** The physical accommodation in which an Under 18 Student will reside whilst undertaking studies with an Australian provider.

**International Student:** As defined in the ESOS Act, an overseas student studying in Australia on a student visa.

**Letter of Offer:** A statement issued by an education provider, which confirms its approval for an international student to enrol in the course(s) indicated on the letter.

**Letter of Release:** Letter issued by a CRICOS registered provider to confirm approval for an international student to be released from that provider to study with another provider.

**Migration Agent:** A person registered as a migration agent as per section 286 of the Migration Act 1958.

**PEO:** Principal Executive Officer of an RTO. This person must satisfy fit and proper requirements. The PEO is responsible for the education provider's CRICOS registration and administrative matters relating to that registration.

**Plain English:** A level of English, which is clear and accessible to International Students.

**Principal Course:** the main course of study to be undertaken by an international student where a student visa has been issued for multiple courses. The principal course would normally be the final course of study or the highest level qualification.

**PRISMS:** Provider Registration and International Students Management System. PRISMS is a secure website database that produces and tracks all Confirmation of Enrolment documents issued for overseas students. The PEO can authorise institutional staff and other individuals, such as education agents to access PRISMS.

**Provider:** An institution or other body or person in Australia that provides or seeks to provide CRICOS registered courses to overseas students as defined by the ESOS Act.

**Provider Default:** Where the registered provider fails to provide a course or ceases to provide a course to an overseas student in accordance with Section 27(1) of the ESOS Act.

**Recognition of prior learning (RPL):** is a process that involves assessment of an individual’s relevant prior learning (may include formal, informal and non-formal learning) to determine the credit outcomes of an individual application for credit.

**Section 20:** of the ESOS act, pertains to providers notifying students of student visa breaches. If an overseas student fails to meet course progression requirements a Section 20 letter is issued to the student via PRISMS. In the past, this would result in the automatic cancellation of the student visa. New legislation is about to be passed which abolishes automatic cancellation of visas. The student now has 28 days to contact DIAC to show cause why his/her student visa should not be cancelled.

**Student Contact Officer:** Employee(s) of the registered provider deemed to have an appropriate level of skill, knowledge and expertise who is able to provide advice to overseas students on a range of matters.

**Suitable Relative:** As defined by DIAC. Must be at least 21 years of age and a parent, step-parent, brother or sister, stepsister or stepsister, grandparent, step-grandparent, aunt or uncle, step-aunt or step-uncle, niece or nephew, step-niece or step-nephew.

**Tuition Protection Service (TPS):** Part of the suite of amendments made to the ESOS act in response to the Baird Review. This single, national TPS replaces a range of existing tuition assurance arrangements. Some key features of the TPS are:
- A limit of up to 50 per cent of total tuition fees may be collected prior to student commencement (unless the course is 24 weeks or less).
- Specified providers will keep initial prepaid fees in a separate account until a student commences study.
- Student refunds will be based on unexpended tuition fees (rather than on total course cost as previously).
The VTI Compliance Group

Victorian TAFE International is an association of staff who work in TAFE Institutes in international education. VTI exists to support and inform members, improve communication between members and other bodies, to increase awareness and understanding of international education generally and to provide quality advice to the Victorian TAFE Association (VTA), on international education issues which will then inform policy and strategic directions for the enhancement of the TAFE brand.

Participation in VTI is open to any international education staff members including those in: management, recruitment, business development, admissions, and quality and compliance in member TAFE institutions in the Australian State of Victoria.

VTI has three Special Interest Groups that meet regularly, one of which is the Compliance & Quality Officers Special Interest Group. It is these VTI members who have worked together through 2011 and 2012 to create this Guide to Good Practice.

Purpose of this Guide

The Compliance and Quality Officers are the staff members who are utterly familiar with and work every day with the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students, which is Commonwealth legislation (and accompanying regulation).

The National Code is a set of standards that governs the protection of overseas students and delivery of courses to those students by providers registered on CRICOS - the Commonwealth Register of Institutions and Courses for Overseas Students. Only CRICOS courses can be offered to international students studying in Australia on a student visa.

The National Code is prescriptive and detailed, but how it is implemented can be fraught with difficulty. For example, the National Code stipulates that ‘all marketing activities must be carried out with integrity and accuracy’. While members agree with the sentiments of this stipulation and strive to uphold it, exactly how this is done on a day-to-day basis is not detailed in the Standards themselves. We have therefore produced a good practice guide that outlines key issues in relation to implementation of the National Code and includes a position description and key skill areas needed by staff working in compliance and quality in the TAFE system.
### The VTI Compliance Group

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<tr>
<th>INSTITUTE</th>
<th>REPRESENTATIVE</th>
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<tbody>
<tr>
<td><strong>Ballarat University</strong></td>
<td>Ms Anne Kelly&lt;br&gt;Manager, International Compliance</td>
</tr>
<tr>
<td><strong>Bendigo Regional Institute of TAFE</strong></td>
<td>Kerry McCuskey&lt;br&gt;Manager, International Programs</td>
</tr>
<tr>
<td><strong>Box Hill Institute</strong></td>
<td>Vicky Jorna&lt;br&gt;Compliance Officer&lt;br&gt;International Student Services</td>
</tr>
<tr>
<td><strong>Chisholm Institute</strong></td>
<td>Claire Donaldson&lt;br&gt;Compliance Coordinator&lt;br&gt;International Student Programs&lt;br&gt;Nyree Syrett&lt;br&gt;Team Leader, International Student Programs</td>
</tr>
<tr>
<td><strong>Kangan Institute</strong></td>
<td>Alistair Hunter&lt;br&gt;International Student Liaison Officer&lt;br&gt;Selda Koc&lt;br&gt;International Admissions Coordinator&lt;br&gt;Athena Rades&lt;br&gt;International Finance</td>
</tr>
<tr>
<td><strong>NMIT</strong></td>
<td>Nimisha Sodhi&lt;br&gt;Compliance Officer</td>
</tr>
<tr>
<td><strong>RMIT</strong></td>
<td>Ms Elena Dagis&lt;br&gt;Manager, Compliance&lt;br&gt;International Services&lt;br&gt;International and Development Portfolio</td>
</tr>
<tr>
<td><strong>Swinburne University</strong></td>
<td>Emma Lincoln&lt;br&gt;Associate Director, Compliance and Quality&lt;br&gt;Office of Partnerships and Quality</td>
</tr>
<tr>
<td><strong>South West Institute of TAFE</strong></td>
<td>John Cook&lt;br&gt;Centre for Business, Management and Leadership</td>
</tr>
<tr>
<td><strong>Sunitafe</strong></td>
<td>Jenny Grigg&lt;br&gt;Director Business Development</td>
</tr>
<tr>
<td><strong>Victoria University</strong></td>
<td>Pam Edwards&lt;br&gt;Manager, Compliance &amp; Quality Assurance</td>
</tr>
<tr>
<td><strong>William Angliss Institute</strong></td>
<td>Dan Mabilia&lt;br&gt;Manager, International Education</td>
</tr>
<tr>
<td><strong>Wodonga Institute of TAFE</strong></td>
<td>Robert Hillier&lt;br&gt;Quality &amp; International Systems Officer</td>
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Special thanks go to Pam Edwards of Victoria University, who Chairs the Compliance Officers Group and generously shared her expertise on compliance issues. Thanks also to Elizabeth Lakey for considerable input into the Guide and to Paula Dunstan for reading the final document.
How to use the Guide

This document summarises each of the 15 Standards of the National Code and provides assistance with implementing them. The first section of the Guide summarises each of the 15 Standards in turn.

Then it briefly highlights some of the key issues that VTI members have found complex in the implementation of the National Code. Following this, the Guide lists examples of policy or procedures that member TAFEs use to ensure good practice under each of the National Code Standards.

The Appendices of the Guide provide templates for procedures or policies that readers may use to ensure their own good practice in implementing the National Code.

These examples and templates have been de-identified, but have been generously shared by members of the VTI Compliance and Quality Officers Special Interest Group. Each has been passed under scrutiny at a recent audit.
The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007

The National Code is a set of nationally consistent standards that governs the protection of overseas students and delivery of courses to those students by providers registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).

Only CRICOS courses can be offered to international students studying in Australia on a student visa.

The Code’s place in the ESOS framework

The National Code is established under the Education Services for Overseas Students (ESOS) Act 2000. To become CRICOS-registered, a provider must demonstrate that it complies with the requirements of the National Code. The National Code is a legislative instrument. It is legally enforceable; breaches of the National Code by providers can result in enforcement action under the ESOS Act. This action can include the imposition of conditions on registration or suspension or cancellation of registration.

The National Code complements existing national quality assurance frameworks in education and training including the Australian Qualifications Framework (for registered vocational education and training providers); and the National Protocols for Higher Education Approval Processes (for institutions offering higher education qualifications).

ESOS National Code Links


ISANA offers a free online tutorial too, which can be found here > http://www.isana.org.au/nc2007-tutorial
Standard 1
Marketing information and practices

Registered providers ensure that marketing of their education and training services is professional, accurate and maintains the integrity and reputation of the industry.

Key requirements for all sectors

- Marketing information and practices must be professional and ethical.
- The registered provider’s name and CRICOS code must be clearly identified on all material used to market the provider and its courses to students.
- Information or advice given to students must not be false or misleading.
- Providers must not knowingly enrol a student wishing to transfer from another provider before the student has completed six months of his or her principal course except in circumstances outlined in Standard 7. These restrictions also apply to courses taken before the principal course in a package of courses.
- A provider must not actively recruit a student where this clearly conflicts with its obligations under Standard 7.
- It must not knowingly enrol a student prior to the student completing six months of his or her principal course except in certain circumstances (see Standard 7.1).
- These restrictions also apply to the courses taken before the principal course in a package of courses.
- A student must remain with his or her provider for all of his or her courses prior to the principal course in a package of courses unless the provider has provided a written letter of release or Standard 7.1 a., c. or d. applies.

Key Issues/Considerations

- Websites must be carefully monitored to ensure that any links are up to date; all information is correct and up to date.
- Due to the structure of education institutions, the International branch often does not have control over website content. This must be managed by excellent communication between International and Marketing.
- While the standard does not explicitly call for policy and procedures, it is very difficult to prove compliance without them, therefore they are recommended.
- An audit will require a provider to demonstrate how it manages the integrity of marketing materials, including website content. Who is responsible, how do you monitor the content, how often do you check the veracity of information? A flow chart or map of responsible personnel is an invaluable tool to show an auditor there is a chain of responsibility for marketing information.
- It is also advisable to have policies and procedures in place to check the integrity of all marketing information.
- A provider cannot advertise a course that it does not yet have registration for, even if the registration is imminent. While the provider may inform a student that it has applied to register a course, it must not inform a student of when it expects the course to become registered because the student may wait for the course to become available and this may not eventuate.
Standard 2

Student engagement before enrolment

Registered providers recruit students in an ethical and responsible manner and provide information that enables students to make informed decisions about studying with the registered provider in Australia. Registered providers ensure students' qualifications, experience and English language proficiency are appropriate for the course for which enrolment is sought.

Key requirements for all providers

- Students must be provided with information that will enable them to make informed decisions about their studies in Australia.
- Providers must have documented procedures for assessing students' English proficiency and qualifications and they must implement these procedures.
- Providers supply information about the availability of course credit.
- Providers inform students of the modes of study through which the course may be offered.
- Providers list the grounds on which the students' enrolments may be deferred, suspended or cancelled.
- Providers give students a description of the ESOS framework prior to enrolment.
- Providers supply information about indicative course related fees, including the potential for fees to change.
- Providers supply relevant information on accommodation options.
- Where students plan to bring school-aged dependants with them, providers inform them of Australia's schooling obligations and options, including the fact that they may have to pay school fees.
- Documented procedures are in place for assessing students' qualifications, experience and English language proficiency.

Key Issues/Considerations

- It is important to provide clear and comprehensive information about courses. Course descriptions must be in plain English and assist students to make an informed decision. Auditors will ask about the frequency of update of this course information. Policies and procedures should refer to the way in which the information is updated.
- It is important to describe the standard of facilities available in plain English, that is avoid jargon such as 'state of the art facilities' and complex training package language.
- It is good practice is to refer to other guides available such as accommodation, counselling, or possible career outcomes.
- It is advisable to provide a short guide to teaching conventions and learning expectations at the Institute.
- Streamlined Visa Processing now requires costs of living information be given to students in pre-departure information. This includes cost of housing, transport, banking, food costs, utilities (gas and electricity) for participating universities. It is good practice for VTI members to also provide this information.
Standard 3

Formalisation of enrolment

Written agreements between registered providers and students set out the services to be provided, fees payable and information in relation to refunds of course money.

Key requirements for all sectors

- The provider must enter into a written agreement with the student before (or at the same time as) accepting course money from the student.
- The written agreement must contain, as a minimum, the information specified in 3.1.
- Information about the refunds of course money must cover, as a minimum, the information specified in 3.2.
- Under the National Code 2007, providers are required to have a written agreement with each student, whereas under the National Code 2001 written agreements were optional. The provider must not accept course money from the student before this agreement has been signed or otherwise accepted (for example, through online acceptance).
- The written agreement must:
  - include information about the provider’s refund policy;
  - set out the circumstances in which personal information about the student may be shared with others; and
  - advise the student of his or her obligation to notify the provider of a change of address while enrolled in the course.
- Providers should keep historical versions of student agreements to show if and how they have changed.
- Of particular relevance to the VET sector, students who are enrolled in a packaged course that is delivered by different providers, must have an agreement with all providers offering training.
- If a student is enrolled in consecutive courses with the one provider, they may have one written agreement to cover these courses, provided that the terms of the agreement are made clear.
- ESOS Legislative Amendment (Tuition Protection and Other Measures) Act 2012 requires that every student has an appropriate written agreement. One key change concerns student default and provider default positions (as set out in refund policy). Another vital change is that providers must now specify study periods for each course.
- It is acceptable to accept tuition fees concurrently with signing of the letter of agreement. This is especially relevant for those providers who accept electronic payment of fees. In this instance, providers should send an invoice/CoE/written agreement to prospective students with advice that payment must be made only after the student has returned the signed written agreement.
- The new legislation (from July 1 2012) requires that providers update student addresses every six months. This will occur as re-enrolment and payment occurs. A logical way to ensure this requirement is met is that the process is built into progress meetings every six months. The onus is on providers to confirm student addresses. This can be achieved by leaving space on the six-monthly invoices for address and contact details.
- As of July 1 2012, course registration changed so that courses will be registered for each location via different CRICOS course codes.
- For every student who does not have a compliant agreement, the provider will attract a $2500 fine.
Standard 4

Education Agents

Registered providers take all reasonable measures to use education agents that have an appropriate knowledge and understanding of the Australian international education industry and do not use education agents who are dishonest or lack integrity.

**Key requirements for all sectors**

The provider has a written agreement with each education agent it engages to recruit students on its behalf. Providers are not required to have a written agreement with agents who act on behalf of students or parents.

- The provider specifies the responsibilities of the education agent and the provider and the need to abide by the National Code 2007.
- The provider ensures its education agents have up-to-date and accurate marketing information.
- The provider monitors the activities of its education agents and takes action, including terminating the agreement, when the education agent does not fulfill its responsibilities.
- It is **mandatory** for a provider to have a written agreement with education agents it engages to formally represent it. ‘Formally’ covers situations where the agent promotes courses of the provider with the intention of recruiting students for the provider.

**Key Issues/Considerations**

- The National Code requires a formal written agreement with education agents and all VTI members comply with this requirement. In practice institute members have agreements with many agents and so the monitoring of performance of agents becomes problematic. The question arises: how can an education provider adequately monitor all its agreements with many agents in many countries around the world?
- This issue has been a key focus of activity of the VTI in 2010 leading to the production of an award winning *Best Practice Guide Best Practice in Education Agent Management*. The full document is available on the VTI website.
- Education agent management has been the focus of legislative changes in response to recent reviews of the sector. Monitoring education agents is now even more crucial to ensure good practice. Providers can stipulate in their agent agreements that it is the agent’s responsibility to submit regular reports detailing the number of students interviewed in the education agent’s office and at other venues.
- Providers can also conduct surveys of students recruited by education agents. It is logical to build this survey into an existing process such as orientation/induction days.
- It is advisable that all education agents complete the Education Agents Training Course online (found at the PIERonline website). This requirement should be written into the agreement between the provider and its agents. There are many similar suggestions in the *VTI Best Practice Guide in Education Agent Management*. 

**SAMPLE DOCUMENTS**

1) VTI Policy on Agent Service Levels

2) Criteria which member Institutes use to determine levels of support
Standard 5
Younger Overseas Students

Where students under the age of 18 are not being cared for in Australia by a parent or suitable nominated relative, registered providers ensure the arrangements made to protect the personal safety and social well-being of those students are appropriate.

Key requirements for all sectors

- The Department of Immigration and Citizenship (DIAC) must be satisfied that appropriate welfare arrangements are in place for under-18 students before a visa is granted.

- A parent, a nominated suitable relative or an education provider must be responsible for the welfare of younger international students while in Australia.

- If a parent or suitable nominated relative takes responsibility for the welfare arrangements of the student, Standard 5 does not apply and providers do not need to complete a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter.

- Should neither a parent nor a suitable relative be in Australia to directly provide for the welfare of a student, and the education providers accepts the student, the provider must approve suitable accommodation and welfare arrangements.

- Where the provider approves the arrangement for under-18 students, it must nominate two dates: (1) when the provider has elected to begin taking responsibility; and (2) when the provider will cease to take responsibility for approving the welfare arrangements for that student.

Key Issues/Considerations

- It is important for providers to remember that in order to be compliant with this standard they must have a documented procedure that outlines the way in which they approve accommodation and welfare arrangements and also a procedure for review and termination of these arrangements if necessary.

- One area of particular difficulty can arise when a student is in Australia and under family guardianship. Providers must have a documented process if a student wishes to change this arrangement. The PEO of the provider is then responsible for finding another arrangement. If a suitable arrangement cannot be found, the welfare of the student cannot be guaranteed and they must go home.

- Students under 18 years of age may arrive earlier than their course start date for a holiday or to visit friends and relatives but the provider should approve their welfare arrangements before they arrive.

- In packaged arrangements where there is a large time period between courses (i.e. ELICOS/secondary school and a tertiary course), providers may issue a single CAAW letter to cover the period, even if the student returns home. This ensures that the student does not need multiple visa applications for the different parts of the packaged course.

SAMPLE DOCUMENTS

1) International under 18 Students Policy and Procedure
2) Minimum Services and Performance Standards for Caregiver Services Checklist
3) Under 18 initial Checklist
4) International Student under 18 Pastoral Care Form
5) Leave Advice Form
Standard 6
Student Support Services

Registered providers support students to adjust to study and life in Australia, to achieve their learning goals and to achieve satisfactory academic progress towards meeting the learning outcomes of the course.

Key requirements for all sectors

- An age and culturally sensitive orientation program is required, including information regarding:
  - Support services available to assist in the transition into life and study in Australia
  - Legal services
  - Emergency and health services
  - Facilities and resources
  - Complaints and appeals processes; and
  - Information on visa conditions relating to course progress and, if applicable, attendance.

- Providers must have a documented critical incident policy together with procedures that cover the action to be taken in the event of a critical incident, the required follow-up to the incident, the recording of the incident and the action taken.

- Providers must help students to access study support and welfare-related services.

- A contact officer or officers must be appointed as the official point of contact for students.

- Providers must ensure that staff members who interact directly with overseas students are aware of the providers’ obligations under the ESOS framework.

- There is no longer a requirement to appoint a ‘suitably qualified person’ as the international student contact officer. Under the National Code 2007, the provider must clearly identify a member or members of staff as the official point of contact and ensure there are adequate support personnel.

- There must be a written critical incident policy and procedures that include follow-up action required in the event of a critical incident.
Key Issues/Considerations

- The National Code does not specify a requirement to have a certain ratio of student support staff to numbers of international students. It may be difficult to know when providers have enough staff. One possible solution is to benchmark this ratio with similar institutions. Australian Universities have undertaken benchmarking studies in the past through AUuDF and have found for a university, the most common staffing ratio for student support staff to international students is 5 staff to 1,000 students.

  A similar study amongst Australian TAFE providers did not indicate the ratio of student support staff to international students, as most TAFEs do not have separate student support staff for international students (TAFE Benchmarking of International Office Operations 2009).

  Auditors often ask how student contact officers are kept up to date on support services that are available. It is advisable to be able to show auditors how you keep support officers informed that is, inviting them to team meetings (show auditors meeting agenda and notes).

- Good practice is to keep a schedule of training events for staff members who may come into contact with international students. This could include presentations for senior management, information sessions on how to approve leave correctly with academic staff. It is important to connect this training with information gained from student complaints, changes in numbers of students needing assistance. It is important also to provide an evaluation of the training for continuous improvement purposes.

- In order to ensure students are supported at the beginning stages of their course, it is advisable to conduct more than one orientation. This does not need to be labeled an ‘orientation’ or ‘induction’, as students might be less likely to attend if they feel they have already completed their induction. It could be described simply as a gathering or get together to speak about what is coming up, perhaps 4 weeks into the course.

- Students need a kit of information, which is relevant to where they are at in the journey of their study.

- It is important to remember that ‘critical incidents’ also means incidents offshore. These must be documented too.

- The Streamlined Visa Processing arrangements now require evidence of improvement in English as students progress in their study. It is simplest to embed this into existing Standard 10 processes. This also crosses over with ASQA requirements for supporting students.

- Difficulties often arise when academics/trainers ‘approve’ student applications for leave. They might assume they are permitted to do this and may want to support students, however all leave applications require the consent of the compliance team. Communication between international and all other departments is crucial as the rules for international students may not be the same for domestic students; trainers may not be aware of this. Emergency leave is acceptable, for example, but evidence is required to demonstrate the need to leave the country and return.

- It is good practice not to provide advice on DIAC regulations. Rather, ask students to check directly with DIAC as the guidelines change and DIAC can advise on a case-by-case basis.
Standard 7

Transfer between registered providers

Registered providers assess requests from students for a transfer between registered providers prior to the student completing six months of his or her principal course of study in accordance with their documented procedures.

**Key requirements for all sectors**

- Registered providers must not enrol a transferring student before the student has completed six months of the student’s principal course of study except for the circumstances outlined in this standard.

- The restriction applies to any prerequisite courses in a package of courses, as well as the first six months of the principal course.

- When a student wants to transfer before completing six months of his or her principal course, the providers must assess the student’s request against its documented transfer policy and procedure.

- Requests can be refused, but the reasons must be consistent with the intent of the standard, the provider’s documented transfer policy and given to the student in writing.

- If a provider refuses to release a student or the provider does not respond during the timeframe set out in the policy, the student can appeal through the provider’s complaints and appeal process.

- The new provider must have issued a valid enrolment offer for a student’s request for a letter of release to be considered.

- A provider must not charge the student for the release letter.

- Under-18 students must have written confirmation from their legal guardian or parent to transfer. If the student is not being cared for in Australia by a parent or suitable nominated relative, the receiving registered provider must accept responsibility for approving the student’s accommodation, support and general welfare arrangements as per Standard 5. The letter of offer must note this responsibility.

- Providers must keep records of requests for letters of release and the process used to make a decision in relation to the request.

- A provider must not enrol a transferring student before the student has completed six months of his or her principal course unless the exceptions in Standard 7.1 are satisfied. Before 1 July 2007, students’ movements where restricted by a visa condition.

- Students can apply to transfer before they have completed six months of their principal course.

- The provider must have documented policies and procedures for assessing applications for transfer.

- Providers must accept responsibility for assessing applications to transfer. Before 1 July 2007, the Department of Immigration and Citizenship (DIAC) assessed all applications from students for a transfer within the first twelve months of the principal course of study.

- If a student’s request for release is refused, the student must be informed in writing of the reasons for the refusal and his or her right to appeal the decision.
Key Issues/Considerations

● With the SVP arrangements, there is an increased risk for education providers. It is possible that students will take advantage of the pathway arrangements and complete 6 months of their courses at an RTO and then go to complete their studies elsewhere.

● One way of discouraging students from moving to another provider if it is not in their best interests is to require a sizeable non-refundable deposit.

● Problems can arise when a decision to release a student is made without consulting the compliance department. It is important to educate academics and trainers about which requests they need to refer to compliance staff, such as checking approval to transfer for under 18 students from parent/guardian, not homestay provider.

● If a student has suspended or deferred their studies when they apply for a letter of release, the time they were not studying does not count towards the 6 months required by the National Code.

● A new CoE can be issued for a student during the first 6 months of study provided the start date of the CoE is after the completion of the initial 6 months.

● While students must still complete 6 months of their principal course before being able to transfer, this is likely to change to 6 months of their first course in the future.

● If a student is denied a letter of release, the student must be informed in some detail about the reasons why. This will enable the student to decide whether to appeal the decision.
Standard 8
Complaints and appeals

Registered providers’ complaints and appeals processes are independent, easily and immediately accessible and inexpensive for the parties involved.

Key requirements for all sectors

● The provider must have an internal complaints and appeals process that:
  - requires a written record if the complaint or appeal cannot be resolved informally
  - provides a student with the opportunity to formally present his or her case at minimal or no cost
  - allows the student to be assisted or accompanied by a support person
  - provides a written statement of the outcome, including details and reasons for the decision;
  - and requires that processes begin within 10 working days of the provider receiving the formal written lodgement of the complaint or appeal.

● The provider must maintain the student’s enrolment while the complaints and appeals process are ongoing. This does not necessarily mean that a student must remain in class.

● The provider must have arrangements in place for an independent external person or organisation to hear the complaints or appeals where the provider’s internal process has been completed and the student remains dissatisfied.

● The student must be granted immediate access to the provider’s complaints and appeals process. The process must begin within 10 working days of the formal lodgement of the complaint or appeal.

● The provider’s documented internal complaints and appeals process must include provision of a written statement of the outcome including details and reasons for the decision.

● If the outcome of a student’s appeal through a provider’s internal or external complaints and appeals handling process is favourable to the student, the provider must immediately advise the student of this and implement any decision and/or corrective and preventive action required.

● It is good practice to consistently maintain a register of complaints and appeals. This enables a provider to track the complaints and appeals for the purposes of continuous improvement. The new National Standards for Registered Training Providers (2011) also require continuous improvement strategies to be in place. In particular SNR 5 states The applicant must have strategies in place to adhere to the principles of access and equity and to maximise outcomes for its clients with sub clause 5.7 noting The applicant has a defined complaints and appeals process that will ensure learners’ complaints and appeals are addressed effectively and efficiently.

Key Issues/Considerations

● If a student’s complaint or appeal is upheld, the provider must inform the student about the corrective action(s) taken by the provider.

● Auditors will ask to see evidence that providers have taken both corrective and preventative action if a complaint or appeal is resolved in favour of a student.

● The complaints and appeals policy must be freely available to students. It is good practice to ensure that the policy is in plain and simple English so as not to disadvantage students.
Standard 9
Completion with expected duration

Registered providers monitor the workload of students to ensure they complete the course within the duration specified in their CoE and do not exceed the allowable portion of online or distance learning. Registered providers only enable students to extend the expected duration of study for the course through the issuing of a new CoE in limited circumstances.

Key requirements for all sectors

- Providers must have documented policies and procedures for monitoring the progress of each student to ensure that he or she completes the course within the expected duration as specified on his or her confirmation of enrolment (CoE).
- Providers must only grant an extension to the duration of a student’s study in limited circumstances as listed in Standard 9.2.
- Variations to a student’s enrolment load must be recorded on his or her file. Where the variation leads to an extension of the expected duration of study, the providers must report the student via Provider Registration and International Students Management System (PRISMS) and issue a new CoE.
- A provider may enrol a student in no more than 25 per cent of the student’s total course by distance and/or online learning.
- Students are monitored closely to ensure they complete their course within the course duration that is on their CoE.
- There is flexibility for providers to vary a student’s enrolment load throughout the course. Students may take a normal, reduced or increased study load in each study period, as long as providers monitor the workload to ensure the student completes the course within the duration specified in the CoE.
- Students can study up to 25 per cent of their course by online and/or distance learning, but in each compulsory study period each student must be studying at least one unit that is not by distance or online.

Key Issues/Considerations

- This standard requires regular monitoring and tracking of completion within specific dates. Communication is particularly important if there are many different trainers delivering units to each student. Progress meetings must monitor progress across all subjects and all units so that if one unit is failed, then the student can still complete on time.
- Standard 9.2 clearly indicates the reasons for extending and therefore issuing a new CoE. They are for compassionate and compelling circumstances. If ill, the student must provide a medical certificate and it must be on file; the intervention strategy is in place and it demonstrates what is expected by the student and when completion is expected; or the student has an approved deferment or suspension of study granted according to Standard 13. A CoE cannot be extended simply to cover failed units.
- Students must be advised that they are required to finish their course on time even if they have failed units.
- If the student’s intervention strategy means that they will be unable to complete their course on time, the provider may lengthen their CoE to allow for the extra units required. The intervention strategy must be documented.
- Standard 9 policies should cover:
  a) How and when enrolment load will be checked
  b) What will happen if it becomes obvious the student will not be able to complete on time
  c) What will be considered ‘compassionate and compelling circumstances’ that will allow the student’s CoE to be extended.
Standard 10

Monitoring course progress

Registered providers systematically monitor students’ course progress. Registered providers are proactive in notifying and counselling students who are at risk of failing to meet their course progress requirements. Registered providers report students, under section 19 of the ESOS Act, who have breached the course progress requirements.

Key requirements for all sectors

- The progress of each student is monitored, recorded and assessed.
- The provider has documented course progress policies and procedures.
- The provider assesses each student at the end point of each study period according to its course progress policy.
- The provider has an intervention strategy that identifies and assists students who are at risk of not making satisfactory course progress.
- Where a provider has assessed the student as not meeting satisfactory course progress, the provider informs the student in writing of its intention to report the student and that he or she is able to access the provider’s complaints and appeals process within 20 working days.
- The provider notifies the Secretary of DEEWR through PRISMS of the student not achieving satisfactory progress after the appeals process (if actioned) is finalised and upholds the provider’s decision to report.
- All providers are required to have documented course progress policies and procedures. A generic course progress policy may be appropriate for more than one course. Courses that require additional or varied progression rules will necessitate a separate course progress policy.
- Providers must assess course progress at the end point of every study period.
- All providers must have a documented intervention strategy, which must be made available to staff and students.

At a minimum, the intervention strategy must be activated where the student has failed or is deemed not yet competent in 50 per cent or more of the units attempted in any study period.

Providers may choose to intervene at any point before the end of a study period if outlined in their course progress policy and/or intervention strategy.

- Where the registered provider has assessed the student as not achieving satisfactory course progress, it must notify the student in writing of its intention to report the student for not achieving satisfactory course progress. The written notice must inform the student that he or she is able to access the provider’s complaints and appeals process and that the student has 20 working days in which to do so.
Standard 10 cont ...

Key Issues/Considerations

- Changes to the Immigration Act will be made in the very near future whereby section 20’s will no longer be issued. Automatic cancellation of student visas will be abolished and replaced by a system in which information conveyed by SCVs [Student Course Variations] is used as an input into a more targeted and strategic analysis of non-compliance. DIAC will interview and determine on a case-by-case basis if a student is in breach of visa conditions.

  Before any student can be reported, the intervention strategy must be implemented. Records of progress meetings and other documents must be made.

- If providers wish to do so, they may use the DIISRTE-DIAC course progress policy. Providers advise DIAC of this via PRISMS. If this policy is implemented, attendance forms for each class are not required.

- If a student has not been making satisfactory progress, they can only be reported if an intervention strategy has been implemented and documented.

  Students cannot be reported part way through an intervention strategy, so it is wise to include monitoring trigger points within the strategy.

- If a student is studying units that are weighted differently, it is the responsibility of each provider to define how 50% of the course load will be calculated. This could mean 50% of the credit points per semester or 50% of the units per semester.

- This standard requires direct communication with students, which will sometimes cover quite complex issues. It is crucial to use plain English, which will be accessible and easily understood by students.
Standard 11
Monitoring attendance

Registered providers systematically monitor students’ compliance with student visa conditions relating to attendance. Registered providers are proactive in notifying and counselling students who are at risk of failing to meet attendance requirements. Registered providers report students under Section 19 of the ESOS Act who have breached the attendance requirements.

Key requirements

- For all courses (VET, accredited or non-award ELICOS, accredited schools, foundation) requiring attendance-monitoring:
  - Providers, which monitor attendance, must have and implement appropriate documented policies and procedures for monitoring attendance for each course.
  - Where a student has been assessed as not achieving satisfactory attendance, the provider must notify the student of its intention to report the student. The written notice must inform the student that he or she is able to access the registered provider’s complaints and appeals process and that the student has 20 working days in which to do so.
  - If the student accesses the provider’s complaints and appeals process and the process results in a decision that supports the registered provider, the registered provider must report through PRISMS that the student is not achieving satisfactory attendance as soon as practicable.
  - The provider does not report until the process is completed and it supports the provider or the student has not accessed the provider’s complaints and appeals process within 20 working days of being notified of the provider’s intention to report.

- Providers who implement the DIISRTE-DIAC Course Progress Policy and Procedure do not need to monitor attendance. The Policy must be implemented for all VET courses and indicated in PRISMS.

- Conscientious monitoring of attendance puts providers in a clear position to identify issues at an early date. For ELICOS, monitoring takes place across the whole course duration, not a short census period. VTI members have found that monitoring at week 9 (triggers warning letter), week 14 (second warning letter) and week 20 (triggers final warning letter) is a simple way to achieve compliance with this standard. This can be linked to the progress monitoring meetings. A sample of 2 weeks only in the course is not indicative of attendance.

- If a student does not attend at all, it is impossible to give the requisite warnings. In this case, the situation becomes a critical incident, whereby emergency contacts are made, the student embassy is notified and the police need to be advised.

Key Issues/Considerations

- Providers who do not implement the DIISRTE-DIAC Course Progress Policy and Procedure are not required to report students for non-attendance as long as the student is attending at least 70% of the course contact hours and is maintaining satisfactory course progress.

- Absences supported by medical certificates are counted towards students’ total absences. Providers must determine whether compassionate and compelling circumstances exist before reporting a student for non-attendance.

- In order to calculate when to report a student for non-attendance, it is simplest to calculate the total number of course hours and determine 20% of that total. Once the student has missed 20% of the total hours, there is no way they will be able to maintain 80% attendance and should be reported, unless they have an intervention strategy or the provider allows students to maintain attendance of above 70%.
Standard 12

Course credit

Registered providers appropriately recognise course credit within the ESOS framework.

Key requirements for all sectors

- Providers have documented procedures for granting and recording course credit.
- Course credit may reduce the length of a student’s course. If this occurs before visa grant, providers indicate the actual course duration in the confirmation of enrolment issued for that student for that course. If the course credit is granted after visa grant, the change in course duration is reported via provider Registration and International Student Management System (PRISMS) under section 19 of the Education Services for Overseas Students (ESOS) Act.
- Students sign or accept a record of course credit granted.
- If a provider does not grant course credit, Standard 12 does not apply.
- Documented procedures for granting and recording course credit are a requirement.
- Providers are required to ensure students sign (or otherwise accept) a record of course credit. This record is to be kept on the student’s file.

Key Issues/Considerations

- Providers are not required to grant course credit if they do not wish to; providers must have a written procedure outlining how and when they grant course credit.
- Because course credit requires the involvement of many different staff members (academic, student support, compliance) it is good practice to have a flow chart of the procedures after a student makes an application. This can be circulated amongst staff members to help them understand the procedures.
- While Standard 12 does not prescribe appropriate actions if a student is dissatisfied with a decision regarding course credit, Standard 8 ensures they have the right to appeal any decision made.
Standard 13

Registered providers may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.

Key requirements for all sectors

- Providers must have documented procedures for assessing, approving and recording a deferment or suspension of study. (This relates to Standard 2.1 which requires that students must be informed prior to enrolment of the grounds on which their enrolment may be deferred, suspended or cancelled.)

- Providers must inform the student that deferment, suspension or cancellation of enrolment may affect his or her student visa.

- Should a provider initiate the suspension or cancellation of a student's enrolment, it must notify the student of its intention and allow the student 20 working days to access the provider's internal complaints and appeals process, unless extenuating circumstances relating to the welfare of the student apply.

- If the student appeals the decision to defer, suspend or cancel his or her studies, the provider must not notify DEEWR of a change to the enrolment status until the internal complaints and appeals process is completed.

- Providers inform the Department of Education, Employment and Workplace Relations (DEEWR) (now DIISRTE) via provider Registration and International Student Management System (PRISMS) when a student's enrolment is deferred, suspended or cancelled.

- This standard allows providers to grant deferral of commencement of studies or suspension of studies for students who request such a change to their enrolment status on the grounds of compassionate or compelling circumstances.

- The standard also allows providers to defer or temporarily suspend the enrolment of students due to misbehaviour of the students. Misbehaviour of students can also be grounds for cancellation of studies as long as the student was informed of this prior to enrolment. (See Standard 2.1 f).

Key Issues/Considerations

- Each provider is responsible for setting out the terms and conditions under which a student may access a refund if their studies are terminated by the provider. This must be made clear in the student agreement.

- In the case of emergencies, students often apply retrospectively to suspend or defer their studies. For example, it is not logical for a student to put off flying home to a sick relative until they have gained permission from their institution. If these sorts of circumstances occur, it is imperative to gain adequate and appropriate documented evidence that supports the student's application.

- If a student falls pregnant and requests a suspension of studies, it is acceptable to grant them one semester leave (provided there are no other medical concerns). This is a complex area and it is wise to contact DIAC directly for advice on a case-by-case basis.

- If a suspension of studies affects the end date of a student's course, PRISMS gives the option to create a new CoE. It is wise to do this if you are confident of the date of the student's return. If the student's return date is not certain, the provider may create a CoE for the student upon the student's return.
Standard 14

Staff capability, educational resources and premises

The staff of registered providers are suitably qualified or experienced in relation to the functions they perform for students. The educational resources of registered providers support the delivery of courses to students. The premises of registered providers, including the floor space available for each student, support students to achieve their course outcomes.

Key requirements for all sectors

- The staff of registered providers are suitably qualified or experienced in relation to the functions they perform for students.
- The educational resources of registered providers support the appropriate delivery of courses to students.
- The suitability of staffing, educational resources and provider premises will be determined in accordance with applicable quality assurance frameworks.
- If no quality framework applies to staffing resources, providers must have, and use, documented policies and processes for: recruitment, induction, performance assessment and ongoing development of staff who recruit or work with overseas students.
- If no quality framework applies to education resources, providers must have adequate resources to deliver the registered course to the students enrolled.

Key Issues/Considerations

- This standard requires providers to have and implement policies to ensure that staffing resources are maintained to the standard required by the relevant quality assurance framework – the Australian Qualifications Framework (AQF). These policies and procedures should detail the way in which staff positions are advertised, recruited and how position performance is monitored.
- Physical resources for students should be documented and described eg. approximate number of books in the library, ratio of computers to students, access to online resources. Classroom equipment, size and location of facilities are also required for good practice.
- When the standard refers to ‘adequate resources’, it means staff, equipment, training materials and assessment materials required. Unfortunately there is no definition of ‘adequate’ in the Code. Discretion must be used, but all resources should be documented for compliance.
Standard 15

Changes to registered providers’ ownership or management

Registered providers proactively inform the designated authority of prospective ownership and/or management changes.

Key requirements for all sectors

- Providers advise the designated authority in writing of any prospective changes to the ownership of the provider and any prospective or actual changes to the high managerial agents within specified time limits.

- Providers give the designated authority information on the new owner or high managerial agent(s).

- Providers must advise the designated authority of any prospective or actual changes to high managerial agents. This is in addition to changes to ownership or management.

- The application of the ‘fit and proper’ test has been extended to include ‘high managerial agents’ of a provider.

- For more information regarding the ‘fit and proper’ test, see section 9 of the ESOS Act.

- It is useful to have copies of the written notification to the relevant authority about changes in management in order to demonstrate compliance.

Key Issues/Considerations

- A ‘high managerial agent’ means an officer, agent or employee of the training provider with duties of such responsibility that their conduct may be fairly assumed to represent the provider in relation to the business of providing courses.

The person could be someone who oversees the running of the institution, makes policy changes and business decisions or who represents the institution and signs agreements on the institution’s behalf.
Appendices
Appendix 1

Sample position description for Compliance Officer

An opportunity exists for an Educational Compliance Officer to join our team - maintaining company policies and procedures and ensuring compliance to ASQA legislation and NVR standards.

The Compliance Officer will provide professional support to ensure that the college is compliant with relevant legislation including ASQA, and the Education Services for Overseas Students Act 2000.

Main responsibilities:
- Ensuring compliance of policies and procedures to NVR and CRICOS standards
- Ensuring compliance with government requirements and guidelines
- Liaising with managers and lecturers on compliance related issues
- Maintaining company policies & procedures
- Maintaining training resources and assessments

The successful candidate will possess:
Previous experience in an RTO with a key role in a quality and compliance department
Demonstrated understanding and experience of undertaking compliance assessment and quality assurance activities
Experience in processing large amounts of information, both qualitative and quantitative
Experience in preparing written reports
Demonstrated problem solving skills
Knowledge of the International Education Sector including the ESOS Act and the National Code
Sound knowledge of the VET sector
Exceptional attention to detail
Excellent time management and organisational skills
Strong technical skills including knowledge of the Microsoft Office suite
Strong administration skills
Ability to work autonomously and as part of a team
Excellent interpersonal, oral and written communication skills

Mandatory Criteria:
Previous experience within an RTO with CRICOS registration
Experience with VET policies and procedures
Demonstrated knowledge of ESOS Act 2000 and the National Code
Strong knowledge of NVR standards and implementation
Strong knowledge of National Training Packages
Demonstrated exposure to all areas of risk management and compliance
Standard 1 Sample Documents

INTERNATIONAL STUDENT OFFER ACCEPTANCE FORM

1. PERSONAL DETAILS
   Student ID: «StudentNumber»
   Family name (as stated on your passport): «LastName»
   Given name(s): «FirstName»
   Date of birth: «DateOfBirth»

2. CONTACT DETAILS
   Street number and name: «Application.CorrespondenceAddress.corres»
   «Application.CorrespondenceAddress.corres»
   Suburb or town: «Application.CorrespondenceAddress.corres»
   State / Province: «Application.CorrespondenceAddress.corres»
   Country: «Application.CorrespondenceAddress.corres»
   Postcode / zipcode: «Application.CorrespondenceAddress.corres»
   Telephone: «Application.ContactDetails.applicantPhone»
   Mobile / cell: «Application.ContactDetails.applicantMobile»
   Email: «Application.ContactDetails.applicantEmail»

3. VISA INFORMATION
   Visa type: «Application.applicantVisaType»
   Country of citizenship: «Application.applicantCitizenShipCountry»
   Issuing country of passport: «Application.applicantCitizenShipCountry»
   Passport number: «Application.applicantPassPortNumber»

4. SCHOLARSHIP / SPONSORSHIP DETAILS
   Are you a scholarship / sponsorship student?: << MANUALLY ENTERED YES / NO >>
   Scholarship / sponsorship X TAFE name: << MANUALLY ENTERED >>

By signing this agreement you agree to:
- submit a statement of financial guarantee or evidence of sponsorship prior to receiving your electronic Confirmation of Enrolment (eCoE)
- give X TAFE permission to provide information about your academic progress to your sponsor

If you do not agree to these conditions, please contact X TAFE International.
5. COURSE OFFER SUMMARY
The courses you are being offered are indicated below.

«CourseName1» («CourseCode1»)
CRICOS code: «CourseCricos1»
Expected duration: «CourseDurationInStudyPeriods1»
Start date: «StartDateLong1»
End date: «EndDateLong1»
Campus: «Campus1»

Upon successful completion of course «CourseName1» you will be able to progress to the following program.

«CourseName2» («CourseCode2»)
CRICOS code: «CourseCricos2»
Expected duration: «CourseDurationInStudyPeriods2»
Start date: «StartDateLong2»
End date: «EndDateLong2»
Campus: «Campus2»

Upon successful completion of course «CourseName1» you will be able to progress to the following program.

«CourseName3» («CourseCode3»)
CRICOS code: «CourseCricos3»
Expected duration: «CourseDurationInStudyPeriods3»
Start date: «StartDateLong3»
End date: «EndDateLong3»
Campus: «Campus3»

Upon successful completion of course «CourseName1» you will be able to progress to the following program.

«CourseName4» («CourseCode4»)
CRICOS code: «CourseCricos4»
Expected duration: «CourseDurationInStudyPeriods4»
Start date: «StartDateLong4»
End date: «EndDateLong4»
Campus: «Campus4»

Upon successful completion of course «CourseName1» you will be able to progress to the following program.

«CourseName5» («CourseCode5»)
CRICOS code: «CourseCricos5»
Expected duration: «CourseDurationInStudyPeriods5»
Start date: «StartDateLong5»
End date: «EndDateLong5»
Campus: «Campus5»

6. CONDITIONS OF THIS OFFER
This offer is subject to you meeting the following conditions.
«ConditionsNumListAll»

IMPORTANT:
Original certified documentation must be submitted by posted or in person to X TAFE (this documentation will not be returned).
7. FEE SUMMARY

Tuition fees listed are the indicative fees for 2011. The fees are subject to approval and may change.

Tuition fees

\[
\text{Tuition Fee} \times \text{Course Duration per Study Period} \quad \text{A$}
\]

Compulsory resource fees
These indicate additional costs for materials that may be required in order for you to complete your course. These costs will generally require prior to or during your studies.

Overseas Student Health Cover (OSHCP)
If you have indicated that you would like OSHCP to arrange Overseas Student Health Cover on your behalf, you will need to include payment to X TAFE, who will then arrange this cover on your behalf.

8. FEE DEPOSIT (Payable now)
This is a summary of course fees that need to be paid at the time of acceptance. Do not make payment without signing this agreement. Payments can be made using any of the payment methods outlined under heading 9 of this form.

\[
\text{Course Name} \times \text{Course Duration per Study Period} \quad \text{A$}
\]
9. FEE PAYMENT METHODS INFORMATION
X TAFE can only accept 50% of the total tuition fee at any time and the remaining tuition fee will be payable no more than 2 weeks before the subsequent study period/s.

X TAFE accepts payment by telegraphic transfer or bank draft / cheque. Please select one of these options and follow the payment instructions below.

TELEGRAPHIC TRANSFER (Wire remittance)
Using the following bank account details:
Bank: National Australia Bank
Address: 330 Collins Street, Melbourne VIC 3000
BSB No:
Account No:
Account Name: X TAFE, Opening Account
SWIFT No:

You must attach a copy of your receipt to this form if you paid via telegraphic transfer. Payments made using this method will incur a bank charge of up to A$50. Please note that there may be delays with telegraphic transfer. It is not recommended for urgent visa documentation.

BANK DRAFT / CHEQUE
1. Bank drafts / cheques should be made payable to X TAFE
2. Please ensure that your family name(s), given name and student ID number are written on the back of the bank draft/cheque for faster processing.

10. REFUND POLICY
Before signing and accepting this agreement, we request that you to become familiar with X TAFE’s refund policy. Please read this and keep a copy for future reference.

Definitions
Leave of Absence (LOA): Any period of time where a student needs a time away from studies.
Pathway: A formally approved link between and across different courses and/or qualifications offered by X TAFE and other educational X TAFEs, including qualifications attained overseas and recognised by the National Office of Overseas Recognition (NOORS)
Political, Civil or Natural Event: A disturbance or turmoil threatening the security and safety of a community requiring an emergency response or military intervention such as a natural disaster, terrorist attacks, or political coups that have occurred in the student’s home country.

Section 1: Full refunds
Section 1.1: A student will be entitled to a full refund of tuition fees paid for a semester at X TAFE in the following circumstances:
• In the event that an offer is withdrawn by X TAFE;
• In the event that X TAFE is unable to provide the course. In this situation, new commencing students will also be eligible for a refund of the application processing fee;
• Where a student was unable to meet a condition required by X TAFE in this agreement, and is able to prove that they failed to meet that condition;
• Where a student has been excluded by X TAFE for failure to meet course progress rules and where tuition fees were paid in advance of notification of exclusion (the refund in this subsection will be only for those periods of study not yet started);
• Where there is a refusal by the Australian Government authority to grant a student visa or the student visa is not granted in time for the student to commence the course;
• When serious illness or disability prevents the student from enrolling in the course;
• When the death of a close family member (parent, sibling, spouse or child) occurs, and the student withdraws from their course;
• When a Political, Civil or Natural Event prevents access to funds; or
• Other special or exceptional circumstances preventing a student from continuing with their enrolment may allow for full or partial refund at the discretion of the Associate Director, X TAFE International, or their nominee, provided the request is made prior to the commencement of the course.

Section 1.2: Documented evidence must be provided in support of an application for a refund under any of the above provisions

Section 1.3: Where any of the above circumstances apply and a student has paid tuition fees to study a single unit (or units) of study with X TAFE, that will not credit towards an award from X TAFE, a full refund of tuition fees will be issued for such unit(s).

Section 2: Partial refunds

Section 2.1: A student who has paid tuition fees for a semester, and gives written notice of a withdrawal or an inability to study:
• Where a student gives notice in writing i) where notice is given at least four (4) weeks before commencement of teaching in that semester or ii) where notice is given at least four (4) weeks before the specified date for commencement of a research program will be entitled to a refund of tuition fees paid for the semester, less an administrative fee of ten percent (10%) of the prescribed semester fee.
• Where a student gives notice in writing i) where notice is given less than four (4) weeks prior to the commencement of teaching in that semester, or ii) where notice is given after the commencement of teaching and before census date (31 March for Semester 1 and 31 August for Semester 2) in that semester will be entitled to a refund of tuition fees paid for the semester, less an administrative fee of fifty percent (50%) of the prescribed semester fee.

Section 2.2: Where a student has paid tuition fees to study one or more units, which will not credit towards an award from X TAFE, a partial refund will be issued as according to Section 2.1 above, for the prescribed unit fee(s).

Section 2.3: Where a student's enrolment has been cancelled for non-payment of course fees, any partial payment made by that student will be refunded less an administrative fee of ten percent (10%) of the prescribed semester fee.

Section 3: No refunds (subject to Section 1)

Any student who withdraws from their course after census date in a semester shall not be eligible for any refund of tuition fees paid for that semester.

A student who gives notice in writing of an inability to undertake a course, or withdraws from the course at any time, will not be eligible for a refund of the application processing fee.

A student, who accepts an offer for an X TAFE course as part of an agreed Pathway between X TAFE and another education X TAFE, will not be entitled to a refund of the deposit paid for the X TAFE course.

Section 4: Leave of absence

A student who is granted a leave of absence will be subject to the conditions set out in Sections 2 and 3. If requested by the student, the balance of non-refunded monies will be retained and offset against the commencing student’s fee in the appropriate semester.
• The retained balance will be forfeited if the student does not return to study with X TAFE in accordance with the terms of their approved leave of absence.
• The retained balance will be forfeited if the student does not give notice in writing to X TAFE International, at least four (4) weeks prior to the commencement of the semester, of his or her inability to recommence the course.

Section 5: English Language Institute (ELI)

Section 5.1: Refund before ELI course commencement

Where a student gives notice of withdrawal no less than four (4) weeks before their ELI course commencement, all tuition fees paid are refundable upon application.

Where a student gives notice of withdrawal less than four (4) weeks before their ELI course commencement, all tuition fees paid are refundable, less ten percent (10%) of the total course fee outlined in this agreement.

Section 5.2: Refund after ELI course commencement

Where a Student gives notice of Withdrawal any time after their ELI course commencement, all tuition fees paid are refundable, less thirty percent (30%) of the fee for the remaining teaching period as per this agreement.

A closure of ELI will be regarded as a X TAFE Default as per below.

Any notice not given in writing will not be accepted.

Section 6: Fees refund related to international students who obtain a permanent residency status
A Student who is granted Permanent Resident status will be eligible for a refund of tuition fees paid for a semester, less a five hundred dollar ($500) service charge for the current semester, only if (a) the Permanent Resident status is granted on or before the census date for that semester, and (b) the student presents evidence of their Permanent Resident status to X TAFE International (e.g. a valid passport containing a visa label). Permanent Resident status is recognised from the date officially recognised by the Australian Department of Immigration and Citizenship, not the date on which the application for status is made.

A student who is granted Permanent Resident status after the census date for a semester will not be eligible for a refund of tuition fees paid for that semester. The student will be classified as an international student for the remainder of that semester.

A student who is granted Permanent Resident status prior to census date in a semester will lose their full-fee student place and must re-apply for course entry in competition with other course applicants for government-funded places.

A continuing student who seeks to become a local fee paying domestic student following a grant of Permanent Resident status, may have their pre-paid tuition fees carried over in the appropriate semester.

Section 7: Overpayments
Where a student makes an overpayment of tuition fees, the overpaid amount will be refunded upon application without financial penalty. The amount will be returned to the student as a cheque to the student’s address in Australia. A letter is required from ELI to support English Language overpayments.

Section 8: Review process related to fees refund
A student who is dissatisfied with a decision relating to a refund application is entitled to request an appeal through X TAFE International Office, by submitting a written request. The student must submit the request within twenty (20) working days of written notification of the decision.

X TAFE’s complaints and appeals processes do not preclude a student from taking other legal action to recover any fees paid, including a debt action in a court of law. Furthermore, it does not remove the right to take further action under Australia’s consumer protection laws.

Section 9: Payment of refunds
Refunds will be processed by X TAFE International within four (4) weeks of receiving a completed Refund of International Student Fees application form and any other required supporting documentation.

Approved refunds will be paid in accordance with the following circumstances:
• Refunds will be made payable to the student (unless otherwise requested in writing). The refund draft will be made payable in Australian dollars and sent to the student’s permanent home country address. The refund will only be made available to the student in Australia if the student provides evidence that they are able to remain in the country without studying.
• Where a sponsoring body or scholarship agency has paid a tuition fee, any refund payable will be made to the sponsoring body or scholarship agency.
• Where a student is transferring to another institution, the refund will be paid directly to the new institution, unless the student can provide evidence of having paid the tuition fee to that institution (e.g. CoE from the new institution).
• Where a student requests that the refund is made payable to a relative or other person in Australia, this will only be granted if documentary evidence proves that the relative or other person paid the tuition fees.

X TAFE Default
In the unlikely event that X TAFE is unable to deliver your course in full, you will be offered a refund of all the course money you have paid to date. The refund will be paid to you within 2 weeks of the day on which the course ceased being provided. Alternatively, you may be offered enrolment in an alternative course by X TAFE at no extra cost to you. You have the right to choose whether you would prefer a full refund of course fees, or to accept a place in another course. If you choose placement in another course, we will ask you to sign a document to indicate that you accept the placement.

Privacy statement:
X TAFE is committed to the responsible collection and handling of your personal information in accordance with all relevant legislation, including the Information Privacy Act 2000 (Vic) and the Health Records Act 2001 (Vic). The personal information collected on this form will be used for the purposes of assessing and processing your application. Your personal information may be disclosed to Commonwealth and State Agencies such as the Department of Education, Employment and Workplace Relations (DEEWR), the Department of Immigration and Citizenship pursuant to reporting obligations under applicable legislation. Your personal information will also be disclosed to your overseas student health care X TAFE and, if you are under 18 years of age, to the carer appointed for you under the National Code made under the Education Services for Overseas Students Act 2000. Your information will not be disclosed to other third parties without your consent. You have a right to access personal information that X TAFE holds about you. See X TAFE’s Privacy Policy for details, which can be accessed at http://www.xt.edu.au/privacy.
11. STUDENT DECLARATION

Please read the following statements and sign below to indicate your acceptance of this agreement with X TAFE. Do not make any payment unless you return this signed agreement. If you are under 18 years of age, your parent(s) or legal guardian is required to sign the agreement on your behalf.

I (printed name), ____________________________________________, acknowledge that:

- This agreement identifies the course(s) and conditions of enrolment, if applicable, for which I have been accepted.
- I understand and agree that before I can enrol in the course(s) above, I must satisfy the conditions of enrolment as specified in this agreement. I understand and agree that I have the obligation to satisfy all of these conditions and if they are not fully satisfied on or before the date of the commencement of the relevant course, I cannot commence the course and X TAFE may, at its discretion, terminate this agreement.
- I understand that this agreement will be withdrawn and my enrolment cancelled if I have provided any false or fraudulent information. X TAFE will also notify the Australian Government and other authorities of the change in my enrolment which may result in the cancellation of my visa.
- X TAFE reserves the right to alter any course, subject, location, timetable, admission requirement or fee without notice.
- I understand that the fees specified in relation to the course(s) above are subject to change from January each year.
- If I incur an outstanding debt (i.e. tuition fees, fines etc), my enrolment will be encumbered until such debt has been paid by the date and time specified by X TAFE. The encumbrance will cause the following restrictions to apply:
  - Loss of access to library borrowing and other library services
  - Loss of access to X TAFE's computer systems including internet and email
  - Loss of access to enrolment records, examination results and academic transcripts
  - The inability to graduate until the outstanding debt is cleared
- If, as an encumbered student, I make no further payment or do not contact X TAFE concerning my debt, my enrolment will be cancelled which may result in my visa being cancelled.
- I understand that it is a condition of my student visa to notify X TAFE of any change to my Australian address within seven days.
- I understand that the information I provide to X TAFE may be made available to the Australian Government and designated authorities (see privacy statement above for further details).
- I understand that this agreement, and the availability of the complaints and appeals process, does not remove my right to take action under Australia’s consumer protection laws.
- I am not a citizen/permanent resident of Australia or a citizen of New Zealand accepting this agreement for a higher education course.
- I cannot transfer to another institute before completing six months of my principle course (highest level qualification in a package of CoEs) without obtaining a letter of release from X TAFE.
- I am responsible for all education and other living costs of any person who accompanies me to Australia.
- I understand that all school aged dependants accompanying me to Australia must attend school and that I am required to pay full fees for the course whether they are enrolled in a government or non-government school.
- The continuation of my enrolment is dependant on my compliance with my student visa conditions, which include satisfactory course progress and completion within the expected duration as specified on my CoE(s).
- I must arrive at X TAFE before the commencement of classes unless I have obtained authorised permission from X TAFE International. Permission to defer my studies will only be granted in compassionate or compelling circumstances.
- I understand that I must apply for a leave of absence from my study if I wish to take time away from my studies, and that X TAFE will only grant it in compassionate or compelling circumstances.
- I understand that X TAFE can share information about my course and progress with my parents (only for students who are under 18).
- I understand that I am bound by all X TAFE’s statutes, rules and policies.

For English Language Institute (ELI) students
- I must maintain a projected attendance record of no less than 80% of classes to maintain a satisfactory attendance record.
• I must complete all class work, assignments, activities and assessments in order to maintain satisfactory course progress.
• I understand that X TAFE can share information about my course and progress with my parents (only for students who are under 18).
• I may be required to do an additional number of weeks of study stated in this agreement after I complete a placement test on enrolment day at ELI.
• I will apply myself to study in order to complete the program successfully within the period as specified in this agreement, visa and CoE.
• I understand that I cannot change my study program after the X TAFE census date (31 March for Semester 1 and 31 August for Semester 2) without incurring financial penalty.
• The ELI course has 20 hours of face-to-face lessons with up to 5 hours of supervised study in the Self Access Centre, Multi-media Centre or Learning Commons.

**X TAFE obligations**

• X TAFE shall make every reasonable effort to provide the course(s) specified in this agreement but may at its sole discretion alter any part of the course(s), including but not limited to a practical training requirement, and may postpone or cancel elements of the course(s) or the course(s) in its entirety.
• X TAFE does not guarantee that every course will be offered in any particular teaching period. Courses offered in any teaching period are subject to change by X TAFE from time to time.

**SIGNATURE X** .................................................................................................................. **DATE:**

I / 20

**PARENT / GUARDIANS SIGNATURE X** ............................................................................... **DATE:**

I / 20

<table>
<thead>
<tr>
<th>SUBMIT THIS FORM IN PERSON TO AN INTERNATIONAL OFFICE</th>
<th>POST THIS FORM TO</th>
<th>EMAIL THIS FORM TO</th>
</tr>
</thead>
<tbody>
<tr>
<td>.....................................................................</td>
<td>..................</td>
<td>..................</td>
</tr>
</tbody>
</table>
Standard: 1 Marketing

Purpose
To ensure the marketing of X TAFE education and training services is undertaken in a professional and accurate and maintains the integrity and reputation of the industry and registered providers.
X TAFE will adopt marketing practices and manage relationships with education agents to ensure that the international reputation of Australia’s international education and training is upheld and that any representation on behalf of the X TAFE is undertaken in a professional and accurate manner.
Marketing material will reflect that X TAFE is a skilled professional in its field and that the X TAFE acts with honesty and integrity.

Scope
Applies to all marketing and information materials of X TAFE.
Applies to all agents who recruit International Students to X TAFE.

Policy
1. X TAFE will ensure that all marketing and publicity material is of a high standard, clear and unambiguous. To ensure this is the case, all marketing materials will:
   - Clearly identify X TAFE name and CRICOS number
   - Be screened and approved prior to distribution by the CEO to ensure there are no false or misleading information in relation to:
     - Claims of association between X TAFEs
     - Employment outcomes associated with the course
     - Possible migration outcomes, or
     - Any other claims related to the registered provider, its course or its outcomes.

2. X TAFE will not knowingly recruit a student where this conflicts with its obligations under Standard 7 (transfer between registered providers).

Procedures
1. Marketing manager drafts marketing materials relevant to their course to ensure accuracy and true representation of course materials.

2. All draft marketing materials must be checked against the accuracy and integrity checklist.

3. Final draft material is forwarded to the PEO for approval together with the accompanying accuracy and integrity checklist.

4. The PEO checks each draft version, the accuracy and integrity checklist and approves the copy if accurate.

5. Draft marketing materials are then sent to print.
6. Marketing materials are distributed.

**Responsible Officers**

Marketing Manager  
Program Director

**Reference Materials**

Marketing Accuracy checklist.
# Marketing Materials Accuracy Checklist

**Instructions:**
1. Complete a new sheet for each draft or redraft of marketing materials.
2. Attach the completed sheet to the draft.
3. Forward to the Program Director for approval.

**Marketing Brochure:**

<table>
<thead>
<tr>
<th>Date of review:</th>
<th>Full legal entity is displayed clearly.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>X TAFE CRICOS Code is displayed clearly.</td>
</tr>
<tr>
<td></td>
<td>CRICOS Code for each course is printed in close proximity to the course title.</td>
</tr>
<tr>
<td></td>
<td>All other relevant course codes are written (eg AQTF)</td>
</tr>
<tr>
<td></td>
<td>Course titles are written in full according to Training Package</td>
</tr>
<tr>
<td></td>
<td>Simple, clear language is used throughout the document</td>
</tr>
<tr>
<td></td>
<td>No false claims regarding associations with any other providers</td>
</tr>
<tr>
<td></td>
<td>No false or misleading information regarding employment outcomes of courses offered</td>
</tr>
<tr>
<td></td>
<td>No false or misleading information about acceptance into further study</td>
</tr>
<tr>
<td></td>
<td>No false or misleading information about migration outcomes</td>
</tr>
<tr>
<td></td>
<td>None of the other information in the material brochure can be misconstrued as inaccurate or misleading.</td>
</tr>
</tbody>
</table>

Completed by: ..........................................................................................

Approved: ...................................................................................... Date: .... / ...... /
**Standard 2 Sample Documents**

**Entry Eligibility Assessment Form**

<table>
<thead>
<tr>
<th>Name of prospective student:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of birth:</td>
</tr>
</tbody>
</table>

**Title of course:**

**Code:**

**Course**

<table>
<thead>
<tr>
<th>Date application for entry received:</th>
</tr>
</thead>
</table>

**Warning:** Is this an onshore or offshore applicant?

*If on-shore, check carefully that the student has completed 6 months of their principal course of study with previous provider or has or will be able to obtain a letter of release from their previous provider. A letter of cancellation of studies is NOT acceptable.*

### English Language Proficiency

<table>
<thead>
<tr>
<th>What English language proficiency has the student demonstrated?</th>
</tr>
</thead>
<tbody>
<tr>
<td>What evidence has been supplied?</td>
</tr>
<tr>
<td>Is the evidence an original or copy?</td>
</tr>
<tr>
<td>Is the evidence recent?</td>
</tr>
<tr>
<td>Does the student meet the minimum entry requirements?</td>
</tr>
</tbody>
</table>

### Academic Qualifications

<table>
<thead>
<tr>
<th>What is the highest level qualification attained by the student?</th>
</tr>
</thead>
<tbody>
<tr>
<td>What evidence has been supplied?</td>
</tr>
<tr>
<td>Is the evidence an original or copy?</td>
</tr>
<tr>
<td>If the qualification is from overseas, has the Australian equivalence been ascertained?</td>
</tr>
<tr>
<td>Has the student completed all pre-requisite requirements for this course?</td>
</tr>
<tr>
<td>Does the student meet academic entry requirements for the course?</td>
</tr>
</tbody>
</table>

### Other Experience

| Is the student requesting special consideration for entry? |
| If Yes, forward to…. to complete the entry assessment process. |
| What relevant experience does the student claim? |
| What evidence has been provided?                            |
| Is this experience relevant and recent?                      |
| Does the student’s experience warrant admission to the course? |
| What special enrolment conditions, if any should be prescribed for the student seeking entry? |

**Outcome of Assessment:**
**Reject application for entry**
I have conducted an assessment of the evidence provided by the student named above and have determined that the student cannot be accepted for admission on the basis that:

<table>
<thead>
<tr>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>The student is not 18 years old</td>
</tr>
<tr>
<td>The student does not satisfy the English language requirements for the course</td>
</tr>
<tr>
<td>The student does not satisfy the Academic entry requirement for the course</td>
</tr>
<tr>
<td>The student does not meet course pre-requisite requirements</td>
</tr>
</tbody>
</table>

**Administration Officer’s Signature**

**Date**

---

**Approve application for entry**
I have conducted an assessment of the evidence provided by the applicant named above, in relation to the course entry requirements and have determined that the student meets the entry requirements of the course. I therefore recommend that you approve admission of this applicant to X TAFE.

**Administration Officer’s signature:**

**Date of recommendation**

---

**Recommendation Approved**
Based on the evidence before me, I am confident that the applicant named on this form meets the entry requirements for the course and hereby grant approval for admission to X TAFE.

**Program Director’s Signature**

**Date approved**
Standard 2 - Student engagement before enrolment

Purpose

Pre-enrolment Information

The purpose of this policy is to ensure that students are provided with all relevant information they require to make an informed choice about studying at the X TAFE.

Admissions Assessment

X TAFE has prescribed entry requirements for each of its courses to ensure that students have appropriate vocational experience, academic and English language skills to undertake the requirements of the course. X TAFE will assess all applications for admission according to its designated procedures and only offer a place to those students who satisfy the prescribed course entry requirements.

Policy

Pre-enrolment Information

1.1 X TAFE Student Course Handbook will ensure all prospective students, have sufficient information about:
(a) the X TAFE including its facilities, resources, location, staff and support services that are available to students
(b) details of any arrangements with other providers involved in the delivery of the course(s)
(c) information about the X TAFE courses including content, duration, modes of study and assessment and the qualification attained upon completion;
(d) entry requirements for the course and any course credit that might apply
(e) tuition fees and any associated course costs;
(f) a description of the ESOS framework that protects the interests of overseas students;
(g) important policies and procedures of the Institute including information about the grounds on which the student’s enrolment may be deferred, suspended or cancelled; and
(h) relevant information about living in Australia.

1.2 Information for prospective students is available in three main places: the web site; the Student Course Handbook; and the course information leaflets. Agents working on behalf of X TAFE have access to these sources.

1.3 In the development of any advice or information to potential students, X TAFE will refrain from using abbreviated course titles and unnecessary acronyms.

Admission Criteria and Assessment

2.1 All applications for enrolment will be assessed by the ....... to determine the applicant’s eligibility for enrolment.

2.2 The Program Director will only approve the enrolment of those students who demonstrate that they meet the entry requirements specified for the course.

2.3 If the prospective student does not satisfy the eligibility criteria but is requesting admission on the basis of special consideration, their application may be considered by the Program Director.
2.4 The preferred minimum entry requirements are as follows:

**Age:**
18 years or older at time of application
No younger students will be admitted.

**Academic:**
Australian Year 12 or equivalent

There may be additional requirements for some courses. If so, these will be specified on the course information brochures.

**English:**
IELTS 5.5 (dependent on country profile) or demonstration of successful completion of another Australian qualification conducted entirely in English.

2.5 X TAFE, as an equal opportunity provider, recognises that some students may not necessarily meet the Institute’s eligibility/entry requirements. In addition, the training packages usually specify that students may enter a qualification, particularly at certificate level, through a number of entry points, provided that the student can demonstrate potential to undertake vocational education and training.

2.6 Students who do not meet the specified entry requirements can apply for special consideration. Applications should be made to the Program Director in writing. The application should describe the student’s potential to undertake vocational education and training courses which are delivered and assessed in English. For example, a student may describe:

- personal or vocational experience in the study field
- any other relevant qualifications
- experience in using English as a second language.

2.7 All applications for special consideration are assessed by a senior trainer together with the Program Director.

Procedures

**Dissemination of Pre-enrolment Information**

1. If a student makes an enquiry directly to the X TAFE, the officer will take the person’s details and forward any relevant information to them or refer them to the website.

2. Pre-enrolment information is forwarded to approved agents acting on behalf of X TAFE or accessed via the web site depending on arrangements specified in the agent’s agreement.

**Admissions Assessment**

3. All applications for enrolment, whether through an agent or made directly to X TAFE, must be forwarded to the Program Manager for assessment against the eligibility criteria.
4. The Program Manager examines each application and completes the Student Enrolment Checklist to determine the suitability of the candidate.

5. If an applicant does not meet all of the minimum entry requirements and has applied for special consideration on the basis of other experience, these must be forwarded to the Program Director for assessment with a senior trainer. If admission is granted with conditions, the conditions must be specified in the written agreement.

6. If the student does not meet the entry requirements or has not provided sufficient evidence in relation to the entry requirements AND has not made an application for special consideration they cannot be granted admission and must be advised accordingly by email and/or letter.

7. If the applicant satisfies the eligibility criteria, the Student Contact Officer will create a letter of offer and written agreement and forwards this to the Program Director for approval (see standard 3).

8. If approval for entry has been granted by the Program Director, a letter of offer and written agreement can be authorised/signed.

9. Once approval is granted, both an electronic and hard copy file is created for the student. The Admissions Assessment Form together with the student’s application for enrolment is placed on the student’s file along with a copy of the letter of offer and written agreement.

Admission based on special consideration

1. Applicants who do not meet the specified entry requirements may apply for entry based on consideration of their previous vocational experience and/or other study.

2. These applications are forwarded to Program Director for consideration and assessment together with a senior trainer from a course related to the student’s enrolment.

3. The Program Director will consider all aspects of the application together with the senior trainer’s recommendations and make an assessment within 10 days of receipt of the application.

4. If approved, a letter of offer and written agreement detailing any specific conditions for enrolment is forwarded to the applicant.

5. If an applicant is unable to meet the conditions of enrolment within the specified timeframe, then a follow up letter is forwarded, which rescinds the offer.

6. If NOT approved, the applicant is notified in writing of the outcome immediately.

7. A student file is made and a copy of the outcomes letter is retained on file regardless of the outcome of the application.
Support Materials:

1. Student Course Handbook
2. Course information leaflets
3. Website
4. International student enrolment form
5. Assessment Application Form
Studying and Living in Australia

Visas to Study in Australia

The Australian Government welcomes people who are not Australian citizens or Australian permanent residents to study in Australia and has set a number of requirements to regulate and protect the industry and intending students. The visa related information provided in this booklet has been obtained from DIAC and is not advice provided by the Institute. You should seek your own advice from DIAC offices, from the student visa and skilled migration section on the DIAC website, or through a licensed agent listed on the MARA website.

DIAC: www.immi.gov.au/students

MARA: www.mara.gov.au

If you wish to undertake VET courses (certificates, diplomas or advanced diplomas), you should apply for a student visa subclass 572 (VET). To study a HE course (degree), you will need a 573 (HE) visa. Detailed information on visas can be viewed and downloaded from the DIAC website.

DIAC: www.immi.gov.au/students/students/chooser

International Students Currently in Australia

If you are an international student currently studying in Australia, you must meet the Institute’s entrance requirements. You must also provide evidence that you have maintained satisfactory attendance and made satisfactory academic progress during all your courses in Australia.

International Students Holding a Temporary or Bridging Visa in Australia

The Institute’s entry requirements and refund policy apply to international students who hold bridging or other visas in Australia. If you hold a bridging or other visa, you will be required to pay full fees and study on a full time basis.

Extending Your Stay

Following your initial student visa, you may wish to extend your stay in Australia for further study at X Institute or another institution, attend your graduation ceremony, take a holiday or for some other reason. If you wish to extend your stay to undertake full time study, you will need to apply for a new student visa. If you are in Australia on another temporary visa, you may be eligible to apply for another visa to extend your stay or to migrate permanently. To find out whether you are eligible for another visa, visit the DIAC website or a registered migration agent.

DIAC: www.immi.gov.au/students

MARA: www.mara.gov.au

Note: X Institute staff are not permitted by law to advise or provide any assistance to you on any visa matters.

Change of Status
If you are granted a bridging visa or another temporary visa pending determination of permanent residency, or are granted permanent residency after the commencement of your course of studies or after you have paid your tuition fees, you must complete the current semester on a full-fee basis. There are no refunds in these situations. You may apply to recommence the course in the following semester as a local student.

**Work Rights and Tax File Number**

From April 2008 all people granted student visas automatically receive permission to work with their student visa. The “permission to work” granted on your visa is effective from the first date that your classes commence. Under this work permit, you may work for a maximum of 40 hours over a two week period during a semester and without restriction during vacations.

You must obtain a Tax File Number if you intend to work. Please refer to the following websites for more information:

Australian Taxation Office: www.ato.gov.au

Departing Australia Superannuation Payment: www.ato.gov.au/super

**Living and Other Expenses**

**Single Student**

X Institute estimates, if you are a single person, around $18,000 per year is required to cover your living expenses in Melbourne, Australia. Depending on your lifestyle, this amount may be sufficient to cover accommodation, food, transportation, clothing, health insurance, textbooks, stationery, entertainment, telephone, electricity, gas, postage and other incidental expenses.

Your tuition fees, uniforms (if required), equipment (if required), excursions and field trips (if required) are additional. Please refer to www.xtafe.edu.au/international-links if you would like to find out the breakdown of expenses.

**Student and Family**

Costs can be expected to increase by at least 35% if you have a spouse and a further 20% if you have one child. The cost of schooling for your child will be an additional $8,000 per year. Each additional child will add a further 15% plus.

$8,000 per child per year for schooling. All school age dependants who accompany or later join you in Australia will be required to pay full fees on each child’s enrolment in either a government or non-government school.

Please visit the DIAC website for more information.

**Tuition, Dress Standards, Uniforms and Equipment**

Your tuition fees are additional to living expenses and are listed at the front of this booklet and in the course description sections. Tuition fees do not include the cost of books or stationery items that you will need for your course. You are expected to wear neat casual clothes appropriate for trainees in the hospitality, tourism and culinary industries. Additional costs will apply for uniforms that must be worn for specialist classes in kitchens, restaurants, bakeries, the Coffee Academy, food laboratories or resort training facilities as well as for
equipment required in a number of courses.

Excursions, Field Trips and Hiring Equipment

If you are enrolled in a resort or tourism course, you must take part in mandatory excursions and field trips. Accommodation and transport costs will be your responsibility. You will also need to hire or purchase some equipment for these courses. The hire or purchase costs will be your responsibility and are in addition to tuition fees and living expenses.

<table>
<thead>
<tr>
<th>Additional expenses (associated with some courses)</th>
<th>Yearly</th>
</tr>
</thead>
</table>

**Most courses:**

International Red Cross First Aid course text and kit* A$95 Approx

**Hospitality courses:**

Uniform for food and beverage service units* From A$150

Uniform for cookery stream* From A$85

Clog Profi Birki (Optional) A$99

Equipment for cookery stream* From A$155

**Event courses:**

Uniform for food and beverage service units* From A$150

Excursions A$300

**Commercial Cookery courses:**

Uniform* From A$72

Clog Profi Birki (Optional)* A$99

Equipment* From A$290

**Patisserie courses:**

Uniform* From A$95

Clog Profi Birki (Optional)* A$99

Equipment* From A$250

**Tourism courses:**

Excursions, field trips, accommodation and class From A$800 materials

**Guiding courses:**
Accommodation for overnight field trips and excursions From A$500

Hire of specialist equipment and other costs From A$600 associated with field trips and excursions

**Food Processing courses:**

Course notes, laboratory coat and excursions From A$200

**Other Fees and Charges**

To be paid and issued through the Information Centre:

- Receipt replacement A$5
- Re-issue of student ID card A$10
- Re-issue of Transcript of Results A$10
- Re-issue of certificates A$30
- Archive search of old records A$40

To be issued through X TAFE International Education:

- Re-print of payment fee letter (invoice) A$10
- Re-issue of Letter of Completion A$10
- Re-issue of letter for legal purposes A$10
- Re-issue of Statement of Attainment A$10
- Telegraphic Transfer (TT) of tuition fees A$25**
- No-show for pre-booked airport reception service A$60
- Penalty for late tuition fee payment (per week) A$100
- Re-issue of Letter of Offer A$100
- Re-issue of Confirmation of Enrolment (CoE) A$150

**Guardianship Arrangements**

If you are under 18 years of age and will be accompanied by your parent(s) or custodian, or will be staying with a relative at least 21 years of age of good character and who has been nominated by your parent(s) or custodian, the Institute will issue you with the CoE on payment of tuition and other fees.

If you are not being accompanied by your parent(s) or custodian, or will not be staying with a relative, the organizations listed below can provide you with assistance in organizing a suitable guardianship. You should make contact with one of these organisations to obtain full details of their services available to you. If you use the services of one of them, we will issue you with a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter (along with the CoE) on payment of your tuition and other fees.
The Institute will only issue this documentation when the organisation demonstrates in writing that suitable accommodation, support and general welfare arrangements have been organised for you. You should pay any fees associated with the services provided by one of these organisations directly to that organisation.

**Note 1:** There is no on-campus accommodation at X Institute. All accommodation costs are negotiated between the student and the accommodation provider. The Institute is neither responsible nor liable for any accommodation-related services provided by external organisations.

**Note 2:** Items marked with an * can be purchased from outlets on campus or elsewhere.

**Note 3:** Hiring some equipment or purchasing it second hand will reduce your expenditure. It may also be cheaper to purchase the equipment or uniforms in your home country. Premium brands will also cost more than economy versions of the same equipment or uniforms.

**Note 4:** Only tuition fees listed on pages 6–7 are paid directly to X Institute.

Please note: If you have not turned 17 years of age by the commencement date of the course you are enrolling in, you must be accompanied and reside with your parent(s) or a suitable nominated relative in Australia. In this case, X Institute does not need to issue you a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter. X Institute does not accept students that are under 16 years of age.

EduCARE Services Australia: www.educareservicesaustralia.com.au or email alison@i.net.au

A&J Student Care Services: www.guardians4student.com.au or email info-jakarta@guardians4student.com.au or ajstudentcare@optusnet.com.au

Please refer to [www.xtafe.edu.au/international-links](http://www.xtafe.edu.au/international-links) for the Guardianship policy and procedures.

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**Note 5:** All prices listed above are subject to change without notice.

**Note 6:** The Department of Immigration and Citizenship has advised that, in order to be granted a student visa, all applications lodged on or after 1 July 2010 must provide evidence that the student, and any of their accompanying dependants, have Overseas Student Health Cover for the proposed duration of their visa.

If you have any queries including the OSHC Premiums, you can contact the International Office or visit the Medibank website: [http://www.medibank.com.au/Client/StaticPages/OSHCHome.aspx](http://www.medibank.com.au/Client/StaticPages/OSHCHome.aspx)

**Credit for overcharge** will be made against next semester tuition fees if TT fee is less than A$25.00
Cost of living

Thousands of international students work and live comfortably in Melbourne with enough money to cover course and resource fees, accommodation, transport, food and health insurance.

Melbourne has world-class shopping in and around the city. If you want to save money on life’s essentials, you can find a variety of markets and shopping centres close to X TAFE campuses.

Course fees

Health expenses

Course resources and materials

Accommodation

Food and groceries

Travelling around Melbourne

Schooling for your children

Course fees

You need to pay a fee deposit after you are accepted into a course at X University.

Course fees will be detailed in your International Student Offer Acceptance Form.

Course fees:

- may be different amounts for different courses
- may change

Compare courses and fees on our international course list.

Health expenses

Before you are granted an Australian student visa, you need to have health insurance for the duration of your study.

Your International Student Offer Acceptance Form will also list the fee for Overseas Student Health Cover (OSHC), currently A$435 (for a single, 12-month policy).

Personal care and hygiene could cost A$20 per week (approximately).

Find out more about the range of medical services and treatments for you and some members of your immediate family from OSHC.

Course resources and materials

You may need to buy equipment, textbooks or clothing to enrol in some courses. These resource and material fees can vary depending on the needs of the course. Compare courses and fees on our international course list.

Textbooks

The cost of textbooks can vary depending on which units and/or electives you have enrolled in as part of your course. To find out which textbooks you need, search for units and check whether your unit has any required reading.
Annual costs for books and stationery are A$650 (approximately).
You can buy new or secondhand textbooks from the X University bookshop. If you need a textbook for only a short time, borrow it from our library.

Accommodation
When you arrive in Melbourne you will have to pay ‘set-up costs’ for accommodation.
These set-up costs could include:
• a ‘bond’ or a security deposit for your accommodation
• rent in advance
• furniture and other things to set up your house.
Set-up costs will vary widely, depending on whether you choose student housing services or private rental. Set-up costs vary from A$750 – A$3500 (approximately).
Accommodation is A$150 per week (approximately) plus electricity, water and gas costs of between A$10 - A$30 per week (approximately).
Find out daily and/or weekly costs for the university’s student accommodation at the Student Village and Place. Read about other housing services.

Food and groceries
You can save money on food and other essential items by shopping at markets. The local Market is a great place to shop for savings if you live close to, or study at the Smith campus. It is across the road from Smith Station, and is easy to reach from all parts of Melbourne.
Victoria Market is a large outdoor and undercover market a short walk from City King and City Queen campuses. The markets specialise in fresh food, and Victoria Market also has a huge range of clothes and other goods, especially on weekends.
You can have a lot of fun exploring new tastes in Melbourne. The city is home to many cafes and take-away shops, halal restaurants, grocery stores and specialty vegetarian diners.
Food and drinks costs are A$100 per week (approximately).

Travelling around Melbourne
Our campuses are easily accessible by Melbourne’s public transport network.
Trains, trams and buses will take you anywhere within walking distance of metropolitan Melbourne.
The inner city areas are classified as Zone 1 and outer areas are classified as Zone 2.
While concession fares are not available to international students, the full-fare rate is reasonably priced for Melbourne metropolitan areas for 2012.
A$33 per week (approximately, Zone 1)

Schooling for your children
If you have children from 5-15 years of age, it is a legal requirement that they attend school.
There are many public, private and multi-faith/religious schools for all ages, which charge fees ranging from low to very expensive. Find out more about education and childcare in Victoria, Australia.
### National Code Standard 2: Information Required in Materials Promoting Courses to International Students

The information is required to be provided prior to accepting a student – in print or through referral to electronic copy.

<table>
<thead>
<tr>
<th>Requirement</th>
<th>2012 Prospectus</th>
<th>2013 Prospectus</th>
<th>Website – confirmed as at DATE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requirements for acceptance into a course, including the minimum level of English language proficiency, educational qualifications or work experience required: 2.1 (a)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Whether course credit may be applicable: 2.1 (a)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Course content: 2.1 (b)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Course duration: 2.1 (b)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Qualification offered: 2.1 (b)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Modes of study: 2.1 (b)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Assessment methods: 2.1 (b)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Campus locations: 2.1 (c)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>General description of facilities, equipment, and learning and library resources available to students: 2.1 (c)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Details of any arrangements with another registered provider, person or business to provide the course or part of the course: 2.1 (d)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Indicative course-related fees including advice on the potential for fees to change during the student’s course: 2.1 (e)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Refund policy: 2.1 (e)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Information about the grounds by which the student’s enrolment may be deferred, suspended or cancelled: 2.1 (f)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>A description of the ESOS framework made available electronically by DEST: 2.1 (g)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Information on living in Australia, including:</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Indicative costs of living: 2.1 (h) (i)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Accommodation options: 2.1 (h) (ii)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
<tr>
<td>Where relevant, schooling obligations and options for school-aged dependants of intending students, including that school fees may be incurred: 2.1 (h) (iii)</td>
<td>Page X</td>
<td>Page X</td>
<td>INSERT LINKS TO RELEVANT WEB ADDRESSES</td>
</tr>
</tbody>
</table>
Standard 3 Sample Documents

Standard 3 – Formalising Enrolment

Purpose
The purpose of this policy is to ensure all students enter into a written agreement before paying any fees. The written agreement specifies the terms and conditions of the student’s enrolment, including the provisions of refunds, thereby forming part of the consumer protection framework for overseas students.

Policy
X TAFE will provide students with a written agreement which specifies all the terms and conditions of their enrolment in order to formalise the enrolment.

Students are required to sign and return the agreement before paying any fees to X TAFE.

The written agreement will include all information required under Standard 3 of the National Code and will specify each and every course that is to form part of the student’s enrolment with X TAFE.

Procedure
1. Once X TAFE has determined that a student is eligible for enrolment (see standard 2.2), a letter of offer together with the written agreement will be prepared by the Program Manager (use your own title here)

2. The written agreement is prepared by … based on the student’s application form and any special conditions that may have been imposed as a result of the student’s assessment of entry eligibility.

3. The Director International signs a letter of offer accompanying the written agreement.

4. The student is required to return a signed copy of the written agreement to X TAFE.

5. The student makes a payment usually electronically directly into the X TAFE account only once they have forwarded the signed written agreement to X TAFE

6. Upon advice of receipt of the payment by the finance officer, the … will issue the electronic Confirmation of Enrolment (eCOE).

7. A copy of all documentation including the eCOE must be retained on both the student’s hard copy file to finalise the process.

8. The International Administrator checks each hard copy file of an overseas student to ensure all documentation has been retained as required.
Standard 4 Sample Documents

VTI Policy on Agent Service Levels

(a) Agents Providing Basic Services (Bronze Level)

For Agents that the member Institute contracts for basic services only, a contract of 12 months is recommended. In addition to a formal contract, the Institute will provide Agents with:

- Program information and promotional materials
- Access to a country manager (in Australia) as first contact point
- Access to forms on the institute website
- Guidelines on use of institute logo
- Marketing plan agreed with country manager
- Agreed targets for applications converting to enrolments (part of contract).

In cases of best practice, members will also provide access to an Agent Manual or some form of guide on processes and procedures for assisting students with applications. This guide may be provided on line.

In return the Institute will expect:

- Promotional material to be easily accessible by prospective students
- Basic information on market features to be provided
- Student course counselling
- Advice on student educational application
- Assistance with visa application
- Pre-departure orientation
- Agent website must show that the institute is represented by them (reciprocal).

(b) Agents Providing Intermediate Level Services (Silver Level)

For Agents that the Institute contracts for intermediate services, a contract of 1-2 years is recommended. In addition to a formal contract and all the services described in the Bronze category above, the Institute will also provide the Agent with:

- A marketing plan with higher levels of support offered by the institute for example:
  - All the services described in the Bronze category above
  - Visit the Agent
  - Promotional support
  - Joint promotion at trade fairs
  - Translation of marketing material
  - Training regarding Institute courses and procedures (key personnel only).

In return the Institute will expect:

- Higher numbers of enrolments provided by the Agent
- Advice on new market trends and demands as they come to light
- English language testing arranged by the Agent
- Thorough regional marketing of the Institute and its offerings.

(c) Agents Providing High Level Services (Gold Level)
For those Agents that provide a significant number of students for the Institute, Gold level status is awarded. Contracts will be given typically for 2 to 3 years, although a review is conducted annually. In addition to all the services as described in the Bronze and Silver categories above, the Institute typically will also provide the Agent with:

- Paid visit to Australia by key personnel (for those who provide scholarship students, or many students across several courses)
- Contribution to the costs of staff visits to visit Australia
- Bonus commission, typically based on achieving a predetermined target
- Priority processing of applications and confirmation of enrolments from that Agent
- Training regarding Institute courses and procedures (for all/most branch offices)
- Certificate noting Gold Level Status with the Institute.

In return the Institute will expect:

- Key staff to have completed the PIER Education Agent Training Course (Institute may cover some of these costs)
- Key staff to be listed on the PIER website (http://www.pieronline.org/geac/default.aspx)
- High conversion rate from student enquiry to course commencement
- Prompt payment of student fees
- Follow up of students who did not convert to enrolments
- In country market intelligence provided
- Diverse student base recruited (diverse types of students for a diverse range of courses)
- Students stay with the Institute for the course duration (i.e. higher than average retention rates)
- Introduction to possible partner institute in that region (for pathway opportunities)
- Representation in the region (not just the one location).

Best practice suggests that institutes should assess their agent relationships according to the categories of ‘gold, silver or bronze’. For continuous improvement purposes, the elements of each category should be made known to each Agent so that they may aspire to upgrade their relationship with the Institute. Some Agents may have contracts with the Institute that fall below the basic level (bronze) category. It is advisable that those Agent agreements should be reviewed annually for their ongoing strategic value to the Institute and for recommendation for either termination of the contract or movement to the bronze level.

Many member Institutes also provide awards annually for best performance by an Agent, where certificates are given to Agents.

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1 The Qld Best Practice Guide (2009) suggests Agents in this category may also issue CoEs on behalf of the X TAFE and may represent the X TAFE at events. VTU members do not follow this advice and believe it is best practice to maintain control over issuing of CoEs and while they may partner with an Agent in regional advertising they always maintain their own presence in marketing events.
Criteria which member Institutes use to determine levels of support

VTI member institutes use a range of criteria for assessing the level of performance of Agents with whom they have contracts. They do this as a normal part of managing their contractual obligations and also for monitoring the ongoing performance of the Agent. The key assessment criterion centres around how many students the Agent provides to the Institute. Best practice allows more specific measures to be developed which consider how many of these students accept an offer of a place and commence and then complete the course. VTI members have developed recommended criteria for assessing agent performance including targets and ratios to meet in a contract period and these are described below.

Recommended Criteria for assessing agent performance

1. **Agreed Target** – How many students were recruited in the contract period.
2. **Quality Ratio** - Application to Offer conversion rate (Offers divided by Applications). An Agent’s conversion rate should be measured against a predetermined target or against the average for the country/region that the agent operates in.
3. **Acceptance Ratio** – Offer to Acceptance conversion rate (Acceptances divided by Offers). An Agent’s conversion rate should be measured against a predetermined target or against the average for the country/region that the agent operates in.
4. **Productivity Rate** – Application to Acceptance conversion rate (Acceptances divided by Applications). An Agent’s conversion rate should be measured against a predetermined target or against the average for the country/region that the agent operates in.
5. **Diversity of program applications** – Broad range of courses demonstrably marketed to students.
6. **Contract** – Adherence to all contractual obligations in a timely manner. This is also reviewed over time (i.e. is the Agent performing better this year than last?).
7. **Communication** – Communication in a timely manner with the Institute.
8. **Complaints** – Any complaint made is assessed and reported back to the Institute in a timely manner.
9. **Training** – Key staff in newly contracted Agents are required to undertake the PIER Education Agent Training. Staff within existing contracted Agents must demonstrate a staff development strategy for existing staff to undertake this training (undertaking this training can assist Agents to move to a higher level of support).
10. **Change** – Assessment is made of any changes within the Agent’s operations (business name, partners, staff changes).
11. **Relative position** – Agents are assessed against the performance of other contracted Agents in the same region (if they fall in the ranking, their contracts are re-assessed).
12. **Compliance** – Use of logo, transfer of students within the ESOS regulations, and any unethical practices evidenced by X TAFE.

Payment of Commissions to Education Agents

VTI Member Institutes are aware that a range of commission structures may exist in the international education market, however they argue that best practice requires a payment range between 10% and 20% of a student’s first year tuition fees be paid to Agents for securing students for the Institute. If payments are made above this range, then the opportunity to provide a quality educational experience for students may diminish.

VTI recommended commission pay scale

- 15% of first year student tuition fee for an undergraduate/diploma or two year course
- 20% of the total program fee for shorter courses including ELICOS (English Language Intensive Courses for Overseas Students)
VTI members’ common practice is to pay additional commission for any new (second or subsequent) course undertaken by a student.

Bonus commissions may be paid for special cases, for example to encourage enrolments from emerging markets. This would not exceed 5% of the first year tuition fee. VTI members recommend that if such a bonus commission were to be paid, it should only be paid to Gold level agents. A target is set with the Agent at the time of contract negotiations and the bonus commission only comes into play once the target or targets are exceeded.

Payment of commissions is made to the Education Agent after enrolment is confirmed. Each Institute has a date after which refunds will not be granted to students who decide to withdraw. For some VTI members this is called the ‘student census cut-off date’ or it may be called ‘the refund cut-off date’. It is after this date that Agents are paid their commission.
Standard 5 Sample Documents

International under 18 Students

POLICY NUMBER:  
<The policy will be tagged with a number by the Governance & Policy Branch when your policy has been registered on the system.>

DATE APPROVED:  
<The CEO's approval date will be annotated on the policy by the Governance and Policy Branch>

POLICY CATEGORY:  Student Services

POLICY OWNER:  Director, International

1. CONTEXT

The ESOS legislated framework which includes the Education Services for Overseas Students (ESOS) Act 2000 and the National Code 2007, ensures overseas students in Australia have a safe, enjoyable and rewarding place to study by promoting quality education and consumer protection for overseas students. The National Code 2007 provides nationally consistent standards for the conduct of registered providers and the registration of their courses. Its key objectives are to:

a. support the ESOS framework
b. safeguard Australia's international reputation for high quality education and training
   c. protect the interests of overseas students; and
   d. support providers in monitoring student compliance with student visa conditions.

Standard 5 of the National Code 2007 specifies the minimum care and welfare arrangements for students under 18 years of age. Before a student visa can be granted to an under 18 year old, the Australian Government must be satisfied that there are appropriate accommodation, support and general welfare arrangements in place for the period that the student will be under 18 years of age while in Australia. Where students under the age of 18 are not being cared for in Australia by a parent or suitable nominated relative, registered providers must ensure the arrangements made to protect the personal safety and social well-being of those students are appropriate.

This policy and its related procedures:

(a) specifies accommodation and welfare options for students under 18 years of age accepted by the X TAFE;
(b) addresses the responsibilities of X TAFE under standard 5 of the National Code 2007;
(c) describes the process and criteria for X TAFE's approval of a caregiver service;
(d) sets out the procedures for a student requesting a change to accommodation, support and welfare arrangements; and
(e) specifies how the X TAFE will monitor the suitability of accommodation, support and welfare arrangements, where the student is being cared for by an approved caregiver service.
2. DEFINITIONS

Appointment of Welfare Supervisor And Consent Form
Provided by a caregiver service, outlining the essential agreement and consent between the parent(s)/guardian(s) and caregiver service.

Certified copy
Is a copy of an original document which has been certified as a true and correct copy by an authorised person, which may include: A magistrate, Justice of the Peace, Legal Practitioner, Medical Practitioner, Bank Manger, Chartered or certified accountant, Nurse, Pharmacist, Police Officer. X TAFE International will expect to see an original certified copy. A copy of a certified copy is not acceptable.

Caregiver
Is a person(s) who is head of the homestay facility where an under 18 student is residing and has responsibility for overseeing the welfare, support and accommodation arrangements of that student.

Caregiver Service
An X TAFE approved service provider, appointed by a parent/legal guardian to act as caregiver to an under 18 student and to arrange homestay and welfare services on behalf of the X TAFE (refer to section 3.3 for details of X TAFE approval).

Caregiver Service report
A report constructed by the caregiver service which details the conditions of both caregiver and homestay. The report will confirm whether or not the homestay arrangement meets all requirements of the caregiver service and the X TAFE.

CAAW
Confirmation of Appropriate Accommodation and Welfare form. The X TAFE will use this PRISMS generated form to notify DIAC of accommodation and welfare arrangements, where arrangements are approved by X TAFE.

Critical incident
Defined in the National Code as a traumatic event, or the treat of such (within or outside Australia) which causes extreme stress, fear or injury.

DIAC
Department of Immigration and Citizenship. An Australian government department responsible for immigration and visa matters.

Education agent
An organisation which recruits overseas students and refers them to Australian education providers.

End date
The date upon which X TAFE has agreed to cease responsibility for the care arrangements of an under 18 Student as specified on the CAAW.

Homestay
The physical accommodation in which an Under 18 Student will reside whilst undertaking studies with X TAFE.

ISS
X TAFE’s International Student Support.

National Code 2007
The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007, as established by the ESOS Act 2000.
3. STATEMENT OF POLICY

ACCOMODATION, SUPPORT AND WELFARE OPTIONS FOR STUDENTS UNDER 18 YEARS OF AGE

3.1. Acceptance of an international student under the age of 18

3.1.1 DIAC must be satisfied with the accommodation, support and welfare arrangements of a student under the age of 18 years before a student visa is granted.

3.1.2 Students under the age of 18 may reside in Australia with a parent, legal guardian or suitable relative but must inform DIAC of these arrangements before a student visa can be granted. The X TAFE is not involved in this process.

3.1.3 As part of X TAFE's admissions procedure, the parent or legal guardian of a student under the age of 18 must complete and submit an Under 18 Care Arrangements Form advising whether the student will reside with
(a) a parent(s)/legal guardian(s) or a suitable relative in Australia; or
(b) an X TAFE approved caregiver service.

3.1.4 Where a student under the age of 18 will not reside in Australia with a parent, legal guardian or suitable relative, X TAFE is required to assume full responsibility for the accommodation, support and general welfare arrangements for the student in accordance with Standard 5 of the National Code. This means that X TAFE must ensure the arrangements made to protect the personal safety and well-being of those students are appropriate and monitored on a regular basis.

3.1.5 Where 3.1.4 applies, X TAFE will nominate dates for the commencement and cessation of its responsibility for under 18 students and advise DIAC of these dates through PRISMS using the CAAW letter.

3.1.6 Costs associated with the services provided by the caregiver service nominated by X TAFE are the responsibility of the under 18 student's parent or legal guardian.

3.1.7 Recruitment and Admissions is responsible for identifying students who will be under the age of 18 whilst enrolled at X TAFE.

3.1.8 Recruitment and Admissions must inform a member of ISS of the enrolment by forwarding them a copy of the CAAW. This will enable ISS to monitor the student's welfare.

3.2 Time frame for responsibility
3.2.1 In relation to 3.1.5 above, X TAFE will normally accept responsibility for the student up to 14 days prior to the commencement of their course and 14 days after the completion of their course. The nominated dates will be specified in the CAAW letter.

3.2.2 Students must not arrive in Australia before the start date specified on the CAAW letter.

3.2.3 X TAFE’s responsibility and duty of care for the under 18 student covers all X TAFE holiday periods, public holidays and any gaps before the commencement of multiple courses for which the student is enrolled.

3.2.4 DIAC specifies the maximum acceptable gap between study periods as two months. X TAFE will maintain communication with DIAC for advice on preferred arrangements for students during these periods.

3.2.5 X TAFE’s responsibility for the accommodation and welfare arrangements of under 18 students ceases on the student’s 18th birthday or, in the event of the student transferring to another registered provider, when that provider accepts responsibility for the student. A member of the ISS team will advise the student that the care arrangements specified under the National Code and mandated by DIAC no longer apply but that services are still available by ISS for the student if required.

3.2.6 For students recruited onshore in Australia, the start date will normally be the day after the student’s current visa expires or the date that the student lodges their new student visa application.

3.3 X TAFE approved Caregiver Service

3.3.1 Where 3.1.5 applies, the caregiver services are specified in the Schedule of Caregiver Services.

3.3.2 All caregiver service providers must be approved by the Director, X TAFEI before being listed in the Schedule of Caregiver Services.

3.3.3 Caregiver service providers are subject to an interview by staff from ISS and a member of the X TAFEI compliance team prior to approval by the Director. X TAFE International to ensure they meet the relevant criteria determined by X TAFE in relation to the accommodation and welfare services for under 18 students. These criteria are described in Appendix 2 and include relevant police checks and working with children checks for all persons involved in the care arrangements for these students.

3.3.4 X TAFE must have a formal agreement with each approved caregiver service provider which outlines minimum services and performance standards. The formal agreement must include, as a minimum, the standards as provided in Appendix 2. The formal agreement must also contain provision for emergency alternative accommodation arrangements where it is clear that the welfare of an under 18 student is at immediate risk.

3.3.5 All caregiver services are subject to a review process as specified in Appendix 2. Review periods are determined according to risk and are conducted by ISS. The purpose of the review is to satisfy X TAFE that the accommodation, support and welfare arrangements offered by the caregiver service continue to satisfy the prescribed criteria in Appendix 2.

3.3.6 Any deficiency identified by the review process must be addressed within five working days otherwise the contract between the caregiver service provider and the X TAFE may be terminated.

3.4 X TAFE support for under 18 students

3.4.1 A member of ISS will meet with under 18 students individually on a monthly basis. The purpose of the meeting is to monitor the student’s well-being, academic progress and satisfaction with their accommodation and support service arrangements. More frequent meetings may be scheduled by ISS if they have concerns for the student.

3.4.2 A member of the ISS team will be designated to support the needs of each under 18 student and to work as an active advocate for the student. It is the responsibility of the ISS team member to seek and maintain contact with the student.
3.4.3 If an under 18 student has a concern or grievance with their homestay arrangement which cannot be resolved in a timely manner by the caregiver service provider, the designated member from ISS will support the student by working closely with the caregiver service to resolve the issue and assist in identifying suitable alternative accommodation.

3.4.4 If an under 18 student is missing from X TAFE or homestay and cannot be found or contacted within a period of 24 hours, ISS will initiate X TAFE’s critical incident procedures.

3.4.5 Where X TAFE becomes aware that an under 18 student has been involved in an incident likely to affect their welfare/well being, ISS will initiate X TAFE’s critical incident procedures.

3.5 Changes to accommodation, support and welfare arrangements

3.5.1 Where 3.1.4 applies, X TAFE will review any request for changes to the student’s accommodation and welfare arrangements before approving the new accommodation and welfare arrangements except where the caregiver service has moved the student as a result of an emergency or for the student’s immediate well being.

3.5.2 If the student feels unsafe at any time, the care giver service provider or member of ISS will arrange immediately for temporary alternative accommodation for the student.

3.5.3 X TAFE will advise DIAC through PRISMS of any approved changes to an under 18 Student’s accommodation and welfare arrangements.

3.5.4 Where an under 18 Student does not maintain accommodation, support and welfare arrangements approved by X TAFE, and where all attempts to resolve the matter have been exhausted, X TAFE will notify DIAC using the ‘Non-Approval of Appropriate Accommodation/Welfare Arrangements letter’. X TAFE is obliged under the National Code to warn the student that this action is likely to result in the cancellation of their visa by DIAC.

3.6 Suspension or cancellation of enrolment

3.6.1 Where 3.1.4 applies and an under 18 student has their enrolment suspended or cancelled by X TAFE, X TAFE will continue to monitor and approve the suitability of welfare arrangements for the student until:

(a) the student is accepted by another registered provider and that provider assumes responsibility for the student;
(b) the student leaves Australia;
(c) other suitable arrangements are made that satisfy DIAC and the Migration Regulations; or
(d) X TAFE reports to DIAC that it can no longer approve the arrangements for the student using the ‘Non-approval of Appropriate Accommodation/Welfare Arrangements’ letter on PRISMS.
4. PROCEDURES

4.1. ACCEPTING STUDENTS WHO ARE UNDER THE AGE OF 18

Assessing and approving an application

4.1.1 The International Officer, Recruitment and Admissions, identifies any applicants who will be under the age of 18 whilst enrolled with X TAFE and sends the student an Under 18 Care Arrangements Form with the letter of offer.

4.1.2 The student's parent(s)/legal guardian(s) must complete the Under 18 Care Arrangements Form and specify preferred arrangements from the care arrangements available.

4.1.3 The student's parent(s)/legal guardian(s) returns the Under 18 Care Arrangements Form to Recruitment and Admissions along with:
   (a) The International Student Acceptance form;
   (b) Certified copies of photo identification and signature for all parent(s)/legal guardian(s) on the Under 18 Care Arrangements Form.

The International Officer, Recruitment & Admissions, may request additional information from the proposed caregiver service in order to clarify the proposed welfare, support and accommodation arrangements for the student.

4.1.4 On receipt of all required information, the International Officer, Recruitment and Admissions, will refer the application to the Manager, Compliance & Quality Assurance, or delegate who will assess the arrangements and decide on approval.

4.1.5 If the Manager, Compliance & Quality Assurance, or delegate is dissatisfied with the proposed arrangements, the International Officer, Recruitment and Admissions, will liaise with the student, parent(s)/legal guardian(s) and Education Agent (if applicable) to make another recommendation.

4.1.6 Where the parent(s)/legal guardian(s) elects to use a Caregiver Service (Clause 3.1.4):
   (a) The International Officer, Recruitment and Admissions, advises the parent(s)/legal guardian(s) to contact the caregiver service.
   (b) The Manager, Compliance & Quality Assurance, or delegate will receive confirmation from X TAFE approved caregiver service once the student’s application has been processed.

4.1.7 If the final accommodation and welfare arrangements are considered satisfactory, the Manager, Compliance & Quality Assurance, or delegate notifies the International Officer, Recruitment and Admissions, who will:
   (a) Issue a COE from PRISMS.
   (b) Issue a CAAW as prompted by PRISMS when creating the COE, indicating the nominated start date and end date of the arrangements (as agreed with X TAFE International Compliance). The nominated start date and end date of arrangements will be defined in accordance with section 4.3 of this procedure.
   (c) Send the COE and CAAW to the Manager, Compliance & Quality Assurance, or delegate for approval.
   (d) Upon receipt of approval, send a copy of the approved COE and CAAW to the student no later than end of the following business day.

4.1.8 Upon sending the COE and CAAW, the International Officer, Recruitment and Admissions, should advise the student to contact DIAC to organise a student visa (if such arrangements have not already been made).

4.1.9 Following the approval of arrangements and completion of 4.1.7(d), the International Officer, Recruitment and Admissions, will notify the Manager, ISS, or delegate of the arrangements, the student's expected date of arrival and nominated start date for which X TAFE will undertake responsibility according to the CAAW. A member of ISS will meet with the student during orientation and enrolment and will undertake the ongoing monitoring of Caregiver Services, as outlined in Section 4.5 of this procedure.

- CRITERIA FOR ASSESSING WELFARE AND ACCOMMODATION ARRANGEMENTS

Assessment criteria for Parent/Legal Guardian or Suitable Nominated Relative:

4.2.1 The parent(s)/legal guardian(s) indicates the desired caregiver on the Under 18 Care Arrangements Form. The elected caregiver service provider is required to organize the Homestay for the under 18 student.
4.2.2 The Manager, Compliance & Quality Assurance, or delegate assesses receipt and validity of the following information:
(a) All necessary signatures to the Under 18 Care Arrangements Form;
(b) Certified copies of legible photo identification and signature for the parent(s)/legal guardian(s), provided with the Under 18 Care Arrangements Form;

4.2.3 X TAFE will continue to monitor the welfare needs of the under 18 student through the services of ISS. A member of the ISS team will meet with each under 18 student on a minimum of a monthly basis unless more frequent meetings are deemed necessary by ISS or requested by the student.

Assessment criteria for X TAFE approved Caregiver Service:

4.2.4 The parent(s)/legal guardian(s) indicates their intention to use an X TAFE approved caregiver service on the Under 18 Care Arrangements Form.

4.2.5 The Manager, Compliance & Quality Assurance, or delegate assesses receipt and validity of the following information:
(a) Correct completion of the Under 18 Care Arrangements Form;
(b) Certified copies of legible photo identification and signature for the parent(s)/legal guardian(s), provided with the Under 18 Care Arrangements Form;
(c) Details of the welfare and arrangement, provided by the caregiver service, including:
   (i) A copy of the signed Appointment of Welfare Supervisor and Consent Form;
   (ii) Written confirmation from the Caregiver Service that the proposed homestay facility meets criteria outlined in the Under 18 Student Welfare Supervision Agreement; and
   (iii) Other factors on a case by case basis, taking into account matters such as the individual circumstances of the proposed caregiver, accommodation and travel arrangements for Under 18 Students.

The parent/legal guardian is required to contact and make appropriate arrangements with the X TAFE approved Caregiver Service, who will organise the homestay facility. A member of the ISS team can support the parent or legal guardian in this regard if necessary.

4.2.6 In exceptional circumstances, the Manager, Compliance & Quality Assurance, or delegate may choose to approve caregiver service arrangements prior to a suitable homestay facility being found, only if it is satisfied that the Caregiver Service will arrange a suitable homestay facility in advance of the student’s arrival in Australia and provide the required level of support and general welfare arrangements. In this situation, the caregiver service will be expected to provide details of a satisfactory homestay facility to the Manager, Compliance & Quality Assurance, or delegate and the parent/legal guardian no later than two (2) weeks prior to the nominated start date on the CAAW.

An example scenario is where the student urgently needs to submit a visa application in order to meet enrolment deadlines, but a suitable homestay facility is not available at the point of assessing the student’s application.
TIME FRAME FOR RESPONSIBILITY

4.3.1 Where X TAFE is required to approve accommodation and welfare arrangements, the International Officer, Recruitment and Admissions, will generate a CAAW which outlines the nominated dates of responsibility for the Under 18 student. The nominated dates of responsibility must be agreed by the Manager, Compliance & Quality Assurance, or delegate prior to the CAAW being issued. In the instance that an Under 18 student is enrolled in a package of courses with two (2) or more providers, both providers involved must agree on the transfer of accommodation, support and general welfare arrangements for the Under 18 Student.

4.3.2 For students recruited outside of Australia, the nominated start date will normally be two (2) weeks prior to orientation date for the relevant intake. The nominated end date for an arrangement will normally be two (2) weeks after the Under 18 student’s COE end date, or the date of the Under 18 student’s 18th birthday, whichever comes first.

4.3.3 For students recruited onshore in Australia, the nominated start date will normally start the day after the student’s current visa expires, or begins before or on the date the student lodges their new student visa application. The nominated end date for an arrangement will normally be two (2) weeks after the Under 18 Student’s COE end date, or the date of the Under 18 student’s 18th birthday, whichever comes first.

4.3.4 X TAFE may agree to nominate alternative dates of responsibility on a case by case basis, at the request of the student’s parent(s)/legal guardian(s).

4.3.5 X TAFE will cease to be responsible for the Under 18 student’s arrangements in the following circumstances (see section 4.6 for further details of when responsibility for arrangements will cease):

(a) The under 18 student’s enrolment is suspended or cancelled.

(b) The under 18 student completes their course early. In this case, X TAFE will remain responsible for the under 18 student until the day after the date of the under 18 student’s homebound flight. A member of the ISS team will offer to support the student in arranging their departure.

(c) The under 18 student’s visa status changes to that other than a student visa. X TAFE will cease to be responsible for arrangements in accordance with standard 5 of the National Code on the day the new visa is granted. However, X TAFE will continue to offer support and guidance to the student through ISS as required by the student.

CHANGE OF ACCOMODATION, SUPPORT AND WELFARE ARRANGEMENTS

4.4.1 Change from X TAFE approved arrangement to DIAC approved arrangement:

(a) The under 18 student and parent(s)/legal guardian(s) must complete an Under 18 Care Arrangements Form. The Manager, ISS, or delegate should advise the student and parent(s)/legal guardian(s) that current accommodation arrangements must be maintained until the change has been approved by DIAC.

(b) The Manager, ISS, or delegate will notify the Manager, Compliance & Quality Assurance, or delegate of the proposed changes.

(c) The Manager, ISS, or delegate will advise the Under 18 Student and their parent(s)/legal guardian(s) to inform DIAC of the change.

(d) If approval is granted by DIAC, the under 18 student must provide evidence of this to the Manager, Compliance & Quality Assurance, or delegate.

(e) Upon receipt of such evidence, the Manager, Compliance & Quality Assurance, or delegate will report the change of arrangements on PRISMS, by cancelling the CAAW no later than end of the following business day after notification from the Under 18 Student.

4.4.2 Change from DIAC approved arrangement to X TAFE approved arrangement:

- The under 18 student will be encouraged to discuss their proposed arrangements with the Manager, ISS, or delegate.
- The Manager, ISS, or delegate will advise the under 18 student and parent(s)/legal guardian(s) to complete and submit the Under 18 Care Arrangements Form. It should be stressed to the student...
and parent(s)/legal guardian(s) that arrangements cannot be approved until all required information has been provided.

- The Manager, Compliance & Quality Assurance, or delegate assesses the arrangements against the requirements of sections 5.1 and 5.2 of the National Code.
- If the change to arrangements is approved, the Manager, Compliance & Quality Assurance, or delegate, will notify DIAC no later than end of the following business day by completing the CAAW.
- If the change to arrangements is not approved, the Manager, Compliance & Quality Assurance, or delegate will notify the Manager, ISS, or delegate that current arrangements must be maintained until other arrangements can be made. The Manager, Compliance & Quality Assurance, or delegate will advise the under 18 student and parent(s)/legal guardian(s) of the non-approval no later than the close of business on the following day.

4.4.3 If the under 18 student feels distressed or unsafe in their homestay accommodation at any time, the caregiver service provider or a member of the ISS team will arrange immediate alternative accommodation for the student.

4.4.4 The caregiver service provider must contact the Manager, Compliance & Quality Assurance, or delegate or ISS immediately they become aware that a student has moved or relocated to alternative accommodation.

- SELECTION AND MONITORING WELFARE AND ACCOMMODATION ARRANGEMENTS.

Selection of X TAFE approved Caregiver Services

4.5.1 Acceptance as an approved caregiver service is subject to the process below. Organisations who operate as a caregiver service for under 18 students and who wish to apply for approval by the X TAFE to provide accommodation services to students under the age of 18 should:

(a) Complete the X TAFE Approved Caregiver Service Form.
(b) Email (or mail) the completed Application Form to X TAFE International Compliance at X TAFE.Compliance@X TAFE.edu.au or X TAFE Compliance, Level 3, 300 Smith Rd, Melbourne, VIC 3000.
(c) The Manager, Compliance & Quality Assurance, or delegate shall review and respond to applications within 10 working days. If a decision is made to consider an application, the prospective caregiver servicer will be interviewed by the Manager, Compliance & Quality Assurance, or delegate and the Manager, ISS, or delegate.
(d) the Manager, Compliance & Quality Assurance, or delegate and the Manager, ISS, or delegate may choose to inspect one or more of the proposed accommodation sites prior to making a decision on the application.
(e) Within 5 working days following the interview, a recommendation or non-recommendation must be made to the Director, X TAFE International, prior to approval for listing on X TAFE approved Schedule of Caregiver Services. The prospective caregiver is to be notified immediately upon recommendation or non-recommendation.
(f) If recommended, the Manager, Compliance & Quality Assurance, or delegate will list the caregiver service immediately on the Schedule of Caregiver Services.
Monitoring of X TAFE approved Caregiver Services

4.5.2 The X TAFE will monitor approved caregiver services as follows:

- The Manager, ISS, or delegate will conduct annual surveys of under 18 students to receive feedback on the performance of caregivers.
- The Manager, ISS, or delegate will review caregiver service reports at the beginning of each study period of X TAFE students in their care. This includes ensuring that the obligation has been fulfilled to inform the X TAFE of any significant changes to an under 18 student’s welfare, health or safety or critical incidents as they arise.
- The Manager, ISS, or delegate will conduct an initial review of a caregiver services during their first year of listing on the Schedule of Caregiver Services. Based on the outcome of that review, the Manager, ISS, or delegate will form a risk assessment of that caregiver service and conduct future reviews with the frequency based on risk level.

Suspending or terminating Caregiver Services arrangement

4.5.3 Where the Manager, ISS, or delegate is dissatisfied with the arrangements following monitoring activities, X TAFE will:

(a) Formally notify the caregiver service of improvements that must be introduced. The caregiver service will be given 5 working days to make the required changes.

(b) Following such deadline, X TAFE will undertake another assessment of the caregiver service and if necessary, make further recommendations for improvement with a further deadline for changes.

(c) If the Manager, ISS, or delegate remains dissatisfied with the arrangements following the second deadline, it may choose to suspend or terminate the arrangement with the caregiver service. Where this course of action is taken, the Manager, ISS, or delegate will notify the Manager, Compliance & Quality Assurance, or delegate suspend or remove the caregiver service from the Schedule of Caregiver Services no later than end of the following business day.

(d) The Manager, ISS, or delegate will be responsible for arranging suitable alternative arrangements for any affected under 18 students, in agreement with those students’ parent(s)/legal guardian(s) in the instance a caregiver service has been suspended or terminated. Alternate arrangements must be made within 5 working days. The under 18 student’s parent(s)/legal guardian(s) will be responsible for the normal costs associated with such alternate arrangements.

- SUSPENDING OR CANCELLING AN ENROLMENT

4.6.1 Where X TAFE is responsible for welfare and accommodation arrangements and the Under 18 Student’s enrolment is suspended or cancelled, the existing arrangements will be maintained until:

- The under 18 student is accepted by another provider who is willing to assume responsibility for the student. In this case, the Manager, Compliance & Quality Assurance, or delegate will liaise with the student’s parent(s)/legal guardian(s) and the other provider to agree on a suitable date for transfer of responsibilities.
- The under 18 student leaves Australia. In this case, the student must provide evidence of a confirmed departure date (e.g. flight details). X TAFE will remain responsible for the under 18 student’s welfare arrangements until student has safely boarded the flight.
• Other suitable arrangements are made that satisfy DIAC (e.g. the under 18 student organises a visa, other than a student visa, which allows them to remain in the country). X TAFE will remain responsible for the under 18 student’s welfare and accommodation arrangements until the date such alternative arrangements are finalised. The student is required to provide X TAFE with evidence confirming these arrangements.

• X TAFE notifies DIAC that the under 18 student has changed to living arrangements which X TAFE is not prepared to approve. In this case the Manager, Compliance & Quality Assurance, or delegate will only report to DIAC once all other attempts to assist the under 18 student in maintaining appropriate arrangements have been exhausted. The Manager, Compliance & Quality Assurance, or delegate will notify DIAC using the CAAW letter (DIAC pro forma letter available through PRISMS).

• HOUSEKEEPING

4.7.1 Relevant records and information pertaining to the care and welfare arrangements for under 18 students will be retained electronically on the X TAFE Student Information System. Any related hard copy documents forwarded to X TAFE will also be retained in accordance with X TAFE’s Records Management policy.

5. POLICY ADVISOR

Compliance and Quality Assurance Coordinator, X TAFE International

6. RELATED POLICIES AND LEGISLATION

Education Services for Overseas Students Act 2000

National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007

<This section is maintained by the Governance & Policy Branch.>

POLICY HISTORY

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SCHEDULE OF CAREGIVE SERVICES

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<td>EduCARE Services Australia Pty Ltd</td>
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MINIMUM SERVICES & PERFORMANCE STANDARDS FOR CAREGIVER SERVICES

The caregiver service provider agrees to provide and undertake the following minimum standards:

Documentation
Documentation verifying the criteria for being of “good character” which includes a positive assessment from the Department of Justice and a “Working with Children Check” which is valid for the period of time that the student is under 18 years of age.
- A Police Check from Victoria Police, no more than three years old
- A Working with Children Check
- Evidence of residential status in Australia
- A signed Minimum Services & Performance Standards for caregiver services

Other Responsibilities
- A guarantee that there are no more than three students as paying guests, in any one homestay residence in which the caregiver service intends to place the under 18 student.
- Require the student to pay no more than 3 months in advance at any given time.
- Notify X TAFE International of any change in circumstance of any homestay accommodation in which the caregiver service has placed an under 18 student.
- Put in place alternative arrangements for under 18 students in the case where they are going away.
  - The caregiver service must inform X TAFE International of these arrangements.
  - Arrangement and transport of an under 18 student for medical treatment where necessary, and notify X TAFE International of the circumstances immediately.

Minimum Standards for Homestay Accommodation
The caregiver service provider must ensure the homestay accommodation meets the following minimum requirements:
- A separate, clean and comfortable bedroom, equipped with a minimum of a bed, bed linen, towels, wardrobe, mirror, desk, desk light, chair, heating & cooling facilities and operating smoke alarm,
- Student must not be expected to share a room with another student or another occupant of the homestay facility
- The bedroom must be a designated bedroom which is physically separate from other rooms and not used for any other purpose during the student’s stay.
- Provide 3 meals each day (including a packed lunch or other appropriate arrangements as necessary).
  - The student is encouraged to participate in the preparation of meals where appropriate.
- Facilities for bathing which can be secured for privacy.
- Facilities for laundering of clothes.
- Appropriate area for drying clothes (not in bedroom or wardrobe)
- A key to the house/apartment, including any security passes required.
- Located no more than a maximum of 1km to public transport.

Specific details and arrangements are to be negotiated and recorded in the contract between the student, the caregiver service and the homestay provider.

Orientation to the Area & Getting to X TAFE
- Introduction to the local area of where the homestay is located including transport to and from X TAFE.
- Assistance with getting the student to X TAFE on their first day.
- Provision of suitable alternative private transport for occasions when an under 18 student is required to participate in out of normal hours X TAFE arranged activities.
- Provide the student with a card with details regarding the Caregiver name, homestay address and phone contacts in the instance the student gets lost or injured.

Caregiver Service Placed Homestay Rules
- Provide a written copy of house rules and expectations.
- Indicate meal times and weekend arrangements.
Mention appropriate times to use the bathroom and length of time permitted for showers given that some hot water systems have limited amounts of hot water readily available.

**Welfare of Under 18 Students**
The caregiver service must have in place arrangements for the welfare of under 18 students. Such arrangements should be discussed with the caregiver of the homestay facility.
- Monitoring the eating, sleeping and study patterns of the student and report any concerns to X TAFE International.
- Ensure that the student is clean and dressed appropriately.
- Ensure that the student is punctual and can arrive at class on time.
- Ensure the student has appropriate conditions for studying and doing homework.
- Ensure the student understands what is considered acceptable hours of study and sleep in the Homestay.
- Ensure that the student is clear about any expectations in regards to curfews or any other condition, and what notice must be provided.
- Ensure the student understands that they are not permitted to stay out at night without previously consulting with the Caregiver. If the student has not consulted with the Caregiver and has not returned for the night, the Caregiver Service must notify X TAFE International immediately.
- Report any sickness or absence immediately to the X TAFE.
- Consult with X TAFE International of any change to address before such a change is undertaken by the Caregiver of the Homestay or the Under 18 Student.
- In the case of an emergency, ensure that X TAFE International is contacted as soon as possible.

**Review Process**
The caregiver service agrees to review processes held by X TAFE. The frequency of such reviews is determined according to risk. The purpose of the review is to satisfy X TAFE that all above standards and requirements are offered by the caregiver service, and the caregiver service will fully cooperate with X TAFE during the review process, and after if any rectifications are required.

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**DECLARATION OF CAREGIVER SERVICES**

I, _______________________________ of the following caregiver service, _______________________________, declare that I have sighted and understood the minimum services and performance standards for caregiver services on this date, and hold a copy for my reference.

**Name and position of caregiver services representative:** _______________________________

**Signature:** _______________________________ Date _______________________________
# UNDER 18 – INTERNATIONAL STUDENT CHECKLIST

- Tick Appropriate: Please Note Items 1 to 10 must be completed

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<td>1</td>
<td>Student Name</td>
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| 2 | Date of Birth  
Date turning 18 |
| 3 | Course of Study |
| 4 | Application Form with appended letter from parents including:  
(Compulsory)  
○ Welfare arrangements for student under 18  
○ Under 18 Personal Details Forms  
○ Parents contact details for the full 24 hour period. |
| 5 | If TAFE is not nominated, Relative / Carer - Personal Details  
Name:  
Address:  
Phone - Home:  
Mobile:  
○ Step-mother  
○ Sister  
○ Step-sister  
○ Aunt  
○ Step-aunt  
○ Grandmother  
○ Niece  
○ Step-niece  
○ Step-father  
○ Brother  
○ Step-brother  
○ Uncle  
○ Step-uncle  
○ Grandfather  
○ Nephew  
○ Step-nephew |
| 6 | Relative – Carer (Nature of relationship to U18 student)  
(Compulsory)  
○ Be aged over 21  
○ Evidence Attached e.g. Passport, Licence, Birth Certificate etc.  
○ Be eligible to remain in Australia until their visa expires or the student turns 18 (whichever happens first)  
○ Show they are of good character, by providing a police clearance from the countries in which they have lived for more than 12 months in the past 10 years after the age of 16. |
| 7 | Relative – Carer must also:  
(Compulsory)  
○ Appointed Guardian provider  
○ Receive confirmation of Homestay  
○ Homestay Details  
Name:  
Address:  
Phone – Home:  
Mobile:  
Work:  
Email:  
Homestay Company:  
Phone: |
| 8 | Provider is to approve suitable accommodation and welfare.  
○ Acceptance Agreement  
○ Col/ Letter  
○ CAAW Letter (nominate dates)  
○ Airport Pick-up Accommodation Options  
○ The process involving the recommendation, assessment and approval of accommodation and welfare arrangements.  
○ Documented procedures for checking suitability of potential accommodation and welfare arrangements.  
○ Agreements with other providers regarding the scope of responsibility for welfare arrangements if package course offered.  
○ Teaching Department notified of under 18 student and of their responsibilities |
### UNDER 18 – INTERNATIONAL STUDENT PASTORAL CARE

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Leave Advice Form

Students under 18 who wish to travel away from approved homestay during school holidays will need approval from the Operations Manager, XXX before you leave. Approval will only be given where:

- Natural Parents have provided written approval (email or fax);
- That students will be staying with a blood relative over the age of 21 or an approved carer over the age of 21 (approved means having a good character check with International Education office – this can take 2 weeks); and
- The name, address and contact details for the family member or approved carer who will be taking care of the student have been provided.
- This requirement will only be waived where the student is travelling with their approved Homestay Host or are taking part in an approved school excursion.

- All students should complete a ‘Leave Advice’ form before departure and this can be obtained from, and filled in with the assistance of your International Student Contact person. Completion of this form assists XXX which is required to monitor students’ whereabouts and welfare. Homestay hosts should also sign the leave advice form (after it has been completed), to indicate that they have been advised of the student’s intentions.
- Students are required to keep their Homestay informed of any and all travel arrangements, including departure and arrival dates and times.

The Homestay Coordinator will contact the parent or legal guardian if written parental permission is not submitted and/or the Operations Manager has not viewed the documentation and approved your travel before you leave.

Name: ...........................................................................................................................................
Address: ........................................................................................................................................
..........................................................................................................................................................
Telephone number: ............................................................................................................................
Mobile Number: .................................................................................................................................
Home country address: ......................................................................................................................
..........................................................................................................................................................
Home country telephone number: .....................................................................................................
Home country fax number: ................................................................................................................
Email address: ...................................................................................................................................
Dates leave requested: From ............................................. Until ......................................................
Reason: ................................................................................................................................................
..........................................................................................................................................................
Mode of transport  aeroplane  ferry  bus  private car
Flight details: Please attach a copy of your Flight details: ..................................................................
..........................................................................................................................................................
Name of relative or approved carer over the age of 21 or homestay host you will be staying with if under the age of 18:
Telephone number while away: ...........................................................................................................
Address while away: ..........................................................................................................................
..........................................................................................................................................................
I have told my homestay host of these plans. ......................................................................................
Homestay host signature

Student’s signature .............................................................................................................................
Natural Parent Permission
Note: Students under the age of 18 must obtain permission from their natural parent or legal guardian to undertake any travel which would involve them being away from their homestay for more than one night. Students need to be staying with a relative or approved carer over the age of 21 or their Homestay Host. The name, address and contact details for the relative, approved carer or homestay family member who will be taking care of the student must be provided. An email or fax from the natural parents is acceptable for giving permission.

Natural Parent name ..........................................................................................................................................................

I give my permission for my son/daughter ......................................................................................................................
to take leave as requested noting the conditions for those under the age of 18.

Signature ........................................................................... Date ..................................................................................

Teachers’ Permission (if during school time)

<table>
<thead>
<tr>
<th>Subject</th>
<th>Teacher</th>
<th>Teacher’s Signature</th>
<th>Have you set the student any work to be done while on leave?</th>
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International Student Contact person Signature ........... Date .................................................................

International Education Approval ................................... Date .................................................................

This form must be returned to your Homestay Coordinator prior to travel.

Personal information will be collected from you for the purpose of obtaining host family details and will be used by XXX for managing the International Education program.

Failure to provide this information may result in your application not being able to be processed.

Your personal information will be used for the primary purpose for which it is collected, and may be disclosed to prospective students/ authorised organisations/ agencies representing international students for the purpose outlined above.

Personal information will be managed in accordance with the Personal Information Protection Act 2004 and may be accessed by the individual to whom it relates on request to International Services. You can obtain a copy of the department’s Personal Information Protection Policy on request to Services or at XXX or at XXX.
Standard 6 Sample Documents

Standard 6 – Student Support Services

Purpose
The purpose of this policy is to ensure that TAFE assists overseas students to adjust to life and studying in Australia through the provision of other academic and other support services.

Scope
This policy includes all overseas students.

Policy
1. TAFE will offer as much assistance to overseas students as possible to assist them in adjusting to life and study in Australia.

2. All overseas students are expected to participate in TAFE induction program prior to commencement of their studies.

3. TAFE has a designated student contact officer for all students including overseas students. The role of this officer is to be the official point of contact for all students requiring assistance. To this end, the name of contact details of this person will be made known to all overseas students. If a student in need approaches another staff member in the first instance, that staff member should provide any immediate assistance as required then refer the student to the Student Contact Officer to provide and/or source assistance as necessary.

4. The Student Contact officer must ensure they are familiar and remain up to date with their knowledge of the TAFE obligations under the ESOS framework.

5. Where possible, TAFE will provide pastoral and academic support to students in need. If the Institute’s in-house support services are insufficient to meet a student’s needs, the Student Contact Officer will source appropriate external services at no extra cost to the student.

6. It is the Student Contact Officer’s duty to inform themselves of any cultural sensitivities of new international students and adjust the induction program accordingly.

7. Support services provided directly by TAFE include: initial contact for students requiring personal assistance, locating accommodation, airport pick up, additional tuition support where required, sourcing medical, counseling and legal assistance if required.

8. TAFE will review student support services on an annual basis by reviewing student feedback and maintaining contact with external support TAFEs to ensure the ongoing appropriateness of these services.

9. TAFE has a documented critical incident procedure that is made known to staff and students through the web site. The critical incident procedure applies to incidences that occur both within Australian and in the student’s home country.

10. New staff and students are advised of the procedures during their induction. Staff are reminded of procedures at a minimum of every six months during staff meetings.
11. All new staff are provided with a personal induction program which includes an overview of the policies and procedures of the National Code and requirements in meeting the needs of overseas students. Staff are reminded of these policies and procedures throughout the year at staff meetings.

Procedures

Induction Program

The induction program is conducted by the Student Contact Officer at the commencement of each student intake.

At the induction students are encouraged to ask questions on any issues or queries they may have. This induction includes information about:

- X TAFE staff, facilities and resources and how they relate to the students area of study. The Training Manager also ensures that all new overseas students know that he / she is the one point of contact for any queries / concerns about their study course.
- Legal services and contact numbers (Student contact officer & Program Manager) for these services as they relate to their visa and relevant government departments.
- Local emergency and health services including contact numbers, hours of operation, what to expect when these services are contacted, etc.
- Information about the institute's complaints and appeals policy & procedures. The Training Manager ensures that all new overseas students know that he / she is the one point of contact for any queries / concerns about their course of study and if the student wishes to lodge a complaint or appeal to contact the Training Manager so that the complaint or appeal can be lodged in writing. If the complaint is about the Training Manager then the Program Director will deal with the complaint.
- Student's visa conditions as they relate to their course of study. This includes information on expected attendance, course progress and provider responsibilities for their accommodation, support and welfare guidance as well as reporting to DIAC on any changes that relate to the students visa conditions.
- X TAFE study expectations in relation to their course requirements, attendance records, absenteeism and support services for their study requirements. The Program Manager has two set times a week that set aside especially for overseas students. At this time they can access any of the services we offer as outlined in our orientation induction. If a student cannot make these times they can contact the Program Manager direct and arrange another time.
- Induction includes general information including Critical Incident Policy, what critical incidents are and what to do should they occur. If during their course of study a critical incident occurs the student should immediately contact the Training Manager who will complete a Critical Incident Report detailing the action to be taken and any required follow-up to the critical incident.

Provision of Support Services

1. Students in need can approach any staff member for immediate assistance if required but should be encouraged to approach the Student Contact Officer as much as possible.

2. Staff should refer the student to the Student Contact Officer once their immediate needs have been met.
3. Student contact officer will work with the student to meet any additional needs.

4. If the student’s needs cannot be met by X TAFE internal services, the Contact Officer will refer the student to appropriate independent service providers for further specialised information and advice.

5. All student services provided to the student are covered by the student’s tuition fees. Any additional interaction with independent service providers needs to be discussed with the Student Contact Officer before being undertaken.

6. Meetings with the Student Contact Officer for the provision of support services, particularly those associated with academic support, will be minuted and retained on the student file. These files are strictly confidential.

Critical Incidents
1. Please refer to the separate critical incident procedure manual.
2. All incidents must be reported on the appropriate form and provided to the Program Director for noting.
3. Any recommendations arising out of the report must be implemented as soon as practicable.
4. All reports must be filed in the critical incident report file.

Responsible Officers:
Student Contact Officer
Program Manager

Related documentation:
Induction Program
Critical Incident Procedures
### Victoria University Pre-departure Information Booklet Contents

<table>
<thead>
<tr>
<th>WELCOME TO VU</th>
<th>FINANCES</th>
<th>STUDYING AT VU</th>
</tr>
</thead>
<tbody>
<tr>
<td>Welcome to VU from the Vice Chancellor</td>
<td>Budgeting</td>
<td>Your course</td>
</tr>
<tr>
<td>About Victoria University</td>
<td>Currency</td>
<td>Paying your tuition fees</td>
</tr>
<tr>
<td>Congratulations on securing a place at VU</td>
<td>Cost of living</td>
<td>Use of personal information</td>
</tr>
<tr>
<td>Victoria University International</td>
<td>Banking</td>
<td>Academic calendar</td>
</tr>
<tr>
<td>International student support</td>
<td>Anti-terrorism laws</td>
<td>What is orientation all about</td>
</tr>
<tr>
<td>Study abroad and student exchange</td>
<td>Tuition fees</td>
<td>When is orientation</td>
</tr>
<tr>
<td>Support to sponsored students</td>
<td>Taxation</td>
<td>Orientation registration</td>
</tr>
<tr>
<td>Want to know more?</td>
<td></td>
<td>Study life balance</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>GETTING READY</th>
<th>ACCOMMODATION</th>
<th>WELCOME TO MELBOURNE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pre-departure</td>
<td>Things to consider before</td>
<td>Airport reception</td>
</tr>
<tr>
<td>Before leaving home</td>
<td>Choosing a place to live</td>
<td></td>
</tr>
<tr>
<td>Important documents to bring with you</td>
<td>Protecting yourself and</td>
<td></td>
</tr>
<tr>
<td>On arrival</td>
<td>your property</td>
<td></td>
</tr>
<tr>
<td>What to pack</td>
<td>Smoke alarms</td>
<td></td>
</tr>
<tr>
<td>Climate and clothes</td>
<td>Permanent accommodation</td>
<td></td>
</tr>
<tr>
<td>Medicines</td>
<td>University residences</td>
<td></td>
</tr>
<tr>
<td>Personal computer or laptop</td>
<td>Home stay</td>
<td></td>
</tr>
<tr>
<td>Excess luggage</td>
<td>Arranging housing after</td>
<td></td>
</tr>
<tr>
<td>Booking flights</td>
<td>arrival</td>
<td></td>
</tr>
<tr>
<td>Booking airport reception</td>
<td>Private rental market</td>
<td></td>
</tr>
<tr>
<td>Temporary accommodation</td>
<td>Rental prices</td>
<td></td>
</tr>
<tr>
<td>Customs and quarantine</td>
<td>Student housing services</td>
<td></td>
</tr>
<tr>
<td>Detector dogs</td>
<td>at Victoria University</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PREPARING TO ENTER AUSTRALIA</th>
<th>LIFE IN MELBOURNE</th>
<th>CAMPUS INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student visas</td>
<td>What Melbourne can offer</td>
<td>City campuses</td>
</tr>
<tr>
<td>Student visa conditions</td>
<td>Melbourne and its charm</td>
<td></td>
</tr>
<tr>
<td>Working in Australia</td>
<td>Shopping and food</td>
<td>Foootscray Nicholson</td>
</tr>
<tr>
<td>Bringing your family</td>
<td>After hours assistance</td>
<td>Foootscray Park</td>
</tr>
<tr>
<td>Students under 18</td>
<td>Safety in Melbourne</td>
<td></td>
</tr>
<tr>
<td>Overseas Student</td>
<td>Safety on campus</td>
<td></td>
</tr>
<tr>
<td>Health Cover (OSHC)</td>
<td>Finding your way</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cultural expectations</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Communication</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Electrical goods</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Postal services</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>INDEX</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Index</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Victoria University ‘Arrive and Thrive’ Information Booklet Contents

WHERE TO ASK QUESTIONS AND SOURCE INFORMATION
- Campus Maps 19
- Campus Shuttle Bus 19
- AskVU 19
- MyVU portal 19
- Student Email 19
- Noticeboard for Students 19
- Dates and Times 19
- Enrolments 19
- Examinations 19
- Graduations 20
- Commonly Used Forms 20
- Student Complaints 20
- Student Service Centres 20

PERSONAL WELLBEING
- Reflection Centre 25
- Chaplaincy 25
- Places of Worship 25
- Prayer Rooms 25

LIFE IN MELBOURNE
- Transition 28
- Safety 30
- Smoke Alarms 31
- Fire Safety 31
- Australian Culture 34

HEALTH
- How do I Receive my OSHC Worldcare Card? 34
- OSHC Worldcare Contacts on Campus Support 34
- Emergency Helpline 34
- Medical Centres 34
- Visiting a Doctor 34
- Medical Emergencies 34
- Pharmacies 35
- Getting Involved 35

TELEPHONE AND WEB REFERENCES
- Emergency and Assistance 37
- Useful Websites 38

INDEX 40
<table>
<thead>
<tr>
<th>Critical Incident Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Critical Incident:</td>
</tr>
<tr>
<td>Details</td>
</tr>
<tr>
<td>Student (s) involved</td>
</tr>
<tr>
<td>Staff involved</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Actions Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td>Immediate actions taken when Critical Incident occurred:</td>
</tr>
<tr>
<td>Were these actions effective in dealing with the Critical Incident? YES / NO</td>
</tr>
<tr>
<td>Are there any preventative measures that can put in place to prevent another similar Critical Incident occurring:</td>
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<tr>
<td>If Yes, please detail</td>
</tr>
<tr>
<td>Have all staff / students affected been offered de-briefing / counselling sessions?</td>
</tr>
<tr>
<td>If yes, were these effective?</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Follow Up</th>
</tr>
</thead>
<tbody>
<tr>
<td>Are there any changes / improvements required for our Critical Incident Policy?</td>
</tr>
<tr>
<td>If Yes, please detail</td>
</tr>
<tr>
<td>Do any staff require any professional development to improve their skills following this critical incident?</td>
</tr>
<tr>
<td>Reporting Officer: ........................................ Signature: ........................................ Date: ..............</td>
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</tbody>
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Critical Incident Guidelines
For International Students

OVERVIEW

This step by step guide has been developed to help staff deal with critical incidents involving international students. It is not prescriptive as the response to a critical incident will need to be tailored to the circumstances.

It covers critical incidents involving international students studying on campus in Australia and incoming Exchange and Study Abroad students. It does not cover outgoing Exchange or Study Abroad students; students studying by distance education; or students studying offshore.

It does not cover institution-wide emergencies, in which case the [NAME OF INSTITUTION] [NAME OF POLICY] applies.

NOTE: In the event of an international student being affected by an incident, the steps noted below are to be used as a guide and followed as deemed appropriate. In the event of a traumatic event, or the threat of such (within or outside Australia), which is not listed below but causes extreme stress, fear or injury, elements of these guidelines can be implemented as appropriate.
1. DEATH OF A STUDENT(S)

Step 1: Details of Incident
Report made to international office of incident
Take down details of the following:
- person reporting incident and their contact details and time of report
- name of student(s)
- student ID
- nationality
- course of study
- detail the incident eg. car accident, what happened, where they are now, who else is involved and are they also students of the institution. If so, are they injured?

NOTE: If police are reporting incident – ask them what further information they require from us. Ask for a case contact officer and contact telephone numbers. Advise the police that we would like to be updated as the case proceeds, and will provide whatever ongoing support or assistance is appropriate. Advise the police that they will be provided with the details of a contact in relation to the case as soon as possible. Furthermore, if police or hospital medical staff have been involved with reporting an incident, find out if they have contacted or intend to contact the student’s family. If it is their intention to contact, find out when that contact will be made.

Step 2: Confirming Student Information
Check information relating to student against student information system and other relevant systems

Take note of the following:
- Full name
- Contact details ie. semester and permanent address and phone numbers
- Emergency contact details
- Nationality
- Course of study
- Academic unit/Campus
- Year commenced
- Financial details (fee status)

Check to determine if any recorded contact between the student and relevant staff.

Check with OSHC provider to ascertain if student is fully insured.

Step 3: Advising International Office Staff – Appointing a Case Management Officer
Inform the following international office staff:
- [INSERT LIST OF RELEVANT STAFF]

The [INSERT POSITION TITLE] will usually co-ordinate the response to the incident, and may designate another to act as a case officer for the incident.

Step 4: Advising Other Staff
The incident coordinator or the nominated case officer must inform the following staff:
- [INSERT LIST OF RELEVANT STAFF]

They should also advise the following staff as appropriate:
- [INSERT LIST OF RELEVANT STAFF]

Step 5: Contact with Family

NOTE
You should not contact the family until the police, hospital staff or the embassy has done so. Family contact must be coordinated and should be made by [INSERT POSITION TITLE] or other nominated person once it has been established that the family has been notified as above.

IMPORTANT
If contacting family, ensure that you:
- Offer condolences on behalf of institution
- Offer assistance with funeral arrangements
- Check where family want funeral to be held
- If in home country, do they want assistance from us repatriating body to the home country?
- If funeral is to be arranged and held in Australia, do they require:
  - Airport reception
  - Accommodation arrangements
- Ask if appropriate for staff and students to attend the funeral
- Ask if appropriate for institution to hold a separate service on campus
- Provide details of staff contact person for the family including an after hours phone number (case officer or other delegate)

Step 6: Further Action
With approval, proceed with:
- Informing counselling staff of situation
- Informing home institution if exchange student
- Informing academic unit staff
- Liaising with academic unit for possible identification of any other affected students/classmates
- Organising for counselling staff to meet with students and staff as needed
- If family agreed to service on campus:
  - make arrangements with Chaplain – provide Chaplain with family’s wishes including inclusion of community religious or cultural groups requested by family, or if identified that the student had strong links with, in consultation with the family.
  - arrange appropriate room
  - catering
  - flowers (if not culturally inappropriate or against family’s wishes.)
  - inform students / staff of service
  - give Chaplain as much information about student as possible for Chaplain to run the service and to provide any culturally appropriate requests
- Keep senior staff informed of case
- Retain incident report, including case management notes

Step 7: Reporting to DIAC
The [INSERT POSITION TITLE] will liaise with the Department of Immigration and Citizenship (DIAC) to advise of the death and arrange appropriate reporting via PRIMS.
2. ASSAULT or OTHER SERIOUS INJURY TO A STUDENT

Step 1: Details of Incident

Report made to international office of incident
Take down details of the following:
- person reporting incident and their contact details and time of report
- name of student
- student ID
- nationality
- course of study
- detail the incident eg. assault at railway station, assault in park, detail what happened, where the student is now and who else is involved

NOTE: If police are reporting incident– ask them what further information they require from us. Ask for a case contact officer and contact telephone numbers. Advise the police that we would like to be updated as the case proceeds, and will provide whatever ongoing support or assistance is appropriate. Advise the police that they will be provided with the details of a contact in relation to the case as soon as possible. Furthermore, if police or hospital medical staff have been involved with reporting incident, find out if they have contacted the student’s family.

Step 2: Confirming Student Information

Check information relating to student against student information system and other relevant systems
Take note of the following:
- Full name
- Contact details i.e. semester and permanent address and phone numbers
- Emergency contact details
- Nationality
- Course of study
- Academic unit/Campus
- Year commenced
- Financial details (fee status)

Check to determine if any recorded contact between the student and relevant staff.

Check with OSHC provider to ascertain if student is fully insured.

Step 3: Advising International Office Staff – Appointing a Case Management Officer

Inform the following international office staff:
- [INSERT LIST OF RELEVANT STAFF]

The [INSERT POSITION TITLE] will usually co-ordinate the response to the incident, and may designate another to act as a case officer for the incident.

Step 4: Advising Other Staff

The incident coordinator or the nominated case officer must inform the following staff:
- [INSERT LIST OF RELEVANT STAFF]

They should also advise the following staff as appropriate:
- [INSERT LIST OF RELEVANT STAFF]

Step 5: Contact with Student and Family
Contact the student if able to do so. If not, contact the hospital if student is in hospital and speak with medical staff to establish most current health details.

If speaking to student, check if student wants family to be informed. A student’s right to privacy must be protected as per the institution’s privacy policy. If it seems prudent in the situation to reveal the details to family members without the student’s consent, the [INSERT POSITION TITLE] must be informed. The [INSERT POSITION TITLE], will consult with [INSERT POSITION TITLE], and make a decision in this regard.

NOTE: You should not contact the family until the police, hospital staff or the embassy has done so. Family contact must be coordinated and should be made by [INSERT POSITION TITLE] or other nominated person with consideration of confirmation of any contact by the above authorities.

IMPORTANT: If contacting family, ensure that you:
- Ask if they will be coming to Australia and, if so, do they require:
  - Airport reception
  - Accommodation arrangements
- Provide details of contact person for the family including an after hours phone number

Step 6: Further Action
With approval, proceed to:
- Inform counselling staff of situation,
- Inform academic unit staff
- Organise for counselling staff to meet with students and staff as needed
- Inform Student Health Service
- Inform agent or home institution staff if appropriate
- Arrange with hospital staff whether student can have visitors
- Arrange with hospital staff whether student is well enough to continue with basic study etc
- If yes to the latter, arrange with academic unit for student get laptop and course work
- In the event of a road injury (including as a pedestrian), student should be directed to Traffic Accident Commission (TAC). Hospitals will have TAC forms. OSHC will not look after claim until TAC claim is finalised.
- Case officer should visit student at least once and thereafter keep in frequent contact whilst in hospital
- Once discharged from hospital, case officer should keep in touch until student makes full recovery and is able to resume study on campus or returns home
- Keep senior staff informed of case
- In consultation with counselling staff determine students friends/institution networks and ensure they are supported to deal with the incident and their own responsibilities around the unfolding incident and any repercussions
- Retain incident report, including case management notes

Step 7: Reporting to DIAC
The [INSERT POSITION TITLE] will liaise with the Department of Immigration and Citizenship (DIAC) if necessary to advise of the incident and arrange any appropriate reporting via PRISMS.
8. SELF HARM OR POTENTIAL SELF HARM

Step 1: Details of Incident
Report made to international office of incident
Take down details of the following:
- person reporting incident and their contact details and time of report
- name of student
- student ID
- nationality
- course of study
- detail the incident eg. locked themselves in room and will not come out

NOTE: This type of incident may be reported to you by:
- another student
- staff who notice and have concerns about behavioural changes
- counselling staff
- an outside agency that becomes involved via an incident or referral off-campus

Step 2: Confirming Student Information
Check information relating to student against student information system and other relevant systems
Take note of the following:
- Full name
- Contact details i.e. semester and permanent address and phone numbers
- Emergency contact details
- Nationality
- Course of study
- Academic unit/Campus
- Year commenced
- Financial details (fee status)

Check to determine if any recorded contact between the student and relevant staff.

Check with OSHC provider to ascertain if student is fully insured.

Step 3: Advising International Office Staff – Appointing a Case Management Officer
Inform the following international office staff:
- [INSERT LIST OF RELEVANT STAFF]

The [INSERT POSITION TITLE] will usually co-ordinate the response to the incident, and may designate another to act as a case officer for the incident.

In this type of incident the case officer role is strongly recommended to be in conjunction with suitably qualified counselling staff which may be an outside agency or CAT team if already in place prior to the report.

Step 4: Advising Other Staff
The incident coordinator or the nominated case officer must inform the following staff:
- [INSERT LIST OF RELEVANT STAFF]

They should also advise the following staff as appropriate:
[INSERT LIST OF RELEVANT STAFF]

**Step 5: Police Welfare Check**

The incident coordinator or nominated case officer should contact local police and advise of the following:
- Your name
- Where you work
- What has been reported to you
- Advise of student’s location
- Request that police attend asap to undertake a welfare check (this is the purpose of your call to the police)
- Give police a contact person at the institution and phone number including after hours contact
- Advise that you have notified the Manager, Counselling who can arrange to contact a Crisis Assessment and Treatment (CAT Team) if need be
- Ask that they report back to you on their findings

**Step 6: Further Action**

Once incident is over:
- Stay in constant contact with both student and with counselling and assist as required
- Monitor or assist with any appropriate support offered to friends or fellow international students who may have been affected by the incident
- If student has been assessed by a medical professional and it is deemed they have continuing health issues, it may be that they are placed into care for a period of time (this may just be into hospital for a few days)
- Keep in contact with hospital staff re student’s condition
- Visit the student if student is allowed visitors
- Check if student wants family to be informed. A student’s right to privacy must be protected as per the institution’s privacy policy. If it seems prudent in the situation to reveal the details to family members without the student’s consent, the [INSERT POSITION TITLE] must be informed. The [INSERT POSITION TITLE], will consult with [INSERT POSITION TITLE], and make a decision in this regard.
- Once the student is discharged, keep in contact and ensure that the student is fully aware of any prescribed medicines they should be taking. Refer them to the health centre and counselling service as needed. Alternatively, if student is to return home, provide assistance as necessary.
- Keep senior staff informed of case
- Retain incident report, including case management notes

**Step 7**

The [INSERT POSITION TITLE] will liaise with the Department of Immigration and Citizenship (DIAC) if necessary to advise of the incident and arrange any appropriate reporting via PRISMS.
4. OVERSEAS EVENT

Step 1: Details of Incident
International students may be impacted by events such as natural disasters in their home country. In the event of this, the international office may consider various actions, eg.
- Publishing a statement on the website – statement of condolence or recognition
- Email to affected students which may include statement from a senior staff member, contingencies put in place that may assist, offer to facilitate students meeting for mutual support, contact details for relevant support staff
- Any financial assistance may be considered by senior staff on a case-by-case basis

Step 2: Confirming Student Information
- Search PRISMS and student management system for data on affected students to derive group contact details if required
- Case manager would look for direction from senior staff to determine nature of contact with students as appropriate
- Monitor contact from students with support staff to determine the nature and seriousness of the impact to decide if any further assistance should be offered
### 5. EMERGENCY CONTACTS

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
<th>Telephone</th>
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<tr>
<td><strong>International Office</strong></td>
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<td>INCLUDE OFFICE AND MOBILE NUMBERS</td>
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<td><strong>Notification list of internal staff or units to be informed as appropriate</strong></td>
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INTERNATIONAL STUDENTS

Accommodation Assistance

There are three main types of accommodation that are suitable for International Students:

- **Homestay**
- Renting a room or flat on your own
- Sharing a house or flat with others

**Homestay**

Homestay is where you live with an Australian family. You have your own room, furniture is provided, you eat meals with the family and participate in many aspects of family life. You will probably spend around $270.00 per week and most of your meals and bills are paid for in the fee. Your English will improve quickly if you live in homestay. There are a lot of protections for you when you stay in Homestay. If you are not happy with your Homestay host family, the Homestay company will transfer you to a different host family. All of the Homestay host families have to meet certain standards and are checked before you stay there. Here’s some Homestay companies for you to check out:

- TCN Homestay Australia – tcnhomestay.com
- Family Homestay Services – familyhomestay.com.au

**Renting (leasing)**

You can rent (lease) a house, flat (apartment) or unit to live by yourself. You can find a house to rent by searching the following reputable websites:

- realestate.com.au
- domain.com.au
- myhome.com.au
- homehound.com.au
- rent.com.au

Beware of renting from less reputable websites or advertisements on the internet. Always try to rent through a Real Estate Agent to avoid getting ripped-off. NEVER EVER HAND OVER MONEY BEFORE YOU HAVE INSPECTED THE SITE (no matter what clever reason you are told). If it sounds too good to be true it probably is. If in doubt, ask advice from the International Student Liaison Officer on 0401 369 000 before you pay any money.

Typically you will sign a lease for 12 months although you might be able to find a site that is prepared to lease for a shorter time period. Expect to spend about $150.00 - $220.00 per week for this type of accommodation. On top of this you will have to pay each month for water, gas and electricity. Usually you will pay rent once per month. The first payment will also involve the payment of a ‘bond’ which is typically an extra 4 or 6 weeks rent. The bond is returned at the time you move out and on the condition that the premises is left in the same condition as it was given to you. So it is EXTREMELY IMPORTANT that you fill out (and keep a copy of) a ‘Condition Report’ at the start of a lease.

Make sure that the accommodation you choose is near to your campus and accessible to public transport. The place you rent will not have any furniture in it except for an oven and stove top and perhaps a heater. You must supply everything else you need, including a fridge, a bed, a desk, a chair etc.
Sharing
This form of accommodation is a bit cheaper but is also a lot more risky. It is better for a group of students who know each other to try to rent a house together through a Real Estate Agent than for you to move in to a house full of students who don’t know each other at all.

- ALWAYS make sure that you have your own room with space enough for your study desk, wardrobe, bed etc. If you don’t have your own room you will not be a successful student.
- ALWAYS check that your share-house is fitted with smoke detector alarms. Poke the button with a broomstick every 6 months or so to check that the alarm is still working. DO NOT MOVE INTO A SHARE HOUSE WITH NO SMOKE ALARMS.
- Where there are more than 5 people in the house ALWAYS make sure that your bedroom door has a lock on it.
- NEVER pay any money until you have seen the whole house including your own bedroom. If you don’t like what you see, don’t move in.
- BEWARE of ‘Sub-Letting’ arrangements where one student seems to be acting as the Real Estate Agent. Overcrowding and theft can be big problems in some student share-houses.
- ALWAYS get a receipt when you pay your rent.
- If you pay a bond when you move in, INSIST upon a copy of the ‘Bond Authority Lodgement Form’ to prove that your bond has been lodged with the Residential Tenancies Bond Authority so that you don’t get ripped off when you move out. Don’t just take over someone else’s bond arrangements.
- AVOID living with only people from your country who speak the same language as you. You risk losing your ability to communicate in English because you stop using English anywhere except in class. Also it is more likely that you will be ripped off when living only amongst your own ethnic group.

Expect to spend about $120.00 - $160.00 per week plus a share of the gas, water and electricity bills for shared accommodation.

Your rights and responsibilities
Your rights as a tenant are protected by Consumer Affairs Victoria under the Residential Tenancy Act. You have the right to make a complaint if you are mistreated. Go to www.consumer.vic.gov.au to read about your rights as a tenant. The more research you do, the less chance there is of being ripped off. For further help, contact the Tenants Union of Victoria (tuv.org.au) or the International Student Care Service (multicultural.vic.gov.au/iscs).

As a tenant, you are required to maintain the premises to a clean and safe standard. You cannot take in other people to live with you without permission from the landlord. You cannot make any changes to the premises – not even a picture nail in the wall – without permission. You must not engage in any illegal activities or use your accommodation for any illegal purposes and you must pay your full rent on time every single month without fail.

If you experience any problems with your accommodation, discuss the matter with the International Student Liaison Officer.
International Student Intervention Strategy

To be completed and implemented when international student has been identified as making unsatisfactory academic progress, is ‘at risk’ of making unsatisfactory progress or is showing a regular pattern of unacceptable behaviour.

Student Name ___________________________ Student I.D. ___________________________
Teaching Department ___________________________ Reporting Teacher ___________________________
Intervention Start Date ___________________________ Review Date ___________________________

Cause of Unsatisfactory Academic Progress

- Attendance / punctuality
- Course too academically challenging
- Work rejected due to cheating / copying
- Work not submitted (on time)
- Medical condition (give details)
- Enrolled in too many units
- English language
- Social problem (give details)
- Other (give details)

Reasons given for Unsatisfactory Attendance / Punctuality (if applicable)

- Accommodation too far from campus
- Tiredness
- Social problem (give details)
- Other (give details)
- Medical condition (give details)

Intervention Strategy

- Plan to re-sit tests missed (list below)
- Plan to submit outstanding assignment work (list below)
- Private tuition
- Reduce number of units / extend course
- Link into English classes
- Other (give details)

Student Declaration

I acknowledge that I have been identified as being at risk of making unsatisfactory academic progress and this Intervention Strategy has been offered as a support to me. I accept that failure to keep to the conditions of this Intervention Strategy may result in me being reported for unsatisfactory academic progress.

__________________________ date ___________________________
_________ Student signature ___________________________ Teacher signature ___________________________
_________ date ___________________________
Failed / Outstanding / Incomplete Units
*To be completed by teaching staff.*

List all units that the student has failed or has left incomplete where assessments have not been submitted or undertaken. Show the initial result and list a date for re-submission of assignment work or re-sitting of exams.

<table>
<thead>
<tr>
<th>Unit Code</th>
<th>Unit Name</th>
<th>Result (Failed / Not Attempted)</th>
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International Student Leave Granted

Student Name

Student Address

Date

Dear XXXX

Re: Your leave of absence from X TAFE

I write to notify you that your request for a leave of absence from your studies in Semester 2 2009 has been granted by X TAFE. It is expected that you will return to study in Semester 1 2010.

Please note that X TAFE is required by law to inform the Department of Immigration and Citizenship (DIAC) of any changes to your enrolment. We have recently notified DIAC that you have been granted a leave of absence.

IMPORTANT INFORMATION: I would like to make you aware that your leave of absence from X TAFE may affect your student visa. I recommend that you contact DIAC to seek advice by calling 131 881. It is your responsibility to ensure that you comply with the conditions of your student visa.

Please do not hesitate to contact X TAFE International on (03) 9911 0000 if you have any queries.

Yours Sincerely

Compliance Officer
Standard 7 Sample Documents

International Student Transfer

POLICY NUMBER: DATE APPROVED: POLICY CATEGORY: POLICY OWNER:

1. CONTEXT

POS120228000 13 December 2011 General (Student Services) Vice President (International)

The ESOS Framework, including the Education Services for Overseas Students (ESOS) Act 2000 and the National Code, ensures overseas students in Australia have a safe, enjoyable and rewarding place to study by promoting quality education and consumer protection for overseas students. The National Code provides nationally consistent standards for the conduct of registered providers and the registration of their courses. Its key objectives are to:

a. support the ESOS framework

b. safeguard Australia’s international reputation for high quality education and training

c. protect the interests of overseas students; and d. support providers in monitoring student compliance with student visa conditions.

Standard 7 of the National Code recognises students as consumers and affords them the right to transfer under certain circumstances. X TAFE is restricted from enrolling transferring students prior to the student completing six months of their principal course of study except for the circumstances specified in this policy. X TAFE is also responsible for assessing a student’s request to transfer to another organisation within this restricted period. The intention of this standard is that a student’s request to transfer will be granted where the transfer will not be to the detriment of the student.

2. DEFINITIONS

COE: Confirmation of Enrolment. A document, provided electronically, which is issued by a registered provider to intending overseas students and which must accompany their application for a student visa. It confirms the international student’s eligibility to
enrol in a particular course offered by the registered provider.

**CRICOS**: The Commonwealth Register of Institutions and Courses for Overseas Students.

**ESOS Act 2000**: Education Services for Overseas Students Act 2000

**DIAC**: The Department of Immigration and Citizenship.

**International Student**: as defined in the ESOS Act, an overseas student studying in Australia on a student visa.

**Letter of Release**: letter issued by a CRICOS registered provider to confirm approval for an international student to be released from that provider to study with another provider

**Letter of Offer**: A statement issued by an education provider which confirms its approval for an international student to enrol in the course(s) indicated on the letter.

**Principal Course**: the main course of study to be undertaken by an international student where a student visa has been issued for multiple courses. The principal course would normally be the final course of study or the highest level qualification.

### 3. STATEMENT OF POLICY

#### 3.1 Students seeking to transfer to X TAFE

#### 3.1.1 3.1.2

X TAFE will not actively recruit an international student wishing to transfer from another registered provider’s course prior to the student completing six (6) calendar months or one (1) full semester of their principal course.

X TAFE will not knowingly enrol an international student from another registered provider unless:

- The student has completed six (6) calendar months or one (1) full semester of their principal course; or
- The registered provider has issued a letter of release to the student; or
- The course in which the student is currently enrolled has ceased to be registered on CRICOS; or
- The registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing their principal course; or
- A government sponsor of the student considers the change to be in the student’s best interest and has provided written support for that change.
3.2 Students seeking to transfer from X TAFE

3.2.1 An international student requesting to transfer from X TAFE to another registered provider before completing six (6) calendar months or one (1) full semester of their principal course, must obtain approval from X TAFE in the form of a letter of release.

The start date for calculating the six (6) calendar months or one (1) full semester is when the student starts the course.

Where a student has taken a break from their studies due to a deferment or leave of absence, this break is not counted in determining if the student has completed six (6) calendar months or one (1) full semester of their principal course.

3.2.2 A letter of release is not required where:

3.2.3 A letter of release will be granted only when all of the following criteria have been satisfied:

- The student has presented a genuine letter of offer for a CRICOS registered course from a CRICOS registered provider, and
- The letter of offer stipulates an enrolment date and/or commencement date which falls after the date upon which X TAFE receives the letter, and
- Where the student is an Under 18 Student:
- X TAFE has written confirmation that the student's parent(s)/legal guardian(s) supports the Transfer; and
- Where the student is not being cared for in Australia by a parent(s)/legal guardian(s) or an Approved Relative, the Onward Provider confirms in writing that it will accept responsibility for approving the student's accommodation, support and general welfare arrangements.
- Where the student is sponsored by a government agency, the government sponsor has provided written confirmation that it supports the transfer, and
- The student has demonstrated a genuine reason for the need to transfer. Genuine reasons may include, but are not limited to:
  - an inability to find suitable accommodation close to their main study campus
  - the course is no longer suited to the student's study or personal goals, and this is verified by a X TAFE International Student Adviser
  - medical reasons verified by a medical doctor or qualified counsellor.
any other compassionate or compelling reason verified by a X TAFE International Student Adviser or qualified counsellor. A letter of release will not be granted to international students in the following circumstances:

- The transfer is considered detrimental to the student’s safety or their study or personal goals.
- The student has not commenced any program of study with the University, or has studied with X TAFE for less than four (4) weeks and has not taken the opportunity to experience the program of study or the range of support services available at the University.
- The student wishes to transfer from a higher level qualification to a lower level qualification (eg Degree to Diploma) in the same study field
- The transfer may jeopardise the student’s progression through a package of courses
- The student has unpaid tuition fees owing to X TAFE
- The student is attempting to avoid being reported by X TAFE to the Department of Immigration and Citizenship for failure to meet a condition of their student visa.

In all cases outlined in 3.2.2, X TAFE may agree to approve a request for a letter of release if the student can demonstrate that the transfer would be in their best interests. This will be assessed on a case by case basis, and may include but not be limited to the following:

- Consideration of the student’s personal circumstances

3.2.4

i. an international student has completed six (6) calendar months or one (1) full semester, or more of their principal course,

ii. the student is a government sponsored student and the sponsor has provided written approval for the transfer,

iii the course for which the student has received an eCOE will not be offered.

- Whether the transfer represents clear educational progression

- Where the student demonstrates academic difficulties in their current course.

3.2.5 Where appropriate, X TAFE will counsel students to consider their personal or academic reasons for transferring. Outcomes of counseling may identify alternative academic programs within X TAFE and/or recommendations for appropriate student support or study skills support as an alternative to the transfer.
Where the student is eligible for a release, this will not affect their right to transfer.

3.2.6 X TAFE will assess and respond to all written requests to transfer within five working days from the date that the application is received by the X TAFE I Compliance and Quality Assurance team.

3.2.7 Where X TAFE grants a letter of release, this will be issued at no cost to the student.

3.2.8 Where a student is granted a letter of release, their entitlement to a refund of course fees will be assessed in accordance with the X TAFE Refund Policy for Tuition Fees of International Students.

3.2.9 In the event of a letter of release not being granted, X TAFE will provide written reasons to the student for refusing their request to transfer. The letter will inform the student of their right to appeal the decision.

3.2.10 Records of all requests from students for a letter of release and the assessment of, and decision regarding, the request are to be retained on the student’s file.

4.0 THE PROCEDURES

4.1 Students seeking to transfer TO X TAFE

4.1.1 Prospective international students applying to study a course at X TAFE must indicate on the International Student Application Form whether they currently study (or are due to commence study) with another registered provider in Australia.

4.1.2 Where a Recruitment and Admissions officer identifies that an eligible student is already studying with another provider, the Recruitment and Admissions officer will provide the student with a conditional offer of enrolment. The conditional offer will specify that the offer is provisional on the student obtaining a letter of release from their current provider.

4.1.3 Prospective international students must submit a letter of release from their current provider together with the International Student Acceptance Form and payment before a COE can be created for the student.

4.2 Students seeking to transfer FROM X TAFE

Submission of required information 4.2.1 An international student seeking a letter of release to transfer from X TAFE must submit the following information to the Compliance and Quality Assurance unit within X TAFE International (X TAFE I Compliance): a) An International Student Release Letter Application form completed in full by the student and authorized by the relevant faculty’s Student
Retention Officer; and

b) A valid Letter of Offer from another registered provider.

4.2.2 For Under 18 Students seeking a letter of release to transfer from X TAFE, in addition to the above, the following information must also be submitted:

a) Written confirmation from the student’s parent(s)/legal guardian(s) supporting the transfer, and

b) Written confirmation in the letter of offer that the proposed new provider will accept responsibility for approving a student’s accommodation, support and welfare arrangements

On receipt of all required information, Compliance will assess the request against the conditions of the International Student Transfer and Release Policy.

Assessing Principal Course of Study

4.2.3 Compliance will determine whether the international student has studied at least six (6) calendar months or one (1) full semester of their principal course:

a) Where the student has completed six (6) calendar months or one (1) full semester of their principal course, a letter of release is not required and the transfer will be approved without question.

b) Where the student has not studied at least six (6) calendar months or one (1) full semester of their principal course, X TAFE I will proceed to assess the request in accordance with the International Student Transfer and Release Policy.

Assessing a letter of offer from another Registered Provider

4.2.4 Compliance will establish whether the international student has a valid offer letter from a registered provider for a CRICOS registered course. A letter of offer which identifies a provider or course that is not CRICOS registered must be rejected. The student must be informed of the reasons for the decision in writing.

An offer letter is not valid if it specifies an enrolment date or course start date, which precedes the TAFE’s receipt of the Offer Letter.

Assessing a student’s reasons for requesting a release

4.2.5 Compliance will assess an international student’s reasons for requesting a transfer to consider whether they are acceptable according to the Policy.

a) Where Compliance is dissatisfied with the student’s written reasons for requiring a transfer to another provider (e.g. the written reasons do not adequately explain why the student requires a release), further clarification may be sought from the student.
b) Where appropriate, Compliance may liaise with or refer the student to another TAFE department in order to fully explore their reasons for the request to transfer. This may include:

i) Consultation with the student’s Faculty/School to further understand the student’s circumstances and to understand the Faculty/School reasons for recommending the transfer. The relevant Faculty/School staff member to be consulted will generally be the relevant faculty’s Student Retention Officer who authorises the International Student Release Letter Application form.

ii) Referring the student to International Student Support (or other student support services) to discuss the student’s personal/academic circumstances, and to recommend appropriate study skills support or student support as an alternative to the transfer.

iii) Referring the student to Recruitment and Admissions to discuss a recommendation for transfer into another suitable program.

A recommendation made under 3.2.5(b) should not prevent a student from obtaining a release from X TAFE where they are eligible to do so under the Policy.

c) In line with section 3.2.3 of the Policy, a request to transfer may be rejected where X TAFE considers that it would be of detriment to the student. The decision to reject an application on detrimental grounds will take into account the student’s individual circumstances. The reasons for refusing a request must be formally documented in the student’s file.

The range of detrimental circumstances and the course of action that should be taken for each are as follows:

i) Where the student has not started study, or has studied for less than four (4) weeks, the request may be rejected by Compliance on the basis that the full range of TAFE support services have yet to be provided or offered to the student. In this situation Compliance will:

- Inform the student of the decision in writing and offer the right of appeal against the decision
- Re-visit the issue within a timeframe negotiated with the student
- Refer the student to ISS for further advice and guidance
- Inform the Faculty/School of the outcome
- The request may be rejected by X TAFE for this reason following consultation between X TAFE and the relevant Faculty/School
• X TAFE Compliance will inform the student of the decision in writing and offer the right of appeal against the decision

• The student has requested a transfer to a course with another registered provider that X TAFE considers:

  1. Will be unsuited to the student’s academic capabilities, future study plans and/or career aspirations

  2. May jeopardise the student’s progression through a package of courses

  3. Will not provide adequate preparation for further study, and/or is not recognised by Higher Education or VET providers as meeting their entry requirements. In the above circumstances, X TAFE I Compliance: • Will consult with the relevant Faculty/School (generally the relevant faculty’s Student Retention Officer who authorises the International Student Release Letter Application form) to understand the student’s individual circumstances. Consideration should be given to the student’s future study or career plans, and whether the student will be capable of studying the course with the other registered provider. X TAFE may also choose to initiate further discussion with the student to better understand the student’s situation

• Where the decision is to reject the request, X TAFE will offer the student a right of appeal

4.3 Transfer and Release for Under 18 Students

Additional procedures for students under 18 years of age

4.3.1 For under 18 students, Compliance will apply the additional following quality assurance procedures:

   a) Confirm that written and signed approval has been received from the student’s parent(s)/legal guardian(s); and

   b) Confirm receipt of written confirmation from the new registered provider that it will accept responsibility for approving the student’s accommodation, support and welfare arrangements.

4.3.2 Where a letter of release is granted for an under 18 student, X TAFE Compliance will agree in writing on the dates for transition of responsibility with the new registered provider.

4.3.3 Where the new registered provider refuses to take on responsibility of accommodation, support and welfare arrangements, X TAFE Compliance will not grant
the request for a letter of release.

4.4 Notifying International Students of the Outcome of a Request for a Letter of Release

3.4.1 X TAFE Compliance will provide a written response to an international student in a reasonable timeframe from the date of receiving the request. A reasonable timeframe is defined as 10 working days upon receipt of the application and all required information.

   a) If a student’s application is successful, Compliance will provide the student with a letter of release at no cost to the student. Compliance will advise the student to contact DIAC to seek advice on their student visa.

   b) If the student’s application is unsuccessful, Compliance will provide written reasons for the refusal and inform the student of their right to appeal the decision in accordance with Standard 8 of the National Code 2007.

4.5 Appeals Process

Internal Appeals Process

4.5.1 Students who choose to access the internal appeals process must do so within 20 working days of being provided written reasons for the refusal of their application for transfer. Their appeal against the decision must be presented in writing to the Coordinator, Compliance and Quality Assurance. The student’s internal appeal may be assisted by a support person.

4.5.2 A panel will be convened to commence the internal appeals process within 10 working days upon receiving the student’s written appeal to review the case. The panel will comprise of the Manager, Compliance and Quality Assurance or the Coordinator, Compliance and Quality Assurance, and an International Student Advisor.

4.5.3 The panel will provide a written decision, within 5 working days of the commencement of the internal appeals process, to either uphold or overturn the original decision for refusal of the student’s application for transfer.

   a) If a decision is made to overturn the original decision, Compliance will provide the student with a letter of release at no cost to the student. Compliance will advise the student to contact DIAC to seek advice on their student visa.

   b) If a decision is made to uphold the original decision, the Coordinator, Compliance and Quality Assurance will provide written reasons for the refusal of the appeal, and inform the student of their right to an external appeal.

External Appeals Process

4.5.4 Students who choose to access the external appeals process may do so to the Victorian Ombudsman.
Standard 7 - Letter of Release

Enter Date:

Enter student name and address:

Student name: ..............................................................................................................
DOB: ..........................................., Student ID: ..............................................
Passport No: ........................................... Country of Issue: .................................

Dear .............,

Re: Application for Letter of Release - Accepted

This letter is to inform you that X TAFE has considered your application for release and the letter of offer from [name of other registered provider] and has concurred that it is in your best interests to offer you a letter of release.

Your current enrolment at X TAFE in [name of course] (CRICOS Code: ............... ) has been cancelled on …[date]. A statement of attainment for all units you have successfully completed with the Institute is attached.

The Department of Immigration and Citizenship (DIAC) has been notified via PRISMS that your studies with XTAFE have concluded. This may affect your student visa. It is EXTREMELY important that you contact the Department of Immigration and Citizenship as soon as possible to seek advice about the status of your student visa.

Staff at X TAFE wish you every success with your new course of studies. Should you have any queries, please do not hesitate to contact me on [TELEPHONE NUMBER].

Yours sincerely,
Standard 7 - Letter of Rejection of Release

Student Name
Student Address
Date: .............
Student ID: ............
Date of birth: ............

Dear ............

Re: Decision regarding your request for a release from X TAFE

I refer to your application for a letter of release from X TAFE. I write to advise that X TAFE has not granted your request for a release on this occasion.

X TAFE is required to assess a request for release where students have not yet completed six (6) calendar months or one (1) full semester of their principal course of study. We have assessed your reasons for transferring against the TAFE’s International Student Transfer Policy and Procedures.

Our policy states a letter of release will not be granted to international students in the following circumstances:

(i) The transfer is considered detrimental to the student’s safety or their study or personal goals;
(ii) The student has not commenced any program of study with the TAFE, or has studied with the TAFE for less than four (4) weeks and has not taken the opportunity to experience the program of study or the range of support services available at the TAFE;
(iii) The student wishes to transfer from a higher level qualification to a lower level qualification (eg. Degree to Diploma) in the same field of study;
(iv) Where the transfer may jeopardise the student’s progression through a package of courses;
(v) The student has unpaid tuition fees owing to the TAFE; or
(vi) The student is attempting to avoid being reported by the TAFE to the Department of Immigration and Citizenship for failure to meet a condition of their student visa.

As you have not completed 6 months of your principal course, X TAFE has not granted your transfer request on this occasion.

If you are dissatisfied with our decision to refuse your request, you have a right to appeal in writing to X TAFE International. Your written appeal must be submitted within 20 working days of the date of this letter. If you wish to appeal you must write to the Manager, Compliance & Quality Assurance

EMAIL: ............
Mail: ............

For further information about the TAFE’s policy on transferring between registered providers or for a further explanation of our decision, please email ............

Yours Sincerely, Compliance and Quality Assurance
Standard 8 Sample Documents

Standard 8: Complaints and Appeals Policy & Procedure

PURPOSE
The purpose of this policy and procedures is to ensure students have ready access to a fair and inexpensive complaints and appeals process.

SCOPE
The policy and procedure applies to all cases of complaints or appeals and is available to all students enrolled at X TAFE.

The complaints and appeals process has three separate stages, depending on the nature of the complaint or appeal. These are:
(1) An informal process between the persons involved.
(2) An internal formal process, for matters that have not been able to be resolved informally.
(3) An external process, through the National Ombudsman, where X TAFE processes have not been able to resolve the matter to the satisfaction of the student.

POLICY
1. X TAFE will encourage all complaints to be resolved informally in the first instance. If the persons involved would like assistance to resolve a matter informally, they are encouraged to speak with the student contact officer, who may be able to offer assistance at an informal level.
2. If the matter cannot be resolved informally, students should make a formal complaint in writing.
3. Formal complaints must be lodged with the Student Contact Officer, unless that person is the basis of the complaint, in which case the complaint should be lodged with the Program Director.
4. The process for resolving a formal written complaint will commence within 10 working days.
5. Resolving the matter will be considered a priority by X TAFE and every endeavour will be made to resolve the complaint or appeal as quickly as possible.
6. All complaints and appeals will be approached with a fair and transparent manner with the student being provided with information about the status of their complaint and indicative timeframes for resolution as much as possible.
7. The internal formal process will be at no cost to the student.
8. X TAFE will ensure the matter is handled with the strictest confidentiality.
9. The student has the right to be represented and/or accompanied by a person of their choice.
10. Each appellant;
   a. Has the opportunity to formally present his/her case
   b. May have a person in support at their presentation
   c. Is given a written statement of the outcome including reasons for the decision
11. *TAFE* will implement any instruction or directive that is made by the independent panel. In addition, if any defect or need for improvement to any of *TAFE* policies or procedures or operational matters is identified from a complaint or appeal, the matter will be rectified immediately.

12. The student’s enrolment will be maintained whilst any complaint or appeal process is in progress.

**PROCEDURE**

**Informal process:**
(Informal process only applies to Complaints).

Students are encouraged to resolve complaints informally in the first instance.

Any staff member can attempt to assist the student in resolving informal complaints.

If the matter is resolved informally there is no need for other parties to be involved or for a record to be kept.

If the issue is not resolved the student should proceed to a formal resolution.

**Internal Review**
The formal appeal or complaint must be in writing and submitted to the student contact officer.

The Director of Administration considers all complaints in the first instance by:

- Reviewing relevant documentation
- Consider any informal decision made to date
- Discuss the matter with the student and any other relevant parties
- Form a recommendation
- Notify the student in writing of the outcome.

The process will commence no later than 10 days from receipt of the formal complaint or appeal.

A satisfactory outcome might be achieved through conciliation.

**Appeal process**

**Internal Appeal**

1. The student can apply in writing directly to the Program Director to appeal a decision on their academic progress or a decision on an earlier complaint.

2. All relevant documentation should be submitted to the Program Director with the application.

3. The Program Director may consider the matter or convene a panel to hear the appeal or complaint.

4. The panel may include but not be limited to
   a. The Program Director or a person appointed by the Program Director
   b. Representative of staff
   c. An independent person – preferably a representative of the student body

5. The student shall be given an opportunity to present his/her case to the committee and may be accompanied by one other person as support or as representation.

6. The relevant staff member shall be given an opportunity to present his/her case to the panel and may be accompanied by one other person as support or as representation.
7. *TAFE* will undertake the relevant actions required to implement the panel’s decision.

8. A written outcome detailing the reasons for the finding will be provided to the student within 5 working of hearing the issue.

9. If the student is dissatisfied with the outcome of the internal review they may initiate an External Review.

**External Appeal**

1. The student shall take the complaint and the internal reviews findings to an independent body to hear the complaint.

2. An external appeals process is available through the National Ombudsman.

3. Where the decision is in support of the student, *TAFE* will reimburse the Student 100% of reasonable costs of the mediation process.

4. *TAFE* will undertake the relevant actions required to implement the mediator’s decision.

5. This complaints and appeals process does not limit the student to take action under Australia’s consumer protection laws or through other complaints and appeals mechanisms through government agencies.

**Responsibilities**

- Student Contact Officer
- Director of Administration
- Program Director
Standard 9 Sample Documents

Standard 9 - Completion within course duration/CoE

Purpose
To ensure that the enrolment load of students is correctly monitored so that students complete their course within the duration specified in their CoE.

Scope
Applies to all students holding a student visa.

Policy
1. Students’ course progress is monitored (see also policies in relation to standard 10) to ensure they complete the course within the duration specified in their CoE.

2. The duration of study may only be extended where it is clear that the student will not be able to complete the course within the expected duration as a result of:

   a) Compassionate or compelling circumstances (e.g. Illness that is substantiated with an appropriate medical certificate for the time that the student was unable to attend)

   b) Implementation of Student at Risk policy only for students who are at risk of not meeting satisfactory course progress requirements

   c) An approved deferment or suspension of study has been granted under Standard 13

3. The anticipated duration of study in the students’ CoE shall NOT exceed the CRICOS registered course duration except in these exceptional circumstances.

4. All classes offered by X TAFE are conducted fully face to face. No classes are offered using distance or online learning.

5. All students holding a student visa are required to attend a minimum of 20 hours scheduled classes each week.

6. Students who arrive or commence a study period later than anticipated will be given opportunities to participate in extra classes or given private additional tuition in order to finish within the anticipated duration specified on the COE. This is free of charge.

7. When an overseas student fails one or more units in any given study period X TAFE staff will meet with the student to discuss options to ensure the student completes their studies within the CoE. Options could include resitting or resubmitting the assessment for the unit, repeating the unit in the following term in addition to the student’s normal load or repeating the unit during study breaks in an attempt to ensure the COE does not need to be extended.
Procedures

1. Upon the finalisation of each study period (term), the training manager reviews students’ records to check for students who have failed one or more units in that term.

2. This information is passed to the PEO for noting at this point.

3. If a student is identified as having failed one or more units but does not fall under the scope of standard 10 (ie failing more than 50% of the term’s requirements), the Program Director will send an email to the student to arrange a meeting to discuss strategies to ensure the student is able to complete the course within the duration specified on the student’s CoE.

4. If the student has failed 50% or more of the units for that term, and has agreed to an intervention strategy under the provisions of standard 10, which may involve a reduced study load for a study period, the Program Director is responsible for closely monitoring this student through classes and advising the Director International if the student appears to continue to be progressing poorly. The Program Director will warn the PEO that these students are at risk of failing to meet satisfactory course progress requirements.

5. In accordance with the procedures for Standard 10 (course progress), standard 12 (course credit or RPL granted has reduced the course length) or standard 13 (deferment of suspension has been approved), the Program Director or authorised PRISMS officer will record any approved course variation on PRISMS which may result from an intervention strategy or from compassionate or compelling circumstances, in those circumstances where it is clear that the student can no longer complete the course within the duration specified on the original CoE.

To extend the duration, the authorised PRISMS user will go to the Course Variation screen in PRISMS and choose ‘student request to change existing enrolment’. PRISMS then provide guidance through the necessary steps to extend the CoE.

Course variations must be made within 5 working days of the PEO’s decision to extend the CoE.

6. Students who commence a study period later than expected are to discuss possibilities for extra tuition with the Program Director in order to ensure they can complete their studies within the duration specified on the CoE.

7. All records of course variation will be kept on the student’s file.

Responsibilities

PEO
Authorised PRISMS officer
Program Director
Compassionate or compelling circumstances

Compassionate or compelling circumstances that may require a student to take a Leave of Absence or Reduced Enrolment Load include, but are not limited to, the following:

<table>
<thead>
<tr>
<th>Circumstances</th>
<th>Evidence required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illness or injury</td>
<td>Medical certificate which states the student was/is unable to attend classes for an extended period of time or recommends a reduced study load or break from study</td>
</tr>
<tr>
<td>Bereavement of close family members</td>
<td>Death certificates and evidence of relationship</td>
</tr>
<tr>
<td>Major political upheaval or natural disaster in the student’s ability to study</td>
<td>Media reports of civil war/significant political unrest or natural disaster plus evidence of student’s residency in the specific affected area, or letter from counsellor/psychologist assessing that stress has/will prevent student from studying</td>
</tr>
<tr>
<td>Permanent or temporary disability.</td>
<td>Letter from X TAFE Disability Liaison Unit recommending a reduced study load or a break from study</td>
</tr>
<tr>
<td>Incident or issue causing distress to student impacting on their capacity for study e.g, involvement in a serious accident, witnessing or being the victim of a serious crime</td>
<td>Police or counsellor/psychologists’ reports</td>
</tr>
<tr>
<td>X TAFE unable to offer a full-time load of courses (reduced load) or any courses (leave of absence) in a semester due to failure of occasional courses, RPL/credit or unavailability of required courses due to program structure.</td>
<td>Program plan from School.</td>
</tr>
<tr>
<td>Delay in receiving a student visa requiring student to travel offshore</td>
<td>Correspondence from DIAC</td>
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<tr>
<td>Military Service obligations</td>
<td>Correspondence from military organisation</td>
</tr>
<tr>
<td>Other</td>
<td>Any relevant certified document attesting that situation is outside student’s control and affects their ability to study.</td>
</tr>
</tbody>
</table>

Please note that an inability to pay tuition fees alone is not considered a compassionate/compelling circumstance for international student visa holders as it is a condition of your student visa to have sufficient funds for study and living purposes.
International Student Progress Meeting record

Student name:                                      Date of Meeting:
Currently Studying:
Course on Letter of Offer:
Attendance:                                        □ Satisfactory  or  □ Unsatisfactory
Comments on attendance:

Academic progress:                                □ Satisfactory  or  □ Unsatisfactory
Comments:
Strengths:
Needs attention to:
General Comments

Compulsory check list:
☐ Visa up to date?
☐ Fees up to date?  Yes/No  If no, student advised to contact …at Finance
☐ Change of Contact details  Yes/No  If yes, entered on X TAFE database on
☐ Goals on target? Plans for next year?  If new offer needed, complete Change of
Course/Course Extension Form

Actions


Teacher (s) name providing feedback:                   ISA/ELLS staff:
International Student
Intervention Strategy

To be completed and implemented when international student has been identified as making unsatisfactory academic progress, is ‘at risk’ of making unsatisfactory progress or is showing a regular pattern of unacceptable behaviour

<table>
<thead>
<tr>
<th>Student Name</th>
<th>Student I.D.</th>
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<tbody>
<tr>
<td>Teaching Department</td>
<td>Reporting Teacher</td>
</tr>
<tr>
<td>Intervention Start</td>
<td>Review Date</td>
</tr>
</tbody>
</table>

### Cause of Unsatisfactory Academic Progress

- [ ] Attendance / punctuality
- [ ] Work not submitted (on time)
- [ ] English language
- [ ] Course too academically challenging
- [ ] Medical condition (give details)
- [ ] Social problem (give details)
- [ ] Work rejected due to cheating / copying
- [ ] Enrolled in too many units
- [ ] Other (give details)

### Reasons given for Unsatisfactory Attendance / Punctuality (if applicable)

- [ ] Accommodation too far from campus
- [ ] Social problem (give details)
- [ ] Other (give details)
- [ ] Tiredness
- [ ] Medical condition (give details)

### Intervention Strategy

- [ ] Plan to re-sit tests missed (list below)
- [ ] Reduce number of units / extend course
- [ ] Plan to submit outstanding assignment work (list below)
- [ ] Link into English classes
- [ ] Private tuition
- [ ] Other (give details)

### Student Declaration

I acknowledge that I have been identified as being at risk of making unsatisfactory academic progress and this Intervention Strategy has been offered as a support to me. I accept that failure to keep to the conditions of this Intervention Strategy may result in me being reported for unsatisfactory academic progress.

| Student signature | date | Teacher signature | date |
Failed / Outstanding / Incomplete Units
To be completed by teaching staff.
List all units that the student has failed or has left incomplete where assessments have not been submitted or undertaken. Show the initial result and list a date for re-submission of assignment work or re-sitting of exams.

<table>
<thead>
<tr>
<th>Unit Code</th>
<th>Unit Name</th>
<th>Result (Failed / Not Attempted)</th>
<th>Date of Re-Sit / Re-Submit</th>
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Standard 10 Sample Documents

Standard 10 – Monitoring Course Progress

Purpose

The purpose of this policy is to ensure overseas students are given every opportunity to achieve satisfactory course progress in accordance with the DIISRTE/DIAC Course Progress policy in order to satisfy their student visa conditions.

Policy

Satisfactory Course Progress

It is a condition of a student visa that the holder achieves satisfactory course progress.

To achieve satisfactory course progress, students must be deemed competent in 50% or more of the unit requirements attempted within each term. “Unsatisfactory course progress” is defined as the student not achieving competence in 50% or more of the course requirements attempted during the defined study period (term). That is, all units attempted within a particular study period.

A term at X TAFE is equivalent to .... weeks.

An overview of assessment requirements for each unit is provided to students at the commencement of the study period.

Monitoring and assessing course progress

Student achievement is recorded for each assessment item.

A record of each student’s achievement for each course is maintained in both hard copy and the electronic student information management system.

Each student’s progress is monitored informally by the trainers throughout each study period and students that seem to be at risk are brought to the attention of the Program Director as quickly as possible.

Notwithstanding the informal monitoring of students’ progress, results are assessed formally by the Program Director at the end of each study period.

Intervention strategy

The objective of the intervention strategy is to identify any necessary action to assist the student to achieve or regain satisfactory course progress. This may include internal or external support for the student.

A special meeting is to be convened with the student, the student contact officer, the PEO and the Program Director. The student is welcome to bring a friend or support person.

The meeting must be conducted at a mutually convenient time and in a dialogue that allows the student to fully participate in identifying the most appropriate strategy to assist them in
improving their academic performance. The student must be warned that failure in a second consecutive term will result in being reported to DIAC for failure to meet their visa condition i.e. failing to meet satisfactory course progress requirements.

The student must be given a period to review and consider the intervention strategy in their own time.

The intervention strategy can only be implemented once the student has signed the strategy and returned it to X TAFE.

**Extending the COE to allow students to finish the course**

For those cases where the intervention strategy has been effective, and students have shown considerable improvement in the second term, X TAFE will extend the COE through PRISMS to allow students an additional term (if required) to complete all of the course requirements.

For those cases where the intervention strategy has NOT been effective, and the student has failed to make satisfactory course progress for a second consecutive term, then X TAFE must report those students to DIAC through PRISMS.

**Reporting International Students for Unsatisfactory Course Progress**

X TAFE is required to report students for unsatisfactory course progress when:

- The student has been identified as not making satisfactory course progress in two consecutive compulsory study periods; and
- An intervention strategy was implemented after the student was assessed as not making satisfactory progress at the end of the first compulsory study period, after which the student was again assessed as not making satisfactory progress at the end of the second compulsory study period; and
- The student has not made a successful appeal against this assessment.

If a student is identified for a second but not consecutive study period as not making satisfactory course progress, X TAFE does not report the student for unsatisfactory course progress. However, an intensive support and counselling strategy must be implemented with close monitoring in accordance with this policy.

**When a student is reported for unsatisfactory course progress DIAC will usually cancel the student’s visa unless there are exceptional circumstances.** DIAC will rely on X TAFE records as evidence of unsatisfactory progress and that X TAFE has followed these procedures.

**Procedures**

**Formal monitoring, recording and assessment of performance**

1. The achievement of each student is recorded by the trainer/assessor after each assessment item and forwarded to the administration officer to update the student’s file.

2. Achievements are recorded manually and also entered into ELECTRONIC DATA MANAGEMENT SYSTEM.
3. The administration officer generates a report from ELECTRONIC DATA MANAGEMENT SYSTEM at the end of each study period and gives the report to the Director of Studies.

4. The Program Director assesses the academic records to identify any student who has not achieved competence in 50% or more of the course requirements attempted during the defined study period. These students are deemed to be ‘at risk’ of failing to meet satisfactory academic performance.

5. The Program Director gives a copy of the list to the Student Contact Officer.

6. The student contact officer contacts each student deemed to be at risk and asks them to attend a meeting for the purposes of identifying an appropriate intervention strategy. Contact is usually made by email and phone calls to ensure the student responds quickly to ensure an intervention strategy can be implemented in time.

**Intervention Strategy**

1. The student contact officer contacts each student identified as at risk of not achieving satisfactory course progress and invites them to attend a special meeting with the Program Director, the PEO and the student contact officer.

2. The student may bring a support person if they require.

3. The purpose of the meeting is to:

   (a) identify any reasons for the unsatisfactory course progress

   (b) discuss possible solutions to assist in rectifying the problem (ie possible referral to external counselling services, improve time management strategies, arrange for additional academic or English language tuition, temporarily reduce study load, etc)

   (c) develop and document a plan in consultation with the student to assist them to improve their academic performance.

4. The intervention strategy must include a proposed date of commencement and a review date which should be approximately half way through the next study period. This is to allow an adjustment to the strategy should it need to be modified in the case of a student still struggling to meet satisfactory academic performance.

5. Once an intervention strategy has been developed, it is documented within a 48 hour period and the student is provided with a copy.

6. The student is asked to consider the strategy over the next three days and if they still agree with proposed intervention, they are required to sign the plan and forward a signed copy to X TAFE.

7. Once the signed plan is received, the intervention strategy can be implemented on the agreed start date.

8. Students on an intervention strategy must be carefully and regularly monitored by the Program Director.

9. If a student on an intervention strategy demonstrates a significant improvement in the second term and makes satisfactory course progress but has outstanding units to complete at the end of the course, the Program Director can approve an extension to that student’s COE.

10. The Program Director should indicate via email or memo to the CEO those students who are eligible for an extension as per point 9 above.
11. Upon the recommendation of the Program Director can approve the extension of the student’s COE.

12. Following receipt of approval by the Program Director, the administration officer extends the COE through PRISMS.

13. If students fail to engage in the intervention strategy, students will be reported for misbehavior as defined in X TAFE code of conduct for students.

**Reporting International Students for Unsatisfactory Course Progress**

This policy is current, however will be superseded when DIAC implements the changes to the Immigration Act in the near future. Steps 13 to 16 (below) will no longer apply. Instead, Providers will use PRISMS to cancel a student’s CoE as before, however this will not result in the issue of a Section 20 notice and the automatic cancellation of a student visa. Instead, providers will inform the student that their CoE has been cancelled and that they will need to contact DIAC to arrange for an interview to determine the status of their visa.

1. At the end of the second study period for a course, the administration officer provides the Program Director with two reports: one which details the results of all students for that study period; and a second report which details the results of students who are undertaking an intervention strategy.

2. The first report is treated in accordance with the normal monitoring and assessment strategies for the course progress policy.

3. The second report is used to identify students who have failed to make satisfactory course progress for a second consecutive study period. The formal reporting process must be initiated for these students.

4. A list of these students is prepared by the Program Director and forwarded to the student contact officer.

5. The student contact officer prepares the formal notification of X TAFE intention to report the student via PRISMS for unsatisfactory course progress. A copy of X TAFE complaints and appeals process must be attached to the letter.

6. Students have 20 working days from the date specified in the letter in which to access X TAFE Complaints and Appeals process. The student must also outline the reasons for unsatisfactory progress together with any evidence of **compassionate or compelling circumstances** where relevant.

7. If the student accesses X TAFE complaints and appeals process and their explanation is accepted continuing support, counselling and monitoring will be provided. The student will also be required to commit to complying with any conditions or intervention strategies attached to the decision. This means the matter will not be referred to DIAC.

8. If the student chooses to access the grievance process, the student may continue to attend classes until a decision is made by X TAFE. The Program Director will exercise professional judgment and assess each case on its merits. When determining whether compassionate or compelling circumstances exist all documentary evidence provided to support the claim must be considered.

9. If the student chooses not to access the grievance process within the 20 working day period, withdraws from the process or the outcome is unsuccessful, the student will be reported to DIAC for unsatisfactory course progress via PRISMS.
10. The Program Director must go into the Student Course Variation (SCV) screen in PRISMS.

11. From the drop down list under ‘Reason for Course Variation’, choose Unsatisfactory Course Progress.

12. PRISMS will ask questions about the appeals processes to which the Program Director answers ‘Yes’ or ‘No’ and is then required to fill in comments regarding the situation, and to check the student’s postal address.

13. Once these have been entered, a warning will appear to remind providers of the implications for the student visa of a student who is reported as failing to meet course requirements. The warning is as follows: Warning: Submitting a student course variation of unsatisfactory course progress will result in automatic cancellation of this student’s visa if the student does not report to a DIAC Office within 28 days. Are you sure that you wish to continue?

14. The Program Director clicks ‘OK’ and the system saves the SCV and sends the information to DIAC.

15. To print the Section 20 Notice click the link to ‘View/Print Non-Compliance Letter’.

16. A copy of the section 20 notice must be sent to the student and a copy kept on the student’s file.

**Responsible Officers:**
Administration Officer
Student Contact Officer
Program Director

**Related documentation:**
Notification of intention to report
Standard 10 Notice of Intention to Report

[Date]

[Student name]
[Address line 1]
[Address line 2]
[Address line 3]

Re: Warning of intention to report for unsatisfactory progress

Dear [Student’s name]

Your enrolment in [course] at the X TAFE began on [course commencement date]. During the induction programme, you were informed of the student visa condition relating to course progress. A student is regarded as having made unsatisfactory progress if they have not successfully completed or passed at least 50% of the course requirements in a semester.

You were first identified as at risk of making unsatisfactory progress on [date of identification] and the X TAFE implemented our intervention strategy [on date]. At this point [person/position] advised you that unsatisfactory course progress in two consecutive study periods for a course could lead to you being reported to the Department of Immigration and Citizenship (DIAC) and could result in the cancellation of your student visa. To assist you to meet course progress requirements, the Student Services Coordinator also [list actions undertaken as part of intervention strategy].

You have now been assessed as making unsatisfactory progress in a second consecutive compulsory study period. In accordance with the requirements of your student visa and the College’s obligations under the ESOS Act 2000, I must now inform you of the X TAFE intention to report you to the Secretary of the Department of Education, Employment and Workplace Relations (DEEWR) through PRISMS for unsatisfactory progress in two consecutive study periods. This action automatically alerts DIAC.

If you think there are reasons why you should not be reported, you may appeal against this decision. You may appeal if you believe one or more of the following have happened:

- X TAFE has not recorded or calculated your marks correctly
- There are compassionate or compelling reasons which have contributed to your unsatisfactory progress
- X TAFE has not implemented our intervention strategy in accordance with our documented policies and procedures
- X TAFE has not implemented other policies which may impact upon your results – eg. assessment policy, examinations policy, feedback policy
- X TAFE has not made relevant policies available to you

The procedure for making an appeal is attached. You have 20 working days commencing on [insert date] to make your appeal.

If you wish to discuss this matter further, please make an appointment with [contact person]. You can bring a friend with you if you wish.

Yours sincerely,

Director international
Standard 10 Course Progress Intervention Strategy

<table>
<thead>
<tr>
<th>COURSE PROGRESS INTERVENTION STRATEGY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Student:</td>
</tr>
<tr>
<td>Course:</td>
</tr>
<tr>
<td>Date intervention to commence:</td>
</tr>
<tr>
<td>Reason(s) determined for poor performance:</td>
</tr>
</tbody>
</table>

Details of agreed intervention strategies:

<table>
<thead>
<tr>
<th>Signature of Student</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signature of Teacher</td>
<td>Date</td>
</tr>
</tbody>
</table>

Teacher Progress Reports

<table>
<thead>
<tr>
<th>Proposed date of 1st report</th>
<th>Outcome</th>
<th>Satisfactory / not satisfactory</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposed date of 2nd report</td>
<td>Outcome</td>
<td>Satisfactory / not satisfactory</td>
</tr>
<tr>
<td>Proposed date of 3rd report</td>
<td>Outcome</td>
<td>Satisfactory / not satisfactory</td>
</tr>
</tbody>
</table>

Signature of Student | Date
Signature of Teacher | Date
DIISRTE – DIAC Course Progress Policy and Procedures for CRICOS Providers of VET Courses

This policy must be read in conjunction with the adjoining explanatory notes

1. The National Code 2007
1.1 Under Standard 11.2 of the National Code 2007, a provider who implements the DIISRTE-DIAC Course Progress Policy and Procedures for its vocational education and training (VET) courses is not required for ESOS purposes to monitor attendance for those courses.

2. Indicating the decision to implement the DIISRTE-DIAC Course Progress Policy and Procedures
2.1 A provider who chooses to implement the DIISRTE-DIAC Course Progress Policy and Procedures must implement the policy and procedures for all of its CRICOS registered VET courses. The provider registers this choice through PRISMS.

3. Policy
3.1 The provider must monitor, record and assess the course progress of each student for the course in which the student is currently enrolled.

3.2 The provider must assess each student’s progress at the end of each compulsory study period. While the length of a study period is determined by the provider, study periods are usually terms or semesters. Ten weeks is usually considered the minimum length of time in which it is reasonable for the provider to make an assessment of a student’s course progress. For the purposes of this policy, the maximum length for a study period is six months.

Where a provider does not divide courses into study periods, course progress must be monitored at least every six months.

3.3 Unsatisfactory progress is defined as not successfully completing or demonstrating competency in at least 50% of the course requirements in that study period.

The provider must define course requirements for each study period and be able to identify when a student has not passed or demonstrated competency in 50% or more of the course requirements. The course requirements for each study period must also be made clear to the student at the start of the course, or if variable, each study period.

3.4 The provider must have an intervention strategy for any student who is not making satisfactory course progress. It must be made available to staff and students and must specify:
   i. procedures for contacting and counselling students;
   ii. strategies to assist identified students to achieve satisfactory course progress; and
   iii. the process by which the intervention strategy is activated.

3.5 The intervention strategy must include provisions for:
   i. where appropriate, advising students on the suitability of the course in which they are enrolled;
ii. assisting students by advising of opportunities for the students to be reassessed for tasks in units or subjects they had previously failed, or demonstrate the necessary competency in areas in which they had not been previously able to demonstrate competency; and

iii. advising students that unsatisfactory course progress in two consecutive study periods for a course could lead to the student being reported to DIAC and cancellation of his or her visa, depending on the outcome of any appeals process.

3.6 At the end of each compulsory study period, students must be assessed against the course progress policy. If a student is identified for the first time as not making satisfactory course progress, the intervention strategy as outlined in 3.4 is implemented. The intervention strategy must be activated within the first four weeks of the following study period.

However, if a provider identifies that a student is at risk of making unsatisfactory course progress before the end of the study period, the provider is encouraged to implement its intervention strategy as early as practicable.

3.7 If a student is identified as not making satisfactory course progress in a second consecutive compulsory study period in a course, the provider must notify the student of its intention to report the student to DIAC for unsatisfactory progress. The provider does this through the written notice described in 3.8.

3.8 The written notice (of intention to report the student for unsatisfactory progress) must inform the student that he or she is able to access the registered provider’s complaints and appeals process under Standard 8 and that the student has 20 working days in which to do so. A student may appeal on the following grounds:

i. provider’s failure to record or calculate a student’s marks accurately,

ii. compassionate or compelling circumstances, or

iii. provider has not implemented its intervention strategy and other policies according to its documented policies and procedures that have been made available to the student.

3.9 Where the student’s appeal is successful, the outcomes may vary according to the findings of the appeals process.

i. if the appeal shows that there was an error in calculation, and the student actually made satisfactory course progress (successfully completed more than 50% of the course requirements for that study period), the provider does not report the student, and there is no requirement for intervention.

ii. if the appeals process shows that the student has not made satisfactory progress, but there are compassionate or compelling reasons for the lack of progress, ongoing support must be provided to the student through the provider’s intervention strategy, and the provider does not report the student. [See adjoining explanatory notes]

3.10 Where:

i. the student has chosen not to access the complaints and appeals processes within the 20 working day period,

ii. the student withdraws from the process, or

iii. the process is completed and results in a decision supporting the registered provider (ie. the student’s appeal was unsuccessful) the registered provider must notify the Secretary of DIISRTE through PRISMS as soon as practicable of the student not achieving satisfactory course progress.
4. Procedures
The administrative arrangements and student management systems will vary between providers, as will providers’ approaches to the procedures for implementing the DISRTE-DIAC Course Progress Policy.

Consequently, each provider who chooses to implement the DISRTE-DIAC Course Progress Policy must write a procedure which demonstrates how the policy will be implemented. This document must be made available to staff and students (in paper or electronic form) together with a copy of this policy.

When creating the procedures document, providers are advised to incorporate their answers to the following questions:

**WHO is responsible for each of the steps?**
For example, who is responsible for defining the workload for the study period, checking progress, deciding that the student is at risk, implementing the intervention strategy, informing the student of the provider’s intention to report, hearing an appeal, and reporting the student through PRISMS? Will different staff be required to take responsibility for the different steps? Will all staff involved be responsible for maintaining records of their part in the process, or will this be managed centrally?

**WHEN will each step take place?**
Will the intervention strategy be implemented earlier than the end of the study period or is the entire study period required in order to assess the student’s progress? The student must be allowed 20 working days in which to initiate a complaint or appeal – has this requirement been considered when drafting the procedures document?

**HOW will each step take place?**
Will the student management system automatically alert staff to students at risk of making unsatisfactory progress, or will progress need to be checked manually? How will students be informed of the provider’s concern for the student’s progress or intention to report the student? Are there pro forma letters which can be modified manually or generated by the system? How and where will records of interventions, appeals processes and reporting be maintained?
ESOS ACT 2000
DIISETE-DIAC Course Progress Policy and Procedures
for CRICOS Providers of VET Courses
Explanatory Notes

Indicating the decision to implement the DIISETE-DIAC Course Progress Policy and Procedures

- To indicate the decision to implement the DIISETE-DIAC Course Progress Policy and Procedures, the provider must do so through PRISMS. The provider does this by clicking the ‘Yes’ button for the field ‘DIISETE-DIAC Course Progress Policy & Procedure implemented?’

The provider’s level of access to PRISMS will determine where this field will appear.
- Providers with CoE Create or CoE Agent access will find the field on the ‘Provider Information’ tab of the ‘Organisation Details’ screen.
- Providers with CoE Administrator access will find the field on the ‘Summary’ tab of the ‘View/Edit Provider’ screen.

- If a provider is considering returning to monitoring attendance rather than implementing the DIISETE-DIAC Course Progress Policy and Procedures, the provider needs to bear in mind the following:
  - How will students be informed of the change to the course progress policy? and
  - How will the change impact on the organisation and delivery of courses that are currently being delivered under the DIISETE-DIAC Course Progress Policy?

- If a provider changes its mind and no longer wishes to follow the DIISETE-DIAC Course Progress Policy, it registers the change in PRISMS by changing the answer to the relevant field to ‘No’. A record is kept in PRISMS if the provider has chosen to use the DIISETE-DIAC Approved Course Progress Policy and if it changes its mind after indicating it would use the policy.

- Good practice is that providers do not commence a new course progress policy until the beginning of a study period and only after students have been informed of the intended change.

The Intervention strategy

- Providers must assist students who are at risk of not making satisfactory course progress in accordance with the provider’s documented intervention strategy. Providers need to ensure that they follow their intervention strategy as failure to do so may provide a student with grounds for a successful appeal. Failure to implement the intervention strategy may also constitute a breach of the National Code 2007.

- Providers must make students aware of opportunities and services to assist them if they are identified as at risk of not making satisfactory course progress.

- Providers are advised to keep records of the advice and assistance they give students who have been assisted under the provider’s intervention strategy.

The written notice of intention to report a student for unsatisfactory progress

- Each provider must create its own written notice to report a student for unsatisfactory progress. Providers may wish to refer to a sample notice prepared by DIISETE, available on the AEI Online website.
Reporting students for unsatisfactory progress

• Reporting a student for unsatisfactory course progress occurs only when the student has been identified as not making satisfactory course progress in two consecutive compulsory study periods, and the student has not made a successful appeal against this assessment.

• Course progress in a non-compulsory study period is to be disregarded when considering whether there has been unsatisfactory progress in two consecutive compulsory study periods.

• If a student is identified for a second, but not consecutive, study period as not making satisfactory course progress, the provider does not report the student for unsatisfactory course progress.

• When a student is reported for unsatisfactory course progress, DIAC will, in all but exceptional circumstances, cancel the student’s visa. DIAC will rely on the provider’s report of unsatisfactory course progress, as the report can not be made until the provider has completed the complaints and appeals process. If a student is dissatisfied with the provision of a complaints and appeals process, the student may lodge a complaint with DISRTE.

• Section 19(2) of the ESOS Act 2000 requires providers to report the student for unsatisfactory course progress ‘as soon as practicable’ after the breach occurs. Good practice would be to report the student through PRISMS within 5 days of finalising the decision to report (i.e. within 5 days of 3.9 i., ii., or iii. occurring).

Compassionate or compelling circumstances

• Compassionate or compelling circumstances are generally those beyond the control of the student and they have an impact on the student’s capacity and/or ability to progress through a course. These could include:
  o serious illness or injury, where a medical certificate states that the student was unable to attend classes
  o bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
  o major political upheaval or natural disaster in the home country requiring their emergency travel and this has impacted on their studies
  o a traumatic experience which could include but is not limited to:
    • involvement in or witnessing of an accident or
    • a crime committed against the student or
    • the student has been a witness to a crime and this has impacted on the student (these cases should be supported by police or psychologists’ reports).

Please note that the above are only some of examples of what may be considered compassionate or compelling circumstances. Providers are asked to use their professional judgment and to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, providers should consider documentary evidence provided to support the claim. Providers should keep copies of these documents, together with a record of why the decision was made, in the student’s file.
Erratic course progress as a potential indication of non-bona fide students
• If the provider suspects that a student is not a bona fide student, the provider may cancel the student’s enrolment, as allowed under Standard 1.3. However, providers must ensure that prior to enrolment students were made aware of the grounds on which cancellation of enrolment may occur, as required under Standard 2.1f. For example, if a provider takes erratic course progress into account in identifying non-bona fide students, erratic progress must be clearly defined and stated prior to enrolment as one of the grounds for cancellation of enrolment. Similarly, if a provider identifies bona fide students on the basis of participation, failure to participate must be clearly stated prior to enrolment as grounds for cancellation of enrolment.

Monitoring course progress for reporting purposes and for completion within the duration
• Standard 9.1 requires the registered provider to have and implement documented policies and procedures for monitoring the course progress of each student to ensure that at all times the student is in a position to complete the course within the expected duration as specified on the student’s CoE. While monitoring progress against the course duration is a separate requirement to monitoring course progress for reporting purposes, there may be some overlap in procedures. For example, a provider’s course progress procedure may require that at the end of each study period, each student’s results are checked to determine course progress for that study period. In order to avoid duplication of effort, at the same time the provider may also check each student’s progress towards completion of the course within the specified duration.
Standard 11 Sample Documents

Standard 11 – Attendance Policy

Purpose
X TAFE has adopted the DEEWR/DIAC Course Progress Policy and therefore is not subject to meeting the requirements of Standard 11 for attendance. However, it has been identified that student’s attendance is closely linked to their success in meeting course progress requirements.

In an effort to ensure students have the best possible chance of course progress success, X TAFE has developed an attendance policy to ENCOURAGE international students to attend class and therefore give themselves the best possible chance to succeed in the course.

Policy
X TAFE encourages students to attend classes in order to give themselves every opportunity for academic success.

Students are required to attend a minimum rate of 50% of scheduled classes before the institute considers cancel enrolment as per policy 13.

X TAFE will record each student’s attendance on a daily basis.

Attendance records are monitored weekly to identify students who are missing substantial numbers of classes for no apparent or legitimate reason.

Where a student’s non-attendance is legitimate i.e. due to illness or compassionate or compelling circumstances, and this is verified by evidence (e.g. medical certificates) then the student’s absence will not be counted towards the 50% calculation of non-attendance.

A student may become liable for additional course fees if poor attendance is found to be the major contributor to their unsatisfactory course progress and they are subsequently required to repeat a unit of work.

A warning letter will be issued to those students who are considered to be at risk of poor performance due to insufficient attendance.

Students who do not commence classes within the first two weeks after a break will be considered to have decided not to wish to recommence their studies with X TAFE and will be reported to DIAC via PRISMS.

Procedure
1. Students are required to sign the attendance sheet for each scheduled class.

2. The trainer gives the completed attendance sheet to the administration officer to enter into the electronic student record.

3. The electronic student record is updated on a weekly basis.

4. The administration officer generates a report each month and give this to the student contact officer.

5. The student contact officer checks the report to identify students who have missed a substantial number of classes or those who are in danger of failing to meet the 50% minimum attendance for the study period (term of 11 weeks). The report is referred to the Program Director for consideration.
6. Students who have missed a substantial number of classes after 6 weeks, or several consecutive classes or are in danger of failing to meet the 50% attendance requirement are issued with a warning letter and reminded of X TAFE policy to consider cancellation of enrolment if a student fails to attend 50% of classes.

7. A copy of the warning letter is kept on the student’s file.

8. Once a student is unable to meet X TAFE 50% attendance requirement, and there is not compelling or compassionate circumstances to consider in relation to the poor attendance, then X TAFE will report the students via PRISMS for disciplinary reasons (in accordance with Standard 13).

**Responsible Officers:**
- Administration Officer
- Student Contact Officer
- Program Director

**Related documentation:**
- Attendance warning letter
Standard 12 Sample Documents

Standard 12 - Course Credit

Purpose
The purpose of this policy is to ensure that students are granted formal recognition of the knowledge and skills achieved through previous training, education and experience.

Scope
This policy applies to all students who are intending to enrol or who are currently enrolled in courses offered by X TAFE.

Policy
Credit may be granted towards a course for assessable learning outcomes achieved through formal and/or informal learning, work related experience and/or life experience.

X TAFE recognises qualifications and statements of attainment awarded by other Registered Training Organisations. X TAFE also recognises assessable current competencies and current knowledge, regardless of how when or where these were attained.

X TAFE has a formal RPL and credit transfer assessment process which is available to all students. Following the assessment process academic credit will be granted if the assessor is satisfied that the applicant meets the learning outcomes or competencies as described in the current training package.

An applicant for academic credit on the basis of non-formal education, self-directed learning or previous experience will need to provide appropriate evidence or demonstrate the achievement of learning outcomes or competencies. The Program Director will assess the applicant’s capability. This assessment will vary from case to case.

In the case of applications from overseas students, their qualifications need to be assessed by the National Office of Overseas Skill Recognition (NOOSR) register.

If course credit or RPL is granted to an overseas student before a visa is granted, the net course duration (as reduced by the granting of course credit) will be reflected in the confirmation of enrolment issued.

If course credit or RPL is granted to an overseas student after a visa has been granted, X TAFE will report the change of course duration via PRISMS under section 19 of the ESOS Act.

Students will be provided with a record of credit or RPL granted and will be asked to sign the record for verification. A copy of this record will be retained on the student file.

A fee is charged for assessment for VET courses as assessment for VET involves considerable work to substantiate underpinning knowledge and vocational competency. Please see the Student Handbook for the prescribed fee.

Procedures
An application for course credit must be filled with attached evidence to support the claim if necessary. This evidence must demonstrate that an applicant has attained the learning outcomes or competencies at a standard appropriate to the level for which recognition is sought.

All documents supporting an RPL/CT application must be original or certified documents.

The Program Director will assess the application and reply in writing in two weeks of the submission.

In assessing the application, the Program Director should follow the steps outlined below:

1. Note the course into which the applicant is seeking RPL/CT, considering its level, academic credit transfer limits, etc.
2. Note the basis of the recognition being sought, e.g. equivalent level accredited/university course, etc.
3. Note any relevant experience to be considered.

4. Work through each subject for which RPL/CT is sought, noting the responses on both the subject Summary Form and the Evidence Template for this subject and determining the equivalence or otherwise of the prior learning to what is required in the unit and when necessary also check with information from the institution where the prior learning was undertaken.

Other factors to consider include:
- Accreditation status of courses in which previous study was done;
- Level of study;
- Date of study (RPL/CT is generally not given for studies over 10 years ago);
- Scope/extent/breadth of study;
- Standards/level/deepth/ rigour/ complexity of learning;
- Topics covered and learning outcomes/objectives achieved;
- Nature/extent/rigour of assessment tasks (assessment is a required element where RPL/CT is sought for prior studies);
- Grading/results achieved in assessment (a near pass will not be considered successful completion of a subject);
- Standard of marking etc.; and
- How well previous work studies/experience would have prepared students for subsequent units for which the subject for which academic credit is sought is a prerequisite.

Recording RPL or Credit granted

The Program Director will:

Record all evidence provided and file in the students file:
- Photocopies relevant evidence supporting the applicant’s submission for filing in the student’s file
- The date;
- The basis for any RPL/CT offered;
- The details of the RPL/CT that is being offered (subjects, credit points etc.);
- The course(s) into which this RPL/CT is applicable;
- Files a copy of this letter in the applicant’s file.

Students will be provided with a record of credit or RPL granted and will be asked to sign the record for verification. A copy of this record will be retained on the student file.

Arrange for the return of any original materials submitted with the application, e.g. assignments, original transcripts etc., to the applicant.

If course credit or RPL is granted to an overseas student before a visa is granted, the net course duration (as reduced by the granting of course credit) will be reflected in the confirmation of enrolment issued. If course credit or RPL is granted to an overseas student after a visa has been granted, X TAFE will report the change of course duration via PRISMS under section 19 of the ESOS Act.

Responsibilities

Program Director

References

1. Application for Course Credit (see standard 2.3)
2. RPL Assessment Tool
3. RPL/RCC/Credit Transfer Notification
Standard 13 Sample Documents

Standard 13 – Deferring, Suspending or Cancelling the Student’s Enrolment

Purpose
The purpose of this policy is to make it clear to students and staff the circumstances under which a student’s enrolment may be deferred, suspending or cancelled. This policy must be provided to students in the pre-enrolment information and again during orientation.

Scope
Applies to all prospective overseas students and existing overseas students studying in Australia on a student visa.

Definitions
Defer studies: to temporarily delay the commencement of studies usually initiated by the student
Suspending studies:
(1) a student may request to temporarily delay continuing their studies due to compassionate or compelling circumstances only when permission has been granted by X TAFE prior to the student’s departure.
(2) X TAFE may suspend the student’s studies temporarily due to misbehaviour.
Cancelling studies:
(1) a student may cancel their studies to transfer to another provider before completing 6 months of their principal course of study with requesting a letter of release (see policy for standard 7).
(2) X TAFE may cancel the student’s studies due to gross misbehaviour and/or non-payment of fees.

Policies
Policy in relation to student’s request to defer or suspend studies

1. It is extremely important that students advise X TAFE of their intention to defer or suspend their studies as soon as possible. If X TAFE has not heard from a student within two weeks, and cannot contact the student, X TAFE will assume that the student has voluntarily cancelled their enrolment and report the student to DIAC through PRISMS as required by the ESOS Act. This action is likely to result in the student’s visa being cancelled.

2. X TAFE will only allow overseas students to defer or suspend their studies where:
   a) The student has made an application to defer or suspend their studies (either by telephone in urgent cases or in writing); and
   b) There is compassionate or compelling circumstances necessitating the student to defer or suspend their studies.
3. An application to defer or suspend studies should be made to X TAFE in writing but under exceptional and urgent circumstances such as sudden illness or accident to the student or close relative, applications may be considered by telephone.

4. Compassionate and compelling circumstances may include but not be limited to:
   
   (a) Serious illness or injury, where a medical certificate states that the student was unable to attend classes;
   
   (b) Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
   
   (c) Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student’s studies; or
   
   (d) A traumatic experience which could include involvement in, or witnessing of a serious accident; or witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists’ reports).

5. X TAFE will assess an application to defer or suspend studies according to the procedures described below and provide written advice to students about the outcome of their application within 7 days.

6. If an application to suspend or defer enrolment is granted, the X TAFE will inform DIAC via prisms within 5 days of making this decision.

7. Students will be warned that deferring or suspending their studies may affect their visa in the written letter of advice regarding their application.

Policy in relation to X TAFE initiated suspension or cancellation of enrolment

1. X TAFE will suspend and/or cancel the enrolment of an overseas student on the grounds of:

   (a) Proven misbehaviour including but not limited to bullying or otherwise threatening other students or persons, drug possession, stealing and other criminal activities,

   (b) Inappropriate academic conduct including but not limited to failure to engage appropriately in studies, cheating and plagiarism. This includes failure by the student to engage in an agreed intervention strategy for the purposes of ensuring the student meets satisfactory course progress requirements.

   (c) Non payment of fees

   (d) Failure to attend 50% or more of scheduled classes in any term.

2. All parties involved will be protected by privacy laws but necessary government official and agencies will be informed as allowed through the ESOS legislated framework.

3. All incidents will be actioned as a priority until resolved.

4. The student will be issued with two written warnings prior to a formal letter of intention being forwarded in relation to any proposed action.

5. While the matter is being investigated and/or the student is exercising their right to appeal, the student’s enrolment will be maintained.

6. If the student’s behaviour is deemed to be disruptive or dangerous to other students, alternative studies options will be offered to the student while any complaints or appeals process is in progress.

Procedures:

Procedures in relation to student’s request to defer or suspend studies
1. The student must apply to defer or suspend enrolment by submitting the relevant form to the student contact officer.
2. If an urgent matter arises, the student can apply to defer or suspend their studies by telephone or email. In these cases, relevant documentary evidence must be forwarded at a later, more convenient time.
3. The application is assessed by the student contact officer within 7 days of receipt.
4. A recommendation together with draft letter in relation to the assessment of the application is forwarded to the Program Director for approval.
5. Once signed, the letter advising decision is forwarded to student.
6. If approved, the authorised PRISMS officer/Program Director notifies DIAC by reporting a student course variation on PRISMS within 5 working days.
7. The student information management system is updated accordingly.
8. A copy of all relevant documentation placed on the student’s file.

Procedures in relation to students not returning to class or absent for more than 2 weeks.

1. If a student is absent for more than 2 consecutive weeks without notifying X TAFE, and X TAFE cannot contact the student, it will be assumed that the student has voluntarily cancelled their enrolment.
2. A letter and/or email notifying the student of this intention will be sent to the last known address of the student.
3. X TAFE will wait two days for a final chance for the student to respond then if no response is received, the Director of Administration will notify DIAC via PRISMS of the student’s intention to cease studies.
4. A copy of the letter and advice from PRISMS will be retained on the student’s file.

Procedures in relation to X TAFE action to suspend or cancel a student’s enrolment based on misconduct

1. Any incident of inappropriate behaviour, academic misconduct or non-payment of fees must be reported to the Program Director or the Student Contact Officer.
2. The Program Director will make immediate preliminary enquiries into the matter to determine whether allegations can be upheld.
3. If preliminary investigations prove to uphold allegations, offending students will be asked to meet with the Program Director.
4. The student may bring a support person if they wish.
5. Following the meeting with the Program Director, the offending student(s) will be issued with their first warning letter.
6. If criminal activities are suspected, the police will be called and the student’s enrolment suspended immediately.
7. A letter will be issued to the student advising that X TAFE is considering cancelling the student’s enrolment on the basis of the alleged criminal activity, subject to the outcome of police investigations and the outcome of the student’s right to appeal.
8. If a repeat incident of non-criminal misbehaviour occurs, these procedures are repeated and the student will be issued with a notice of intention to suspend and/or cancel enrolment based on the outcome of the student’s right to appeal.
9. If, following an investigation the matter is upheld and the student’s right to appeal has been finalised against the student, the enrolment will be subsequently suspended or cancelled, depending on the nature of the misdemeanor.
10. The student will be informed of this outcome in writing and warned that the action of reporting the student may result in their visa being cancelled.
11. The authorised PRISMS officer or Program Director notifies DEEWR and DIAC of the student’s suspension and/or cancellation via prisms.
12. Copies of all documentation is to be placed in a large envelope, marked confidential and placed on the student file.
Procedures to cancel enrolment based on non-payment of fees

1. The Director of Administration or the Student Contact Officer conducts a financial check after four weeks to identify students who have NOT paid the required tuition fees.
2. These students are sent a reminder notice with a request to make payment within 7 days.
3. If payment is not received within 7 days, the student is sent a warning letter which states that their enrolment may be cancelled if fees are not received within 5 days.
4. If payment is not received within the 5 days, X TAFE issues a notice of intention to cancel the student’s enrolment due to non-payment of fees.
5. X TAFE will wait to hear from the student or for 20 working days to allow for students to appeal this decision.
6. If the student does not appeal or contact the college, the Director of Administration will report the student to DIAC via PRISMS.
7. A copy of the section 20 notice generated from PRISMS will be retained on the student’s file.

Responsibilities
Student Contact Officer
Program Director
Authorised PRISMS Officer
Standard 13 - Student Application to Defer, Suspend or Cancel Studies

Please complete this form and submit it to the administration team as soon as possible BEFORE you take any leave from the VET TAFE. A response will be provided within 5 working days.

**IMPORTANT ADVICE FOR STUDENT VISA HOLDERS:** Under the ESOS Act 2000, the provider is required to notify the Department of Immigration and Citizenship (DIAC) of changes to the enrolment of student visa holders. Cancellation or Leave of Absence will in most cases lead to the cancellation of your student visa. Provided you report to the Department of Immigration and Citizenship as required, your visa cancellation should be “without prejudice”, and should not prevent you from reapplying in the future.

<table>
<thead>
<tr>
<th>Student Name</th>
<th>Student Number</th>
<th>Current Date</th>
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<tbody>
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<tr>
<th>Course</th>
<th>Reason for Deferment or Allowable Suspension of Studies:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Tick the reason you wish to have deferment or allowable suspension of studies.</td>
</tr>
<tr>
<td></td>
<td>Evidence Required</td>
</tr>
<tr>
<td>✓</td>
<td>Reason</td>
</tr>
<tr>
<td></td>
<td>I have an ongoing illness that is preventing me from studying or attending classes. Medical certificate to support the claim.</td>
</tr>
<tr>
<td></td>
<td>A close relative is very sick, and I have to take care of them. This will disrupt my studies for some time. Medical certificate of the relative or friend plus any supporting evidence requested by the Program Director, and proof of your connection with the person, etc.</td>
</tr>
<tr>
<td></td>
<td>A close relative has died recently, and this is affecting my ability to study or attend classes. Death certificate of the relative or friend, plus proof of your connection with the person.</td>
</tr>
<tr>
<td></td>
<td>There are compelling circumstances which are preventing me from continuing my studies at this time. Written proof or statutory declaration.</td>
</tr>
<tr>
<td></td>
<td>I have a personal reason for seeking to temporarily defer my studies. Written proof or statutory declaration.</td>
</tr>
<tr>
<td></td>
<td>I need to defer the commencement of my studies due to delays in obtaining a student visa.</td>
</tr>
</tbody>
</table>

**Written Explanation for Deferment or Allowable Suspension of Studies:**
If necessary, write below more information regarding your deferment or allowable suspension of studies.

**Notification of intention to cancel studies**
Tick the reason you wish to have deferment or allowable suspension of studies.

<table>
<thead>
<tr>
<th>✓</th>
<th>Reason</th>
<th>Evidence Required</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>I wish to cancel my studies to return home. No evidence required.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>I wish to cancel my studies to transfer to another provider. Letter of offer from another CRICOS registered provider if withdrawing before completing 6 months of principal course.</td>
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</table>

By signing this application, I declare that all reasons given above are accurate and true.

Student Signature

To be completed by staff
The student's application is:

- Approved [The student will return on ______/______/______]
- Eligible for refund YES / NO
- Not approved [Reason: ________________________________]

Authorising Officer's Name ___________________________ Signature ___________________________ Date __________
Standard 14 Sample Documents

Standard: 14 Staff Capabilities, educational resources and premises

Purpose
The purpose of this policy is to ensure that staff, resources and premises employed to fulfill the delivery and assessment requirements of X TAFE courses in accordance with the quality assurance standards prescribed for vocational education and training providers in the AQTF Essential Standards for Registration 2007.

Scope
This policy and its procedures apply to all human, educational and physical resources of X TAFE.

Policy

Staff Capability
X TAFE will ensure that all trainers and assessors recruited to deliver its vocational education and training courses are suitably qualified and experience in accordance with the standards prescribed in the AQTF Standards 2007 and by the National Quality Council or its equivalent. These standards are described in X TAFE policies for Element 1.3 and 1.4 in relation to the AQTF Standards.

X TAFE will support staff in professional development activities which are aligned with the core objectives of the Institute and described in its Business Plan. Professional Development is recognized as a key requirement of element 1.4 in the AQTF Standards 2007.

Educational Resources
The development of X TAFE training and assessment materials are subject to continuous improvement in accordance with the requirements of element 1.1 of the AQTF Standards 2007.

X TAFE educational resources are subject to critical review and suggestions for improvement by its Quality Review Board which includes independent and experienced industry represents and senior trainers employed by X TAFE.
Premises
X TAFE courses will be delivered in modern classrooms equipped with modern technologies on premises that have been approved by ASQA.

X TAFE will provide a minimum of 20 working days notice to ASQA of its intention to deliver courses at other premises. Courses will not be offered to overseas students at premises which have not been approved by ASQA.

4.0 Procedures

Staff Capability
Procedures for recruiting staff are specified in X TAFE AQTF policies and procedures.

Training and Assessment Resources
Procedures associated with the quality assurance and review of resources for training and assessment materials are specified in X TAFE AQTF policies and procedures.

Premises
Procedures associated with the quality assurance of additional or new premises are specified in X TAFE AQTF Policies and Procedures.

Responsible Officers
Director International

Reference Materials
X TAFE AQF Policies and Procedures
Standard 15 Sample Documents

Change in Ownership and/or Management Policy

Policy
X TAFE will inform the designated authority of prospective ownership and/or management changes under the Section 5 of the ESOS Act.

15.1 The registered provider must advise the designated authority in writing of:

   a. any prospective changes to the ownership of the registered provider as soon as practicable prior to the change taking effect
   b. any prospective or actual change to the high managerial agents (as defined in section 5 of the ESOS Act) of the registered provider as soon as practicable prior to the change taking effect or within 10 working days of the change taking effect where the change cannot be determined until it takes effect.

15.2 The registered provider must provide the designated authority with information on the new owner or high managerial agent for the purpose of making an assessment under section 9(6) of the ESOS Act.

Procedure
X TAFE will advise the designated authority (i.e. ASQA) in writing (Letter of Notification to Designated Authority), students and other relevant authorities of any prospective changes to the ownership of the provider and any prospective or actual changes to the high managerial agents (Program Director and Director of Studies) and/or Campus locations prior to the new ownership taking effect.

X TAFE has appointed two high managerial agents i.e. Program Director and Director of Studies. These persons (Program Director and Director of Studies) have the overall responsibility for all training, education business and provision of courses. When ever in future new person/s assume the responsibility for these managerial agents positions as well as changes occurring to the Campus locations; X TAFE will notify the designated authority as soon as this becomes a reality OR within 10 working days of the change taking effect, if circumstances prevent the institute providing notification earlier.

If X TAFE acquires new owner/s or appoints a new high managerial agent, X TAFE will provide the designated authority with the required information on these person(s) under section 9 (6) of the ESOS Act as requested including information on any:

- previous convictions / offences;
- past suspension / cancellation of registration;
- issued Immigration Minister's suspension certificate;
- previous conditions imposed under the ESOS Act;
- previous bankruptcy or insolvency; and
- disqualification on managing corporations.
**Fit and Proper Person Requirements declaration**

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<thead>
<tr>
<th>Name:</th>
<th>Position:</th>
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<tr>
<th>Have you been convicted of an offence against a law of the Commonwealth or of a state or territory?</th>
<th>Yes</th>
<th>No</th>
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<th>Have you, or the entity, had its registration on the National Register cancelled or suspended in part or in full?</th>
<th>Yes</th>
<th>No</th>
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<th>Have you, or the entity, ever had a condition imposed on your registration as a training organisation on the National Register?</th>
<th>Yes</th>
<th>No</th>
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<th>Have you, or the entity, ever breached a condition of registration in Subdivision B of Division 1 of Part 2 of the Act?</th>
<th>Yes</th>
<th>No</th>
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<th>Have you, or the entity, ever become bankrupt, applied to take the benefit of a law for the benefit of bankrupt or insolvent debtors, compounded with your creditors or assigned your remuneration the benefit of creditors?</th>
<th>Yes</th>
<th>No</th>
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<th>Have you ever been disqualified from managing corporations under Part 2D.6 of the Corporations Act 2001 (Cwlth)?</th>
<th>Yes</th>
<th>No</th>
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<th>Have you, or the entity, been involved in the business of the provision of courses by another provider who is covered by any of the above questions 1 – 6 at the time of any of the events that gave rise to the relevant prosecution or other action?</th>
<th>Yes</th>
<th>No</th>
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<th>Have you, or the entity, ever provided a state or territory registering body and/or the national VET regulator with false or misleading information or made false or misleading statement to a state or territory registering body or the national VET regulator?</th>
<th>Yes</th>
<th>No</th>
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<th>If the answer to 8(a) is yes, did you, or the entity, know that the statement made or information provided to the state or territory registering body or the national VET regulator was false or misleading?</th>
<th>Yes</th>
<th>No</th>
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<th>Have you ever been found not to be a fit and proper person for the purposes of the Education Services for Overseas Students Act 2000 (Cwlth)?</th>
<th>Yes</th>
<th>No</th>
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<th>Do you consider there to be any doubt about whether the public is likely to have confidence in your ability, or that of the entity, to provide or assess national qualifications?</th>
<th>Yes</th>
<th>No</th>
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