



CRICOS QUALITY & COMPLIANCE MANUAL

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CRICOS Policies and Procedures Manual

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CRICOS Policies and Procedures Manual

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This manual has been written in line with the following: *National Code of Practice for Providers of Education and Training to Overseas Students 2018* ('National Code'). National Standards and user guides; *Australian Qualifications Framework*, First Edition July 2011; *Education Services for Overseas Students Act 2000*; Australian Government Australian Skills Quality Authority ('ASQA') *Users Guide to the Standards for Registered Training Organisations (RTOs) 2015* ('User's Guide'); Australian Government 'Life in Australia'; Australian Government 'Beginning a Life in Australia.

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VERSION CONTROL

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SUMMARY OF CHANGES

September 2022	Version 6.2 – Contextualised to ANE College
November 2020	Version 6.1 – Changes to the refund policy, updating links and references throughout.
February 2020	Version 6.0 – Major changes to cancellation, progress monitoring and transfer policies and procedures
April 2019	Version 5.1 – Minor adjustment to formatting
February 2019	Version 5.0 – Major update to the National Code 2018
March 2018	Version 4.0 – Minor adjustments for formatting
February 2018	Version 3.0
January 2018	Version 2.0
February 2017	Version 1.0 - Initial draft

Where in this manual there is a (T), (S) or (T&S) referenced, it means the following:

- (T) This policy and procedure is also in the International Trainers Handbook
- (S) This policy and procedure is also in the International Student Handbook
- (T&S) This policy and procedure is in both the Trainer’s and International Student Handbook

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Methodology and Purpose of Manual

This CRICOS Quality & Compliance Manual has been written against the requirements of the Education Services for Overseas Students Act (ESOS) and associated legislation, this forms the legal framework for the provision of education services to overseas students and sets out the registration requirements and the ongoing standards for education providers that offer courses to overseas students. The framework includes:

- Education Services for Overseas Students (ESOS) Act 2000
- Education Services for Overseas Students (ESOS) Regulations 2019
- Education Services for Overseas Students (Registration Charges) Act 1997
- ELICOS Standards under subsection 176B (1) of the Education Services for Overseas Students Act 2000 (the ESOS Act).
- National Code of Practice for Providers of Education and Training to Overseas Students 2018

Each of the requirements within the legislation has been addressed with policies and procedures, which has been developed against the requirements of the regulatory body, as well as taking into consideration how the organisation operates as a CRICOS provider.

STRUCTURE OF MANUAL

Heading	The Standard within the “National Code”
Strategy	The organisations strategic plan to achieve compliance against the National Code
Policy and Procedure/s	The process for implementing the strategy to achieve compliance against the legislation, being a policy or procedure or both, which is applicable to staff and/or students
Evidence	The forms and documentation that are related to the policies and procedures. The evidence can also be used during an audit to support how the organisation has implemented the Policy and Procedure.
Continuous Improvement	When the Policy and Procedure for this legislation will be reviewed on an annual basis, according to the Continuous Improvement Cycle.
Responsibility	The title of the person responsible for ensuring compliance against the Policy and Procedure

The policies and procedures from this manual, that are relevant to the ANE College’s clients/students, are also included in the Student Handbook and the International Student Prospectus. The policies and procedures from this manual, that are relevant for trainers, are also included in the Trainers Handbook.

DISTRIBUTION OF MANUALS

Administration and Management Staff	<ul style="list-style-type: none"> ▪ CRICOS Quality & Compliance Manual ▪ Trainers Handbook ▪ International Student Handbook
Trainer and Assessor Staff	<ul style="list-style-type: none"> ▪ Trainers Handbook ▪ International Student Handbook
Clients and Students	<ul style="list-style-type: none"> ▪ International Student Handbook

GLOSSARY OF TERMS FOR CRICOS

The following glossary defines certain words and expressions which have specific meaning in the standards, as outlined in the Standards for Registered Training Organisations 2015 and the National Code of Practice for Providers of Education and Training to Overseas Students (National Code 2018). In these Standards and the National Code, the following terminology is used, unless the contrary intention appears:

Access and equity means policies and approaches aimed at ensuring that VET is responsive to the individual needs of clients whose age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location may present a barrier to access, participation and the achievement of suitable outcomes.

Accredited short course means a course accredited by the VET Regulator in accordance with the Standards for VET Accredited Courses that leads to an AQF statement of attainment.

AQF certification documentation is the set of official documents that confirms that an AQF qualification or statement of attainment has been issued to an individual.

AQF qualification means an AQF qualification type endorsed in a training package or accredited in a VET accredited course.

Assessment means the process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET accredited course.

Assessment system is a coordinated set of documented policies and procedures (including assessment materials and tools) that ensure assessments are consistent and are based on the Principles of Assessment contained in Table 1.8-1 and the Rules of Evidence contained in Table 1.8-2 of the Standards for RTO's

Assessors are persons who assess a learner's competence in accordance with Clauses 1.13 to 1.16 of the Standards for RTO's

Audit means an audit or compliance audit undertaken by the VET Regulator.

Australian Qualifications Framework (AQF) is the national policy for regulated qualifications in Australian education and training. It incorporates the qualifications from each education and training sector into a single comprehensive national qualifications framework.

Authenticated VET transcript has the meaning given in the *Student Identifiers Act 2014*.

Client means a learner, enterprise or organisation that uses or purchases the services provided by ANE College.

Code means the unique identifier for units of competency, skill sets, VET accredited courses, modules, AQF qualifications or training packages as required by the Standards for Training Packages and Standards for VET Accredited Courses.

Competency means the consistent application of knowledge and skill to the standard of performance required in the workplace. It embodies the ability to transfer and apply skills and knowledge to new situations and environments.

CRICOS is the Commonwealth Register of Institutes and Courses for Overseas Students

CRICOS Institute Code is the code that ANE College has been given on the National register of Institutes with the Department of Education and Training

Current industry skills are the knowledge, skills and experience required by VET trainers and assessors and those who provide training and assessment under supervision to ensure that their training and assessment is based on current industry practices and meets the needs of industry.

Current industry skills may be informed by consultations with industry and may include, but is not limited to:

- a) having knowledge of and/or experience using the latest techniques and processes;
- b) possessing a high level of product knowledge;
- c) understanding and knowledge of legislation relevant to the industry and to employment and workplaces;
- d) being customer/client-oriented;
- e) possessing formal industry and training qualifications; and

- f) training content that reflects current industry practice.

Data Provision Requirements are the requirements for data provision as agreed by the Industry and Skills Council and implemented by the VET Regulator as required by its governing legislation.

Department of Home Affairs (DHA) is a central policy agency, providing coordinated strategy and policy leadership for Australia's national and transport security, federal law enforcement, criminal justice, cyber security, border, immigration, multicultural affairs, emergency management and trade related functions. The Department of Home Affairs includes the entirety of the *Department of Home Affairs*.

Educational and support services may include, but are not be limited to:

- a) pre-enrolment materials;
- b) study support and study skills programs;
- c) language, literacy and numeracy (LLN) programs or referrals to these programs;
- d) equipment, resources and/or programs to increase access for learners with disabilities and other learners in accordance with access and equity;
- e) learning resource centres;
- f) mediation services or referrals to these services;
- g) flexible scheduling and delivery of training and assessment;
- h) counselling services or referrals to these services;
- i) information and communications technology (ICT) support;
- j) learning materials in alternative formats, for example, in large print;
- k) learning and assessment programs contextualised to the workplace; and
- l) any other services that ANE College considers necessary to support learners to achieve competency.

ELICOS means English Language Intensive Course for Overseas Students

ELICOS Standards are made under subsection 176B (1) of the *Education Services for Overseas Students Act 2000* (the ESOS Act).

Executive officer means:

- a) a person, by whatever name called and whether or not a director of the organisation, who is concerned in or takes part in the management of ANE College; or
- b) an administrator, receiver and manager, or liquidator of the organisation (other than a receiver and manager, or liquidator, appointed by a court); or
- c) if ANE College is a body corporate:
 - (i) a person who, at any time during a period for which the organisation is registered, owns 15% or more of the organisation; or
 - (ii) a person who, at any time during a period for which the organisation is registered, is entitled to receive 15% or more of dividends paid by the organisation; or
 - (iii) the administrator of a deed of company arrangement executed by an organisation; or
 - (iv) a trustee or other person administering a compromise or arrangement made between the organisation and another person or other persons.

Financial Viability Risk Assessment Requirements means the requirements made under section 158 of the *National Vocational Education and Training Regulator Act 2011* or equivalent requirements made or adopted by the VET Regulator of a non-referring State as the case requires.

Government entity means:

- a) a Department of State of the Commonwealth; or
- b) a Department of the Parliament established under the *Parliamentary Service Act 1999* of the Commonwealth;

- c) an Executive Agency, or Statutory Agency, within the meaning of the *Public Service Act 1999* of the Commonwealth;
- d) a Department of State of a State or Territory; or
- e) an organisation that:
- f) is not an entity; and
- g) is either established by the Commonwealth, a State or a Territory (whether under a law or not) to carry on an enterprise or established for a public purpose by an Australian law; and
- h) can be separately identified by reference to the nature of the activities carried on through the organisation or the location of the organisation whether or not the organisation is part of a department or branch described in paragraph (a), (b), (c) or (d) or of another organisation of the kind described in this paragraph.

High managerial agent means an employee or agent of the organisation with duties of such responsibility that his or her conduct may fairly be assumed to represent the organisation in relation to the business of providing courses.

Independent validation means, for the purposes of Clause 1.25, that the validation is carried out by a validator or validators who:

- a) are not employed or subcontracted by ANE College to provide training and assessment; and
- b) have no other involvement or interest in the operations of ANE College.

Industry means the bodies, both in Australia and overseas, that have a stake in the services provided by ANE College. These can include, but are not limited to:

- a) enterprise/industry clients, e.g. employers;
- b) industry organisations;
- c) industry regulators;
- d) Skills Service Organisation (SSO)s or similar bodies;
- e) industry training advisory bodies; and
- f) unions.

Industry engagement, for the purposes of Clauses 1.5 & 1.6, may include, but is not limited to, strategies such as:

- a) partnering with local employers, regional/national businesses, relevant industry bodies and/or enterprise Institutes;
- b) involving employer nominees in industry advisory committees and/or reference groups;
- c) embedding staff within enterprises;
- d) networking in an ongoing way with industry networks, peak bodies and/or employers;
- e) developing networks of relevant employers and industry representatives to participate in assessment validation; and
- f) exchanging knowledge, staff, and/or resources with employers, networks and industry bodies.

Industry regulator means a body or organisation responsible for the regulation and/or licensing arrangements within a specific industry or occupation.

Institute is the Australian education institution registered on the Commonwealth Register of Institutes for Overseas Students (CRICOS), also known as Institute or School

Learner means a person being trained and/or assessed by ANE College for the purpose of issuing AQF certification documentation.

Licensed or regulated outcome means compliance with an eligibility requirement for an occupational licence or a legislative requirement to hold a particular training product in order to carry out an activity.

Mode of delivery means the method adopted to deliver training and assessment, including online, distance, or blended methods.

Module means a group of learning outcomes in a VET accredited course where it can be established that it is not possible to develop an appropriate unit of competency.

National Register means the register maintained by the Commonwealth Department responsible for VET and referred to in section 216 of the *National Vocational Education and Training Regulator Act 2011*.

Nationally Recognised Training (NRT) Logo means the logo used nationally to signify training packages and VET accredited courses.

Operations of ANE College include training, assessment and administration and support services related to its registration, including those delivered across jurisdictions and offshore.

Person includes a body politic or corporate as well as an individual.

Professional development means activities that develop and/or maintain an individual's skills, knowledge, expertise and other characteristics as a trainer or assessor. This includes both formal and informal activities that encompass vocational competencies, currency of industry skills and knowledge and practice of vocational training, learning and assessment, including competency-based training and assessment. Examples of professional development activities include:

- a) participation in courses, workshops, seminars, conferences, or formal learning programs;
- b) participation in mentoring, professional associations or other learning networks;
- c) personal development through individual research or reading of publications or other relevant information;
- d) participation in moderation or validation activities; and
- e) participation in industry release schemes.

Recognition of Prior Learning (RPL) means an assessment process that assesses the competency/s of an individual that may have been acquired through formal, non-formal and informal learning to determine the extent to which that individual meets the requirements specified in the training package or VET accredited courses.

- a) formal learning refers to learning that takes place through a structured program of instruction and is linked to the attainment of an AQF qualification or statement of attainment (for example, a certificate, diploma or university degree);
- b) non-formal learning refers to learning that takes place through a structured program of instruction, but does not lead to the attainment of an AQF qualification or statement of attainment (for example, in-house professional development programs conducted by a business); and
- c) informal learning refers to learning that results through experience of work-related, social, family, hobby or leisure activities (for example the acquisition of interpersonal skills developed through several years as a sales representative).

Record means a written, printed, or electronic document providing evidence that activities have been performed.

Registrar has the meaning given in the *Student Identifiers Act 2014*.

Registration means registration as ANE College by the VET Regulator, where that registration is then entered on the National Register.

Scope of registration means the training products for which ANE College is registered to issue AQF certification documentation. It allows ANE College to:

- a) both provide training delivery and assessment resulting in the issuance of AQF certification documentation by ANE College; or
- b) provide assessment resulting in the issuance of AQF certification documentation by ANE College.

Service Skills Organisation (SSO) means the Commonwealth, State and Territory ministerial council established by the Council of Australian Governments (COAG), or its successor.

Services mean training, assessment, related educational and support services and/or any activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation or ICT support.

Skill set means a single unit of competency or a combination of units of competency from a training package which link to a licensing or regulatory requirement, or a defined industry need.

Standards for VET Accredited Courses are the standards made under subsection 188(1) of the *National Vocational Education and Training Regulator Act 2011* or the equivalent requirements adopted by a non-referring State.

Statement of Attainment means a statement issued to a person confirming that the person has satisfied the requirements of the unit/s of competency or accredited short course specified in the statement.

Statistically valid means for the purposes of these Standards, a random sample of appropriate size is selected to enable confidence that the result is sufficiently accurate to be accepted as representative of the total population of assessments being validated.

Student Identifier has the meaning given in the *Student Identifiers Act 2014*.

Teacher is a term used for ELICOS trainers delivering English language courses

Third party means any party that provides services on behalf of ANE College but does not include a contract of employment between ANE College and its employee.

Trainers and Assessors are persons who provide training and/or assessment in accordance with Standards 1.13, 1.14 and 1.16. Also known as Teacher for ELICOS courses.

Training is the process used by ANE College or a third-party delivering services on its behalf, to facilitate learning and the acquisition of competencies in relation to the training product on ANE College's scope of registration.

Training and Assessment Strategies (TAS) is the approach of, and method adopted by, ANE College with respect to training and assessment designed to enable learners to meet the requirements of the training package or accredited course.

Training Package means the components of a training package endorsed by the Industry and Skills Council or its delegate in accordance with the Standards for Training Packages. The endorsed components of a Training Package are: units of competency; assessment requirements (associated with each unit of competency); qualifications; and credit arrangements. The endorsed components form part of the requirements that ANE College must meet under these Standards. A training package also consists of a non-endorsed, quality assured companion volume/s which contains industry advice to Institutes on different aspects of implementation.

Training Product means AQF qualification, skill set, unit of competency, accredited short course and module.

Unit of competency means the specification of the standards of performance required in the workplace as defined in a training package.

Validation is the quality review of the assessment process. Validation involves checking that the assessment tool/s produce/s valid, reliable, sufficient, current and authentic evidence to enable reasonable judgements to be made as to whether the requirements of the training package or VET accredited courses are met. It includes reviewing a statistically valid sample of the assessments and making recommendations for future improvements to the assessment tool, process and/or outcomes and acting upon such recommendations.

VET means vocational education and training.

VET accredited course means a course accredited by the VET regulator in accordance with the Standards for VET Accredited Courses.

VET Quality Framework comprises:

- a) the Standards for Registered Training Organisations
- b) the Australian Qualifications Framework
- c) the Fit and Proper Person Requirements
- d) the Financial Viability Risk Assessment Requirements
- e) the Data Provision Requirements

VET Regulator means:

- a) the National VET Regulator; and
- b) a body of a non-referring State that is responsible for the kinds of matters dealt with under the VET legislation for that State.

DEFINITIONS FROM ESOS LEGISLATION DOCUMENT

In this Act, unless the contrary intention appears:

Accepted student of a registered provider means a student (whether within or outside Australia):

- (a) who is accepted for enrolment, or enrolled, in a course provided by the provider; and
- (b) who is, or will be, required to hold a student visa to undertake or continue the course.

Accrediting authority refers to the organisation designated by or under legislation of the Australian Government or appropriate state or territory government to accredit persons or organisations to offer education or training services to Australian students.

Agent of a provider means a person (whether within or outside Australia) who represents or acts on behalf of the provider, or purports to do so, in dealing with overseas students or intending overseas students.

Agreed starting day for a course means the day on which the course was scheduled to start, or a later day agreed between the registered provider for the course and the student.

Annual registration charge means the annual registration charge imposed under the *Education Services for Overseas Students (Registration Charges) Act 1997*.

Approved provider for a course for a location means a provider approved by a relevant designated authority to provide that course at that location to overseas students, other than an approval that has been withdrawn by that authority.

Approved unit of study has the meaning given by section 21.

Associate of a person has the meaning given by section 6.

At Risk a student is deemed “at risk” if they are unable to complete the course within the expected period of the e-CoE

Attendance notice means a notice given under section 116.

Authorised employee means:

- (aa) if, under subsection 170(2), the Secretary delegates a power to TEQSA that TEQSA considers requires powers to be exercised under Part 7—a person who is an authorised officer (within the meaning of the TEQSA Act); or
- (a) if, under subsection 170(2), the Secretary delegates a power to the National VET Regulator which the Regulator considers requires powers to be exercised under Part 7—a person who is an authorised officer (within the meaning of the National Vocational Education and Training Regulator Act 2011); or
- (b) a person who:
 - (i) is authorised in writing by the Secretary to exercise powers under Part 7; and
 - (ii) is an employee in the Department; and
 - (iii) holds the classification of APS 5 or higher, or an equivalent classification.

Board means the TPS Advisory Board established by section 55A.

Board member means a member of the Board appointed under section 55D, including the Chair and the Deputy Chair.

Call is a call is made on the OSTF in the circumstances set out in section 50A.

Campus An education facility or site of the registered provider where classroom-based teaching or off the job training occurs.

Compulsory unit of competency A compulsory unit of competency is one in which the student must enrol unless granted a deferment or suspension from enrolment or leave of absence under Standard 13 (Deferring, suspending or cancelling the student’s enrolment). A compulsory unit of competency does not include periods in which the student can elect to undertake additional studies. See also ‘Unit of competency’.

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

Corrective action is action required to eliminate the cause of a detected nonconformity or other undesirable situation.

Course A course of education or training as defined in the ESOS Act.

Course-related fees Includes:

- (a) all course money as defined by section 7 of the ESOS Act, and
- (b) all optional fees or charges.

Course credit Exemption from enrolment in a particular part of the course as a result of previous study, experience or recognition of a competency currently held. Includes academic credit and recognition of prior learning.

Course money as defined by section 7 of the ESOS Act, means money a provider receives, directly or indirectly, from:

- (a) an overseas student or intending overseas student, or
- (b) another person who pays the money on behalf of an overseas student or intending overseas student,
- (c) for a course that the provider is providing, or offering to provide, to the overseas student. This includes tuition fees, any amount received by the provider for overseas student health cover, and any other amount that the student had to pay to the provider in order to undertake the course.

Condition, in relation to a provider's registration, means a condition imposed on the registration under section 9AD or 9AE or subsection 83(3).

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 Institutes and Courses for Overseas Students (CRICOS) is the register prescribed under section 10 of the ESOS Act.

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

Default:

- (a) in relation to a registered provider—has the meaning given by section 46A; and
- (b) in relation to an overseas student or intending overseas student—has the meaning given by section 47A.

Default day, in relation to a default, means:

- (a) if subparagraph 46A(1)(a)(i) or paragraph 47A(1)(a) applies—the agreed starting day; or
- (b) if subparagraph 46A(1)(a)(ii) applies—the day on which the course ceases to be provided; or
- (c) if paragraph 47A(1)(b) applies—the day on which the student withdraws from the course; or
- (d) if paragraph 47A(1)(c) applies—the day on which the registered provider of the course refuses to provide, or continue providing, the course to the student.

Designated authority as defined by section 5 of the ESOS Act, means a person responsible under the law of a state for approving providers to provide courses to overseas students in that state.

Distance learning Study in which the Trainer and overseas student are separated in time or space throughout the duration of the unit of study (including online learning) but does not include study where the student is resident in his or her home country or another country offshore and does not hold a student visa. Distance learning differs from online learning in that the study may be undertaken through written correspondence and exchange of hard copy materials.

Document includes a copy of a document.

Domestic student Refers to all students who are not overseas students as defined in the National Code.

Education agent A person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. In doing so, the education agent may provide education counselling to overseas students as well as marketing and promotion services to education providers.

E-CoE Electronic Confirmation of Enrolment

ELICOS Standards has the meaning given by section 176B.

Enrolment Where the student has been issued with a CoE to confirm acceptance by the registered provider and is occupying a place in the CRICOS registered course for which the student was accepted and is progressing towards the completion of the course requirements. The period of enrolment includes scheduled breaks between unit of competencies.

Entry to market charge means an entry to market charge imposed under the *Education Services for Overseas Students (Registration Charges) Act 1997*.

ESOS framework Principally comprises the *Education Services for Overseas Students Act 2000* (ESOS Act), the *Education Services for Overseas Students Regulations 2019* (the ESOS Regulations), the *Education Services for Overseas Students (Registration Charges) Act 1997* (the ESOS Charges Act) and the National Code. The ESOS framework is supported by the *Migration Act 1958* and the Migration Regulations 1994 and various state and territory legislation relevant to the education of overseas students.

Evidential material means either of the following:

- (a) a thing that there are reasonable grounds for suspecting will afford evidence as to the commission or suspected commission of an offence against this Act;
- (b) a thing that there are reasonable grounds for suspecting is intended to be used for the purpose of committing any such offence.

First entry to market charge means the entry to market charge referred to in table item 1 of the table in subsection 6(2) of the *Education Services for Overseas Students (Registration Charges) Act 1997*.

Foundation Program Standards has the meaning given by section 176C.

Higher education provider has the same meaning as in the Higher Education Support Act 2003.

High managerial agent of a provider means an employee, agent or officer of the provider with duties of such responsibility that his or her conduct may fairly be assumed to represent the provider in relation to the business of providing courses.

Immigration Minister means any of the Ministers who administer the Migration Act 1958 from time to time.

Immigration Minister's suspension certificate means a certificate given under Division 2 of Part 6.

Immigration Secretary means the Secretary of the Department administered by the Immigration Minister.

Information Includes electronic and paper-based formats.

Intending overseas student means a person (whether within or outside Australia) who intends to become, or who has taken any steps towards becoming, an overseas student.

Intervention Strategy or Plan is used when a student is deemed at risk and needs further support through their studies to enable completion of course.

Late payment penalty means the penalty imposed by section 172.

Marketing Promotion of the provider and its courses and facilities to prospective overseas students and their parents or guardians, education agents, international organisations and other interested parties such as alumni.

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

Mixed mode See mode of study

Mode of study Includes attendance face-to-face in a classroom, supervised study on the registered provider's campus, distance learning, online learning and work-based learning. Mixed mode refers to a combination of two or more of these modes.

Monitoring purpose means a purpose of determining:

- (a) whether a registered provider is complying or has complied with the requirements of this Act or the national code; or
- (b) whether, because of financial difficulty or any other reason, the provider might not be able to:
 - (i) provide courses to its accepted students; or

(ii) refund pre-paid fees to its accepted students.

Monitoring warrant means a warrant issued under section 138 or subsection 165(2).

National Code means The National Code of Practice for Providers of Education and Training to Overseas Students 2018 may be cited as the National Code 2018.

National VET Regulator has the same meaning as in the National Vocational Education and Training Regulator Act 2011.

Occupier:

(a) in relation to premises comprising a vehicle or vessel—means the person apparently in charge of the vehicle or vessel; and

(b) in any case—includes a person who apparently represents the occupier.

Old ESOS Act means the Education Services for Overseas Students (Registration of Providers and Financial Regulation) Act 1991.

Online learning Study in which the Trainer and overseas student communicate mainly through electronic technologies for the unit. For the purpose of the National Code, permissible online learning does not include study where the student is resident in his or her home country or another country, does not hold a student visa and is undertaking a unit of study with a registered provider which is located in Australia.

Overseas student A person (whether within or outside Australia) who holds a student visa as defined by the ESOS Act but does not include students of a kind prescribed in the ESOS Regulations. Where the student is under 18 years of age and the student is required to exercise rights, or enter obligations as a legal person, this term may refer to the student's parent or legal guardian.

Overseas Students Tuition Fund means the Overseas Students Tuition Fund (OSTF) established under section 52A.

Premises means:

(a) an area of land or any other place, whether or not it is enclosed or built on; or

(b) a building or other structure; or

(c) a vehicle or vessel;

and includes a part of any such premises.

Pre-paid fees means tuition fees received by a registered provider in respect of an overseas student or intending overseas student, in relation to a unit of competency for a course to be provided by the provider, before the student begins the unit of competency.

Preventative action is the action to eliminate the cause of a possible nonconformity or otherwise undesirable potential situation.

Principal course of study the principal course of study refers to the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study where the overseas student arrives in Australia with a student visa that covers multiple courses.

Principal Executive Officer of a provider that is not an individual, means the person who has executive responsibility for the operation of the provider and compliance with the CRICOS and ESOS standards

PRISMS the Provider Registration and International Student Management System (PRISMS) is the system used to process information given to the Secretary of DHA by registered providers.

Production notice means a notice given under section 113.

Provide a course includes participate in providing the course.

Provider is 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 obligation period, in relation to a default, has the meaning given by section 46D, 47D or 47E (as the case requires).

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.

Recruitment The pre-enrolment processes of engaging and assisting overseas students (or parent or guardian if the overseas student is under 18) to apply for a place in a course with a provider leading up to the formal enrolment, including assistance with administrative issues and the issuing of a Confirmation of Enrolment for an application for a student visa.

Register means the Register kept under section 14A.

Registered means registered under Part 2. Note: Other grammatical forms of the word **registered** (such as **registration**) have a corresponding meaning (see section 18A of the Acts Interpretation Act 1901).

Registered provider as defined in section 5 of the ESOS Act, the registered provider for a course for a state, means an approved provider that is registered on CRICOS as a provider for the course for the state.

Registration The process whereby a provider is recommended by a designated authority for registration under the ESOS Act to provide a specified course in that state to overseas students; and the provider is registered by the Secretary of DHA on CRICOS. Registration includes re-registration.

Reinstatement fee means the fee referred to in section 171.

Resident means:

- (a) in the case of a company, a company incorporated in Australia that carries on business in Australia and that has its central management and control in Australia; or
- (b) in the case of an unincorporated body, a body that carries on business in Australia and that has its central management and control in Australia.

Risk assessment of a provider means an assessment of the risk of the provider being unable to satisfy the obligations of a provider under this Act.

Scheduled course contact hours the hours for which students enrolled in the course are scheduled to attend classes, course-related information sessions, supervised study sessions, mandatory and supervised work-based training and examinations.

Search warrant means a warrant issued under section 144 or subsection 165(3).

Second or third entry to market charge means the entry to market charge referred to in table item 2 or 3 (as the case requires) of the table in subsection 6(2) of the Education Services for Overseas Students (Registration Charges) Act 1997.

Secretary means the Secretary of the Department.

Self-accrediting provider Self-accrediting institutions are established by or under relevant Australian Government or state or territory government legislation with the authority to accredit their own courses.

State includes the Australian Capital Territory and the Northern Territory.

Student Refers to an overseas student as defined above in all cases except where otherwise explicitly stated.

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.

Student default Where an overseas student does not start a course or withdraws from a course as defined in section 27(2) of the ESOS Act.

Student visa an authorisation permitting people who are not Australian citizens or permanent residents to come to Australia for the primary purpose of studying in Australia as defined by the Migration Act 1958.

Unit of competency A discrete period of study within a course, namely term, semester, trimester, short course of similar or lesser duration, or as otherwise defined by the registered provider as long as that period does not exceed six months. See also 'Compulsory unit of competency'.

Trainers also referred to Trainers and Assessors under the Standards for Registered Training Organisations 2015

TEQSA (short for Tertiary Education Quality and Standards Agency) means the body established by section 132 of the TEQSA Act.

TEQSA Act means the Tertiary Education Quality and Standards Agency Act 2011.

Territories Minister means the Minister responsible for administering the Christmas Island Act 1958.

This Act includes the regulations

TPS levy means a TPS levy that a provider is required to pay to the TPS Director under paragraph 9AB(1)(d) or subsection 24(1).

Tribunal member means a member of the Administrative Appeals Tribunal.

Tuition fees has the meaning given by section 7.

Unit A discrete component of study within a course; the term includes 'subject' and 'module'.

Welfare-related support services are services which address the mental, physical, social and spiritual well-being of overseas students. These services may include, through direct provision or referral, information/advice about: accommodation, counselling, crisis services, disabilities and equity issues, financial matters, legal issues, medical issues, mental health, peer mentoring, programmes promoting social interaction, religious and spiritual matters, and stress-management.

CODE OF CONDUCT (S)

The Chief Executive Officer and Senior Management will ensure that the operations, staff and students of the CRICOS provider complies with the requirements of the ESOS Quality Framework, which includes the following:

- Commonwealth/State legislation and regulatory requirements
- Commonwealth Register of Institutes and Courses for Overseas Students (CRICOS)
- Education Services for Overseas Students Amendment Act 2017
- Education Services for Overseas Students (ESOS) Act 2000
- Education Services for Overseas Students (ESOS) Regulations 2019
- Education Services for Overseas Students (Registration Charges) Act 1997
- ELICOS Standards under subsection 176B (1) of the Education Services for Overseas Students Act 2000 (the ESOS Act).
- National Code of Practice for Providers of Education and Training to Overseas Students 2018

This applies to all its operations within the CRICOS providers scope of registration, as listed on the Commonwealth Register of Institutes and Courses for Overseas Students (CRICOS).

The organisation has policies and procedures in place for ensuring compliance with the ESOS Framework, which are distributed to Staff and Students as part of their induction process. These policies and procedures include how the CRICOS provider will comply with the following:

- Education Services for Overseas Students (ESOS Act)
- Ensure a person or persons with relevant qualifications and experience will undertake responsibility for the management and coordination of training delivery, assessment, verification, staff selection and professional development of the Provider.
- Ensure that marketing of their education and training services is professional, accurate and maintains the integrity and reputation of the industry.
- 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.
- Ensure students' qualifications, experience and English language proficiency is appropriate for the course for which enrolment is sought.
- Take all reasonable measures to use education agents that have an appropriate knowledge and understanding of the Australian international education industry and will not use education agents who are dishonest or lack integrity.
- 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.
- 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.
- Ensure complaints and appeals processes are independent, easily and immediately accessible and inexpensive for the parties involved.
- 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.
- Systematically monitor students' course progress and be proactive in notifying and counselling students who are at risk of failing to meet their course progress requirements.
- 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.
- Appropriately recognise course credit within the ESOS framework.
- 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.
- Ensure staff are suitably qualified or experienced in relation to the functions they perform for students.
- Ensure the educational resources of registered providers support the delivery of courses to students.
- Proactively inform the designated authority of prospective ownership and/or management changes.
- Maintain adequate and appropriate insurance including public liability, and Work Cover.
- Allow the Registering Authority or its agents access to training records, delivery locations and staff for the purpose of auditing performance or verifying compliance with the National Code of Practice and ESOS Act 2000.

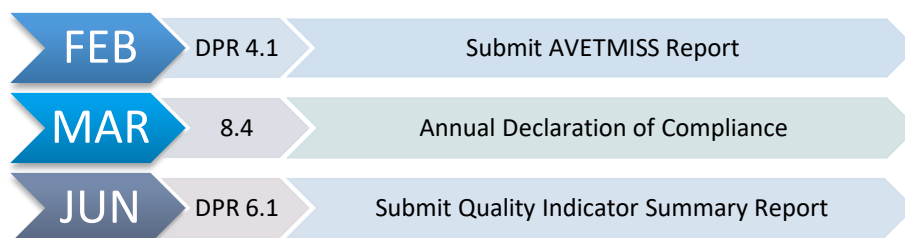
- Pay the Registering Authority all registration fees within 30 days of these fees being due and payable to maintain currency of registration.
- Maintain systems for recording student enrolments, attendance, completion, assessment outcomes (including Recognition of Prior Learning), results, qualifications issued, grievances and the archiving of records.
- Treat all personal records of clients with the strictest confidentiality.
- Provide for staff and students to be able to access their own records.
- Provide an orientation program containing information about the course, program of study and availability of learning resources, prior to course commencement.
- Comply with all laws relevant to the operation of training premises including occupational health and safety, equal opportunity, anti-harassment, privacy and fire safety regulations.
- All times act with integrity in dealings with students and members of the public.
- ANE College will refrain from any activities that could be detrimental to the Australian VET industry sector

CONTINUOUS IMPROVEMENT CYCLE

The standards within the following cycle are to be reviewed on a monthly basis at the monthly “Quality and Compliance Meetings”. All staff and contractors are encouraged to contribute to the continuous improvement of our organisational systems and services by completing an opportunity for improvement form.



Reporting Dates



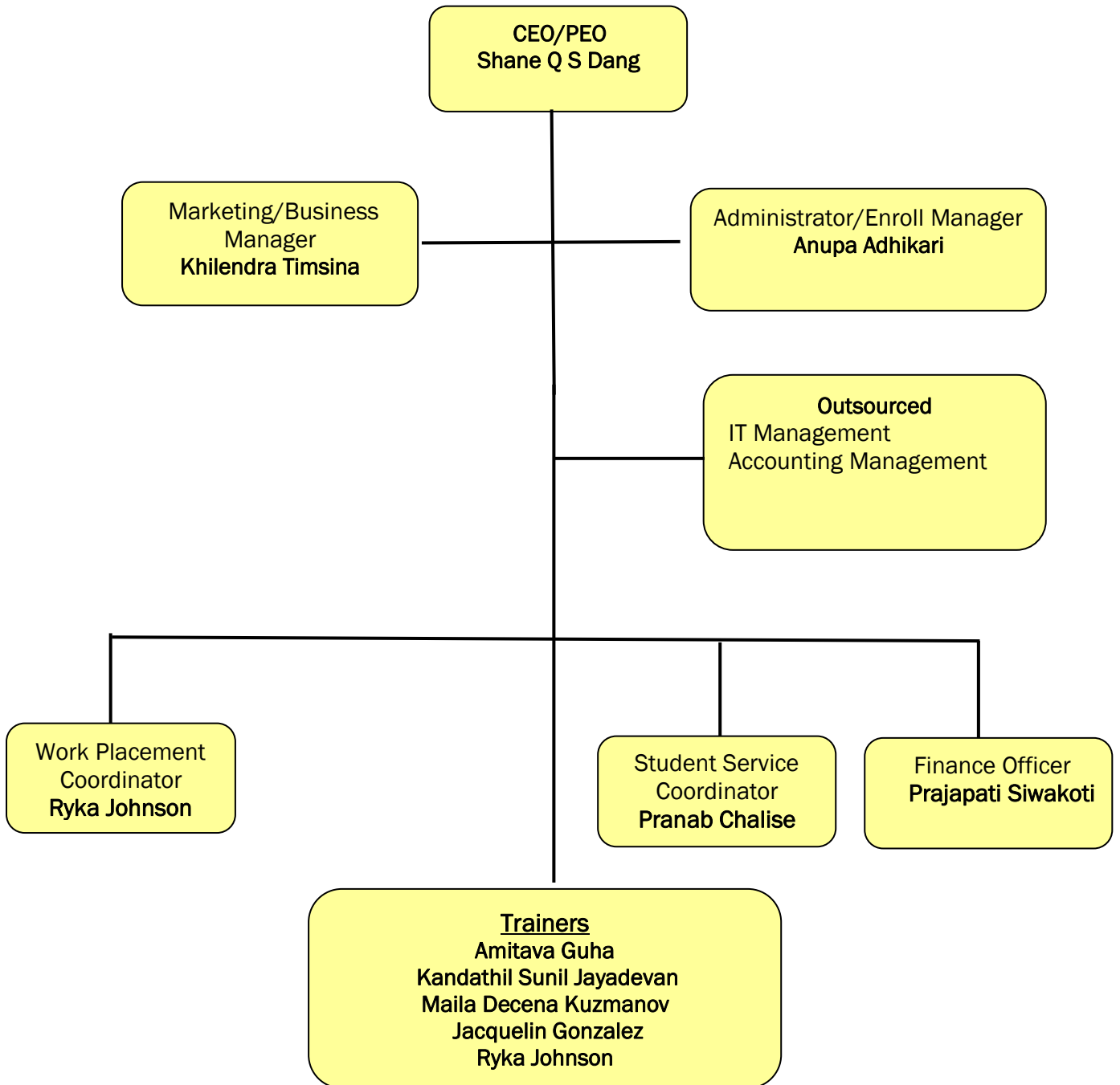
Annual Internal Audit

To be completed before Annual Declaration of Compliance due for submission in March of each year.

KEY PHASES OF THE STUDENT JOURNEY

Key phases of the student journey	Examples of provider practice and behaviour	Clauses in the Standards for RTOs 2015	Clauses in the National Code 2018	Clauses in the ELICOS Standards 2018
Marketing and recruitment	The training provider's marketing practices provide accurate and factual information to allow prospective students to make informed decisions.	4.1	1.1, 1.2, 1.3, 1.4	-
Enrolment	The training provider ensures students have the existing skills, knowledge and experience required to successfully undertake the course.	3.5 5.1, 5.2, 5.3 and 7.3	2.1, 2.2, 3.1, 3.3,3.4, 8.5	P1.2, P3.1
Support and progression	The training provider assesses student needs and provides appropriate support services to enable student progression.	1.7 5.4 6.1-6.6	5.2, 6.1-6.6, 6.9, 8.1, 8.3, 8.4, 8.6, 8.7,8.9, 10	P6.9, P7.2
Training and Assessment	Trainers assigned to deliver training are qualified. The training provider has sufficient and appropriate resources for training and assessment. The amount of training and mode of delivery is consistent with requirements.	1.1-1.4 1.5-1.6 1.8-1.12 1.13-1.18, 1.19, 1.20, 1.22, 1.23, 1.24, 1.25, 1.26, 1.27 2.2	11.1, 11.2, 8.18, 8.19, 8.20, 8.21	P1.1, P4.1, P5.1, P5.2, P6.4, P6.7, P6.8, P7.3
Completion	Only students assessed as meeting course or training package requirements are issued with certification.	3.1-3.4, 3.6		P4.2
Other requirements				
Regulatory compliance and governance	The training provider has appropriate compliance and governance processes in place such as holding public liability insurance, managing its third parties and agents. The training provider meets additional obligations if delivering to under 18s.	7.1, 7.2 2.1 and 8.4 to 8.6 2.3-2.4 and 8.3 7.4, 7.5, 8.1-8.2	2.4, 2.5, 3.6, 4.4, 4.5, 4.6, 5.4, 5.5, 5.6, 5.7, 6.7, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7	P2.1

ORGANISATIONAL STRUCTUREAL



COMPLIANCE WITH LEGISLATION

Compliance with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations.

Strategy

These policies and procedures should be read in conjunction with the RTO Quality & Compliance Manual, which outlines the how the RTO will comply with Commonwealth, State and Territory legislation and other regulatory requirements relevant to the operations as a Registered Training Organisation.

Within this Strategy is how ANE College will also comply with other relevant legislation relevant to the requirements of the Education Services for Overseas Students Act (ESOS) and associated legislation, this forms the legal framework for the provision of education services to overseas students and sets out the registration requirements and the ongoing standards for education providers that offer courses to overseas students. The framework includes:

- Education Services for Overseas Students (ESOS) Act 2000
- Education Services for Overseas Students (ESOS) Regulations 2019
- Education Services for Overseas Students (Registration Charges) Act 1997
- ELICOS Standards under subsection 176B (1) of the Education Services for Overseas Students Act 2000 (the ESOS Act).
- National Code of Practice for Providers of Education and Training to Overseas Students 2018

ANE College will comply with all legislation by ensuring that staff and students are advised of their rights and responsibilities against the relevant Commonwealth, State or Territory legislation and regulatory requirements through the following Policies and Procedures documents:

1. International Student Prospectus
2. International Student Handbook
3. Student Handbook (All students and staff are required to be given access to this manual)
4. Trainers Handbook (All staff, including training and administration staff, are required to be given access to this manual)
5. CRICOS Quality and Compliance Manual (All Administrative and Management staff are required to be given access to this manual)

Students will also be notified of all other Commonwealth, State or Territory legislation and regulatory requirements that is relevant to their specific type of training or course area, through their training/assessment materials and/or their allocated trainer.

Policy and Procedure/s

Legislative and Regulatory Requirements (T&S)

When undertaking work experience, the student acknowledges that they must observe the employers Workplace Health and Safety (WHS) Policies and all workplace practices, as instructed by the employer, including Equal Rights, Equal Opportunity and the Anti-Discrimination Acts. In consideration of all ANE College clients and students it is important that adherence to all legislative acts and regulations are observed while undertaking training.

The student acknowledges that they must observe ANE College's policies and procedures, according to State and Federal Government legislative and regulatory requirements, as set out in the International Student Handbook.

Statutory Education License

Provisions under Part VB of The Copyright Act 1968 allow all educational institutions to copy and communicate third party material to distribute to students, within the limitations of the

Statutory Education licence. The Copyright Agency Ltd (CAL) administers the Statutory Education licence on behalf of the Attorney General's Department.

Any Institute electing to rely on this licence is legally allowed to introduce a wide variety of material into its training environment, both in hardcopy and digital format, without having to obtain direct permission from the owner. It facilitates compliance and good governance across the industry, while at the same time ensuring the freedom and flexibility of sharing information without infringing copyright legislation.

Without this licence an educational institution is generally not allowed to reproduce any third-party material from any source, other than where there is a direct licence/subscription in place, or permission has been granted by the creator of the work.

For further details about the Statutory Education licence and/or how to apply, call CAL's education team on 02 9394 7600 or email educationlicences@copyright.com.au.

The ESOS Act

The principal objects of the ESOS Act are to:

- provide tuition assurance, and refunds, for overseas students for courses for which they have paid
- protect and enhance Australia's reputation for quality education and training services, and
- complement Australia's migration laws by ensuring providers collect and report relevant information relating to student visas.

View the ESOS Act on the Federal Register of Legislation website.

The ESOS Regulations

The [Education Services for Overseas Students \(ESOS\) Regulations 2019](#) support the implementation of the *ESOS Act 2000* by setting out detailed requirements for providers, including:

- information that must be entered on the register about the provider and each course by location
- student details that providers must include on the Provider Registration and International Students Management System (PRISMS), including information about tuition and non-tuition fees
- information about students that providers must provide (in relation to student visa conditions)
- penalties and infringement notices, and
- student records that a provider must keep.

ELICOS Standards

The ELICOS Standards are made under subsection 176B (1) of the Education Services for Overseas Students Act 2000 (the ESOS Act).

- a) For subsection 176B (1) of the ESOS Act, the document known as the *National Standards for ELICOS Providers and Courses* is the *ELICOS Standards*.
- b) In accordance with paragraph 176B(2)(b) of the ESOS Act, the document known as the *National Standards for ELICOS Providers and Courses* is incorporated into the *ELICOS Standards* as it exists from time to time.

National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code)

The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) sets out standards for the conduct of registered providers.

The objectives of the National Code are to:

- support the ESOS framework
- establish and safeguard Australia’s international reputation as a provider of high-quality education and training
- protect the interests of overseas students, and
- support registered providers in monitoring student compliance with student visa conditions and in reporting any student breaches to the Australian Government.

The National Code governs the protection of overseas students and delivery of courses to those students by CRICOS providers.

- Open the [National Code from the Federal Register of Legislation website](#).

The National Code is a legislative instrument of the ESOS Act. As such, 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.

Evidence

- International Student Handbook
- Trainers Handbook
- Quality and Compliance Manual
- Enrolment Application Form
- Position Descriptions
- WHS Incident report

Responsibility

- Chief Executive Officer/Principle Executive Officer
- Academic Manager
- Senior Management

Chapter 1:

Marketing and Recruitment

The training provider's marketing practices provide accurate and factual information to allow prospective students to make informed decisions

STANDARD 1 – MARKETING INFORMATION AND PRACTICES

This standard sets out that registered providers must uphold the integrity and reputation of Australia’s education industry by ensuring the marketing of their courses and services is not false or misleading.

- 1.1** The registered provider must ensure that the marketing and promotion of its courses and education services in connection with the recruitment of overseas students or intending overseas students, including through an education agent (in accordance with Standard 4), is not false or misleading, and is consistent with Australian Consumer Law.
- 1.2** The registered provider must, in seeking to enter into written agreements with overseas students or intending overseas students, not provide any false or misleading information on:
 - 1.2.1** its association with any other persons or organisations the registered provider has arrangements with for the delivery of the course in which the student intends to enrol or may apply to enrol
 - 1.2.2** any work-based training a student is required to undertake as part of the course
 - 1.2.3** prerequisites—including English language proficiency—for entry to the course
 - 1.2.4** any other information relevant to the registered provider, its courses or outcomes associated with those courses.
- 1.3** The registered provider must not:
 - 1.3.1** claim to commit to secure for, or on the student or intending student’s behalf, a migration outcome from undertaking any course offered by the registered provider
 - 1.3.2** guarantee a successful education assessment outcome for the student or intending student.
- 1.4** The registered provider must include its CRICOS registered name and registration number in any written or online material that it disseminates or makes publicly available for the purposes of:
 - 1.4.1** providing or offering to provide a course to an overseas student
 - 1.4.2** inviting a student to undertake or apply for a course, or
 - 1.4.3** indicating it is able or willing to provide a course to overseas students.
- 1.5** The registered provider must not actively recruit a student where this conflicts with its obligations under Standard 7 (Overseas student transfers).

Strategy

Prior to enrolment students are provided with relevant information that informs them about the training, assessment and support services that will be provided, including their rights and responsibilities as a student, so as the student can make an informed decision

prior to course commencement. The following documentation is provided to clients prior to course commencement:

- International Student Prospectus
- Enrolment Application Form
- Letter of Offer and Written Agreements
- International Student Handbook
- Organisational Website

Each Student is provided with a copy of the International Student Prospectus and a Letter of Offer, which outlines the services and the Terms and Conditions of Enrolment.

Marketing information is provided to students prior to enrolment and is provided through the following channels:

- International Education Agents
- ANE College Website www.ane.edu.au

Marketing will be considerate of protecting the students, by observing ethical advertising principles and correct information. Pre-enrolment information consists of Student Prospectus or marketing materials.

All marketing material will clearly identify the registered provider's name and CRICOS number.

Marketing material will be clear and transparent and will not provide any false or misleading information or advice in relation to:

- claims of association between providers
- the employment outcomes associated with a course
- automatic acceptance into another course
- possible migration outcomes, or
- any other claims relating to the registered provider, its course or outcomes associated with the course.

Policy and Procedure/s

Advertising and Marketing

All marketing material for VET qualifications are designed and developed according to the Training and Assessment Strategy, which is written against the Training Product requirements for each qualification on our Scope of Registration.

In order to maintain accuracy and integrity of marketing materials, the content is developed in consultation with industry within Australia and Overseas, and the Training Products for each qualification within the organisations scope of registration (as per scope of registration for ANE College) listed on training.gov.au.

All marketing materials (including websites) need to be clear about who is delivering and assessing the Training Product. Any Training Product delivered under a Third-Party arrangement is identified with the Third Party's company name ANE College ID, in accordance with the ANE College's Scope of Registration. Any qualifications delivered in Third Party's with another RTO needs to clearly state "This qualification/unit of competency will be delivered and assessed under a Third Party's arrangement with the CRICOS Institute (CRICOS ID and/or RTO ID)"

In authorising marketing and advertising:

- The PEO shall ensure that written permission has been obtained by any person and organisation featured in the CRICOS Provider's marketing or advertising materials in name or image.
- The PEO shall ensure that all clients are provided with clear and accurate information relating to course fees, and other fees for all courses on the

CRICOS Provider's scope of registration prior to enrolment. The Course Fee Information shall contain the following:

- the total amount of all fees including course fees, administration fees, materials fees and any other charges, including OSHC fees and Homestay
- payment terms, including the timing and amount of fees to be paid and any non-refundable deposit/administration fee
- the nature of the guarantee given by ANE College to complete the training and/or assessment once the student has commenced study in their chosen qualification or course
- the fees and charges for additional services, including such items as issuance of a replacement qualification testamur and the options available to students who are deemed not yet competent on completion of training and assessment, and
- the organisation's refund policy.
 - The PEO shall ensure that all advertising contains accurate information regarding current course fees and course refund procedures.
 - The PEO shall ensure that all promotional and marketing materials contain a confirmation that ANE College will recognise the AQF qualifications and statements of attainment issued by any other CRICOS Provider.
 - The PEO shall ensure that all materials developed for marketing and advertising purposes receive authorisation prior to release. The authorisation shall be applied through a photocopy bearing a signature of the PEO and filed by ANE College.
 - The PEO shall ensure that the marketing and advertising of CRICOS Provider accurately represents its training and assessment services and the AQF qualifications on its scope of registration.
 - The PEO shall ensure that training and assessment that leads to AQF certifications is marketed and advertised separately from any other non-accredited training service offered by the CRICOS Provider.
 - The PEO shall ensure that the NRT logo and AQF logo are utilised in accordance with the conditions of use for each logo on all promotional and advertising materials and is in accordance with its current conditions of use.

Marketing will not guarantee to a learner:

- That they will successfully complete a training product
- Can complete a training product that does not meet the requirements of the Standards for Registered Training Organisations and the National Code 2018
- That they will obtain a particular employment outcome associated with a course
- That they will be eligible for automatic acceptance into another course
- That they will achieve any possible migration outcomes, or
- any other claims relating to the registered provider, its course or outcomes associated with the course.

The PEO will ensure that all advertising and marketing is:

- Accurate and factual
- Accurately represents the services provided
- Accurately represents ANE College's scope of registration
- Includes the RTO and CRICOS ID
- Only refers to a person or organisation with their consent
- Uses the NRT logo in accordance with the conditions of use specific in Schedule 4 of these standards
- Identifies where a third party is recruiting prospective learners on behalf of ANE College
- Identifies where training and assessment is being provided on behalf of another Institute
- Identifies where training and assessment is being provided by third party

- Distinguishes between national recognised training and other training
- Includes the code and title of each training product as per training.gov.au
- Includes the CRICOS code of each training product as per CRICOS register
- Includes accurate information about licensed or regulated outcomes

Marketing Approval

All marketing activities will be undertaken with integrity and accuracy to provide students with sufficient information to make an informed decision.

- All marketing and advertising material are to be submitted to the PEO for approval prior to distribution
- Written approval from an individual or organisation is to be obtained if reference is to be made to that individual or organisation in any promotional material
- All advertising material must include ANE Colleges contact details
- A copy of the authorised marketing and advertising material, together with any approvals are to be kept on file by the PEO
- The printing and publishing of marketing and advertising material can only be authorised by the PEO
- All printed, published or advertising will clearly distinguish between nationally recognised training with scope of registration and non-accredited training, offered.

Marketing Information and Practices Checklist

Requirement	How information is provided
1. Requirements for acceptance into a course	<ul style="list-style-type: none"> ▪ Minimum level of English Language proficiency ▪ IELTS Score ▪ Previous skills and knowledge
2. Course information	<ul style="list-style-type: none"> ▪ Course content and duration ▪ Qualification ▪ Modes of study ▪ Assessment methods ▪ Course description, overview including goals and outcomes of training are identified
3. ANE College information	<ul style="list-style-type: none"> ▪ ANE College location ▪ General description of facilities, equipment and resources available to students
4. Arrangements with other providers	<ul style="list-style-type: none"> ▪ Details of any arrangements with another provider to provide the course, or, part there-of a course
5. Fee information (National Code; Standard 2.1e and Standard 3)	<ul style="list-style-type: none"> ▪ Indicative course-related fees ▪ Advise for the potential of fees to change during the students' course ▪ Applicable refund policies
6. Grounds on which a student's enrolment may	<ul style="list-style-type: none"> ▪ Deferment, suspension and cancellation policy

be deferred, suspended or cancelled	<ul style="list-style-type: none"> ▪ Behavioural policy / Code of Conduct
7. Description of the ESOS framework	<ul style="list-style-type: none"> ▪ DET description of the ESOS framework
8. Relevant information on living in Australia	<ul style="list-style-type: none"> ▪ Support services available to assist overseas students to help them adjust to study and life in Australia ▪ English language and study assistance programs ▪ Any relevant legal services ▪ emergency and health services ▪ the registered provider's facilities and resources ▪ complaints and appeals processes as outlined in Standard 10 (Complaints and appeals) ▪ requirements for course attendance and progress, as appropriate ▪ the support services available to assist students with general or personal circumstances that are adversely affecting their education in Australia ▪ services students can access for information on their employment rights and conditions, and how to resolve workplace issues, such as through the Fair Work Ombudsman
9. Complaints and appeals policy	<ul style="list-style-type: none"> ▪ Provided to students prior to enrolment ▪ Provided to students again within 7 days after arrival
10. Welfare and accommodation arrangements	<ul style="list-style-type: none"> ▪ Condition for under 18-year-old students to maintain adequate welfare and accommodation arrangements ▪ Advise to under 18-year-old students not to travel to Australia before start date of CAAW arrangements

Transfer Student Enrolment

On receipt of an application for transfer of enrolment the Student Services Officer shall:

ensure that the student has completed at least six months of his or her principal course of study unless:

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered
- the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider
- the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS

- any government sponsor of the overseas student considers the change to be in the overseas student’s best interests and has provided written support for the change

If unsure, the Student Services Officer should consult with the PEO or Academic Manager. Please refer to Transfer between Registered Providers policy and procedure for more information.

International Student Handbook

All International Students are provided with the International Student Handbook, which details the student’s rights and responsibilities under the National Code 2018 and responsibilities under the Standards for Registered Training Organisations 2015.

Students are provided with a copy, either electronically or through the website or in print, which is provided to the student prior to course commencement with their Letter of Offer.

Organisational Website

The organisational website includes information about each course offered by ANE College, including:

- Entrance requirements and pre-requisites
- Course structure and delivery mode
- Qualification Code and Title or Unit Code and Title
- Break down of units (for full qualifications only)
- Fees including course fees, enrolment application fee, material fees and any other charges (OSHC, Enrolment fee, homestay and airport pickup fees)
- Payment terms, including timing and amount of fees and any non-refundable deposit or administration fee
- Re-assessment fees (where applicable)
- Visa requirements

The website will comply with the Advertising and Marketing policy and procedure on page 28.

Evidence

- Marketing Information Compliance Checklist
- Pre-Enrolment Information Checklist
- International Student Prospectus
- Letter of Offer
- Enrolment Application Form
- Student Induction Presentation
- International Student Handbook

Continuous Improvement

This standard is reviewed, according to the Continuous Improvement Cycle, during the month of **October** on an annual basis.

Responsibility

- Chief Executive Officer/Principle Executive Officer
- Senior Management

Relevant Standards for RTO’s

- Standard 4.1

Chapter 2: Enrolment

The training provider ensures students have the existing skills, knowledge and experience required to successfully undertake the course

- 2.1 Prior to accepting an overseas student or intending overseas student for enrolment in a course, the registered provider must make comprehensive, current and plain English information available to the overseas student or intending overseas student on:
 - 2.1.1 the requirements for an overseas student's acceptance into a course, including the minimum level of English language proficiency, educational qualifications or work experience required, and course credit if applicable
 - 2.1.2 the CRICOS course code, course content, modes of study for the course including compulsory online and/or work-based training, placements, other community-based learning and collaborative research training arrangements, and assessment methods
 - 2.1.3 course duration and holiday breaks
 - 2.1.4 the course qualification, award or other outcomes
 - 2.1.5 campus locations and facilities, equipment and learning resources available to students
 - 2.1.6 the details of any arrangements with another provider, person or business who will provide the course or part of the course
 - 2.1.7 indicative tuition and non-tuition fees, including advice on the potential for changes to fees over the duration of a course, and the registered provider's cancellation and refund policies
 - 2.1.8 the grounds on which the overseas student's enrolment may be deferred, suspended or cancelled
 - 2.1.9 the ESOS framework, including official Australian Government material or links to this material online
 - 2.1.10 where relevant, the policy and process the registered provider has in place for approving the accommodation, support and general welfare arrangements for younger overseas students (in accordance with Standard 5)
 - 2.1.11 accommodation options and indicative costs of living in Australia.
- 2.2 The registered provider must have and implement a documented policy and process for assessing whether the overseas student's English language proficiency, educational qualifications or work experience is sufficient to enable them to enter the course.
- 2.3 The registered provider must have and implement a documented policy and process for assessing and recording recognition of prior learning (RPL), and granting and recording course credit, if it intends to assess RPL or grant course credit. The decision to assess prior learning or grant course credit must preserve the integrity of the award to which it applies and comply with requirements of the underpinning educational framework of the course.

- 2.4 If the registered provider grants RPL or course credit to an overseas student, the registered provider must give a written record of the decision to the overseas student to accept and retain the written record of acceptance for two years after the overseas student ceases to be an accepted student.
- 2.5 If the registered provider grants the overseas student RPL or course credit that reduces the overseas student’s course length, the provider must:
- 2.5.1 inform the student of the reduced course duration following granting of RPL and ensure the confirmation of enrolment (CoE) is issued only for the reduced duration of the course
- 2.5.2 report any change in course duration in PRISMS if RPL or course credit is granted after the overseas student’s visa is granted.

Strategy

In order to ensure that learners are adequately informed about the services they are to receive, their rights and obligations, and ANE College responsibilities under these Standards, the provider will provide learners with information prior to course commencement of services including any third-party arrangements affecting the delivery of training and/or assessment. Students will be provided with this information through the following:

- International Student Prospectus
- Enrolment Application Form
- Letter of Offer and Written Agreements
- International Student Handbook
- Organisational Website

ANE College will provide each learner with a copy of the International Student Prospectus and Enrolment Application Form, which outlines the services ANE College will provide the learner, along with the rights and obligations of the learner and ANE College.

Policy and Procedure/s

Student Engagement Prior to Enrolment

ANE College has mechanisms in place to ensure that the prospective learner has clear information about the services that will be provided by ANE College prior to course commencement, so that they can make an informed decision to ascertain if the course is suitable for them, considering their existing skills and knowledge and any specific needs.

Following is a table that includes the information provided to the learner and where the learner will be able to access this information.

Prior to accepting an overseas student or intending overseas student for enrolment in a course, the registered provider must make comprehensive, current and plain English information available to the overseas student or intending overseas student on:

Type of information	International Student Prospectus	Letter of Offer	Enrolment Application Form	International Student Handbook	Website

Provider information (i.e. address, contact details, CRICOS and ABN, Introduction)	✓			✓	✓
Description of facilities, equipment and learning and library resources available to students	✓				✓
Full course code and title	✓	✓			✓
Course description, overview including goals and outcomes of training are identified	✓	✓			✓
Course duration and holiday breaks	✓	✓			✓
Campus location, facilities and equipment and learning and library resources available to students	✓	✓			✓
Mode/s of delivery and/or assessment method/s	✓	✓			✓
Third Party arrangements (if applicable)	✓	✓			✓
Minimum entry requirements	✓	✓			✓
Support Services	✓	✓	✓	✓	✓
Agent list					✓
Complaints and appeals	✓	✓	✓		✓
Course fee information	✓	✓			
Additional fees, payments and refunds	✓	✓			
Consumer rights		✓	✓	✓	✓
Terms & Conditions of Enrolment		✓	✓		✓
Training Product - Code and Title	✓	✓			✓
Deferment, Suspension and Cancellation Policies & Procedures	✓	✓	✓	✓	✓
Reference and link to the ESOS framework	✓			✓	✓

Relevant information on living in Australia, including:

- i. indicative costs of living, and
- ii. accommodation options

✓			✓	✓
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International Student Prospectus

Potential students are provided with a copy of the International Student Prospectus, in hard copy or through referral to an electronic copy, prior to enrolment into a course. The Prospectus includes all current and accurate information regarding the following:

- a) the requirements for acceptance into a course, including the minimum level of English language proficiency, educational qualifications or work experience required and whether course credit may be applicable
- b) the course content and duration, qualification offered if applicable, modes of study and assessment methods (including the Code and Title of the Training Product)
- c) campus locations and a general description of facilities, equipment, and learning and library resources available to students
- d) details of any arrangements with another registered provider, person or business to provide the course or part of the course (if applicable)
- e) indicative course-related fees including advice on the potential for fees to change during the student's course and applicable refund policies
- f) information about the grounds on which the student's enrolment may be deferred, suspended or cancelled
- g) a description of the ESOS framework made available electronically by DHA, and
- h) relevant information on living in Australia, including:
 - i. indicative costs of living
 - ii. accommodation options, and
 - iii. where relevant, schooling obligations and options for school-aged dependents of intending students, including that school fees may be incurred.
- i) Other relevant information, in compliance with Chapter 1 Marketing (see page 27), that should be included in the International Student Prospectus includes:
 - i. CRICOS Registered Name and registration number in any written or online material
 - ii. Qualification Code and Title or Unit Code and Title for Nationally Recognised Qualifications
 - iii. Fees including course fees, enrolment application fee, material fees and any other charges (including OSHC, Enrolment fee, homestay and airport pickup fees, if applicable)
 - iv. Course fees, including timing and amount of fees and any non-refundable deposit or administration fee
 - v. Re-assessment fees (where applicable)
 - vi. English requirements
 - vii. Pre-requisite requirements
 - viii. Third Party arrangements (if any)

- ix. Mode of delivery (including how much will be offered online)
- iv. Background of ANE College and the Directors
- v. Organisational Chart
- vi. Memberships and associations ANE College has in place
- x. Only include Training Products from ANE College's Scope of Registration
- vii. Student Support Officers
- xi. Facilities and Equipment

Enrolment Application Form (S)

All students are required to complete an Enrolment Application Form and submit it to ANE College to determine the eligibility to enrol into a course. The Enrolment Application Form outlines the Terms and Conditions of enrolment, including the student's rights and responsibilities.

The Admissions Officer is responsible for ensuring each student has completed an Enrolment Application Form prior to course commencement.

Following is a list of "Terms & Conditions of Enrolment" listed on the Enrolment Application Form:

- Enrolment and Selection
- Training Guarantee
- Consumer Guarantee
- Course Fees, Payments and Refunds
- Fee Protection
- Cooling Off Period
- Complaints and Appeals
- Credit Transfer
- Language, Literacy and Numeracy
- Support Services
- Legislative and Regulatory Requirements
- Workplace Health and Safety
- Confirmation that the provider is responsible for compliance of training and/or assessment
- Confirmation that the provider is responsible for issuance of AQF certification documentation
- Details of the complaints and appeals processes
- The learner's rights if the provider or third party closes or ceases to deliver the agreed training and/or assessment

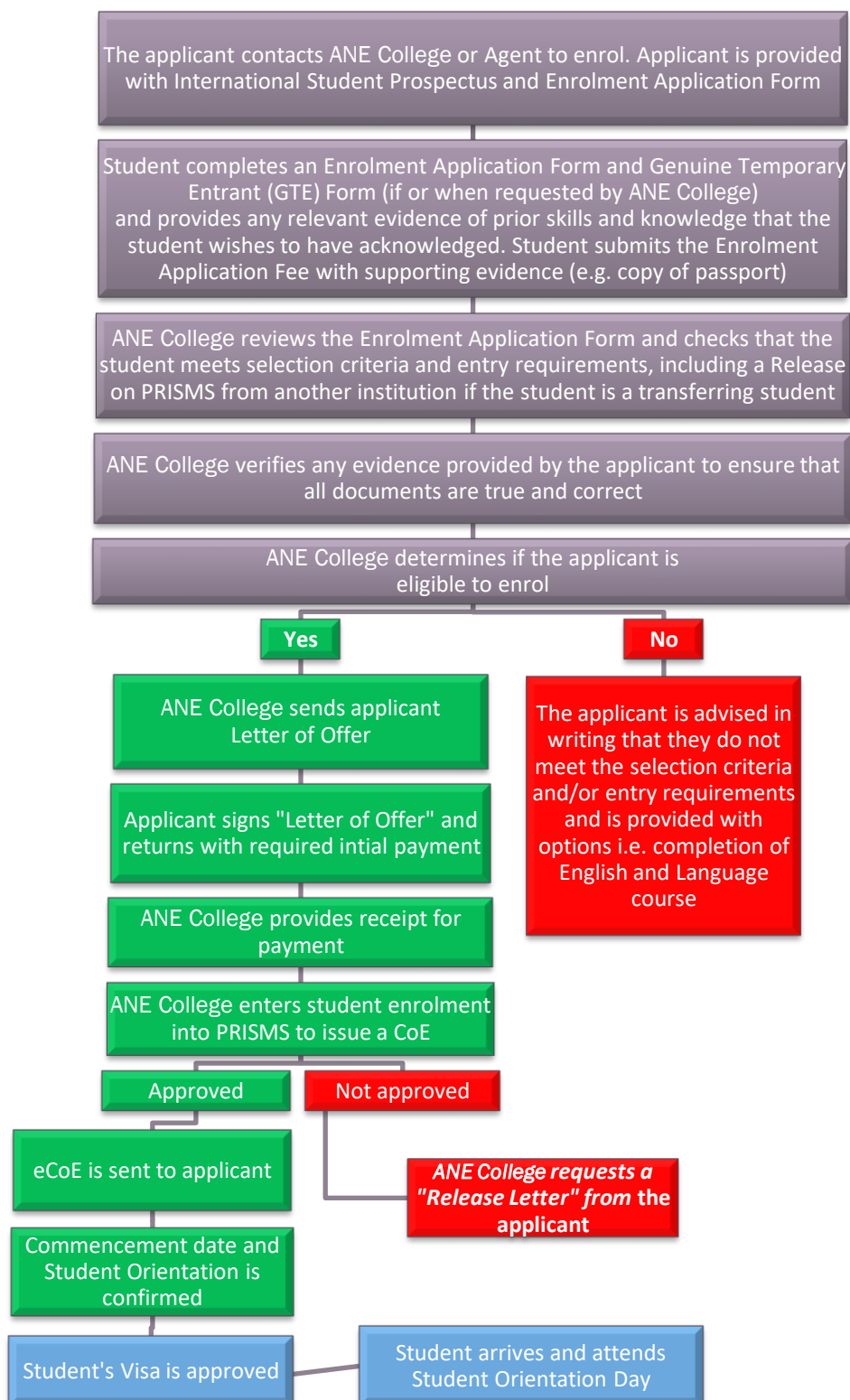
The Enrolment Application Form includes:

- Confirmation that ANE College is responsible for compliance of training and/or assessment
- Confirmation that ANE College is responsible for issuance of AQF certification documentation
- Details of ANE College complaints and appeals processes (also refer Standard 10 – Complaints and appeals on page 70)
- The learner's rights if ANE College or third party closes or ceases to deliver the agreed training and/or assessment

Students are required to sign the last page of the Enrolment Agreement Form to acknowledge their agreement with ANE College's terms and conditions and to confirm that they wish to apply for enrolment with ANE College. The Enrolment Agreement Form is not a final enrolment with

ANE College, it is an application form to determine whether the student meets the suitability requirements.

Student Enrolment Process (S)



Enrolment and Selection (S)

1. The Enrolment Application Form is for registering the applicant's initial interest into training with ANE College and is not confirmation of their enrolment. The purpose of the form is to gather information from the student to determine their suitability into their course of choice.
2. All programs consist of a minimum of 20 hours scheduled course contact hours per week.
3. The student is responsible for notifying ANE College if they have a medical condition or disability or require assistance in their training.
4. An Enrolment Application Fee must accompany enrolment to enable the student's application to be processed.
5. It is the student's responsibility to note the date, time and location of the course as advertised.
6. Courses with low enrolments may be cancelled, every effort will be made to contact the students. Students are required to ensure their contact details are correct.
7. Requests from the student to transfer or credit their course placement due to changed personal circumstances will be considered and every effort will be made to ensure a placement into an alternative course (if available).
8. Students can only join after course commencement date if they meet all prerequisites. Full course fees are still payable for late enrolments.
9. ANE College reserves the right to decline admission to a course, terminate a student's enrolment in a class or change a Trainer/Assessor at any time without notice.
10. Students participate in courses involving physical activity; field trips, practical demonstrations etc. and do so at their own risk. ANE College's students are covered by public liability insurance whilst studying on campus.
11. Airport pickup service and Accommodation arrangement/Homestay Placement fees are non-refundable after the arrangement confirmation email has been sent to the student.
12. Completing the Enrolment Application Form does not guarantee a place with ANE College.
13. ANE College reserves the right to decline an application.
14. Students from assessment level 3 and 4 countries are advised to apply through ANE College representative (International Student Agent).
15. Applications will be processed when all required documents and the non-refundable enrolment fee are received by ANE College.
16. Accommodation arrangement/Homestay replacement fee and airport pickup service arrangement fee is payable every time the arrangement request is made.
17. When the duration of studies at ANE College needs to be extended to complete the course, the student is required to pay additional fees for this extension.
18. The student is responsible for keeping a copy of the letter of offer, as provided by ANE College.

Course Fees and Payments (S)

1. Refer to the International Student Prospectus and the Letter of Offer for information on course fees, including any required deposit; enrolment application fee; materials fees and any other charges (if applicable).
2. Fees must be paid in Australian dollars by bank cheque or bank transfer to ANE College's bank account. ANE College will not be responsible for any monies paid to agents.
3. ANE College reserves the right to vary fees.
4. Enrolment and course fees do not cover personal costs, such as the cost of accommodation, living expenses, social activities, stationary or other equipment that the student may like to purchase.
5. The Enrolment Application Fee is non-refundable in any circumstances.
6. Certificates and Statements of Attainment are issued to students who are assessed as competent in the units completed. The cost of the certificates is included in the course fees.
7. Fees not paid by the due date will incur a late fee of 5% of the total fee due.
8. The student puts at risk their CoE being cancelled if their course fees are not paid by the due date. If a student has any problem paying fees on time, it is the student's responsibility to discuss alternative arrangements with ANE College administration before the due date.
9. The student is responsible for retaining a copy of the receipts received for all payments made to ANE College.
10. An Enrolment Application Fee of \$250 is required to be paid with this Enrolment Application Form, which is non-refundable
11. Students are responsible for the safe storage of their Certificates and Statements of Attainment. If a student requires a reissue of their Certificate or Statement of Attainment, a certificate re-issue fee of \$100 will be charged.
 1. If a student is deemed not yet competent on completion of training, they will be offered an opportunity to be reassessed. If a student is deemed not yet competent a second time, they will be given a third and final opportunity for reassessment.
 2. If a student is required to be reassessed at any time, they will be provided with further guidance from their trainer prior to reassessment.
 3. If after three attempts the student is deemed competent in some but not all the units of competencies required, a Statement of Attainment will be issued.
 4. If there are any fees for reassessment, this will be listed in the Letter of Offer
12. If a student is required to be reassessed, they will be provided with further guidance from their trainer prior to reassessment.
13. If a student is deemed competent in some but not all the units of competencies required, a Statement of Attainment will be issued.
14. ANE College is responsible for the quality of the training and assessment and for issuance of AQF certification documentation (5.2).

Credit Transfer (S)

AQF Certifications issued by other Registered Training Organisations (Institute) are recognised by ANE College, this enables individuals to receive national recognition of their achievements.

In order to apply for a credit transfer the student should complete the following steps:

1. Complete the "Credit Transfer Form"
2. Attach a certified copy of the authenticated VET transcript from the other Institute and highlight the units you wish to have applied to your current enrolment

3. Submit completed "Credit Transfer Form" and VET transcript to ANE College
4. ANE College in consultation with relevant trainer will review and confirm whether student is eligible for Credit Transfer (CT)
5. If the student is eligible, the result of CT should be applied to the unit within the Student Database
6. ANE College to advise the student in writing of the outcome of the credit transfer application:
 - a) Student is eligible for CT and the result has been entered into the Database
 - b) Student is not eligible for CT and the reason why

Authenticated copies are to be certified by a Justice of the peace or someone within ANE College can sight the originals and authenticate a copy.

Minimum Entry Requirements (S)

Vocational candidate entry requirements

In order to ensure that students have the best opportunity to complete the training, students will be required to meet the minimum entry requirements before enrolling, these include:

- Qualifications
- Experience
- English Language Proficiency

For the course for which enrolment is sought. The minimum entry requirements are outlined on the course flyer and International Student Prospectus. The minimum entry requirements are identified within the Training and Assessment Strategy.

Student Orientation Session (S)

As many students find life in Australia quite different from life in their home country, Student's will be provided with a Student Orientation Session, which is a presentation that has been designed to help students become familiar with Australian culture and customs and to introduce students to ANE College and its services.

ANE College has an electronic presentation in place to ensure consistency at Induction, this presentation includes relevant information on the policies and procedures of ANE College, including the students' rights and responsibilities.

All International Students are required to attend and Orientation Session onsite at ANE College's premises prior to course commencement. The Orientation Session includes information on the following:

- Induction into ANE College
- Key staff within ANE College:
 - Principal Executive Officer
 - Trainers, Assessors and Teachers
 - Student Support Officer
 - Accounts Manager
- Course outline and structure
- Location of campus and local facilities
- Tour of the facilities
- Evacuation Procedure
- Emergency Procedure
- Overview of International Student Handbook including:
 - Students Rights and Responsibilities

	<ul style="list-style-type: none"> ○ Support Services provided by ANE College ○ Critical Incident Policy ○ Complaints and Appeals procedures ○ Attendance Procedures ○ Course and Attendance Monitoring ○ Outline of the Course delivery and assessment methods ○ Timetable of training ○ Training and Assessment arrangements ○ Australian Government legislative requirements ○ Local shops, cafés and restaurants <ul style="list-style-type: none"> ▪ Living in Australia including: <ul style="list-style-type: none"> ○ Accommodation ○ Support Services ○ Visa compliance ○ Australian Culture ○ Visa requirements ○ Working in Australia ○ Living Costs ○ Health and Safety ○ Insurance ○ Banking ○ Phone and Internet ○ Public transport ○ Emergency Services <p>All Students will be required to sign an Attendance Sheet for the Student Orientation Day and their attendance will be recorded within the Student Database.</p>
<p>Evidence</p>	<ul style="list-style-type: none"> ▪ Pre-enrolment Information Checklist ▪ International Student Prospectus ▪ Orientation Program and PowerPoint ▪ Enrolment Application Form ▪ Student Induction Presentation ▪ International Student Handbook ▪ ELICOS Placement Test ▪ Home Stay Arrangement Form (from provider) ▪ Genuine Temporary Entrant (GTE) Form
<p>Continuous Improvement</p>	<p>This standard is reviewed, according to the Continuous Improvement Cycle, during the month of October on an annual basis.</p>
<p>Responsibility</p>	<ul style="list-style-type: none"> ▪ Chief Executive Officer or Academic Manager ▪ Senior Management
<p>Standards for RTO's</p>	<ul style="list-style-type: none"> ▪ Standards 3.5, 5.1, 5.2, 5.3 and 7.3
<p>ELICOS National Standards</p>	<ul style="list-style-type: none"> ▪ P1.2, P3.1

STANDARD 3 – FORMALISATION OF ENROLMENT AND WRITTEN AGREEMENTS

This standard sets out that registered providers must formalise their enrolment of overseas students through written agreements with overseas students. The written agreements protect the rights and set out the responsibilities of each party, as well as the courses and related education services to be provided, tuition and non-tuition fees payable, and refund policies.

- 3.1 The registered provider must enter into a written agreement with the overseas student or intending overseas student, signed or otherwise accepted by the student, concurrently with or prior to accepting payment of tuition fees or non-tuition fees. A written agreement may take any form provided it meets the requirements of the ESOS Act and the National Code.
- 3.2 If the overseas student or intending overseas student is under 18 years of age, the written agreement with the overseas student or intending overseas student must be signed or otherwise accepted by the student's parent or legal guardian.
- 3.3 In addition to all requirements in the ESOS Act, the written agreement must, in plain English:
 - 3.3.1 outline the course or courses in which the student is to be enrolled, the expected course start date, the location(s) at which the course will be delivered, the offered modes of study for the course, including compulsory online and/or work-based training, placements, and/or other community-based learning and/or collaborative research training arrangements
 - 3.3.2 outline any prerequisites necessary to enter the course or courses, including English language requirements
 - 3.3.3 list any conditions imposed on the student's enrolment
 - 3.3.4 list all tuition fees payable by the student for the course, the periods to which those tuition fees relate and payment options (including, if permitted under the ESOS Act, that the student may choose to pay more than 50 per cent of their tuition fees before their course commences)
 - 3.3.5 provide details of any non-tuition fees the student may incur, including as a result of having their study outcomes reassessed, deferral of study, fees for late payment of tuition fees, or other circumstances in which additional fees may apply
 - 3.3.6 set out the circumstances in which personal information about the student may be disclosed by the registered provider, the Commonwealth including the TPS, or state or territory agencies, in accordance with the *Privacy Act 1988*
 - 3.3.7 outline the registered provider's internal and external complaints and appeals processes, in accordance with Standard 10 (Complaints and appeals)
 - 3.3.8 state that the student is responsible for keeping a copy of the written agreement as supplied by the registered provider, and receipts of any payments of tuition fees or non-tuition fees

3.3.9 only use links to provide supplementary material.

3.4 The registered provider must include in the written agreement the following information, which is to be consistent with the requirements of the ESOS Act, in relation to refunds of tuition fees and non-tuition fees in the case of student default and provider default:

3.4.1 amounts that may or may not be repaid to the overseas student (including any tuition and non-tuition fees collected by education agents on behalf of the registered provider)

3.4.2 processes for claiming a refund

3.4.3 the specified person(s), other than the overseas student, who can receive a refund in respect of the overseas student identified in the written agreement, consistent with the ESOS Act

3.4.4 a plain English explanation of what happens in the event of a course not being delivered, including the role of the TPS

3.4.5 a statement that “This written agreement, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the *Australian Consumer Law* if the *Australian Consumer Law* applies”.

3.5 The registered provider must include in the written agreement a requirement that the overseas student or intending overseas student, while in Australia and studying with that provider, must notify the registered provider of his or her contact details including:

3.5.1 the student’s current residential address, mobile number (if any) and email address (if any)

3.5.2 who to contact in emergency situations

3.5.3 any changes to those details, within 7 days of the change.

3.6 The registered provider must retain records of all written agreements as well as receipts of payments made by students under the written agreement for at least 2 years after the person ceases to be an accepted student.

Strategy

In order to ensure that learners are adequately informed about the services they are to receive, their rights and obligations, and ANE College’s responsibilities under these Standards, ANE College will provide learners with information prior to course commencement of services including any third-party arrangements affecting the delivery of training and/or assessment. ANE College will provide this information through the following:

- International Student Prospectus
- Enrolment Application Form
- Letter of Offer and Written Agreements
- International Student Handbook
- Organisational Website

ANE College will provide each learner with a copy of the Prospectus, Enrolment Application Form and International Student Handbook which outlines the services ANE College will provide the learner, along with the rights and obligations of the learner and ANE College.

Signed agreements or printouts of online agreements will be retained on student files.

- All current written agreement templates (and historical versions if the agreement template has changed since its inception) including our refund policy will be retained by ANE College

Letter of Offer and Written Agreements

Once the student has completed an Enrolment Agreement Form and returned the form to ANE College, ANE College will determine whether the student is successful in their enrolment with ANE College. A copy of the Letter of Offer will be sent to the potential student, in line with the Australian Consumer Law requirements, prior to course commencement to confirm that the student is eligible for enrolling into a course offered by ANE College.

The Letter of Offer incorporates the Written Agreement between the student and ANE College.

The Letter of Offer and Written Agreement, which is signed by the student or otherwise accepted by the student, concurrently with or prior to accepting course money from the student, includes the following:

1. Training Product Code and Title
 - Break down of units (for full qualifications only)
2. CRICOS Course Code, next to the Training Product Code and Title
3. An outline of all fees that are payable by the student including course fees, enrolment application fees, material fees and any other charges
 - Re-assessment fees (where applicable)
4. Refund Policy and Procedure
5. The circumstances whereby personal information about the student may be shared between the registered provider and the Australian Government and designated authorities and, if relevant, the Tuition Assurance Scheme and the ESOS Assurance Fund Manager
6. The student's obligation to notify ANE College of a change of address whilst enrolled in the course
7. Terms and Conditions of enrolment
8. Written agreement with the student, confirming that they agree with the terms and conditions of enrolment
 - Refund policy in relation to student and provider default
9. Includes the statement "This written agreement, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies"

Checklist for Written Agreement

The Letter of Offer also includes the Written Agreement with the student. Following is a list of information that must be included with the written agreement on the Letter of Offer.

1. Students are not required to pay more than 50% of the total course tuition fee before commencing the course but may pay more if they choose to.
2. Captures all necessary contact details and information required about an accepted student.
3. Signed or otherwise accepted by the student/parent(s)/legal guardian(s) concurrently with or prior to accepting course fees.

4. Sets out the services that is to be provided.
5. Identifies the course or courses in which the student is to be enrolled.
6. Identifies any conditions of enrolment/entry requirements
7. Provides an itemised list of tuition and non-tuition fees payable for the student.
8. Sets out study periods and tuition fees for each study period of student enrolment.
9. Includes the provider’s refund policy which provides information in relation to refunds of fees paid, including:
 - Amounts that may or may not be repaid to the student (including course money collected by education agents on behalf of the provider.
 - Processes for claiming a refund.
10. A plain English explanation of what happens in the event of a course not being delivered. (refer to Changes to Agreed Services on page 149)
11. Details of any refund paid if the student defaults as required by under S47D of the ESOS Act 2000.
12. Includes the statement: “This agreement, and the availability of complaints and appeals process, does not remove the right of the student to take action under the Australia’s consumer protection laws”
13. Sets out the circumstances in which personal information about the student may be shared between the registered provider, designated authorities and the tuition protection service This includes personal information and contact details including the circumstances of any breach by the student of a student visa condition.
14. Advises the student of his/her obligation to notify ANE College of a change of address while enrolled in the course, and of the need to have prior approval (if relevant)
15. Details of course duration and fees must align with details entered into PRISMS at time of creating confirmation of enrolment.

NB: Written agreements may cover more than one course if courses are similar, all requirements are met and if required information provided covers all courses.

Formalisation of Enrolment

Following is the process for formalising the Enrolment Process.

Step	Student/Agent	ANE College
1	Student completes and signs the Enrolment Application Form and submits the completed form with supporting documents and a copy of their passport to ANE College, with the Enrolment Application Fee	<p>The Admission Officer assesses the student’s qualifications, experience (including work) and English language proficiency, to determine the student’s eligibility to enrol, whether the student enrolls directly or through an agent.</p> <p>If the student is transferring from another provider, the Admissions Officer determines if they require a Record of Release from another institution.</p> <p>Where a student’s English language proficiency is identified as being below an IELTS test score is below 5.5 or equivalent the student is referred to the Academic Manager</p>

		for further English bridging training or potential ELICOS course enrolment.
NOTE	<p>All applicants must submit:</p> <ul style="list-style-type: none"> ▪ Completed application form and a copy of passport ▪ If required, completed GTE form to prove their genuine nature of enrolment or a copy of their current visa if the student is already in in Australia ▪ Homestay Application Form (if the service is requested) 	
2		The Admission Officer prepares a Letter of Offer including personal details, Student number, course dates as per intakes and the fees, and sends the Letter of Offer with the associated invoice to the applicant.
3	<p>The applicant accepts the Letter of Offer by signing and dating the letter</p> <p>Sends the signed Letter of Offer to ANE College</p> <p>Makes the total payment outlined in the offer letter and emails ANE College the payment receipt</p>	<p>The Admissions Officer:</p> <ul style="list-style-type: none"> ▪ files the completed Letter of Offer on the Student Management System ▪ Verifies that the fee payment has arrived into AI's account ▪ Generates CoE through PRISMS ▪ Sends the CoE to the applicant with the Confirmation of Enrolment Letter
4	<ul style="list-style-type: none"> ▪ The applicant applies for a student visa with the CoE sent by ANE College ▪ If the student is already in Australia either the student provides a copy of their visa to ANE College or Admissions can also view their visa grants via PRISMS. If it does not show up in PRISMS, then a copy is needed. ▪ Student is required to notify ANE College if the visa has been rejected ▪ Send visa approval letter if granted ▪ When the visa has been rejected apply for a refund with ANE College 	<ul style="list-style-type: none"> ▪ Email the student 2 weeks prior to the commencement date as to whether the visa has been granted and ask the applicant of the arrival date. ▪ If the student has requested the airport pickup or/and accommodation service, then inform the applicant of arrangement details. ▪ Process the refund for students whose visa is rejected, and the refund has been requested. ▪ If a visa is rejected, then the Admissions officer needs to cancel the CoE from PRISMS and record in student management system that student has not been granted a visa ▪ If the visa has been granted request the visa granted letter and file, it in the system. ▪ Follow the refund policy and procedure to process the refund.

		<ul style="list-style-type: none"> Register the Student for the Student Orientation Day
5	Student arrives for commencement	<p>Deliver the Student Orientation Day (i.e. the start date written on the CoE).</p> <p>Complete “<i>Change of Address Form</i>” on Orientation Day to provide current contact details. This form should be used to update student information during their studies at ANE College</p> <p>AI changes are to be updated on PRISMS of any change in Address.</p>
6	Student visa not granted on time	Postpone the enrolment and issue a new CoE if requested.

Refer to the Enrolment Process (S) on page 39 for the process on how a Student’s application for enrolment is processed.

Change of Address (S)

In accordance with your Visa requirements and the National Code, it is the student’s responsibility to notify ANE College of any change of address whilst enrolled in a course with ANE College.

To notify ANE College of any changes, please complete a *Change of Address Form*, which is accessible by emailing sydney.campus@ane.edu.au or by requesting one from the office. Following is a list of contact details we need to keep your records up to date:

1. Home Address - Street Address, Suburb, State and Postcode
2. Postal Address - if different from Home Address
3. Phone Number
4. Email Address

Fees, Refunds and Tuition Protection Scheme Obligations (S)

Fees are collected in accordance with the requirements of the ESOS legislation, this includes:

1. Students are not required to pay more than 50% of the total course tuition fee before commencing the course but may pay more if they choose to.
2. Once the student begins a course, not requiring any of the remaining tuition fees for the course to be paid more than two weeks before the beginning of the students second unit of competency for the course he/she is registered.

In accordance with requirements under the ESOS Act, and State legislation, refunds will be issued to students who meet the refund conditions.

Course Fees and Refund Policy is included in the following documentation:

1. Enrolment Application Form
2. CRICOS Quality & Compliance Manual
3. Letter of Offer

4. Prospectus

The Admissions Officer is responsible for notifying the Department of Home Affairs via PRISMS, the required information about the estimated totals of tuition fees and non-tuition fees payable by the student for the course.

The PEO is responsible for administrating refunds owing within the stated timeframes:

1. Within the provider obligation period of four weeks after receiving a written claim from the student for circumstances that are covered by the written agreement
2. Within the provider obligation period of four weeks after the student default day if the student is refused a visa or if the written agreement is not valid
3. Within two months of when refund is due
4. Within 14 days after the default day (provider obligation period) in the case of provider default.

The Admissions Officer is responsible for notifying the Department of Home Affairs and the TPS Director via PRISMS as required under the ESOS Act.

Reporting Provider Obligations in Case of Provider Default or Student Default		
	NOTIFY PRISMS and TPS DIRECTOR	3 working days
DAY OF PROVIDER DEFAULT	PROVIDER OBLIGATION PERIOD In the case of <i>provider default</i> , a provider has 14 days to satisfy tuition protection obligations to an affected student, i.e. Offer the student an alternative place that is accepted by the student in writing Arrange for the student to be offered a place in an alternate course at the providers expense Refund the unused portion of pre-paid tuition fee	+ Report Outcomes within 7 days after provider obligation period
	NOTIFY PRISMS and TPS DIRECTOR PROVIDER OBLIGATION PERIOD: UNDER WRITTEN AGREEMENT Provider must pay a refund under written agreement to students or persons specified in the written agreement, within four weeks after receiving a written claim from the student	+ Report Outcomes within 7 days after provider obligation period
DAY STUDENT	PROVIDER OBLIGATION PERIOD: IF NO VALID WRITTEN AGREEMENT/VISA REQUIRED Provider must pay required amount of pre-paid fees within four weeks of the student default day if no valid written agreement, or if the student has been refused a visa.	+ Report Outcomes within 7 days after provider obligation period

Refund Policy and Procedure (S)

Refund Policy

Claims for refunds must be made in writing using the Refund Request Form available from ANE College. Following outlines, ANE Colleges Policy on Refunds:

1. If a student's visa application is rejected the student will be refunded the full tuition fees, (this does not include the Enrolment Application Fee, any accommodation arrangement fee and/or airport pickup service fee), upon evidence being provided by the student that their Visa has been refused.
2. Students are also eligible for a Refund if ANE College cancels the enrolled course or the Principal course application has been denied.
3. Requests for withdrawal for reasons other than those mentioned above, will be eligible for a refund as follows:
 - a. If a student withdraws from a course more than 28 days prior to course commencement, 80% of the initial tuition fees will be refunded.
 - b. If a student withdraws from a course prior to commencement of study, but less than 28 days prior to the course commencement, 50% of tuition fees paid (up to 24 weeks) and 100% for the remainder fees will be refunded.
4. There will be no refund issued following commencement of studies
5. All Enrolment Application fees, accommodation arrangement fees and airport pickup service fees are non-refundable.
6. If a student breaches visa conditions, resulting in studies being cancelled, there will be no refund.
7. If ANE College cancels the course. 100% of fees paid will be refunded. (This includes the tuition fees, accommodation fee, Overseas Student Health Cover fees, Enrolment Application Fee, accommodation arrangement fee and airport pickup service fee)
8. ANE College is not responsible for the agency fee you paid to the Education Agency (EA).
9. When a refund is applicable and the student has paid the course fee through an agent, the commission deducted from the course fee by the EA will be refunded by the EA as part of the total refund.
10. ANE College is only responsible for the refund of the commission received by the student's EA.
11. To request a refund, the student will need to complete the Refund Request Form. The request will be processed within 4 weeks from the date of application.
12. Any arrangement fee (including arrangements for Accommodation, Airport Transfers and Homestay fees) are non-refundable after the arrangement has been made.
13. Tuition fees will not be transferred to other educational institutions except in exceptional circumstances and at the discretion of the PEO.
14. Refunds may be made to an immediate family member in the instance that a student has been non-contactable for at least 6 months or in the event of the student's death.
15. If ANE College is unable to offer a refund or place the student in an alternative course, the student will be referred to the Tuition Protection Service (TPS) administrator. TPS Administrator will place the student in a suitable alternative course or if a suitable alternative course cannot be offered, TPS Administrator will pay the student a refund as calculated by ESOS legislation. Further information about TPS is available from www.tps.gov.au
16. This policy may be waived by ANE College in exceptional circumstances at its absolute discretion and the decision of ANE College is final.
17. If a student disagrees with this process, they have the right to submit a Complaint and Appeal Form to appeal the decision.

18. This agreement, and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia's consumer protection laws.

Refund Procedure

1. Student completes a Refund Request Form and emails the form to sydney.campus@ane.edu.au
2. The details on the Refund Request Form are reviewed by the Academic Manager
3. Refunds are made within 4 weeks (20 working days) from the date the Refund Request Form being submitted, if approved
4. The Refund payment receipt will be kept on the student file

Course Withdrawal Procedure (S)

1. If a student wishes to Withdraw from a Course, they are required to complete a "Change of Enrolment – Application Form" and submit the form to ANE College via email to sydney.campus@ane.edu.au
2. The Academic Manager will send a "Change of Enrolment – Acknowledgement" Letter to confirm receipt of the "Change of Enrolment – Application Form" within 2 working days.
3. Upon ANE College receiving the "Change of Enrolment – Application Form" the form will be forwarded to the Admissions Officer for processing (maximum processing time is 10 working days)
4. The Admissions Officer will email the student a notification of the outcome for their application to "Change of Enrolment" that informs the student of the decision and their reasons why for each outcome.
 - a. Outcome Accepted – Student application for Withdrawal is in accordance with the Terms and Conditions outlined in the students Letter of Offer
 - b. Outcome Rejected – Student application for Withdrawal does not comply with the Terms and Conditions outlined in the students Letter of Offer
5. If the application for Withdrawal is approved, a *Refund Request Form* is sent to the student to process a refund.
6. When the *Refund Request Form* has been received, the Student Support Officer will send the student a "Change of Enrolment – Refund Request Acknowledgement" letter within 2 working days.
7. Refunds that are approved will be made within four weeks (20 working days) after sending the "Change of Enrolment – Refund Request Acknowledgement" letter.
8. PRISMS is to be updated to reflect the withdrawal of the course. Cancelled CoE is filed in the student file with details of cancellation and database updated.

Consumer Guarantee (S)

ANE College guarantees that the services provided by ANE College will be:

- provided with due care and skill
- fit for any specified purpose (express or implied)
- provided within a reasonable time (when no timeframe is set for the training).

On the Enrolment Application Form the supply of services states when the services will be provided and the date they will be completed. If the Enrolment Application Form does not include the dates, i.e. for RPL or on the job training, ANE College guarantees to supply the service within a reasonable timeframe. What is 'reasonable' will depend on the nature of

the training and other relevant factors such as the students' ability to complete the training and assessment.

What happens if this guarantee is not met?

In the first instance, the student should submit a complaint to ANE College identifying where ANE College has not met its requirements against the Consumer Guarantee, please refer to the Complaints and Appeals policy for how to submit a complaint.

If a student believes that ANE College has failed to meet one or more of the consumer guarantees, he/she is entitled to a remedy – for example, a refund, a further service to rectify the problem and in some circumstance's compensation for consequential loss. In line with the Complaints and Appeals process, ANE College will provide the appropriate remedy.

If the problem is **minor** and can be fixed, ANE College will choose how to fix the problem.

The consumer cannot cancel and demand a refund immediately, ANE College must have an opportunity to fix the problem. If the complaints process exceeds the timeframe nominated in the complaints and appeals policy and procedure, the student may be eligible to cancel the service and request a refund.

In the event of a **major** problem, and ANE College is unable to fix the training service, the student can choose to:

- terminate the contract for services and obtain a full refund, or
- seek compensation for the difference between the value of the services provided compared to the price paid.

A purchased service has a **major** problem when it:

- has a problem that would have stopped someone from purchasing the service if they had known about it
- is substantially unfit for its common purpose, and can't easily be fixed within a reasonable timeframe
- does not meet the specific purpose the consumer asked for and can't easily be fixed within a reasonable timeframe
- creates an unsafe situation.

ANE College is not required to provide a remedy or refund if a student:

- simply changes their mind, decides they do not wish to go ahead with the training
- discovers they can buy the training more cheaply elsewhere.

Evidence
Continuous Improvement
Responsibility
Standards for RTO's

- Student Management System
- Enrolment Application Form
- Refund Request Form
- "Change of Enrolment - Application Form"
- Withdrawal Acknowledgement Letter templates
- Visa Refusal Letter from Immigration

This standard is reviewed, according to the Continuous Improvement Cycle, during the month of **January** on an annual basis.

- Chief Executive Officer/General Manager or Academic Manager
- Senior Management

- Standards 5.1, 5.2, 5.3, 7.3

Chapter 3:

Support and progression

The training provider assesses student needs and provides appropriate support services to enable student progression

STANDARD 6 – OVERSEAS STUDENT SUPPORT SERVICES

This standard sets out that registered providers must assist overseas students to adjust to study and life in Australia and have appropriate orientation programs that help overseas students to access the information and services they require.

- 6.1 The registered provider must support the overseas student in adjusting to study and life in Australia by giving the overseas student information on or access to an age and culturally appropriate orientation program that provides information about:**
 - 6.1.1 support services available to assist overseas students to help them adjust to study and life in Australia**
 - 6.1.2 English language and study assistance programs**
 - 6.1.3 any relevant legal services**
 - 6.1.4 emergency and health services**
 - 6.1.5 the registered provider’s facilities and resources**
 - 6.1.6 complaints and appeals processes as outlined in Standard 10 (Complaints and appeals)**
 - 6.1.7 requirements for course attendance and progress, as appropriate**
 - 6.1.8 the support services available to assist students with general or personal circumstances that are adversely affecting their education in Australia**
 - 6.1.9 services students can access for information on their employment rights and conditions, and how to resolve workplace issues, such as through the Fair Work Ombudsman.**
- 6.2 The registered provider must give relevant information or provide referrals as appropriate to overseas students who request assistance in relation to the services and programs set out in Standard 6.1, at no additional cost to the overseas student.**
- 6.3 The registered provider must offer reasonable support to overseas students to enable them to achieve expected learning outcomes regardless of the overseas student’s place of study or the mode of study of the course, at no additional cost to the overseas student.**
- 6.4 The registered provider must facilitate access to learning support services consistent with the requirements of the course, mode of study and the learning needs of overseas student cohorts, including having and implementing documented processes for supporting and maintaining contact with overseas students undertaking online or distance units of study.**
- 6.5 The registered provider must designate a member or members of its staff to be the official point of contact for overseas students. The student contact officer or**

officers must have access to up-to-date details of the registered provider’s support services.

- 6.6 The registered provider must have sufficient student support personnel to meet the needs of the overseas students enrolled with the registered provider.
- 6.7 The registered provider must ensure its staff members who interact directly with overseas students are aware of the registered provider’s obligations under the ESOS framework and the potential implications for overseas students arising from the exercise of these obligations.
- 6.8 The registered provider must have and implement a documented policy and process for managing critical incidents that could affect the overseas student’s ability to undertake or complete a course, such as but not limited to incidents that may cause physical or psychological harm. The registered provider must maintain a written record of any critical incident and remedial action taken by the registered provider for at least two years after the overseas student ceases to be an accepted student.
- 6.9 The registered provider must:
 - 6.9.1 take all reasonable steps to provide a safe environment on campus and advise overseas students and staff on actions they can take to enhance their personal security and safety
 - 6.9.2 provide information to overseas students about how to seek assistance for and report an incident that significantly impacts on their wellbeing, including critical incidents
 - 6.9.3 provide overseas students with or refer them to (including electronically) general information on safety and awareness relevant to life in Australia.

Strategy	<p>ANE College provides a range of student support services to assist students to adjust to student life in Australia, these include</p> <ul style="list-style-type: none"> ▪ Student Orientation Day – Provided to all new students prior to course commencement at ANE College, which includes information on Living in Australia and the support services that ANE College provides ▪ Student Support Officer – A dedicated staff member who is available to all students to support them in the training and adjusting to life in Australia. ▪ Support Services – To assist students with issues that may arise during their study, including course progress and attendance requirements and accommodation issues. ▪ Study Corner – Where the students can get access to additional academic support ▪ Student Lounge – Where students can gather with other students for meals and breakout ▪ Student self-study – where students have access to quiet research and self-study
Policy and Procedure/s	<p>Support Services (S)</p> <hr/> <p>ANE College caters to diverse client learning needs and aims to identify and respond to the learning needs of all students. All students are encouraged to express their views about their</p>

learning needs at all stages of their learning experience from the initial enrolment and orientation stage.

ANE College is committed to providing students requiring additional support, advice or assistance on academic or attendance requirements. To achieve this and to ensure the quality delivery of training and assessment, ANE College provides support services to improve and extend learning outcomes. Students are advised to make an appointment with their trainer in the first instance, if required the student can then schedule an appointment with the Student Support Officer to discuss support services that would be suitable for their needs.

Additional support services include but is not limited to:

- Study and academic support
- Assistance when applying for RPL or credit transfer
- Specialist support equipment or personnel is required
- Reasonable adjustments applied to suit the candidate context
- Briefings on the assessment process, may be written or verbal. If verbal, must be looked up in writing
- Provision or access to assistive technology
- Additional tutorials to assist with learning
- Assistance in using technology
- Adjustment to equipment (i.e. change of study to support a student with a bad back)
- Referral to LLN assistance
- Mentoring
- Referral to counselling services
- Grievance /conflict resolution
- Stress management
- Access and equity issues
- Student welfare and support
- Course progress
- Extension to studies
- Academic intervention
- VISA requirements
- Intention to Report
- Health Services including Insurance

Genuine difficulties for a learner to complete a program in the allotted timeframe are to be brought to the attention of the Academic Manager at the first available opportunity.

Services are monitored and improved through Opportunity for Improvement and the Quality and Compliance Meetings.

If a student requires any assistance, they can make an appointment with the Student Support Officer by calling 02 9281 5929 or by emailing sydney.campus@ane.edu.au.

Support Services Form (S)

The Support Services Form is to be used by ANE College staff to record any counselling they may have undertaken with a student, including any discussion about providing extra support or referral to the Support Services List. To access this form, students can either request a copy of the form from the Student Support Officer or they can email sydney.campus@ane.edu.au with the subject "Support Services".

The form includes a record of the following:

- Discussions raised by students that may be of a concern, this may have been during class or individually (including academic studies, student welfare and emotional support)

- Referrals to other Support Services that may have been advised or discussed with the student (there is no fee for referring the student to additional Support Services)
- Any discussion on disabilities that the student has disclosed, whereby they may need further assistance
- Discussions on any adjustments to training that may be required to meet student needs. The Student Support Officer may need to develop an Intervention Plan if students are failing to meet the minimum course attendance and academic studies requirements, as per the requirements of the National Code. See the Monitoring and Intervention Process on page 124 and the Intervention Strategy

STEPS	STUDENT	TRAINER	ACADEMIC MANAGER (AM)
In-class support	Students who are failing in their first assessment or not meeting minimum 80% attendance requirements	<ul style="list-style-type: none"> • One-on-one counselling with a Trainer • Trainer provides strategies to improve any skills gaps identified • Trainer provides additional support (e.g. additional study resources) 	N/A
1	The student fails a second assessment or continues to fall below 80% attendance	<ul style="list-style-type: none"> • The Student will be required to attend Study Corner (as per timetable) to acquire further assistance • Trainer notifies AM that student has been referred to Study Corner • Database is updated with student progress and attendance 	Trainer to report to AM on the student's attendance progress in the Study Corner
2	Consistently scores less than required score to achieve successful completion	<ul style="list-style-type: none"> • Trainer informs the student that they may be required to extend their studies to meet their minimum course requirements 	Interview with AM to discuss further study options to get the student back on track

		<ul style="list-style-type: none"> Database is updated with student progress and attendance 	
Decision	<ul style="list-style-type: none"> Student has not followed the Intervention Plan; and/or Student has not improved Attendance 	<ul style="list-style-type: none"> Trainer informs student in writing that they have not followed the Intervention Plan and will now be issued with an Intention to Report Letter. The student has 20 working days to appeal the Decision as per the Policies and Procedures for Complaints and Appeals. Intention to Report is documented on the Database and Student File 	AM sends Intention to Report letter to the student

- Intervention Plan Form on page 77 for more information on Intervention Strategies
- Discussions on English language skills and referral to third parties

Upon completion of the Support Services Form the staff member should submit this form to the Support Services Officer and arrange a time to discuss the student needs with the Support Services Officer or other senior management.

If ANE College refers the student to external support services, ANE College will not charge the student for the referral.

All completed Support Services Forms will be discussed at the monthly Quality and Compliance Meeting to monitor student progress.

Support Services List (S)

The Support Services List provides a list of support services available to students through referral, please refer to the list to identify the most appropriate service for the students. The Support Services List is available by either calling ANE College on 02 9281 5929 or email sydney.campus@ane.edu.au.

If a student is unsure of the service that they require, they should contact the Student Support Services to discuss further by calling 02 9281 5929 or emailing sydney.campus@ane.edu.au.

Student Support Officer (S)

The Student Support Officer is the key person who students should go to if they require further support throughout their training, including welfare support. The Student Support Officer is available to meet with students to discuss any issues or concerns they may have with their welfare, academic studies or course attendance.

These services are provided at no additional cost.

Staff Recruitment Process (6.7)

ANE College ensures that its staff members, who interact directly with students, are aware of ANE Colleges obligations under the ESOS framework and the potential implications for students arising from the exercise of these obligations.

Identify Client Needs

ANE College caters to a diverse range of learners needs and aims to identify and respond to these needs for all students. Students are encouraged to express their views about their learning needs at all stages of their learning experience, from the initial counselling and enrolment stage through to completion of their training.

It is the responsibility of all staff to identify the students' needs throughout the course of their enrolment, as the Trainer will have the majority of the contact with the student, it is their responsibility to monitor student progress and notify the Academic Manger of any needs that they have identified.

ANE College is committed to providing students with additional support, advice or assistance throughout their training. To achieve this, and to ensure the quality of the delivery of training and assessment, ANE College will provide students with Support Services to improve and extend their training outcomes. Students who wish to discuss these support services are advised to make an appointment *with their trainer* in the first instance, if required they can then make an appointment to see the Academic Manager.

Student needs may be identified as, but not limited to, the following:

- Flexibility of training
- Adjustment to training
- Adjustment to living in Australia
- Disabilities
- Access to materials and equipment
- Knowledge and understanding of subject
- Validation of current competencies
- Using adaptive technology or specific equipment to assist learning
- Considering cultural beliefs, traditional practises/religion observances
- Referral to support services (i.e. hardship services like Lifeline or Support Services for addictions like drugs and alcohol)
- Making adjustments to the physical environment
- Language, Literacy and Numeracy
- Access to payment plans

Additional to monitoring student progress within the training environment, student's needs can be identified through the following documentation:

- Enrolment Application Form (See page 39 for policy and procedure)
- Training Evaluation (See Institute Quality & Compliance Manual)
- Complaints and Appeals (See page 71 for policy and procedure)
- Opportunity for Improvement (See page 75 for policy and procedure)
- Quality Indicator Surveys (See Institute Quality & Compliance Manual)

The above forms are monitored and recorded at the monthly "Quality and Compliance Meeting".

If a staff member identifies that a Student is in need of additional support, they are to contact the Support Services Officer and discuss strategies to meet the student needs.

Language, Literacy and Numeracy (LLN) (T&S) – 1.7

LLN support is available to provide students with advice and support services in the provision of language, literacy and numeracy assessment services. Student's needing assistance with their learning should be identified upon enrolment. Trainers and staff within ANE College can provide students with support to assist the student throughout the learning process.

Language, Literacy and Numeracy skills are generally included and identified in Training Products and accredited course programs. In identifying language, literacy and numeracy requirements, students are required to have basic skills in:

- Count, check and record accurately
- Read and interpret
- Estimate, calculate and measure

Vocational students undertaking training are required to undertake an LLN Assessment or Placement Test unless the student currently holds a Certificate III qualification or above, or who can demonstrate equivalent industry experience.

Process for LLN Assessment:

1. Institute to distribute LLN Assessment prior to course commencement, this may be at an information session for full qualification training, or before the session has started for short courses (single units and/or skill set).
2. Student to complete the LLN Assessment
3. An Assessor who holds the **TAELLN411 - Address adult language, literacy and numeracy skills** unit from the Certificate IV in Training and Assessment qualification, will review the LLN Assessment using the **LLN Assessment Tool – Assessors Guide** to identify any difficulties the student may have experienced in completing the tool
4. Determine from the LLN Assessment tool, using the **“How to determine the support required for the learner”** section at the back of the **LLN Assessment Tool – Assessors Guide** to determine the level of support the student may require completing the training and assessments.
5. If the student has demonstrated that they have the skills to commence training, determine whether any adjustments should be made to the training to meet the needs of the student (i.e. assistance with writing etc.). If adjustment to training is required complete a **Training Adjustment Plan** as per the policy and procedure set out on page 65
6. If the student does not have the skills required to complete training and assessment, determine whether the student needs to be redirected to Language, Literacy and Numeracy Training. (i.e. The Reading Writing Hotline <http://www.literacyline.edu.au/>)
7. Trainers are required to monitor student progress to identify needs on an ongoing basis, through assessment tools and course participation, to determine whether further assessment or assistance is required
8. If a Trainer identifies any LLN barriers they are required to notify the PEO as soon as possible so that further assistance can be provided
9. If required, the student may be referred to a third party if ANE College is unable to assist with any barriers to learning. Please refer to the **Support Services** policy and procedure for the process on how to refer a student to support services.

The LLN Assessment Tool may be replaced by an industry specific tool, i.e. it may be replaced by the Community Services and Health Skills Service Organisation (SSO) Practice Activity Quiz, if required.

Monitoring the Effectiveness of Services

Student progress will be monitored by the Assessor, in conjunction with the Academic Manager, to ensure that the students' needs are being met. The Trainer is required to report

to the Academic Manager on student progress through the Trainers Report, which is submitted once a month to the Academic Manager.

Training Adjustment Plan

On occasion trainers will be required to adjust training to meet student needs, this could be due to an LLN limitation being identified or a disability, or other individual need. Trainers are responsible, in consultation with the Academic Manager, to adjust training to meet individual needs. The following process should be followed:

1. Adjustment requirement identified with student
2. Discuss a plan for adjusting training to meet student needs with Academic Manager
3. Complete a Training Adjustment Plan
4. Review Training Adjustment Plan with student and update, if required.
5. Submit Training Adjustment Plan to Academic Manager for approval
6. Implement and monitor Training Adjustment Plan

The Adjustment to Training Form is to be filed onto the Student's file.

Critical Incident Policy (S)

A critical incident is defined as being an incident that has affected a student or staff member that involves an event that has caused emotional or physical harm to that person (egg: death or serious injury to themselves or other persons within their life).

Should a critical incident occur to any student or member of staff at ANE College, it is vital that a process of support is initiated and carried out.

An incident must be recorded on the *Critical Incident Report* and filed in the Critical Incident Register.

A critical incident may occur:

- On ANE College premises during ANE College hours.
- To students of ANE College, outside of ANE College hours, affecting particular groups of the community. (e.g. bus or train accident on which a student may be travelling has an accident and serious injury or death may occur to a student)
- To friends/acquaintances of certain members of ANE College which can affect all at ANE College. E.g. the death of a student or member of staff known to all or some of the students.

In an incident of theft within ANE College:

- Individuals within ANE College are responsible for their belongings.
- Items or money stolen is not the responsibility of ANE College and cannot be replaced by ANE College
- In some serious matters the Student Services Officer may need to contact police and will be given a police report number, which will be recorded into the database.
- Trainers may assist the student to make an appointment with the Academic Manager as required.
- The Academic Manager will direct the Trainers in making announcements to all students to beware of thieves and keep personal property with them at all times.
- The Academic Manager will review that there is appropriate signage in all classrooms about not leaving personal property in unattended classrooms.

This policy provides a procedure on the following:

- Action to be taken in the event of a critical incident
- Follow-up of the incident
- Records of the incident and action taken plan

Relevant documents to this policy includes:

- Critical Incident Policy document
- Requirements additional to policy for international students
- Critical Incident Plans for International students
- Critical Incident Report

Copies of these documents can be found in the following documents:

- International Student Handbook
- CRICOS Q&C Manual

Critical Incident Report (S)

The Critical Incident is utilised to record incidences that occur within ANE College/workplace and must be completed whenever an injury or incident is identified. The form collects data on the incident, personal details of the person who was injured and further action to be undertaken.

Critical Incident can also occur outside of ANE College, (e.g. death, accidents, abuse) that can affect the students training.

In the incident of a student injury, it is the responsibility of the Trainer/Assessor or Support Services Officer to complete the form with all the relevant details. In the incident of a staff member being injured, it is the responsibility of Academic Manager/Principle/General Manager to complete the form with all the relevant details.

All staff and students are required to be safety aware and report all incidents, including an identified hazard or an injury that has occurred on ANE College premises. These should be either reported to your trainer or to the administration office at ANE College.

The following procedure should be followed when reporting an incident after the event and when the area/person has been declared safe:

1. Obtain a copy of the "Critical Incident Report" form from either a trainer or the administration office at ANE College.
2. Complete the form to the best of your abilities, by ensuring all fields are completed on pages 1, and 2, as indicated.
3. Submit completed copy to reception at ANE College office.
4. Reception are required to forward the form to the Student Support Officer
5. Your supervisor will identify and implement any controls and forward to the Student Support Officer.
6. Student Support Officer to complete pages 3 and 4 of the report "Action Required/Taken", including:
 - a. How the risk was managed
 - b. Whether WorkCover and/or the insurance company was contacted
7. Student Support Officer to identify whether a required Critical Incident Risk Assessment is required.
8. Student Support Officer to log the "Critical Incident Report" into the "Critical Incident Register" and file.
9. All incidences to be discussed at the next Quality and Compliance Meeting.

10. In the case of minor incidences an “Opportunity for Improvement” form should be completed.

11. In the event of death, the critical incidences are to be reported in PRISMS.

Hazard Identification (S)

Everyone is responsible for identifying and reporting hazards, which includes students, sub-contractors and employees of ANE College. If you identify a hazard, please report it to either the Academic Manager or the administration office. You will be required to complete either a *Critical Injury Report Form* or a *Hazard Identification Report Form*.

It is important all staff report any injury immediately, by completing a *Critical Injury Report Form*, which located in the *Trainers Folder* or in the *Administration Office*. If any staff have any concerns or notice a condition or practice that seems unsafe, it is important it is brought to the attention of Academic Manager or an Administration staff member of ANE College.

Emergency Procedures (S)

An emergency situation may be described as an incident that has the potential to cause loss of life or serious injury to personnel, or major damage to equipment or property. An emergency situation develops suddenly and unexpectedly and requires immediate action to bring under control.

In the event of an emergency, if practical, save human life or prevent the emergency from escalating e.g. remove people from the area, fight the fire with appropriate firefighting equipment or turn off services.

A list of Emergency contacts is displayed in each classroom and in the Student Lounge. An evacuation plan is displayed in each classroom and area of ANE College.

In the case of an emergency requiring assistance, call **000** for Fire, Ambulance or Police.

Fire Emergency (S)

If the emergency situation involves a fire the following points should be remembered if attempting to fight the fire:

1. Ensure that everyone is out of danger
2. Notify the Fire Warden by calling 02 9281 5929
3. Follow instructions of the Fire Warden
4. Call 000 and ask for Fire Department, report incident including location of incident to Emergency Services
5. You will be required to provide your name, the type of emergency, location of the emergency and assistance required.
6. If you are able, access the nearest fire extinguisher
7. When using a fire extinguisher do not aim the nozzle at the centre of the fire. Work from near edge and with a sweeping motion drive the fire to the far edge.
8. Do not stand down wind or downhill of a fire.
9. If there is any chance of chemicals or explosives in the fire, evacuate the area.
10. If there is any doubt about it being an electrical fire, treat it as an electrical fire.
11. If unable to immediately control the situation it must be reported by available means such as, telephone, etc.
12. Never take any unnecessary risks in attempting to control the situation. Evacuate first.

You need to make yourself aware of Emergency Procedures, the location of fire extinguishers or hose reels and the location of the Evacuation Meeting Point.

Medical Emergency (S)

In the event of someone requiring assistance for medical assistance, the following procedure should be followed:

1. In the first instance, call the First Aid Officer on 02 9281 5929
2. If the incident is urgent, call 000 and ask for Ambulance, report incident including location of incident to Emergency Services
3. You will be required to provide your name, the type of emergency, location of the emergency and assistance required.
4. Follow the instructions of either the First Aid Officer or Emergency Services
5. First Aid Officer and the person who identified the incident is to record the incident on a Critical Incident Report
6. The First Aid Officer is required to record the incident on the Critical Incident Register

Police Emergency (S)

Only call 000 in an emergency or life-threatening situation, when urgent police assistance is required. Following is a list of incidences that should be reported to police:

- A serious crime is in progress, being witness or just committed
- Any situation where life or serious injury is threatened
- A car accident where people are trapped or seriously injured
- A serious air, rail or water incident
- Any incident which poses an immediate threat of danger to people or property, or
- An explosion or bomb incident or threat

Under Australian Commonwealth and State laws, it is an offence to misuse the 000 emergency services number. Action will be taken against those who misuse or make nuisance calls on the 000 line.

Evacuation Procedure (S)

In the event of an emergency situation egg: a fire, bomb threat, gas leak etc... each employee/contractor is required to follow the Evacuation Procedures below. An evacuation plan is provided in each classroom and area in ANE College.

1. Upon notification to evacuate, egg alarm or a warning from the Fire Warden, each employee/contractor is to await further instructions from the Fire Warden.
2. Once the Fire Warden has given instructions to evacuate each staff member should:
 - a. follow the Fire Warden to the Evacuation Meeting Point
 - b. leave the building in an orderly manner, and
 - c. meet at the Evacuation Meeting Point indicated on the signs located around the building.
3. Upon arriving at the Evacuation Meeting Point please await further instructions from the Fire Warden or the Emergency Services.
4. Please do not leave the Evacuation Meeting Point until you are instructed to do so, as a roll call will be initiated to ensure that there are no employees/contractors or students left behind in the building.

Evidence

- Enrolment Application Form
- Language, Literacy and Numeracy Assessment (LLN)
- Training and Assessment Strategy
- International Student Handbook
- Trainers Handbook
- Trainers Report

	<ul style="list-style-type: none"> ▪ Training Needs Analysis Form ▪ Student Support Services Form ▪ Training Adjustment Plan ▪ Opportunity for Improvement Register ▪ Q&C Manual
Continuous Improvement	This standard is reviewed, according to the Continuous Improvement Cycle, during the month of February on an annual basis.
Responsibility	<ul style="list-style-type: none"> ▪ PEO/Principle/General Manager or Academic Manager ▪ Chief Executive Officer or Academic Manager ▪ Senior Management ▪ Trainers and Assessors
Standards for RTO's	<ul style="list-style-type: none"> ▪ Standard 1.7
ELICOS National Standards	<ul style="list-style-type: none"> ▪ P6.9, P7.2

Monitoring overseas student progress, attendance and course duration

- 8.1 The registered provider must monitor overseas students' course progress and, where applicable, attendance for each course in which the overseas student is enrolled.
- 8.2 The expected duration of study specified in the overseas student's CoE must not exceed the CRICOS registered duration.
- 8.3 The registered provider must monitor the progress of each overseas student to ensure the overseas student is in a position to complete the course within the expected duration specified on the overseas student's CoE.
- 8.4 The registered provider must have and implement documented policies and processes to identify, notify and assist an overseas student at risk of not meeting course progress or attendance requirements where there is evidence from the overseas student's assessment tasks, participation in tuition activities or other indicators of academic progress that the overseas student is at risk of not meeting those requirements.

Schools, ELICOS and Foundation Programs: course progress and attendance requirements

- 8.6 The registered provider of a school, ELICOS or Foundation Program course must have and implement a documented policy and process for monitoring and recording attendance of the overseas student, specifying:
 - 8.6.1 requirements for achieving satisfactory attendance for the course which at a minimum must be 80 per cent—or higher if specified under state or territory legislation or other regulatory requirements—of the scheduled contact hours
 - 8.6.2 the method for working out minimum attendance under this standard
 - 8.6.3 processes for recording course attendance
 - 8.6.4 details of the registered provider's intervention strategy to identify, notify and assist overseas students who have been absent for more than five consecutive days without approval, or who are at risk of not meeting attendance requirements before the overseas student's attendance drops below 80 per cent
 - 8.6.5 processes for determining the point at which the overseas student has failed to meet satisfactory course attendance.
- 8.7 The registered provider must have and implement a documented policy and process for monitoring and recording course progress for the overseas student, specifying:
 - 8.7.1 requirements for achieving satisfactory course progress for the course
 - 8.7.2 processes for recording and assessing course progress

- 8.7.3 details of the registered provider's intervention strategy to identify, notify and assist students at risk of not meeting course progress requirements in sufficient time for those students to achieve satisfactory course progress
- 8.7.4 processes for determining the point at which the student has failed to meet satisfactory course progress.

Higher education: course progress requirements

- 8.8 The registered provider of a higher education course must have and implement a documented policy and process for monitoring and recording course progress for the overseas student, specifying:
 - 8.8.1 requirements for achieving satisfactory course progress, including policies that promote and uphold the academic integrity of the registered course, and processes to address misconduct and allegations of misconduct
 - 8.8.2 processes for recording and assessing course progress requirements
 - 8.8.3 processes to identify overseas students at risk of unsatisfactory course progress
 - 8.8.4 details of the registered provider's intervention strategy to assist overseas students at risk of not meeting course progress requirements in sufficient time for those overseas students to achieve satisfactory course progress
 - 8.8.5 processes for determining the point at which the overseas student has failed to meet satisfactory course progress.

Vocational education and training (VET): course progress and attendance requirements

- 8.9 The registered provider of a VET course as defined in the NVETR Act must have and implement a documented policy and process for assessing course progress that includes:
 - 8.9.1 requirements for achieving satisfactory course progress, including policies that promote and uphold the academic integrity of the registered course and meet the training package or accredited course requirements where applicable, and processes to address misconduct and allegations of misconduct
 - 8.9.2 processes for recording and assessing course progress requirements
 - 8.9.3 processes to identify overseas students at risk of unsatisfactory course progress
 - 8.9.4 details of the registered provider's intervention strategy to assist overseas students at risk of not meeting course progress requirements in sufficient time for those overseas students to achieve satisfactory course progress

- 8.9.5 processes for determining the point at which the overseas student has failed to meet satisfactory course progress.
- 8.10 The registered provider must have and implement a documented policy and process for monitoring the attendance of overseas students if the requirement to implement and maintain minimum attendance requirements for overseas students is set as a condition of the provider's registration by an ESOS agency.
- 8.11 If an ESOS agency requires a VET provider to monitor overseas student attendance as a condition of registration, the minimum requirement for attendance is 80 per cent of the scheduled contact hours for the course.
- 8.12 If an ESOS agency requires a VET provider to monitor overseas student attendance, the registered provider must have and implement a documented policy and process for monitoring and recording attendance of the overseas student, specifying:
- 8.12.1 the method for working out minimum attendance under this standard
 - 8.12.2 processes for recording course attendance
 - 8.12.3 details of the registered provider's intervention strategy to identify, notify and assist overseas students who have been absent for more than five consecutive days without approval, or who are at risk of not meeting attendance requirements before the overseas student's attendance drops below 80 per cent
 - 8.12.4 processes for determining the point at which the overseas student has failed to meet satisfactory course attendance.

Reporting unsatisfactory course progress or unsatisfactory course attendance

- 8.13 Where the registered provider has assessed the overseas student as not meeting course progress or attendance requirements, the registered provider must give the overseas student a written notice as soon as practicable which:
- 8.13.1 notifies the overseas student that the registered provider intends to report the overseas student for unsatisfactory course progress or unsatisfactory course attendance
 - 8.13.2 informs the overseas student of the reasons for the intention to report
 - 8.13.3 advises the overseas student of their right to access the registered provider's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.
- 8.14 The registered provider must only report unsatisfactory course progress or unsatisfactory course attendance in PRISMS in accordance with section 19(2) of the ESOS Act if:
- 8.14.1 the internal and external complaints processes have been completed and the decision or recommendation supports the registered provider, or

8.14.2 the overseas student has chosen not to access the internal complaints and appeals process within the 20 working day period, or

8.14.3 the overseas student has chosen not to access the external complaints and appeals process, or

8.14.4 the overseas student withdraws from the internal or external appeals processes by notifying the registered provider in writing.

8.15 The registered provider may decide not to report the overseas student for breaching the attendance requirements if the overseas student is still attending at least 70 per cent of the scheduled course contact hours and:

8.15.1 for school, ELICOS and Foundation Program courses, the overseas student provides genuine evidence demonstrating that compassionate or compelling circumstances apply; or

8.15.2 for VET courses, the student is maintaining satisfactory course progress.

Allowable extensions of course duration

8.16 The registered provider must not extend the duration of the overseas student's enrolment if the overseas student is unable to complete the course within the expected duration, unless:

8.16.1 there are compassionate or compelling circumstances, as assessed by the registered provider on the basis of demonstrable evidence, or

8.16.2 the registered provider has implemented, or is in the process of implementing, an intervention strategy for the overseas student because the overseas student is at risk of not meeting course progress requirements, or

8.16.3 an approved deferral or suspension of the overseas student's enrolment has occurred under Standard 9 (Deferring, suspending or cancelling the overseas student's enrolment).

8.17 If the registered provider extends the duration of the student's enrolment, the provider must advise the student to contact Immigration to seek advice on any potential impacts on their visa, including the need to obtain a new visa.

Strategy

International students on a student visa are required by legislation to maintain satisfactory course progress. Unsatisfactory course progress may affect the student Visa.

ANE College is committed to enabling students to meet satisfactory course progress requirements and to achieving their learning goals. This will be enabled through monitoring student progress as documented through regular assessments, feedback and provision of appropriate support services.

ANE College is required under legislation to systematically monitor course progress, to be proactive in identifying, notifying and counselling students at risk of not meeting course requirements and to report students to the DHA via PRISMS who have breached course progress requirements.

This policy ensures that:

- Staff and students are aware of their responsibilities in relation to course progress;
- Procedures for systematically monitoring, recording and reporting are identified and implemented; and
- Intervention strategies are articulated and implemented to offer effective support for students at risk of not progressing.

Completion within the Expected Duration (VET) (S)

International students on a student visa are required to complete their studies within the defined period of their Confirmation of Enrolment as specified on their CoE. The purpose of this policy is to set out the guidelines to ensure students at ANE College:

1. Complete their course within the expected duration
2. Are aware of circumstances whereby the duration of their course may be varied.

The principle on which students may extend the duration of their course are defined by compassionate and compelling circumstances, course progress and intervention programs as well as approved suspension or deferrals. Students may extend their studies only up to the maximum duration of the course registered on CRICOS Register.

Procedure for Monitoring Course Progress

1. Students are required to attend scheduled contact activities for a minimum of 20 hours per week, as stipulated in the Letter of Offer and the CoE and as a requirement of their student visa conditions. Attendance is monitored as set out in the *Attendance Monitoring Policy and Procedure*
2. Students' academic progress is monitored to ensure that they are able to complete their course as specified on the eCoE. This monitoring process is detailed in the *"Monitoring Course Progress" Policy and Procedure* to ensure that at all times the student is in a position to complete the course within the specified duration.
3. The circumstances in which the CoE can be extended for students whose course cannot be completed on time include:
 - a. Compassionate and compelling circumstances as detailed in the *Compassionate and Compelling Circumstances policy and procedure*
 - b. Implementation of intervention strategies, as detailed in the *Intervention Strategy on page 81*.
 - c. Approved deferring or suspension of study in accordance with the *Deferring, Suspending or Cancelling Enrolment Policy*
4. In the event of circumstances described in point three (3) above, the student's CoE will be extended and the student will be advised and counselled further. A record will be made of this variation and the reasons for it on the student file on the Database. ANE College will report the student via PRISMS and a new CoE will be issued when the student can only account for the variation/s by extending his or her expected duration of study.
5. Except in circumstances described above, where a new CoE will be required, the expected duration will not exceed the CRICOS registered course duration. Students may extend their studies only up to the maximum duration of the course registered on the CRICOS Register unless a new CoE is approved.
6. The circumstances in which a CoE may not be extended include when evidence is available (through file notes, emails, letters or phone calls) that a student has repeatedly ignored requests to discuss unsatisfactory attendance and course progress and when ANE College has failed in attempts to contact the student on a least three occasions. All attempts will be noted on the Student file before a final review.
7. When a student is eligible to extend his or her studies, then ANE College is required to issue a new CoE.

Process for Completion within Expected Duration - VET

Steps	Details
1	Trainers keep a record of a student's results and any notes about the student on the Student's File.
2	All Assessment Tasks must be completed as per the Timetable provided at the commencement of the course.
3	If a student does not complete an Assessment Task due to illness, medical condition or other compelling circumstances, they will be required to negotiate a new due date with their Trainer. Evidence of compelling circumstances will be required (e.g. a Medical Certificate or Death Notice) The Trainer will allocate a time for the student to complete the assessment, at the discretion of the Academic Manager.
4	If a student does not complete an Assessment Task and has no compelling circumstance for missing the assessment, the student will be referred to the Intervention Strategy.
5	If the student is requesting to complete a level in a course on a different date to the date stated on the student's CoE, the student may request for an Extension with the Academic Manager.
6	If a student is eligible to extend his or her studies, the student must complete a new application form and will need to get a new Letter of Offer and CoE detailing the extended course information. (This will incur additional fees)
7	The student must sign the new Letter of Offer, and make payment as shown on the Letter of Offer, to accept the new offer and continue his or her studies.
8	The student will be issued with a new CoE
9	Database is updated with approval of an Extension and new CoE.

Course Progress Monitoring Policy (VET) (S)

Under Section 19 of the ESOS Act, Registered Providers are required to report students who have breached the course progress requirements. ANE College will monitor, record and assess the course progress of each student, for each unit of the course for which the student is enrolled.

If students do not meet the course progress requirements and have been deemed not yet competent on two attempts of one unit of competency, ANE College will activate the Intervention Strategy.

The progress of students is monitored, recorded and reviewed at the end of each week of study and assessments completed at the end of each unit.

The progress of each student is monitored by the Trainer and the Academic Manager. Course progress is monitored as follows:

1. Completion of assessment tasks for each unit of competency

2. Attendance of scheduled activities

Students who fall into the below categories are deemed to have failed to meet satisfactory course progress requirements:

1. Deemed 'not yet competent' in two consecutive units of competency; or
2. Deemed 'not yet satisfactory' in two attempts of the same assessment; or
3. Deemed 'not yet competent' in three units within a 6-month period; or
4. Failed to submit an assessment by the due date (unless an extension is formally granted)
5. Failed to attend at least 80% of scheduled course contact hours in two consecutive weeks (unless compelling or compassionate circumstances have been demonstrated)

Students who are deemed Not Competent following three attempts, will not be able to progress until they meet the requirements of the course or unit of competency. The student may need to repeat the ELICOS level or be reassessed for the Unit of Competency until satisfactory course progress is achieved. Further fees may apply.

Refer to the Monitoring and Intervention Process on page 124 for more details on the process.

Course Monitoring and Appeal Process

1. Student is deemed not yet competent on first attempt of completing the course or unit of competency
2. Trainer verbally warns the student that they are at risk of not meeting the requirements of the course and are offered a second attempt
3. Student is deemed Not Yet Competent on a second attempt of the same course or UOC
4. ANE College will issue the student with a "*Academic Conduct Breach-First Warning Letter*". This notice will be sent by post and email, every effort will be made to contact the student by the Academic Manager.
5. Trainer to schedule an Intervention Strategy Meeting with the Academic Manager
6. Student and Academic Manager attends the Intervention Strategy Meeting and Academic Manager is responsible for completing the Intervention Plan Form at the meeting.
7. Student signs the Intervention Plan Form, agreeing to the plan and confirming that they will comply with the Intervention Plan
8. The student fails to follow the Intervention Plan and is deemed Not Yet Competent on a second occasion.
9. ANE College will issue the student with a "*Academic Conduct Breach -Second Warning Letter*". This notice will be sent by post and email, every effort will be made to contact the student by the Academic Manager.
10. In the event that Student is deemed Not Yet Competent on a third attempt of the course or UOC, the student will be sent an "*Academic Conduct Breach - Intent to Report Letter*". Student is notified in the letter that they will have 20 working days to access the *Complaints and Appeals Policy* and to submit any evidence to support their situation.
11. If the Student does access the Complaints and Appeals Policy, the student's enrolment will remain until the Complaints and Appeals process has been completed.

12. An appeals meeting will be arranged to assess this evidence. The student will be advised that they must maintain their attendance whilst the appeal process is in effect and a decision is being made.
13. All records of the appeals process must be maintained on the student file.
14. If the student appeals on the grounds of compassionate and compelling circumstances, the process under the Compassionate and Compelling Circumstances Policy and Procedure on page 134 will come into force.
15. If the student does not submit a Complaint and Appeal Form within 20 working days, the student will be withdrawn from their course of studies.
16. If the student does not lodge an appeal, or the appeal is rejected, the [Department of Home Affairs](#) (DHA) will be notified through PRISMS that the student has not achieved satisfactory academic progress within 10 working days following the Complaints and Appeals process.
17. DHA will then send a *Notice of Intent to Consider Cancellation (NOIC)* prior to a decision being made to cancel the student visa.
18. Record of the Academic monitoring and appeal process will be recorded on the student file.

For the process on how to complete the Intervention Plan Form, please refer to Intervention Strategy

STEPS	STUDENT	TRAINER	ACADEMIC MANAGER (AM)
In-class support	Students who are failing in their first assessment or not meeting minimum 80% attendance requirements	<ul style="list-style-type: none"> • One-on-one counselling with a Trainer • Trainer provides strategies to improve any skills gaps identified • Trainer provides additional support (e.g. additional study resources) 	N/A
1	The student fails a second assessment or continues to fall below 80% attendance	<ul style="list-style-type: none"> • The Student will be required to attend Study Corner (as per timetable) to acquire further assistance • Trainer notifies AM that student has been referred to Study Corner • Database is updated with student progress and attendance 	Trainer to report to AM on the student's attendance progress in the Study Corner

2	Consistently scores less than required score to achieve successful completion	<ul style="list-style-type: none"> Trainer informs the student that they may be required to extend their studies to meet their minimum course requirements Database is updated with student progress and attendance 	Interview with AM to discuss further study options to get the student back on track
Decision	<ul style="list-style-type: none"> Student has not followed the Intervention Plan; and/or Student has not improved Attendance 	<ul style="list-style-type: none"> Trainer informs student in writing that they have not followed the Intervention Plan and will now be issued with an Intention to Report Letter. The student has 20 working days to appeal the Decision as per the Policies and Procedures for Complaints and Appeals. Intention to Report is documented on the Database and Student File 	AM sends Intention to Report letter to the student

Intervention Plan Form on page 77.

Notice of Intention to Report Letter – Academic Monitoring (S)

If a student fails to meet the minimum course requirements, (i.e. falls below 80% attendance requirements, fails a course or is deemed Not Yet Competent within a Unit of Competency) the student is placed at risk of being reported to the Department of Home Affairs as they will be in breach of the Visa requirements.

Students will be informed in writing with a “*Academic Conduct Breach-Intent to Report*” letter, which outlines that the student has been provided with the following:

- Course Assessment - First Warning Letter
- Course Assessment Breach -Second Warning Letter
- Intervention Plan Form

Refer to the Monitoring and Intervention Process on page 137 for more details on when the Intention to Report Letter will be sent.

Intervention Strategy

STEPS	STUDENT	TRAINER	ACADEMIC MANAGER (AM)
In-class support	Students who are failing in their first assessment or not meeting minimum 80% attendance requirements	<ul style="list-style-type: none"> One-on-one counselling with a Trainer Trainer provides strategies to improve any skills gaps identified Trainer provides additional support (e.g. additional study resources) 	N/A
1	The student fails a second assessment or continues to fall below 80% attendance	<ul style="list-style-type: none"> The Student will be required to attend Study Corner (as per timetable) to acquire further assistance Trainer notifies AM that student has been referred to Study Corner Database is updated with student progress and attendance 	Trainer to report to AM on the student's attendance progress in the Study Corner
2	Consistently scores less than required score to achieve successful completion	<ul style="list-style-type: none"> Trainer informs the student that they may be required to extend their studies to meet their minimum course requirements Database is updated with student progress and attendance 	Interview with AM to discuss further study options to get the student back on track
Decision	<ul style="list-style-type: none"> Student has not followed the Interventio 	<ul style="list-style-type: none"> Trainer informs student in writing that they have not followed the Intervention Plan 	AM sends Intention to Report letter to the student

	<p>n Plan; and/or</p> <ul style="list-style-type: none"> • Student has not improved Attendance 	<p>and will now be issued with an Intention to Report Letter.</p> <ul style="list-style-type: none"> • The student has 20 working days to appeal the Decision as per the Policies and Procedures for Complaints and Appeals. • Intention to Report is documented on the Database and Student File 	
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Intervention Plan Form (S)

The Intervention Plan Form will be documented in writing by the Trainer in liaison with the Academic Manager and a signed copy of the “*Intervention Plan Form*” will be provided to the student. This will be in the form of a hard copy and via email.

This will include:

- Discussion of progress
- Clarifying areas of weaknesses
- Action areas for improvement
- Articulation of goals and strategies

During the consultation, the focus of discussion may be on:

- Key weaknesses in skills development
- The skill areas and specific sub-skills requiring improvement and tasks to support the development of these skills.

The Academic Manager will explain to the student that due to these areas of weakness the student is at risk of failing the course and that the intervention strategy is an enabling process designed to assist the student. The Trainer is required to document this discussion and the plan for improvement. The student will also sign the Intervention Plan Form as an acknowledgement of understanding and a commitment to co-operate. The Trainer may consult with the Academic Manager to articulate strategies, particularly in complex situations.

A written record of the Intervention Plan and discussion must be maintained on the Student File and a record noted on the Database (aXcelerate).

A range of intervention strategies will be used, which include but are not limited to:

- Additional individual academic tuition in identified skills area
- Referral to study skills groups, such as pronunciation classes or grammar classes
- Additional homework practice skills
- Referral to Study Corner
- Reduction in course load
- Referral to student support services for counselling
- Referral to external support services
- Peer mentoring

- Support with appropriate independent learning resources

The implementation of intervention strategies may occur earlier in the course as part of proactive measures taken to counsel students.

The Trainer and the Academic Manager will monitor the student's progress regularly following the implementation of the Intervention Plan.

A "Notice of Intention to Report" to DHA for Unsatisfactory Course Progress will be issued to the student and the student will be advised of their appeal rights as outlined in the Complaints and Appeals Policy.

ANE College will notify DHA through PRISMS if a student has not achieved satisfactory course progress following the appeal process. In the event the appeal is not upheld, the student's enrolment will be cancelled through PRISMS. DHA may then send a Notice of Intention to Consider Cancellation (NOICC) prior to a decision being made to cancel the student visa.

Please refer to the Monitoring and Intervention Process on page 137 for more information.

Attendance Monitoring Policy (S)

ANE College is required to systematically record and monitor attendance for students who enrol in their courses. International students on a student visa who are studying Nationally Recognised Training courses at ANE College are required to maintain a minimum of 20 hours attendance per week for scheduled face to face hours in the classroom. This is pursuant to legislative requirements detailed below.

Attendance of each student is recorded daily, with students being required to sign a register upon arrival and on departure.

Student's attendance will be regularly monitored on a weekly basis to ensure that ANE College facilitates the highest quality of learning opportunities and additionally maintains compliance with legislative requirements. Students identified as *at risk* of unsatisfactory attendance will be proactively counselled and notified formally through warning letters. Unsatisfactory attendance can lead to the cancellation of the student visa.

The principles underpinning this policy are that early identification will enable appropriate support and intervention strategies to be implemented in order for the student to satisfactorily complete their program.

Regardless of unsatisfactory attendance, the student will receive an attendance certificate which indicates their overall attendance percentage.

This policy and procedure identifies the process for:

1. Contacting and counselling students;
2. Monitoring attendance;
3. Notifying identified students of their rights to access the complaints and appeals process;
4. Reporting students; and
5. Circumstances where students need not be reported if their attendance percentage is above 80%

Monitoring and recording attendances and absences

All Trainers will be inducted into the requirements of this policy at induction and through the Staff Handbook. The Daily Attendance Record Form which is generated through the database (aXcelerate) will be used to record attendance and absences. Both students and the Trainer are required to sign this record on a daily basis. Trainers will receive guidelines on how to complete this record, and in particular how to record absences, leave, late arrivals and early leave during the day.

Attendance is entered into the student management system on a daily basis and to monitor the record sheet for due diligence checks in terms of correct data entry by Trainers, including ensuring signatures of students and Trainer.

In the event a medical certificate is supplied, the student is still recorded as absent until the medical certificate is verified by the Student Support Officer. The original medical certificate is returned to the student and a certified copy is placed in the student file.

Issuing Warning letters, counselling and record keeping

ANE College will issue a “*Course Attendance - First Warning Letter*” by email and registered mail when the projected overall attendance is calculated at being at risk of falling below 80%. Students are required to ensure that ANE College is informed of their current contact details at all times and that when a change of contact detail occurs that notification is received within 5 working days.

Every effort will be made to contact the student by the Student Support Officer, following the issuing of a warning letter. This will be done through classroom contact or by phone, email or text message. The student will be clearly informed of the risk and consequences of breaching the satisfactory attendance requirements. Any difficulties affecting attendance, including academic, welfare or personal will be identified with the view to articulating appropriate support or intervention strategies.

A copy of the warning letter and records of contact will be maintained on the student file

In the event the student’s attendance falls below 80%, a “*Course Attendance Beach-Second Warning Letter*” will be issued.

All efforts will be made to contact and counsel the student. Records will be maintained on the student file.

In the event a student is absent for more than 5 consecutive days without approval every effort will be made to contact and counsel the student.

In the event a student’s attendance falls below 70%, a notice of intention to report letter will be issued.

Attendance Monitoring and Appeal Procedure

1. Student is at risk of falling below 80% attendance
2. Trainer verbally warns the student that they are at risk of falling below the required 80% attendance
3. Student falls below 85% attendance
4. ANE College will issue the student with a “*Course Attendance-First Warning Letter*”. This notice will be sent by post and email, every effort will be made to contact the student by the Academic Manager.
5. Intervention Strategy Meeting with the Academic Manager is scheduled
6. Student and Academic Manager attends the Intervention Strategy Meeting and Academic Manager is responsible for completing the Intervention Plan Form at the meeting.
7. Student signs the Intervention Plan Form, agreeing to the plan and confirming that they will comply with the Intervention Plan
8. If the student fails to follow the Intervention Plan and attendance once again falls below 80%, the student will be in breach of the Intervention Plan
9. ANE College will issue the student with a “*Course Attendance Breach -Second Warning Letter*”. This notice will be sent by post and email, every effort will be made to contact the student by the Academic Manager.
10. The Intervention Strategy Meeting Process is repeated.

11. In the event that Student attendance falls below 70%, the student will be sent an Intent to “*Intent to Report Letter-Attendance*”. Student is notified in the letter that they will have 20 working days to access the *Complaints and Appeals Policy* and to submit any evidence to support their situation.
12. If the Student accesses the Complaints and Appeals Policy, the student’s enrolment will remain until the Complaints and Appeals process has been completed.
13. An appeals meeting will be arranged to assess this evidence. The student will be advised that they must maintain their attendance whilst the appeal process is in effect and a decision is being made.
14. All records of the appeals process must be maintained on the student file.
15. *If the percentage attendance is above 70% and within the 70%-80% bandwidth, evidence will be considered as detailed in the Compassionate and Compelling Circumstances Policy and Procedure on page 147.*
16. If the student does access the Complaints and Appeal Form within 20 working days, the student will be withdrawn from their course of studies.
17. If the student does not lodge an appeal, or the appeal is rejected, the [Department of Home Affairs](#) (DHA) will be notified through PRISMS that the student has not achieved satisfactory course progress within 10 working days following the Complaints and Appeals process.
18. DHA will then send a *Notice of Intent to Consider Cancellation (NOIC)* prior to a decision being made to cancel the student visa.
19. Record of the Attendance monitoring and appeal process will be recorded on the student file.

For the process on how to complete the Intervention Plan Form, please refer to Intervention Strategy

STEPS	STUDENT	TRAINER	ACADEMIC MANAGER (AM)
In-class support	Students who are failing in their first assessment or not meeting minimum 80% attendance requirements	<ul style="list-style-type: none"> • One-on-one counselling with a Trainer • Trainer provides strategies to improve any skills gaps identified • Trainer provides additional support (e.g. additional study resources) 	N/A
1	The student fails a second assessment or continues to fall below 80% attendance	<ul style="list-style-type: none"> • The Student will be required to attend Study Corner (as per timetable) to acquire further assistance • Trainer notifies AM that student 	Trainer to report to AM on the student’s attendance progress in the Study Corner

		<ul style="list-style-type: none"> has been referred to Study Corner Database is updated with student progress and attendance 	
2	Consistently scores less than required score to achieve successful completion	<ul style="list-style-type: none"> Trainer informs the student that they may be required to extend their studies to meet their minimum course requirements Database is updated with student progress and attendance 	Interview with AM to discuss further study options to get the student back on track
Decision	<ul style="list-style-type: none"> Student has not followed the Intervention Plan; and/or Student has not improved Attendance 	<ul style="list-style-type: none"> Trainer informs student in writing that they have not followed the Intervention Plan and will now be issued with an Intention to Report Letter. The student has 20 working days to appeal the Decision as per the Policies and Procedures for Complaints and Appeals. Intention to Report is documented on the Database and Student File 	AM sends Intention to Report letter to the student

Intervention Plan Form on page 77.

Notice of Intention to Report Letter – Attendance Monitoring (S)

If a student fails to meet the minimum 80% Attendance requirements, the student is placed at risk of being reported to the Department of Home Affairs for being in breach of their Visa requirements.

This letter outlines that the student has been provided with the following:

1. Course Attendance - First Warning Letter
2. Course Attendance Breach -Second Warning Letter

3. Intervention Plan Form

Refer to the Monitoring and Intervention Process on page 124 for more details on when the Intention to Report Letter will be sent.

Student Code of Conduct – 8.9 (S)

All students studying with ANE College are responsible for managing their own conduct whilst studying with ANE College. Students who do not adhere to the Student Code of Conduct policy and procedure put themselves at risk of Intent to Report the student to the Department of Home Affairs that they are in breach of their Visa requirements. ANE College takes Student Misconduct seriously and will act if it has come to our attention that a student has intentionally acted against our Student Conduct Policy and Procedure.

Student Responsibilities

- a) Students are required to attend all sessions, as set out in their Course Timetable
- b) Students are responsible for adhering to their Visa requirements
- c) Students must attend a minimum of 20 hours per week
- d) Study is the priority was on a Student Visa, not work
- e) Students are responsible for completing their own work and will not plagiarise or cheat by copying other students work
- f) Students must satisfy entry requirements for course of enrolment.
- g) If a student is deemed not yet competent on completion of training, they will be offered an opportunity to be reassessed. If a student is deemed not yet competent a second time, they will be given a third and final opportunity for reassessment.
- h) If a student is required to be reassessed at any time, they will be provided with further guidance from their trainer prior to reassessment.
- i) If after three attempts the student is deemed competent in some but not all the units of competencies required, a Statement of Attainment will be issued.
- j) All students will undergo an induction with ANE College, which will include the student's rights and responsibilities against the relevant Australian Commonwealth, State or Territory legislation and regulatory requirements.
- k) Students are issued with a Student Handbook & International Student Handbook, which includes the Student's rights and responsibilities that will affect their participation in training.
- l) The student acknowledges that they must observe ANE College's policies and procedures, according to State and Federal Government legislative and regulatory requirements and the Student Visa requirements, as set out in the Student Handbook and the International Student Handbook.

Cheating and Plagiarism

ANE College will not condone cheating or plagiarism in any form by students of the RTO and will ensure that these standards are upheld. Trainers must be diligent in reducing potential opportunities for cheating and plagiarism to occur by adhering to our policy on Cheating and Plagiarism.

Definition of Cheating

Cheating is defined as obtaining or attempting to obtain, or aiding another to obtain credit for work, or any improvement in evaluation of performance, by any dishonest or deceptive means. Cheating includes, but is not limited to: lying; copying from another's test or

examination; discussion at any time of answers or questions on an examination or test, unless such discussion is specifically authorized by the instructor; taking or receiving copies of an exam without the permission of the instructor; using or displaying notes, "cheat sheets," or other information devices inappropriate to the prescribed test conditions; allowing someone other than the officially enrolled student to represent same.

Definition of Plagiarism

Plagiarism is defined as the act of using the ideas or work of another person or persons as if they were one's own without giving proper credit to the source. Such an act is not plagiarism if it is ascertained that the ideas were arrived through independent reasoning or logic or where the thought or idea is common knowledge. Acknowledgement of an original author or source must be made through appropriate references; i.e. quotation marks, footnotes, or commentary. Examples of plagiarism include, but are not limited to the following: the submission of a work, either in part or in whole completed by another; failure to give credit for ideas, statements, facts or conclusions which rightfully belong to another; failure to use quotation marks (or other means of setting apart, such as the use of indentation or a different font size) when quoting directly from another, whether it be a paragraph, a sentence, or even a part thereof; close and lengthy paraphrasing of another's writing without credit or originality; use of another's project or programs or part thereof without giving credit.

It is cheating to:

- use notes or other resources without permission during formal testing
- hand in someone else's work as your own (with or without that person's permission)
- hand in a completely duplicated assignment
- take work without the author's knowledge
- allow someone else to hand up your work as their own
- have several people write one computer program or exercise and hand up multiple copies, all represented (implicitly or explicitly) as individual work
- use any part of someone else's work without the proper acknowledgement
- steal an examination or solution from a Trainer/Assessor.

It is not cheating to:

- discuss assignments with your Trainer/Assessor or other students to understand what is being asked for
- hand in work done alone or with the help of staff
- get help to correct minor errors in spelling, grammar or syntax (sentence construction)
- discuss assignment requirements and course materials so that you can better understand the subject (this is, in fact, encouraged)
- submit one assignment from a group of students where this is explicitly permitted or required
- use other people's ideas where they are acknowledged in the appropriate way, such as referencing using footnotes, end notes or the Harvard system of referencing.

Penalties

- If you are suspected of cheating, your Trainer/Assessor will investigate to establish evidence to support the suspicion.
- If there is evidence to support the suspicion, your Trainer/Assessor will notify the Academic Manager and set out the concerns to you in writing, requesting a time to discuss the matter. You will have the opportunity to counter the allegations made against you.
- Once you have provided your information, ANE College may come to one of two decisions:

- It is a minor or unintentional offence and you will need to undergo an alternative form of assessment, such as a short oral assessment, which may involve talking about the work or questioning. The penalty in this case is that you will receive the lowest level of competency or pass for all the learning outcomes being assessed.
- It is a serious offence and you will fail the module. Repeated offences of cheating – minor or serious – will result in failure of the module plus a record on your student file, together with the reason.
- You will be advised of all penalties writing.
- What if I don't agree with the decision?
- If you are accused of and penalised for cheating and believe that the accusation is unjust, you have the right to appeal against the charge. This appeal must be lodged in writing with the educational manager of the program within one week of the penalty being imposed.

The appeal may be lodged against:

- the process
- the decision
- the penalty.

The appeal will be investigated, and a decision will be advised to you within a week of your appeal.

If you are having difficulties with your studies, you are encouraged to seek help from your Trainer/Assessor.

Evidence

- International Student Handbook
- Student Management System
- Academic Progress Report (APR)
- Trainer and Student Survey Forms
- Course Assessment - First Warning Letter
- Course Assessment Breach -Second Warning Letter
- Intervention Plan Form
- Intent to Report Letter-Attendance
- Opportunity for Improvement
- Intervention Plan

Continuous Improvement

This standard is reviewed, according to the Continuous Improvement Cycle, during the month of **February** on an annual basis.

Responsibility

- *Trainers* are responsible for monitoring and recording academic progress and implementing Intervention Strategies.
- The *Academic Manager* is responsible for ensuring Trainers:
 - identify, record and monitor course progress in a proactive manner
 - access appropriate professional development to assist them in devising and implementing educationally sound intervention strategies.
 - receive advice in articulating intervention strategies in complex situations
 - maintain records of course progress on the Student File in accordance with record keeping obligations.
- The Academic Manager is responsible for ensuring compliance with this policy.
- Students are made aware of the course progress policy and reporting obligations at orientation through the International Student Handbook. Students are also responsible for ensuring they advise ANE College of any change of contact details in accordance with their student visa requirements.
- Students Support Officer is to generate a report from the Student Database at the end of each Unit of competency.

- Standard 1.7

STANDARD 10 – COMPLAINTS AND APPEALS

This standard sets out that registered providers must ensure their overseas students have the right to natural justice protected through access to professional, timely, inexpensive and documented complaints handling and appeals processes.

- 10.1 The registered provider must have and implement a documented internal complaints handling and appeals process and policy, and provide the overseas student with comprehensive, free and easily accessible information about that process and policy.
- 10.2 The registered provider's internal complaints handling and appeals process must:
 - 10.2.1 include a process for the overseas student to lodge a formal complaint or appeal if a matter cannot be resolved informally
 - 10.2.2 include that the provider will respond to any complaint or appeal the overseas student makes regarding his or her dealings with the registered provider, the registered provider's education agents or any related party the registered provider has an arrangement with to deliver the overseas student's course or related services
 - 10.2.3 commence assessment of the complaint or appeal within 10 working days of it being made in accordance with the registered provider's complaints handling and appeals process and policy, and finalise the outcome as soon as practicable
 - 10.2.4 ensure the overseas student is given an opportunity to formally present his or her case at minimal or no cost and be accompanied and assisted by a support person at any relevant meetings
 - 10.2.5 conduct the assessment of the complaint or appeal in a professional, fair and transparent manner
 - 10.2.6 ensure the overseas student is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome
 - 10.2.7 keep a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome.
- 10.3 If the overseas student is not successful in the registered provider's internal complaints handling and appeals process, the registered provider must advise the overseas student within 10 working days of concluding the internal review of the overseas student's right to access an external complaints handling and appeals process at minimal or no cost. The registered provider must give the overseas student the contact details of the appropriate complaints handling and external appeals body.
- 10.4 If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the overseas student, the registered provider must immediately implement the decision or recommendation and/or take

the preventive or corrective action required by the decision, and advise the overseas student of that action.

Strategy

ANE College is committed to handling any student complaints or appeals are dealt with in a timely and fair manner by utilising a mechanism to allow students and staff to submit a complaint through the Complaints and Appeals process. This mechanism is outlined within the Complaints and Appeals Policy and Procedure. A clear process for submitting a complaint is included within the International Student Handbook and the Trainers Handbook.

All genuine complaints will be taken seriously. The relevant circumstances and information surrounding a complaint will be investigated to the level warranted by the severity of the complaint. Where anonymity has been requested, the need to protect the complainant's identity may impact on the level of the investigation.

In considering the application of the essential element of "access" to complaints management, ANE College will take into account the requirements of relevant State and Commonwealth legislation including the:

- Disability Services Act 1993 (NSW State);
- Anti-Discrimination Act 1977 (NSW State);
- Human Rights Commission Act 1981 (Commonwealth);
- Disability Discrimination Act 1992 (Commonwealth); and
- Racial Discrimination Act 1975 (Commonwealth).

Policy and Procedure/s

Complaints and Appeals Policy and Procedure (S)

Definitions

ANE College uses the following definitions in relation to complaints and appeals:

<p>Staff and students have the right to submit a complaint if they wish to express discontent against another person or a complaint against ANE Colleges process or system. In order to ensure that complaints are dealt with in a timely manner.</p> <p>This policy and procedure is relevant to all complaints arising in the following areas:</p> <ul style="list-style-type: none"> • Student wishes to raise a complaint against another student • Student wishes to raise a complaint against ANE College • Student wishes to raise a complaint about a Third Party • Staff wish to raise complaint about a Third Party 	<p>The student has the right to appeal on an assessment result if they believe that the result given was unfair or unjustified.</p> <p>This includes Appeals arising in the following areas:</p> <ol style="list-style-type: none"> a) Student disagrees with the result given by their Assessor b) Student wishes to have their result reviewed by another Assessor c) Student wishes to be re-assessed for the same unit d) Student believes that they were discriminated against by the Assessor e) Or any other matter that requires the process for an appeal
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- Staff wishes to raise a complaint about another staff member or a student

Complaints Policy

Staff and students have the right to submit a complaint if they wish to express discontent against another person or a complaint against ANE Colleges process or system. In order to ensure that complaints are dealt with in a timely manner, we have implemented a complaints process.

This policy and procedure is relevant to all grievances arising in the following areas:

- a) Student wishes to raise a complaint against another student
- b) Student wishes to raise a complaint against ANE College
- c) Student wishes to raise a complaint about a Third Party
- d) Institute staff wishes to raise complaint about a Third Party
- e) Staff wishes to raise a complaint about another staff member or a student

Complaints Process

If a student, trainer or staff member is experiencing any difficulties, they are encouraged to discuss their concerns in the first instance with either their Trainer or the Student Support Officer (SSO). Institute staff will make themselves available at a mutually convenient time if a student wishes to seek assistance.

If a Student or Staff member wishes to make a formal complaint, they are required to complete a Complaints and Appeals Form, which is included in the Student and Trainers Handbook. Once the form has been completed, the form should be submitted to the **SSO** for actioning.

If required, the student has the right to have a third party/support person assist them through the Complaints Process, this may be due to language barriers or simply at the students' request.

Following is the process for managing complaints:

1. Formal complaint is received from the complainant to ANE College
2. If not already submitted with the complaint, a *Complaints and Appeals Form* is completed and submitted to the Academic Manager
3. A written acknowledgement of receipt of the *Complaints and/or Appeal* will be forwarded to the complainant following receipt by the Academic Manager within 5 working days
4. The Complaint is discussed with ALL parties involved in the grievance, and ALL parties are notified in writing of the complaint, which will ensure that order to meet the requirements of natural justice and procedural fairness
5. Grievances should be kept confidential, in order to protect the complainants
6. All *Complaints and Appeals Form* are to be reviewed at the monthly Quality and Compliance Meetings.
7. The Academic Manager is to follow the process on the *Complaints and Appeals Form* for the process under "Recommended Action Required for Improvement".
 - a. An initial meeting is to be held within 10 working days of formal lodgement of the complaint

- b. If further investigation is required, this should be completed within 60 calendar days
8. Each appellant:
 - a. Has an opportunity to formally present his or her case
 - b. Is given a written statement of the complaint outcomes, including reasons for the decision
9. If the Complainant wishes to appeal the Complaint outcome, the student can bring the complaint before senior management for resolution, agreeable to all parties.
10. If Senior Management is party to the grievance, they will not take part in any discussions or decisions made and the appeal will be referred to the PEO.
11. If a solution has not been reached to the benefit of all parties the complainant has the right to request a review by an independent party, who is not part of ANE College
12. ANE College is responsible for acting upon the subject of any complaint found to be substantiated
13. Complaints and Appeals Forms received are to be entered onto the Complaints and Appeals Register
14. If ANE College determines that the complaint process cannot be finalised within 60 calendar days, the Academic Manager will:
 - a. Confirm this in writing to the complainant, including reasons why more than 60 calendar days is required
 - b. Will regularly update the complainant or appellant on the progress of the matter

Complaints and Appeals Forms are to be actioned by the appropriate staff member and filed into the *Complaints and Appeals Register* and a scanned copy saved onto the student file in the database.

All *Complaints and Appeals Forms* are to be reviewed during the monthly Quality and Compliance Meetings and improvements are to be identified and implemented according to the Policies and Procedures of ANE College.

ESOS requirements

Based on the ESOS Act 2000 Section 8.4, if the student chooses to access the registered provider's complaints and appeals processes as per this Standard, the registered provider must maintain the student's enrolment while the complaints and appeals process is ongoing.

Based on ESOS Act 2000 Section 8.5, if the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

Disagree with Complaint Process

Should the student not be satisfied with the result of the appeal by ANE College, the student can lodge a complaint with:

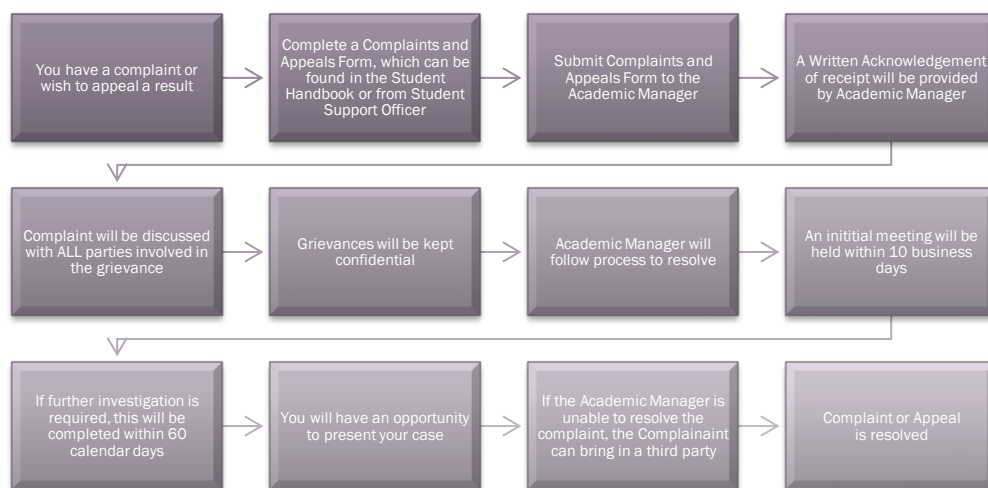
- Overseas Students Ombudsman (www.ombudsman.gov.au) or 1300 362 072
- For student Visa issues – Department of Home Affairs (www.homeaffairs.gov.au)
- For Legal Matters – (www.lawaccess.nsw.gov.au) 1300 888 529

- For any International student matters – (www.studyinaustralia.gov.au) 1300 363 079
- National Training Complaints Hotline (<https://www.education.gov.au/NTCH>)
Phone: 13 38 73, Monday–Friday, 8am to 6pm nationally.
Email Complaints: <https://www.education.gov.au/email-complaints>
- NSW - Office of Fair Trading (<http://www.fairtrading.nsw.gov.au>).
- QLD – Fair Trading Queensland (<https://www.qld.gov.au/law/fair-trading/>)
- SA - Consumer and Business Services SA (<https://www.cbs.sa.gov.au/>)
- TAS – Consumer Affairs and Fair Trading (<http://www.consumer.tas.gov.au/>)
- VIC - Consumer Affairs Victoria (<https://www.consumer.vic.gov.au/businesses/fair-trading>)
- WA – Consumer Protection Western Australia (<https://www.commerce.wa.gov.au/consumer-protection>)
- NT – Consumer Affairs Northern Territory (<http://www.consumeraffairs.nt.gov.au/Pages/default.aspx>)

There is no cost involved with lodging a complaint with ANE College.

- If complainant is dissatisfied with the outcome of the complaint or appeal at the end of the internal process, complainant may wish to have the matter dealt with through an external dispute resolution process facilitated by the Ombudsman. (www.ombudsman.gov.au overseas.students@ombudsman.gov.au). Phone: 1300 362 072

Complaints Flowchart (S)



Complaints and Appeals Form

The Complaints and Appeals Form is accessible from Administration/Reception/Website or a complainant can also contact ANE College to obtain a copy of the form.

Complaints Report Form

The Complaints Report Form is to be used if there is not enough room on the Complaint and Appeals Form to describe the complaint. This form is to be attached and submitted with the *Complaints and Appeals Form*.

Complaints and Appeals Register

ANE College has in place a register for filing completed Complaints and Appeals forms. When a complaint or appeal is received, the form collected is to be entered the Complaints and Appeals Register and given a register number.

Complaints and Appeals that are placed into the register are reviewed and monitored each month at the monthly Quality & Compliance Meeting.

Corrective and Preventative Action – Opportunity for Improvement (S)

Corrective and Preventative Actions are improvements to processes taken to eliminate causes of non-conformities or other undesirable situations. It focuses on the systematic investigation of the root causes of identified problems or identified risks in an attempt to prevent their recurrence (for corrective action) or to prevent occurrence (for preventive action).

Opportunity for Improvement (S)

A key process for managing continuous improvement (including Corrective and Preventative Action) throughout ANE College is through identifying “Opportunities for Improvement”, these can be improvements to Training and Assessment, Client Services or Management Systems. Examples of when Opportunities for Improvement may be identified include:

- Training and Assessment:
 - Reviewing a Training and Assessment Strategy
 - Feedback on Training and Assessment
 - Industry Consultation
 - Assessment Validation
 - Internal Audits
 - Changes in Industry requirements
- Student Services:
 - Opportunities for Improvement
 - Training Evaluation Form
 - Enrolment Agreement Forms
 - Internal Audit Reports
 - Complaints and Appeals Forms
- Management Systems:
 - Quality and Compliance Meeting minutes
 - Review of Continuous Improvement Cycle
 - Conducting Annual Internal Audits
 - Policies and Procedures do not align with process or legislative requirements
 - Provider system failure
 - Critical Incident
 - Critical Incident
 - Complaint or Appeal
 - Process failing
 -
 - International Agent or Third Party
 - Agent or Third Party not working within conditions of agreement
 - Agreement

- Document Control
- Non-compliances at Audit
- Provider System Failure
- International Agent

All staff and students are encouraged to complete an Opportunity for Improvement Form if they identify a system, process or procedure requiring implementation or improvement.

The implementation of the actions identified in the Opportunity for Improvement Form will be reviewed and discussed at the Monthly Quality and Compliance Meetings. Following is the process for opportunities for improvement:

1. An opportunity for improvement is identified
2. An Opportunity for Improvement Form is completed, by outlining the details of the current weakness in the system, process, procedure or practice.
3. In order to focus on the solution and not the weakness, the person who has identified the improvement is given the opportunity to also identify the "Action required for Improvement". If they are not able to identify a solution, this will be given to the Academic Manager to resolve.
4. Submit the Opportunity for Improvement Form to the Academic Manager.
5. Academic Manager reviews the Opportunity for Improvement Form, and either reviews the suggested "Action required for Improvement" identified by the person who completed the form or identifies what they believe the "Action required for Improvement".
6. The Academic Manager enters the Opportunity for Improvement into the Opportunity for Improvement Register.
7. Academic Manager either then delegates the Opportunity for Improvement to be actioned by another staff member or undertakes the Action to be completed.
8. Once Actioned and finalised, the Opportunity for Improvement Form is to be filed into the Opportunities for Improvement Register.
9. The Opportunity for Improvement is reviewed at the monthly Quality and Compliance Meeting. Minutes from the Quality and Compliance Meeting are distributed to all Training and Administration staff so that they can review the Opportunities identified.

Assessment Appeals Policy (S)

The student has the right to appeal a result (e.g. assessment, attendance) if they believe that the result given was unfair or unjustified. The student has 20 working days from the date of the result in which to lodge a formal appeal with ANE College.

This includes Appeals arising in the following areas:

- f) Student disagrees with the result given by their Assessor (including Third Party)
- g) Student wishes to have their result reviewed by another Assessor
- h) Student wishes to be re-assessed for the same unit
- i) Student wishes to change the unit
- j) Student believes that they were discriminated against by the Assessor

Assessment Appeals Procedure (T)

All students have the right to appeal any assessment decision made by ANE College if they:

- Believe that the assessment is invalid and/or

- Feel that the process was invalid, inappropriate or unfair

Before making an appeal, we ask that you discuss the matter with your Trainer/Assessor in an attempt to reach a decision.

If you are still not happy, you are then entitled to lodge a formal Appeal by completing an “*Complaints and Appeals Form*” within 7 days of the initial discussion. Once a formal appeal is lodged a new Assessor will be appointed in an attempt to resolve the appeal. Any decision recommended by this party is not binding to either party in the dispute.

If you are still not satisfied another registered training provider in the same curriculum area will be appointed to arbitrate and reassess participants if necessary.

You have the right to a support person to be involved at all times during the appeal process.

Following is the process submitting an Appeal:

1. Student receives a result for an assessment task of which they do not agree with the result
2. Student completed a Complaints and Appeals Form
3. The *Complaints and Appeals Form* is submitted to the Student Support Officer
4. A written acknowledgement of receipt will be forwarded to the Student confirming receipt of the *Complaints and Appeals Form*
5. The Academic Manager will consult with the trainer/assessor and student individually
6. The Academic Manager is to follow the process on the *Complaints and Appeals Form* for the process under “Recommend Action Required for Improvement”
7. An initial meeting will be held within 10 working days of lodgement of the formal appeal
8. The student will be advised of the outcome of this consultation process within 15 working days of the dispute being lodged
9. If it is decided that there is a case for review, a suitably qualified, independent assessor will be employed to conduct another assessment. An assessment date will be negotiated with the student. Following the assessment, the student will be advised of the result within 10 working days
10. If the student is not satisfied with any decisions made in this review process, a Review Board will be convened to review the case again. An opportunity for Improvement Form may need to be completed in order to identify any improvements on the process that may need to be made
11. All *Complaints and Appeals Form* received are to be entered onto the Complaints and Appeals Register

All *Complaints and Appeals Form* are to be reviewed during the monthly Quality and Compliance Meetings. If ANE College determines that the appeals process will take more than 60 calendar days, the Academic Manager will notify the student in writing including reasons why more than 60 days is required. The Academic Manager will regularly update the student with the process.

Final Decision is Rejected

If the complainant is dissatisfied with the outcome of the complaint or appeal at the end of the internal process, the complainant may wish the matter to be dealt with through an external dispute resolution process facilitated by the Ombudsman.

International Student Ombudsman

Website: www.ombudsman.gov.au

	<p>Email: overseas.students@ombudsman.gov.au</p> <p>Phone: 1300 362 072</p>
<p>Evidence</p>	<ul style="list-style-type: none"> ▪ Complaints and Assessment Appeals Form ▪ Complaints and Appeals Register ▪ Complaints Report Form ▪ Opportunity for Improvement Form ▪ Student Orientation PowerPoint ▪ International Student Handbook ▪ Prospectus
<p>Continuous Improvement</p>	<p>This standard is reviewed, according to the Continuous Improvement Cycle, during the month of February on an annual basis.</p>
<p>Responsibility</p>	<ul style="list-style-type: none"> ▪ Principle/General Manager/ or Academic Manager ▪ Chief Executive Officer ▪ Senior Management
<p>Standards for RTOs</p>	<ul style="list-style-type: none"> ▪ Clause 1.7

Chapter 4:

Training and assessment

Trainers assigned to deliver training are qualified.

The training provider has sufficient and appropriate resources for training and assessment.

The amount of training and mode of delivery is consistent with requirements.

STANDARD 11: ADDITIONAL REGISTRATION REQUIREMENTS

Additional registration requirements: This standard sets out that registered providers must continue to meet the requirements for CRICOS registration and ensure the ESOS agency for the registered provider approves, and has up-to-date information on, specific aspects of the registered provider's operations and any registered courses.

- 11.1 In applying to register a full-time course at a location, a provider must seek approval from the ESOS agency, including through the relevant designated State authority if the provider is a school, for the following:
 - 11.1.1 the course duration, including holiday breaks
 - 11.1.2 modes of study, including online, distance or work-based training
 - 11.1.3 number of overseas students enrolled at the provider, within the limit or maximum number approved by the ESOS agency for each location
 - 11.1.4 arrangements with other education providers, including partners, in delivering a course or courses to overseas students.
- 11.2 In seeking approval under 11.1, the provider must demonstrate any matters requested by the ESOS agency, including through the designated State authority if the provider is a school, which may include but are not limited to the following:
 - 11.2.1 the expected duration of the course does not exceed the time required to complete the course on the basis of full-time study – for VET courses, this is a minimum of 20 scheduled course contact hours per week unless specified by an accrediting authority
 - 11.2.2 the expected duration of the course includes any holiday periods or any work-based training
 - 11.2.3 any work-based training to be undertaken as part of the course is necessary for the student to gain the qualification and there are appropriate arrangements for the supervision and assessment of students
 - 11.2.4 the course is not to be delivered entirely by online or distance learning
 - 11.2.5 the provider and any partner they engage to deliver a course or courses to overseas students has adequate staff and education resources, including facilities, equipment, learning and library resources and premises as are needed to deliver the course to the overseas students enrolled with the provider
 - 11.2.6 the maximum number of overseas students proposed by the provider for the location reflects the appropriateness of the staff, resources and facilities for the delivery of the course.
- 11.3 The registered provider must submit to its ESOS agency for approval, including through the relevant designated State authority if the provider is a school,

information on any proposed changes to the provider’s registration for a course as outlined in standard 11.1 at least 30 days prior to the time at which those changes are proposed to take effect.

11.4 Registered providers who are self-accrediting must undertake an independent external audit during their period of CRICOS registration, within 18 months prior to renewal of that registration to inform the re-registration of the provider.

Strategy

ANE College identifies, negotiates, plans and implements appropriate training and assessment strategies and practices to meet the needs of each of its clients, in consultation with industry, as well as the appropriate Training Product and the requirements of the Australian Qualifications Framework (AQF) for the appropriate AQF level requirements and/or ELICOS course for English languages.

Policy and Procedure/s

Premises

Education Training Facilities

In Australia, education and training facilities are required to operate in premises that meet stricter “classification of use” criteria than standard commercial facilities.

This specific criterion is outlined in a section of the National Construction Code (NCC) known as ‘Class 9B’.

It is important for education providers who are looking to renovate or move premises to become familiar with the basic requirements of 9B, in order to avoid the penalties associated with non-compliance (such as closure of your training facility, or costly compliance upgrades).

What does Class 9B classification mean?

Class 9B allows for a higher volume of occupants per square metre than the average commercial tenancy (which generally falls under Class 5), as well as a higher number of “visitors” who are unfamiliar with the layout of the premises. It applies to both Education and Entertainment Venues and facilities.

Class 9B’s stringent requirements primarily relate to exit/emergency infrastructure, lighting, fire detection and suppression services and egress from the premises. The criteria are geared towards keeping a high number of occupants and visitors safe whilst on the premises, and efficiently and safely evacuating them in the event of an emergency.

There are key factors to be aware of when looking for a new premise. These include, but are not limited:

- how many fire stairs are there to your floor?
- how many male and female toilet facilities are there?
- is there an accessible toilet in the tenancy?
- are there areas of the new tenancy with only stair access?
- to what standard are the existing fire services installed?
- how adequate is the base building mechanical system?
- will you be the sole tenant?
- what is access like from the street?
- what is the construction of the floor and is there adequate fire separation between floors?
- what % of the building will you be taking and is it over 50%?

How is Class 9B enforced?

In most States, the Governing bodies that run both public and private education institutions require copies of a document called an “Occupation Certificate”. This Certificate

demonstrates that the fit out in the tenancy is compliant with the BCA and Australian Standards. It also proves that the class of use is correct for an education facility – or in other words, that the fit out complies with Class 9B.

If a copy of the complying Occupational Certificate cannot be provided, the organisation will fail certification and could be forced to cease operations.

Defining the Course Duration

The 'Course duration' must accurately reflect the time taken by a student to complete the course including any reasonable compulsory periods for orientation.

The registered duration cannot exceed the time required for completing the course on the basis of the normal amount of full-time study and must not include any period of work-based training unless this is necessary in order to obtain the course qualification.

In determining course duration, the course is completed on the date when all assessable and mandatory components of the course are required by the provider to be submitted/completed. Such components may include class time, assessment tasks and practical components.

Pre-determined or approved holiday periods (for example, mid semester\term breaks) that occur between the start date and when the course is completed should be included in the course duration. DHA uses the start and end dates of the CoE as a basis on which to determine the duration of a student visa.

What course duration does not include

Course duration should *not* include the period between when assessments or examinations for the course have been completed, and the time when results become available.

Course duration should not be overestimated to include a prospective period for revision of these post submission. When necessary a provider could extend a student's enrolment in line with the provisions of [Standard 9](#).

Terminology

Normal amount of full-time study is the enrolment load that a student would be required to undertake to complete the course in the advertised course duration. This is linked to the Australian Qualifications Framework and should not differ between domestic and international students.

Where course duration is established by the accrediting authority, the normal amount of full-time study will be the amount of study required to complete the course within the course duration.

Confirmation of Enrolment (CoE)

Confirmation of Enrolment should not be longer than the duration of the course

If the student has been given RPL the CoE should reflect the hours deducted due to the RPL.

When issuing a CoE:

- Letter of Offer – Fees must match the CoE
- The CoE covers the duration of the course.
- Whatever fees is on the CoE is also on the Letter of Offer
- CoE is created in PRISMS
- PRISMS is to be kept up to date with change of address at all times
- Visa is linked to CoE number

To access the Provider User Guide for PRISMS, which outlines how to produce a Confirmation of Enrolment, go to:

https://prisms.education.gov.au/Information/ShowInformation.aspx?Doc=Provider_User_Guide&key=information-provider-user-guide&Heading=

Training and Assessment Strategy

Refer to the RTO Quality and Compliance Manual for more information on Training and Assessment Strategies.

Staff capability, educational resources and premises - VET

Staffing Resources

Refer to the RTO Quality and Compliance Manual for policies and procedures.

Staff Matrix (T) – VET

Refer to the RTO Quality and Compliance Manual for policies and procedures.

Recruitment Process - VET

Refer to the RTO Quality and Compliance Manual for policies and procedures.

Records Management – Staff Files

Refer to the RTO Quality and Compliance Manual for policies and procedures.

Resources

ANE College maintains a supply of sufficient educational resources that are aimed at achieving course objectives, encourage diversity in learning activities and teaching methodologies, and are appropriately organised and regularly reviewed.

ANE College provides students with access to educational/learning and library resources that:

- a) are sufficient for every student at every stage of their course, as appropriate
- b) are appropriate for the type and level of courses offered
- c) include access to a range of multimedia, as appropriate
- d) enable varied learning activities and teaching methodologies
- e) are developed for classroom and individual student use and address specific student needs and course outcomes
- f) reflect new developments in TESOL theory and practice and changes in course offerings and student profiles.

ANE College has educational facilities with sufficient equipment and support resources for the number of enrolled students, including:

- a) educational and computer technology that supports classroom teaching/learning activities; independent student practice, study and research; and Trainer study, research and preparation
- b) where ANE College makes material available for self-access or self-study, that material is catalogued and presented for easy access
- c) self-study areas and equipment organised to facilitate access and independent use by students.

2.1 ANE College provides its Trainers with easy access to reference resources that reflect contemporary knowledge of the theory and practice of TESOL in its own facilities or through easily accessible jointly managed facilities.

Staff Recruitment and Induction Policy

This policy supports ANE College's capability to attract and retain skilled, motivated and client focused staff who will embrace the future with energy and creativity and be focused on the needs of our students and partners.

General principles for recruitment and selection

Recruitment and selection at ANE College will be:

- be merit based. This will be determined by assessing applicants' skills, knowledge and behaviours against the relevant position description criteria
- promote ANE College as an employer of choice to internal and external candidates
- support a diverse workforce
- be consistent with equal employment opportunity principles, ensuring candidates are treated ethically, fairly and respectfully
- be transparent, while balancing the need for confidentiality
- be timely and efficient
- be integrated with workforce planning. This ensures ANE College has the right capabilities in the right place at the right time and at the right cost.

Refer to the RTO Quality and Compliance Manual for further policies and procedures on Recruitment of Training and Teaching staff.

Work-Based Training (S)

Work-based training will only be included where the student is required to complete mandatory work-based training and assessment as a key component of their training. Compulsory work-based training requires students to complete a set number of hours on the job in order to meet the requirements of the Training Product.

In the event that students are required to undertake work-based training, ANE College will ensure that it has appropriate arrangements for supervision and assessment in place for students.

Prior to allowing students to attend work-based training, ANE College will see authority from the designated authorities to approve the work-based training as part of our CRICOS registered course, where it is a required element in order to gain the qualification.

The work-based training component of a course will not be greater for international students than domestic students.

Training Package qualifications comprise units of competency which describe standards for the assessment of key functions or roles in a particular occupation or industry. Some Training Packages indicate requirements for workplace training and assessment but generally they do not do so because they regard such information as a delivery strategy to be determined by ANE College.

The designated authority will make an assessment as to whether a work-based training arrangement is the most appropriate learning and/or assessment strategy.

ANE College will have arrangements in place to provide appropriate supervision and assessment of students. For example, the Australian Qualifications Framework (AQF) specifies that training and assessment must be conducted by trainers and assessors who

have identified training and assessment competencies and relevant vocational competencies.

Currently, students are required to apply for Permission to Work from Department of Home Affairs (DHA) in order to undertake work-based training. The Australian Government has announced that from April 2008, work rights are automatically attached to a student visa (although students must not commence work until they have commenced their course).

ANE College has mechanisms in place to monitor a student's course progress and attendance, where relevant while the student is completing an element of work-based training.

Approval Process for Work Placement

Prior to gaining approval from the designated provider, ANE College will undertake the following strategy to ensure that the workplace provider is suitable:

1. ANE College will inspect the location of the workplace provider
2. Utilising the Training Facility Checklist, ANE College will identify that the provider has the required equipment in place to enable the students to gain the skills and knowledge in the workplace, including that the provider has suitable equipment
3. ANE College will induct the workplace supervisor on their rights and responsibilities, and who they are to report to if required
4. It will be made clear to the workplace what their responsibilities will be with undertaking an international student in the workplace
5. ANE College will ensure that the workplace provider has suitable Insurance in place to cover the student whilst undertaking work placement, including Public Liability
6. An agreement is required to be signed by all three parties, Student, Workplace and RTO, identifying each stakeholders' responsibilities whilst the student is on workplace
7. A signed copy of the agreement will be kept on file by ANE College
8. Trainers from ANE College will monitor the student in the classroom to check their progress
9. Trainers will contact the Supervisor on a monthly basis to gain feedback on how the student is progressing
10. ANE College will undertake 4 workplace visits per year, to ensure that the workplace is meeting State and Federal Government requirements

Legal considerations for learners in the workplace or on placements

Legitimate work-based learning programs and placements give learners an opportunity to gain experience in the workplace. Under the Fair Work Act 2009, a vocational placement is a working arrangement where all of the following apply:

- the worker is not paid a wage
- it is a requirement of an Australian-based education or training course
- it is authorised under a law or administrative arrangement of the Commonwealth, or a State or Territory.

A learner in an arrangement that meets all of the above criteria is not covered by the Fair Work Act; and is not entitled to the minimum wages and other entitlements provided in the National Employment Standards and any applicable modern awards or agreement.

Refer: www.fairwork.gov.au/pay/student-placement-and-unpaid-work/pages/student-placements-work-experience-and-internships.aspx

Learners engaged as trainees or apprentices and those on work placements must comply with any general laws that regulate customer, business and employee interaction and should be inducted and supervised to ensure compliance.

Trainees, apprentices and learners gaining work experience are considered to be workers under work health and safety (WHS) law. Provisions of law relating to worker and employer responsibilities apply. Learners should be inducted and supervised to ensure compliance.

Individuals in the workplace, including learners, cannot be involved in the sale or service of alcohol or the provision of gambling services until they are 18 years old.

Managing Workplace Risks

Learners in the workplace or simulated environment are exposed to workplace risks. These risks can be managed through:

- trainers ensuring that students are following procedures to manage risks
- the workplace is providing students with suitable personal protective equipment
- the workplace supervisor ensuring that students undertake work health and safety induction and training
- ensuring that students are trained prior to entering the workplace with regards to identifying hazards and being aware of risk assessment practices
- ensuring that students have close supervision by trainers, assessors, workplace supervisors and managers.

Supervision and assessment of overseas students

Work Placement Supervisors Report

When conducting work placement, the candidate must have evidence of sign off from a suitably qualified supervisor within the workplace environment. This supervisor must have appropriate industry qualifications for the area in which the student/candidate is working. It is preferable the supervisor also holds a TAE qualification or is in turn supervised by someone who does.

Assessors Responsibilities

An assessor must hold the TAE 40110 Certificate IV or at the very least the TAEASS Skillset to satisfy requirements for assessing candidates in the workplace. It is expected the assessor will have industry experience in the field being assessed of at least 5 years.

An assessor will provide a fair and equitable assessment environment considering allowance for reasonable adjustment where necessary.

Student Responsibilities (S)

ANE College has a responsibility to protect members of the public (and the students themselves) from being harmed by students taking part in workplace or simulated workplace learning. If there is evidence that your skills or behaviour could present a risk to yourself or other people in the workplace, you may not be allowed to participate in a work placement, at least for a period of time.

To help you understand your responsibilities in the workplace, you will be given a code of practice, which indicates expected standards of behaviour. Your trainer will explain to you and your workplace supervisor the range of duties for which you have the skills and knowledge. You must not carry out duties other than those indicated by your trainer.

You need to take particular care if workplace clients are people who may be in vulnerable circumstances – for example, people who are frail, children, young people, people with a

disability or people who are receiving a type of service which may put them in vulnerable circumstances (e.g. massage therapy or nursing care).

A Working with Children Check must be signed by a student in courses where contact will be made with children and young people. Your trainer will give you more information about this, if required.

Students who have committed a breach of discipline or who are assessed as presenting a significant risk to themselves or others during work placement may be prevented from undertaking or continuing further work placement. This may mean they will not complete the course. Your trainer can provide you with more information about this policy. If you are unsure about whether it may prevent you from completing a course, you should discuss the matter with your trainer. In some circumstance's students may be required to undertake a Police Records Check prior to undertaking work placement, this will be identified on the course flyer if it is a requirement.

All students should refer to their trainer if they have any questions or require any assistance with regards to their work placement.

Supervisors Responsibilities (S)

If an employer agrees to take on a student for work placement, the employer is responsible for providing the appropriate facilities and a qualified person to support the training and supervision of the student in the workplace. Where applicable the supervisor should hold a current qualification for their role and/or skills and knowledge as deemed appropriate for their industry.

The level of supervision provided should be aimed at facilitating the successful achievement of the relevant competencies for each student. This level of supervision should be reassessed on a regular basis, by taking into account the stage of the student and the knowledge, previous experience and training the student has received in a particular area.

The Workplace Supervisor is required to provide opportunities for the student to develop their skills and knowledge and may be involved in coaching or mentoring of the student but does NOT assess the student.

The Supervisor will be required to complete a "Work Placement Supervisor's Third-Party Report" in consultation with the Assessor. The Third-Party Report provides information on what the student is required to demonstrate on the job, including the required skills and knowledge for the qualification that the student is undertaking, as well as following or providing feedback on relevant policies and procedures of the workplace.

Depending on the qualification being undertaken policies and procedures may include:

- WHS Policies and Procedures
- Operation of relevant equipment used in the workplace
- Participating in workplace meetings
- Grievance procedure
- Confidentiality and Privacy
- Respecting others
- Property and resources
- Reporting procedures

The Supervisor is provided with an outline of their responsibilities within the Third-Party Report, as well as the Assessor and Students responsibilities. Each "Work Placement Supervisor's Third-Party Report", will include the relevant units that will be required to be completed in the workplace, including the responsibility of the Supervisor for monitoring the student's competency against these units. This will be completed under the supervision of the Assessor from ANE College.

The Student is responsible for following the instructions of the supervisor, as well as demonstrate to their supervisor that they are competent in each of the tasks they are required to complete as part of their Work Placement requirements.

If a Supervisor requires assistance with their role as a Supervisor, they should contact the Director of Studies or Assessor, who can provide you with further assistance.

Supervisors Checklist

The Supervisors Checklist should be distributed and completed by the Supervisor prior to undertaking supervision of a Trainee or Student to ensure that the Supervisor understands their responsibilities.

Once completed the Supervisors Checklist is to be returned to the Assessor and placed onto the Students File.

Work Placement Supervisors Third Party Report

A third-party report can be completed by a person who has the ability to provide supplementary evidence in support of the student competence with regards to work placement.

The “Work Placement Supervisors-Third Party Report” has been designed to be easily used in the workplace by Supervisors, Students and Assessors to assess the student performance in the workplace and for recording on the job assessments or observations.

Third Parties

ANE College is responsible for ensuring the quality of all training and assessment undertaken by third parties, including ensuring that all training and assessment undertaken by the third party on its behalf meets the requirements of the Standards for RTO’s and the National Code.

All training delivered by a third parties, that is not an employee or staff member of ANE College, are subject to a written agreement being in place which is signed by the authorised person of each party.

Training delivered by the Third Party on behalf of ANE College, for which ANE College issues the AQF qualification or Statement of Attainment, will be the subject of a commercial arrangement only as each Institute is fully accountable for the training it delivers, and assessment conducted.

Third Parties can also be known as a Partner of ANE College.

Where more than one provider is to be involved in providing a registered course to overseas students, only one provider will be registered for that course. This is intended to include courses where two or more providers are dependent upon each other to deliver a single course.

Where two or more providers collaborate to deliver related but different courses, each provider may be registered for its distinct course offering.

Any changes to arrangements must be approved prior to the changes being made.

The designated authority must be advised in writing of all providers to be involved in providing a registered course, the role played by each provider in the delivery of a course and the single provider recommended to be registered for the course. As was the case under the National Code 2018, the designated authority will determine which provider is appropriate to be registered for the course. The designated authority will assess the provider's suitability for registration.

Where a jointly delivered course is accredited by the governing bodies of two self-accrediting institutions, this would be considered two arrangements and two courses for the purposes of CRICOS registration.

Under the ESOS Act, the registered provider is responsible for meeting the obligations and for any breaches of the ESOS Act or National Code 2018, regardless of whether it is the registered provider or the provider with whom it has an arrangement who is responsible for that activity.

Any changes to arrangements must be approved prior to the changes being made.

Assessing Third Party Suitability

A written agreement is to be implemented which clearly specifies the roles and responsibilities of each party to the third parties' agreement including the responsibilities for compliance with the VET Quality Framework.

The written agreement is to be signed by each party to the agreement and ANE College shall maintain an up-to-date register of all/any agreements entered into by ANE College.

- Name and address of both parties
- Name of the authorised person of each party
- Name and primary contact details of both parties
- Compliance with the VET Quality Framework
- Training Products offered, codes, titles and units
- Services offered – i.e. training only, assessment only or training and assessment
- Level of service offered by each party
- Statement acknowledging that ANE College is always responsible for training, assessment and certification to be issued in its name
- Verified copy of ANE College's certificate of registration and scope certification
- Signed by both parties
- Dates for period of agreement
- Fees related to agreement

What is a third-party arrangement?

The Standards for Registered Training Organisations 2015 define a 'third party' as any party that provides services on behalf of ANE College. This definition does not include a contract of employment between an Institute and an employee.

Services means training, assessment, related educational and support services and/or any activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation or information and communications technology (ICT) support.

Educational and support services may include:

- pre-enrolment materials
- study support and study skills programs
- language, literacy and numeracy (LLN) programs or referrals to these programs
- equipment, resources and/or programs to increase access for learners with disabilities and other learners
- learning resource centres
- flexible scheduling and delivery of training and assessment
- learning materials in alternative formats, for example, in large print
- learning and assessment programs contextualised to the workplace, and
- any other services that ANE College considers necessary to support learners to achieve competency.

What kind of third-party arrangements could Institutes have?

ANE College might be involved in third-party arrangements with:

- other Institutes
- non-registered training providers
- recruitment agents or brokers
- employment/job services agencies

Responsibilities of both parties

Provider can deliver their scope of registration at another Providers location, who has been approved ASQA. Each party is responsible for the following:

ANE College

- Updating PRISMS
- Records Management
- Agents agreement is under providers registration
- Being compliant with the National Code and Standards for RTO's
- Providing all the resources, pre

Third Party

- Maintaining compliance with the National Code and Standards for RTO's
- All marketing is approved by ANE College

When to notify the Regulator

Your Institute must notify ASQA whenever you start or end a third-party agreement.

ANE College notifies the Regulator:

- Of any written agreement entered into for the delivery of services on its behalf within 30 calendar days of that agreement being entered into or prior to the obligations under the agreement taking effect, whichever occurs first, and
- Within 30 calendar days of the agreement coming to an end.

ASQA will be notified of any Third Party arrangements within 90 calendar days through completing a through the following link:

<http://www.vision6.com.au/em/forms/subscribe.php?db=541766&s=217120&a=41710&k=c5d8cc0>

Monitoring of Third Party Arrangements – 2.4

In order to ensure that all training and assessment services being provided on behalf of ANE College complies with the VET Quality Framework and the National Code, the following is to be implemented for each Third Party:

- Annual Audits to be undertaken by ANE College or an external qualified consultant, against the requirements of the VET Quality Framework. Refer to the policy and procedures for the process for conducting internal audits.
- Post Assessment validation is to be undertaken by ANE College on an annual basis. Refer to policy and procedure for the process on Assessment Validation.
- Verification of assessment tools to be undertaken by ANE College
- Completion of Continuous Improvement forms by the Third-party organisation, these include:
 - Trainers Report
 - Training Evaluation Forms
 - Industry Consultation
 - Opportunity for Improvement
 - Complaints and Appeals
 - WHS Incident Reporting

- Quality and Compliance Meetings
- Monitoring of Continuous Improvement process by ANE College, including tabling of items at the monthly Quality and Compliance Meetings. Refer to the Policies and Procedures on continuous improvement.
- Professional development of Trainers/Assessors from the Third Party. Refer to the policies and procedures on trainer's responsibilities.
- Internal audit of third parties, notifying the VET Regulator of Third-Party arrangements.

How to audit a Third Party

Auditing of Third parties should be conducted at least once a year as part of your continuous improvement strategy. When developing a strategy to monitor your agreements, you should consider:

- Timeframes for monitoring—when and how often?
- Procedures for monitoring—who will conduct the review and how will outcomes of the review be acted upon?
- How will you monitor student assessments, pre-enrolment information given to students, training and assessment resources, facilities and equipment, trainer/assessor competencies and qualifications, marketing/advertising information, issuance of qualifications/statements of attainment and records management practices?
- Review random assessments to benchmark against the Providers marking to ensure that they are marking correctly, using the Suggested Answers as a benchmark.
- How will you implement strategies for two-way feedback between your Institute and the third party?
 - Outcomes should be tabled at annual Quality and Compliance meetings for discussion and decision making around suitability and continued arrangements.

Third Party Trainers and Assessors (T) – 8.2

Third Party trainers and assessors are required to be notified that they are delivering training and assessment under a third-party agreement with ANE College, it should be clear who is ANE College and that they are required to comply with the Policies and Procedures of ANE College.

All Third-Party trainers and assessors must comply with the requirements of the Policies and Procedures for trainers and assessors. Third Party trainers and assessors' responsibilities include:

1. Maintain professional development in both the VET and Vocational sector
2. Attend trainer meetings when requested and at least one (1) validation meeting per year
3. Prepare delivery and assessment plans as requested
4. Maintain accurate course administration material including the submission of: Competency assessment records, attendance records, course timetables, course session plans, course/trainer notes, assessment tasks, benchmark answers and resources for all accredited training programs
5. Distribute and collect Quality Indicator Surveys
6. Comply with the Policies and Procedures set out in the Trainers Handbook
7. Comply with the requirements and regulations of appropriate legislation

8. Report student grievances using ANE College's documented complaints and appeals process
9. Ensure training is delivered as per the approved delivery and assessment plan

Complete all require recruitment forms as per Policies and Procedures

Defining the Course Duration

The 'Course duration' must accurately reflect the time taken by a student to complete the course including any reasonable compulsory periods for orientation.

The registered duration cannot exceed the time required for completing the course on the basis of the normal amount of full-time study and must not include any period of work-based training unless this is necessary in order to obtain the course qualification.

In determining course duration, the course is completed on the date when all assessable and mandatory components of the course are required by the provider to be submitted/completed. Such components may include class time, assessment tasks and practical components.

Pre-determined or approved holiday periods (for example, mid semester\term breaks) that occur between the start date and when the course is completed should be included in the course duration. DHA uses the start and end dates of the CoE as a basis on which to determine the duration of a student visa.

What course duration does not include

Course duration should *not* include the period between when assessments or examinations for the course have been completed, and the time when results become available.

Course duration should not be overestimated to include a prospective period for revision of theses post submission. When necessary a provider could extend a student's enrolment in line with the provisions of [Standard 9](#).

Terminology

Normal amount of full-time study is the enrolment load that a student would be required to undertake to complete the course in the advertised course duration. This is linked to the Australian Qualifications Framework and should not differ between domestic and international students.

Where course duration is established by the accrediting authority, the normal amount of full-time study will be the amount of study required to complete the course within the course duration.

Confirmation of Enrolment (CoE)

Confirmation of Enrolment should not be longer than the duration of the course

If the student has been given RPL the CoE should reflect the hours deducted due to the RPL.

When issuing a CoE:

- Letter of Offer – Fees must match the CoE
- The CoE covers the duration of the course.
- Whatever fees is on the CoE is also on the Letter of Offer
- CoE is created in PRISMS
- PRISMS must be kept up to date with change of address at all times
- Visa is linked to CoE number

To access the Provider User Guide for PRISMS, which outlines how to produce a Confirmation of Enrolment, go to:

	https://prisms.education.gov.au/Information/ShowInformation.aspx?Doc=Provider_User_Guide&key=information-provider-user-guide&Heading
Evidence	<ul style="list-style-type: none"> ▪ Training and Assessment Strategies ▪ Opportunity for Improvement Forms ▪ Equipment ▪ Learner Resources ▪ Trainers Handbook ▪ Assessment Validation Report ▪ Work Placement Checklist ▪ Work Placement Memorandum of Understanding
Continuous Improvement	This standard is reviewed, according to the Continuous Improvement Cycle, during the month of March on an annual basis.
Responsibility	<ul style="list-style-type: none"> ▪ CEO/PEO/General Manager or Academic Manager ▪ Senior Management ▪ Trainers & Assessors
Relevant RTO Standard	<ul style="list-style-type: none"> ▪ Clauses 1.1-1.4

Modes of delivery

Note: *Online learning is study where the teacher and overseas student primarily communicate through digital media, technology-based tools and IT networks and does not require the overseas student to attend scheduled classes or maintain contact hours. For the purposes of the ESOS framework, online learning does not include the provision of online lectures, tuition or other resources that supplement scheduled classes or contact hours. Distance learning is any learning that an overseas student undertakes off campus and does not require an overseas student on a student visa to physically attend regular tuition for the course on campus at the provider's registered location.*

- 8.18 A registered provider must not deliver a course exclusively by online or distance learning to an overseas student.
- 8.19 A registered provider must not deliver more than one-third of the units (or equivalent) of a higher education or VET course by online or distance learning to an overseas student.
- 8.20 A registered provider must ensure that in each compulsory study period for a course, the overseas student is studying at least one unit that is not by distance or online learning, unless the student is completing the last unit of their course.
- 8.21 For school, ELICOS or foundation programs, any online or distance learning must be in addition to minimum face-to-face teaching requirements approved by the relevant designated State authority or ESOS agency as part of the registration of the course, if applicable.
- 8.22 The registered provider must take all reasonable steps to support overseas students who may be disadvantaged by:
 - 8.22.1 additional costs or other requirements, including for overseas students with special needs, from undertaking online or distance learning
 - 8.22.2 inability to access the resources and community offered by the education institution, or opportunities for engaging with other overseas students while undertaking online or distance learning.

Strategy

International students on a student visa are required by legislation to maintain satisfactory course progress. Unsatisfactory course progress may affect the student Visa.

ANE College is committed to enabling students to meet satisfactory course progress requirements and to achieving their learning goals. This will be enabled through monitoring student progress as documented through regular assessments, feedback and provision of appropriate support services.

ANE College is required under legislation to systematically monitor course progress, to be proactive in identifying, notifying and counselling students at risk of not meeting course requirements and to report students to the DHA via PRISMS who have breached course progress requirements.

This policy ensures that:

- Staff and students are aware of their responsibilities in relation to course progress;

- Procedures for systematically monitoring, recording and reporting are identified and implemented; and
- Intervention strategies are articulated and implemented to offer effective support for students at risk of not progressing.

Policy and Procedure/s

Online/Distance Learning

A provider may offer electives or components which, added together, make up an amount in excess of 33% of a course. As long as it is possible to choose a combination of units which will satisfy course requirements and does not exceed 33% distance and/or online learning, this course should be considered as suitable for registration on CRICOS.

It is the provider’s responsibility to ensure that a student’s pattern of study does not exceed the 33% allowable online or distance learning.

When assessing whether a course is suitable for delivery to overseas students, the designated authority will consider whether the subjects or units of a course are suited to delivery by online or distance learning (for example, workplace training/skills development may not be suited to online or distance learning).

Designated authorities will also need to consider whether a provider’s marketing materials clearly advise students that only 33% of a course can be completed by online or distance education irrespective of how much of the course can be delivered by distance or online methods.

Overseas students are not allowed to undertake more than 33% of their course online or distance education.

This clarifies the existing policy position that courses delivered entirely online, or distance education cannot be registered on CRICOS (previously 'distance' was considered to include 'online'). Plus, the addition of the word 'entirely' clarifies the distinction between a full course and components of a course delivered by online/distance study.

ANE College must monitor each student’s enrolment to ensure they:

- take no more than 33% of their course online or by distance education; and
- are enrolled in at least one face-to-face subject in each compulsory teaching period.

Where courses are delivered through:

- equivalently weighted, or directly comparable subjects or units, 33% can be calculated on the basis of the number of subjects/units; and
- subjects, units or competencies that are difficult to compare, 33% will be calculated on the scheduled contact hours.

Whether a subject, unit or competency is being delivered in online, distance or face-to-face modes will be assessed on the basis of the dominant mode of delivery.

A designated authority will determine whether a subject, unit or competency is being delivered online or by distance through consideration of the dominant delivery mode.

Continuous Improvement

This standard is reviewed, according to the Continuous Improvement Cycle, during the month of **February** on an annual basis.

Responsibility

- *Trainers* are responsible for monitoring and recording academic progress and implementing Intervention Strategies.
- The *Academic Manager* is responsible for ensuring Trainers:
 - identify, record and monitor course progress in a proactive manner
 - access appropriate professional development to assist them in devising and implementing educationally sound intervention strategies.

- receive advice in articulating intervention strategies in complex situations
- maintain records of course progress on the Student File in accordance with record keeping obligations.
 - The Academic Manager is responsible for ensuring compliance with this policy.
 - Students are made aware of the course progress policy and reporting obligations at orientation through the International Student Handbook. Students are also responsible for ensuring they advise ANE College of any change of contact details in accordance with their student visa requirements.
 - Students Support Officer is to generate a report from the Student Database at the end of each Unit of competency.

**Standards for
RTO's**

- Standard 1.7

Chapter 6: Regulatory compliance and governance

The training provide has appropriate compliance and governance processes in place such as holding public liability insurance, managing its third parties and agents. The training provider meets additional obligations if delivering to under 18s.

STANDARD 4 – EDUCATION AGENTS

This standard sets out that registered providers must ensure that their education agents act ethically, honestly and in the best interests of overseas students as well as uphold the reputation of Australia's international education sector.

- 4.1 The registered provider must enter into a written agreement with each education agent it engages to formally represent it, and enter and maintain the education agent's details in PRISMS.**
- 4.2 The written agreement must outline:**
 - 4.2.1 the responsibilities of the registered provider, including that the registered provider is responsible at all times for compliance with the ESOS Act and National Code 2018**
 - 4.2.2 the registered provider's requirements of the agent in representing the registered provider as outlined in Standard 4.3**
 - 4.2.3 the registered provider's processes for monitoring the activities of the education agent in representing the provider, and ensuring the education agent is giving students accurate and up-to-date information on the registered provider's services**
 - 4.2.4 the corrective action that may be taken by the registered provider if the education agent does not comply with its obligations under the written agreement including providing for corrective action outlined in Standard 4.4**
 - 4.2.5 the registered provider's grounds for termination of the registered provider's written agreement with the education agent, including providing for termination in the circumstances outlined in Standard 4.5**
 - 4.2.6 the circumstances under which information about the education agent may be disclosed by the registered provider and the Commonwealth or state or territory agencies.**
- 4.3 A registered provider must require its education agent to:**
 - 4.3.1 declare in writing and take reasonable steps to avoid conflicts of interests with its duties as an education agent of the registered provider**
 - 4.3.2 observe appropriate levels of confidentiality and transparency in their dealings with overseas students or intending overseas students**
 - 4.3.3 act honestly and in good faith, and in the best interests of the student**
 - 4.3.4 have appropriate knowledge and understanding of the international education system in Australia, including the Australian International Education and Training Agent Code of Ethics.**
- 4.4 Where the registered provider becomes aware that, or has reason to believe, the education agent or an employee or subcontractor of that education agent has not**

complied with the education agent’s responsibilities under standards 4.2 and 4.3, the registered provider must take immediate corrective action.

- 4.5 Where the registered provider becomes aware, or has reason to believe, that the education agent or an employee or subcontractor of the education agent is engaging in false or misleading recruitment practices, the registered provider must immediately terminate its relationship with the education agent, or require the education agent to terminate its relationship with the employee or subcontractor who engaged in those practices.
- 4.6 The registered provider must not accept students from an education agent if it knows or reasonably suspects the education agent to be:
- 4.6.1 providing migration advice, unless that education agent is authorised to do so under the Migration Act
 - 4.6.2 engaged in, or to have previously engaged in, dishonest recruitment practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Overseas student transfers)
 - 4.6.3 facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her visa
 - 4.6.4 using PRISMS to create CoEs for other than bona fide students.

Strategy

Education Agent Policy

Where Education Agents are engaged to market and recruit overseas students on behalf of ANE College they will be bound by this policy and will be expected to comply with the requirements of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code)* and the [Agent Code of Ethics \(ACE\)](#) in relation to marketing, recruitment and student information.

In order to take all reasonable measures to use education agents that have an appropriate knowledge and understanding of the Australian international education industry, and not use education agents who are dishonest or lack integrity, ANE College has in place an Education Agent Management Process which formalises the engagement, monitoring, marketing and process for misconduct, of any Education Agent it engages to represent ANE College.

- ANE College will formally appoint an Education Agent via a written agreement with each education agent
- ANE College will retain evidence that they have undertaken monitoring activities of its education agents.
- ANE College will retain copies of agreements that have been terminated, where applicable.
- ANE College will adhere to the processes for updating promotional material used by agents and for informing agents of any changes.
- ANE College will retain evidence of immediate corrective and preventative action through the “Corrective and Preventative Action – Opportunity for Improvement” policy and procedure on page 74 (for example, record of telephone conversation, email) taken when the registered provider becomes aware that the education agent has become negligent, careless or incompetent or has engaged in false, misleading or unethical advertising and recruitment practices.

If ANE College becomes aware of any unethical behaviour or breach of agreed terms and conditions from any of the educational agents that it has appointed to represent it, either before or after formal review, formal agreements will be terminated and ANE College will not accept any further student enrolments from this agent.

Education Agent's appointed by ANE College are required to have a good understanding of the following legislation and the Agent Code of Ethics:

- [Education Service for Overseas Student Act 2000](#)
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (National Code 2018)
- [Migration Agents Regulations 1998](#)
- [Agent Code of Ethics](#) (ACE)

Policy and Procedure/s

Education Agent Procedure

The Principal Executive Officer will review the *Education Agent - Application* form and check references. The Principal Executive Officer will also conduct an interview (this may be via telephone or face-to-face) and complete an Education Agent Referee Report. An Education Agent Agreement will be offered to Education Agents who comply with the requirements set out in this Policy and Procedure and the Education Agent Agreement.

When the applicant has been assessed as satisfactory, the Principal Executive Officer prepares the Education Agent Agreement and forwards two copies to the Education Agent. Once returned, one original signed Education Agent Agreement shall be kept in the Agents file and the agent shall also receive a copy.

All successful Education Agents are listed on ANE College's website as a registered provider for ANE College.

The Education Agent Agreement will include information about processes for monitoring agents. Monitoring processes, may include one or more of the following:

- Regular face-to-face meetings with agents onshore or offshore; via Skype or through telephone/email communication
- Telephone/teleconference meetings;
- Regular reports from agents;
- Surveys of students recruited by agents;
- Surveys of parents of the students recruited by agents;
- Performance benchmarks included in agreements;
- Spot checks by providers, for example, to observe agents at work at education fairs; or surveys of students to provide feedback on Agents.

Education Agents must participate in monitoring activities to maintain compliance with the Agency Agreement.

Education Agents are required to submit a report of their activities every six months. The report must outline the promotional activities that have been undertaken on behalf of the provider and include any students that have been contacted or recruited to enrol with the provider. The Principal Executive Officer will review the reports submitted by Education Agents and evaluate the activities of the agent. The Principal Executive Officer will also consider survey data at this time.

The same monitoring activities will also take place at 12 monthly intervals thereafter until the Agency Agreement expires.

All Education Agents will be required to conduct a meeting with the Principal Executive Officer at least once per year. The following will be discussed:

- Current practices
- Ensure current marketing materials are being used
- Any issues or concerns

Minutes of these meetings will be taken and kept on the Education Agents file.

The Education Agent Agreement includes conditions of termination. If at any time the provider becomes aware of an education agent being negligent, careless, incompetent or being engaged in false, misleading or unethical advertising and recruitment practices, including practices that could harm the integrity of ANE College, it will take immediate corrective and preventative action (as per the Corrective and Preventative Action – Opportunity for Improvement policy and procedure on page 74) upon the Education Agent.

- *Preventative* action could include training sessions for Education Agents and ensuring they have all the material they need to represent the provider accurately and professionally.
- *Corrective action* may include providing additional information/material or targeted training, for example, the expectations of the provider. Corrective action may also include termination of the agreement with the Education Agent.

ANE College will retain evidence of immediate corrective and preventative action on the Education Agent file, for example, record of telephone conversation, email etc.

If an opportunity for improvement is identified through the Education Agent monitoring process, an Opportunity for Improvement Form should be completed, as per the process outlined in the policy Corrective and Preventative Action – Opportunity for Improvement on page 74.

Implementation of improvements identified through the data collected will be monitored through the Monthly Quality & Compliance Meetings held by ANE College.

If at any time, it is found through student surveys, interviews or any other means, that an agent is acting in contravention of the Education Agent Agreement, the requirements of the ESOS legislation & regulations, or the National Code or Agent Code of Ethics, the Education Agency Agreement will be terminated immediately.

Further, the provider will not accept a student from an Education Agent if it is known or suspected at any time that the agent:

- Engages in or has previously engaged in dishonest practices
- Deliberately attempts to recruit a student within the first six months of that student's study in their principal course with another provider;
- Facilitates the enrolment of a student he/she believes will not comply with visa conditions, or is not a bona fide student, or provides immigration advice where he/she is not authorised to do so under the Migration Act 1958

Australian International Education and Training - Agent Code of Ethics (ACE)

The Agent Code of Ethics was released by the Department of Education and Training to strengthen the fundamentals and ensure that we maintain a quality system and establish more support in relation to how international agents work. For more information see [Australian International Education and Training Agent Code of Ethics \(ACE\)](#)

Australia is committed to ensuring the highest standard of service and care is delivered across its international education and training sector and has a comprehensive international education and training quality framework to support this aim. The *Agent Code of Ethics (ACE)* is a critical component of this framework and provides a guide to the expected professional behaviour of individual agents and agencies working with Australian international students, parents, providers and fellow agents across the sector. The ACE builds on the London Statement's ethical framework and provides a set of Australian specific 'Standards' for Australia's education agents. The ACE also aims to support Australia's education and training providers to meet their obligations under the National Code.

Purpose

The Agent Code of Ethics aims to:

- Outline the principles and expectations of fair and ethical conduct of ANE College's offshore and onshore education agents
- Foster best practice among education agents to assist them to provide quality services to potential and existing international students and partner providers
- Provide assurances on the quality and standard of services provided by education agents recruiting into Australia
- Build on Australia's globally recognised international education

Australia's Education Agent Code of Ethics is based on three core elements of:

- The London Statement's Ethical Framework
- The London Statement's Principles
- Australia's Education Agent Standards

1. Ethical Framework

The Australian education and training sector expect education agents to adhere to seven ethical principles, as outlined in the London Statement, that are supported by an underlying ethical framework of:

- **Integrity** – being straightforward and honest in all professional and business dealings;
- **Objectivity** – not allowing professional judgment to be compromised by bias or conflict of interest;
- **Professional competence and due care** – maintaining professional knowledge and professional service, and acting diligently;
- **Transparency** – declaring conflicts of interest to all clients, especially when service fees are charged to both the education provider and the prospective student;
- **Confidentiality** – respecting and preserving the confidentiality of personal information acquired and not releasing such information to third parties without proper authority;
- **Professional behaviour** – acting in accordance with relevant laws and regulations and dealing with clients competently, diligently and fairly; and
- **Professionalism and purpose** – acting in a manner that will serve the interests of clients and the wider society even at the expense of self-interest; recognising that dedication to these principles is the means by which the profession can earn the trust and confidence of stakeholder groups (individual clients, the public, business and government).

2. Principles

The London Statement Principles promote best practice among education agents and consultant professions that support international students. The Statement of Principles is a unifying set of understandings for the recruitment of students in international education that serve to promote best practice among education agents and consultants. The seven principles are:

Principle 1: Agents and consultants practise responsible business ethics

- Avoiding conflicts of interest
- Observing appropriate levels of confidentiality and transparency
- Acting professionally, honestly and responsibly
- Refraining from being party to any attempt by students or others to engage in fraudulent visa applications
- Acting in the best interests of the student at all times
- Declaring conflicts of interest
- Being transparent in fees to be paid by students and commissions paid by providers
- Providing clear avenues for handling complaints and resolving disputes
- Complying with relevant laws and regulations.

Principle 2: Agents and consultants provide current, accurate and honest information in an ethical manner

- Providing realistic and appropriate information that is tailored to the individual student's circumstances, particularly in relation to language skills, capacity to pay and level of study
- Specifying the rights and responsibilities of the student in the country of destination
- Refraining from claiming a direct government endorsement or privileged relationship with a public official or member of the government where one does not exist; including for example the misuse of national brand logos
- Providing a registration number or other identifier on advertising material
- Using institutions' officially approved material in promoting providers with whom agents have an agreement.

Principle 3: Agents and consultants develop transparent business relationships with students and providers through the use of written agreements

- Signed by the student and the agent
- Signed by the provider and the agent
- Include information on the arrangements put in place by agents and consultants on behalf of the student, such as itemised payment schedules of fees and services, and refund and transfer policies
- Provide details on information provided under Principles 1 and 2, as a means of guiding agents and consultants to give appropriate information to students so that both students and agents understand what has been agreed to maintain student confidentiality
- Are archived in an appropriate manner so that the agreements can be made available to the student or an appropriate authority within a reasonable timeframe.

Principle 4: Agents and consultants protect the interests of minors

- Ensuring that the prospective student has adequate representation and support from a guardian and/or legal counsel during meetings with the agent or consultant and that this is recorded as informed consent before any money changes hands
- Ensuring that the client has the legal capacity to enter into any commitment
- Acting not only in accordance with relevant laws and regulations, but competently, diligently and fairly as befits dealings with minors.

Principle 5: Agents and consultants provide current and up-to-date information that enables international students to make informed choices when selecting which agent or consultant to employ

- Providing information to students about the accreditations the agents have met, the training they have undertaken, the memberships they hold to professional associations or processes undertaken to become registered and accredited education agents and consultants
- Providing information about themselves that support comparison of qualifications and experience.

Principle 6: Agents and consultants act professionally

- Participating in training courses and professional development wherever possible
- Becoming members of professional associations and networks that promote and support best practice in the recruitment of international students.

Principle 7: Agents and consultants work with destination countries and providers to raise ethical standards and best practice

- Sharing information on best practice in the recruitment of international students by education agents and consultants.

3. Standards

To ensure alignment and equity, Australia's Standards for international education agents mirror the requirements for education and training providers as outlined in the ESOS Act and National

Code. The ACE provides a guide to the expected professional behaviour of individual agents and agencies working with Australian international students, parents, providers and fellow agents across the sector. These Standards will be reviewed and updated to ensure continued relevance to the sector. The standards are:

Standard	Element
Organisational Effectiveness	<ul style="list-style-type: none"> ▪ Demonstrates effective organisational governance and appropriate ownership including a well-articulated strategic plan, policies and procedures. ▪ Evidence of relevant and up-to date business licensing and or registration. ▪ Discloses all relevant partnerships, affiliations and agreements are disclosed, including disclosure of sub agent representation agreements and a clearly articulated approach to managing these relationships is in place to ensure compliance with the ACE. ▪ Offers assurance of the organisation’s financial integrity and financial systems. ▪ Provides clear and transparent disclosure of recruitment practices and activities including countries serviced
Business Ethics	<ul style="list-style-type: none"> ▪ Demonstrates agency and individual agent adherence to the ethical standards and principles of the ACE. ▪ Discloses any past, pending, threatened or potential litigation, arbitration or administrative actions or other disputes against the agency, CEO or other relevant business associate. ▪ Provides current, accurate and appropriate information to students and offers a commitment to not knowingly providing false or misleading information. ▪ Demonstrates openness and disclosure of any incentives to any party that may influence the student’s decisions.
Staff Capability	<ul style="list-style-type: none"> ▪ Demonstrates effective human resource management practices are in place to ensure all employees and representatives are trained, informed and act in the best interests of clients at all times. ▪ Demonstrates a strong working understanding the Australian education and training system, including all relevant legislation, regulations and information. ▪ Completion of an Agent Training program and or other relevant education and training qualifications or programs.

Agency Recruitment Practices and Standards

- Implements considered and targeted marketing practices and ensures honest and accurate communication resources are in place.
- Provides appropriate, fair and considered counselling of students including assessing the student's willingness and ability to complete the courses, their understanding of course and provider requirements and awareness of realistic employment and pathway outcomes.
- Demonstrates and articulates a clear and fair complaints and appeals process.
- Offers transparent and clearly articulated fees and charges including a documented refund policy.
- Ensures strict confidentiality of personal information and ensures this information is not shared with a third party unless consent is given.

Education Agent Requirements

Education Agents will be engaged to formally represent the provider under the following conditions:

- The Education Agent agrees to comply with the requirements of:
 - National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)
 - Education Service for Overseas Student Act 2000
 - Migration Agents Regulations 1998
- The Education Agent agrees to comply with the [Agent Code of Ethics \(ACE\)](#)
- The Education Agent signs and abides by the conditions of the provider written Agent Agreement
- The Education Agent responds appropriately to the provider's monitoring activities and corrective and preventative action, and understands the grounds for termination of agreement as outlined in Standard 4.4 of the National Code
- The education agent accurately promotes the services and facilities provided by ANE College and use up to date marketing materials as supplied by ANE College
- As a third party delivering services on behalf of ANE College, the Agent is required under this written agreement to cooperate with the VET Regulator:
 - a) by providing accurate and factual responses to information requests from the VET Regulator relevant to the delivery of services; and
 - b) in the conduct of audits and the monitoring of its operations.

Prospective agents will be required to:

- Complete an Education Agent - Application Form
- Provide evidence of business registration
- Provide at least two educational Institute references, with one referee from educational Institute in Australia required
- Provide evidence of successful completion of the Education Agent Training Course and/or Registration with Migration Agents Registration Authority

Monitoring Activities of Education Agents

A list of education agents with whom our organisation has an Education Agent Agreement with will be kept on an Education Agent Register. The list of education agents will also be listed on

the website www.ane.edu.au and is readily available to students and regulators. Information provided about education agents includes at a minimum:

- Agency name
- Name of Principal Agent
- Legal entity of Agency
- Street address or addresses of the Agency
- Contact details

The Principal Executive Officer will ensure that Education Agents are provided with up to date marketing materials.

Documents utilised by ANE College to collect evidence related to National Code 2018 Standard 4, includes the following:

- EA – Application to EA Letter – Letter to the Agent inviting them to become an Agent and advising them of the process
- EA – Agent Application Form – Collecting information about the Education Agent, including a minimum of three (3) referees
- EA - Agent Agreement – Signed by ANE College and the Education Agent, agreeing to the terms and conditions of the Agreement
- EA – Recruitment and Monitoring - This form is to be completed by ANE College and filed onto the Agent's file, it includes the Recruitment Process, Education Business Referee Report, Process Checklist and Agent Register
- EA – Performance Review Report – Utilised by ANE College to conduct an annual performance review of the Agent
- EA - Agent Feedback Survey – Collecting feedback from students regarding the agent
- EA – Certificate of Appointment – Provided to the agent confirming that they are an Agent representing ANE College
- EA – Acceptance Letter- Letter stating that the agent's application has been accepted
- EA – Rejection Letter – Letter stating that the agent's application has been rejected and on the grounds that it was rejected
- EA – Renewal Letter – Letter inviting the agent to renew their contract
- EA – Intent to Terminate Agreement – Letter to the Agent informing them that ANE College intends to terminate their contract due to the agent not complying with the terms and conditions within the Agreement

ANE College practices due diligence in responding to agent enquiries by requesting comprehensive information about the agency and references from reputable sources.

Prospective agents are requested to provide as much of the following information possible:

Company profile

- Details of principal's background and qualifications
- Details of key staff members and/or consultants
- Number of years in existence
- Services provided by the company
- Location and details of offshore offices
- Location and details of any off-shore partners

Company registration details

Details of past and present experience recruiting students

- For Australian
- Number of students

Familiarity with Australian education industry

- Knowledge of ESOS Act

- Knowledge of National Code

Experience in

- Education industry in general
- Any other major business areas

Details of markets from which recruit

- Geographical area
- Characteristics of potential market

Names of any professional organisations of which the agent is a member

Outline of services to be provided

Agent activities are monitored/tracked regularly by the following:

- Number of enquiries overall
- Ways enquiries are followed up
- Reasons applications were not lodged following an enquiry
- Number of applications lodged overall
- Number of applications accepted
- Reasons applications were rejected
- Application forms
- Referee Reports
- Agent Student feedback
- Agent Performance Review
 - Timelines for:
- Date of enquiry
- Lodgement of application
- Application decision
- Receipt of commission invoice
- Payment of commission
- Complaints Process

Reports on Agent Performance will be used to monitor Agent Performance, reports are accessible from PRISMS and include the following:

- Institute Reliance by Agency
- Agent Performance by Institute summary
- Agency Performance by CoE completion rate
- Agency Performance by Institute Detail
 - See PRISMS Provider User Guide on how to produce the above reports from PRISMS

Due Diligence - Agents

Due Diligence - Agents	
'Strategic fit'	Fit with market priorities/strategy
Legal status of the company, is it registered with any accrediting bodies and licensed to act as an agent? Check the owner of the company and financial backers	Evidence from the agent as required, on site visit.
Current contracted partners	Usually 2 references required

Follow up – reference requests	
Track record of the company – how many students, visa success rate	Provided in the agent questionnaire
Branch offices – territories and locations	Status of branch offices, franchise or sub agents?
Visit to their premises	Discussion with the owner/manager



Education Agent – Recruitment and Monitoring Process

A copy of the *Education Agent – Recruitment and Monitoring Process* is utilised by ANE College to process applications for Education Agent’s with the Institution. A copy of the document is kept on an Education Agent File as evidence of recruiting and monitoring Agents.

Recruitment Process

Stage	Process	Templates and Forms
1. Identify suitable Agent		
2. Appoint Agents	<ul style="list-style-type: none"> Agent completes Application Form 	<ul style="list-style-type: none"> EA-Application Form EA-Application for EA Letter

		<ul style="list-style-type: none"> Undertake Background Check of Agent 	<ul style="list-style-type: none"> EA-Recruitment and Monitoring -Business Referee Report
		<ul style="list-style-type: none"> Assess the Application to determine suitability 	<ul style="list-style-type: none"> EA-Recruitment and Monitoring -Process Checklist
		<ul style="list-style-type: none"> Notify the Agent of outcome of application 	<ul style="list-style-type: none"> EA-Rejection Letter EA-Acceptance Letter EA-Education Agent Agreement EA-Certificate of Appointment Request for Marketing Materials
	3. Ongoing Agent Management	<ul style="list-style-type: none"> Record Agent Agreement and file onto Server or in Database Add Agent to PRISMS 	<ul style="list-style-type: none"> Database Hard File Register listing Education Agents
	4. Marketing	<ul style="list-style-type: none"> Agent is added to ANE College Website under Education Agent Providers who represent ANE College Agent is informed on marketing requirements including how to comply with the National Code and ANE College's Policies and Procedures with regards to marketing ANE College's Programs 	<ul style="list-style-type: none"> ANE College's Website www.ane.edu.au
	5. Monitoring and Review	<ul style="list-style-type: none"> ANE College will conduct an annual Performance Review of the Education Agent on or near the anniversary of the Agreement coming into effect The Agent will be given fourteen (14) calendar days' notice of the Performance Review The Annual Review will include: 	<ul style="list-style-type: none"> EA-Recruitment and Monitoring EA-Agent Feedback Survey Minutes of meeting with Agent EA-Renewal Letter EA-Rejection Letter

- conducting an Agent Feedback Survey, being sent to students who had engaged the Agent within that 12-month period
- interviewing students who are currently enrolled with ANE College
- reviewing the Agents Agreement, documentation and website to ensure compliance with the National Code, the Agent Code of Ethics and this Agreement
- Where corrective action is identified, ANE College will contact the Education Agent to discuss how their performance can be improved. Corrective Action will be reported on ANE Colleges “Opportunity for Improvement Form” and minuted at the monthly Quality & Compliance Meeting
- Complete a Performance Review Report, which includes a review of the following:
 - Performance Criteria (KPI’s)
 - Compliance with the National Code 2018, ESOS Act, Department of Home Affairs,

6. Exit	<p>Agent Code of Ethics</p> <ul style="list-style-type: none"> ○ Customer Service ○ Marketing and Promotion ○ Incentives <ul style="list-style-type: none"> ● Training and Qualifications 	
	<ul style="list-style-type: none"> ● ANE College terminate services due to Agent not complying with terms and conditions within the Agreement ● Update PRISMS with termination details ● Agent terminates contract ● Contract ended and neither party wishes to renew 	<ul style="list-style-type: none"> ● EA-Intent to Terminate Agreement ● PRISMS

Grounds for Termination of Agreement

In the event that ANE College becomes aware of, or reasonably suspects that the engagement by an Education Agent, or an employee or sub-contractor of that agent, of misconduct that is does not comply with the National Code, ANE College will terminate the agreement with the education agent. Misconduct includes:

- a) engaging in, or to have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Transfer between registered providers).
- b) facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her student visa
- c) using Provider Registration and International Students Management System (PRISMS) to create Confirmations of Enrolment for other than bona fide a student, or
- d) providing immigration advice where not authorised under the Migration Act 1958 to do so.

Changes to Marketing Materials (EA)

ANE College is responsible for the marketing of its education and training services ensuring it is undertaken in a professional manner and maintains the integrity and reputation of the industry and registered providers.

The registered provider must:

- clearly identify the registered provider’s name and CRICOS number in written marketing and other material for students, including electronic form, and
- not give false or misleading information or advice in relation to:
 - claims of association between providers
 - the employment outcomes associated with a course

- automatic acceptance into another course
- possible migration outcomes, or
- any other claims relating to the registered provider, its course or outcomes associated with the course.

ANE College will ensure any changes made to marketing materials will be quickly and efficiently forwarded to the International Agents, it has formal agreements with, to ensure the integrity of both parties.

ANE College Logo Usage

If you wish to use the ANE College logo in your marketing materials, you must first seek written permission from ANE College. When seeking approval, please send copies of your marketing materials to ANE College Principal Executive Officer for proofing and approvals.

Evidence
Continuous Improvement
Responsibility
Standards for RTO's

- EA – Application to EA Letter
- EA – Agent Application Form
- EA - Agent Agreement
- EA – Recruitment and Monitoring
- EA – Performance Review Report
- EA - Agent Feedback Survey
- EA – Acceptance Letter
- EA – Rejection Letter
- EA – Renewal Letter
- EA – Intent to Terminate Agreement

This standard is reviewed, according to the Continuous Improvement Cycle, during the month of **February** on an annual basis.

- Chief Executive Officer or Academic Manager
- Principal Executive Officer
- Senior Management

- Standards 2.3, 2.4, 8.2

STANDARD 7 – OVERSEAS STUDENT TRANSFERS

This standard sets out that registered providers must not knowingly enrol an overseas student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course (or for the school sector, until after the first six months of the first registered school sector course), except in certain circumstances.

- 7.1 Registered providers must not knowingly enrol an overseas student seeking to transfer from another registered provider's course prior to the overseas student completing six months of his or her principal course (or for the school sector, until after the first six months of the first registered school sector course), except where any of the following apply:**
- 7.1.1 the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered**
 - 7.1.2 the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider**
 - 7.1.3 the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS**
 - 7.1.4 any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the change.**
- 7.2 For the purposes of Standard 7.1.3, the registered provider must have and implement a documented policy and process for assessing overseas student transfer requests prior to the overseas student completing six months of their principal course (or for the school sector, until after the first six months of the first registered school sector course). The policy must be made available to staff and overseas students, and outline:**
- 7.2.1 the steps for an overseas student to lodge a written request to transfer, including that they must provide a valid enrolment offer from another registered provider**
 - 7.2.2 circumstances in which the registered provider will grant the transfer request because the transfer is in the overseas student's best interests, including but not limited to where the registered provider has assessed that:**
 - 7.2.2.1 the overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with that registered provider's intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements)**
 - 7.2.2.2 there is evidence of compassionate or compelling circumstances**
 - 7.2.2.3 the registered provider fails to deliver the course as outlined in the written agreement**

- 7.2.2.4 there is evidence that the overseas student's reasonable expectations about their current course are not being met
 - 7.2.2.5 there is evidence that the overseas student was misled by the registered provider or an education or migration agent regarding the registered provider or its course and the course is therefore unsuitable to their needs and/or study objectives
 - 7.2.2.6 an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.
 - 7.2.3 the circumstances which the registered provider considers as reasonable grounds to refuse the transfer
 - 7.2.4 a reasonable timeframe for assessing and replying to the overseas student's transfer request having regard to the restriction period.
 - 7.3 If the overseas student is under 18 years of age:
 - 7.3.1 the registered provider must have written confirmation the overseas student's parent or legal guardian supports the transfer
 - 7.3.2 where the overseas student is not being cared for in Australia by a parent or suitable nominated relative, the receiving provider must confirm it accepts responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 (Younger overseas students).
 - 7.4 If a release is granted, it must be at no cost to the overseas student and the releasing registered provider must advise the overseas student to contact Immigration to seek advice on whether a new student visa is required.
 - 7.5 If the registered provider intends to refuse the transfer request, they must inform the overseas student in writing of:
 - 7.5.1 the reasons for the refusal
 - 7.5.2 the overseas student's right to access the provider's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.
 - 7.6 The registered provider must not finalise the student's refusal status in PRISMS until the appeal finds in favour of the registered provider, or the overseas student has chosen not to access the complaints and appeals processes within the 20 working day period, or the overseas student withdraws from the process.
 - 7.7 The registered provider must maintain records of all requests from overseas students for a release and the assessment of, and decision regarding, the request for two years after the overseas student ceases to be an accepted student.

Strategy

ANE College will not knowingly enrol students wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course of study, except where:

- a) the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
- b) the original registered provider has finalised the release through PRISMS
- c) the original 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 his or her principal course, or
- d) any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change

ANE College will implement the Student Transfer Policy and Procedure, where students will be required to formally apply for transfer to another provider by completing and returning the student transfer application form. The application will be assessed by ANE College staff, and if approval is granted a Record of Release will be issued on PRISMS and the release recorded on the student file.

Where the student can provide a valid letter of offer from another provider, or where the student is Under 18 years and can provide written confirmation that the parent or guardian supports the transfer, or where the student is not being cared for by a parent or nominated relative and the registered provider accepts responsibility for approving the student's accommodation, support and general welfare arrangements as per Standard 5 (Younger students), then ANE College will issue a Record of Release.

All evidence of requests from students, including final outcomes will be retained on the student files.

Policy and Procedure/s

Transfer between Registered Providers Procedure (S)

The purpose of this policy is to outline the process and procedure for international students wishing to transfer into or out of ANE College. ANE College must not knowingly enrol a student wishing to transfer from another Registered Provider's course prior to the student completing six (6) calendar months of his/her Principal Course, except in limited circumstances as outlined in the procedures of this policy. The six calendar months are calculated from the date of commencement of the Principal Course.

ANE College is entitled to determine the circumstances in which it will provide or refuse to provide a Release on PRISMS. Where a Student requests a transfer before or within the period of six (6) months of commencement of their Principal Course, ANE College will assess the request for transfer against this policy.

Students are required to comply with ANE College's Policies and Procedures and attend any interviews or other appointments scheduled for them including, but not limited to those for course progress, attendance and student support services

Procedure

1. Students wishing to transfer to ANE College

The following procedure is relevant to any student who applies for a course within ANE College and is currently studying on-shore with another registered provider.

- a) The applicant must provide a copy of their Student Visa and appropriate student details and a copy of a CoE from their current Provider.
- b) The Student Support Officer will action the application as follows:

- Check the Students current CoE to ascertain if the length of studies completed in the student’s course of study is greater than 6 months.
- Where a student has completed more than 6 months of their principal course of study, the application process proceeds as for all off-shore students.
- Where a student has not completed 6 months of their principal course of study, ANE College will confirm on PRISMS that the student has been released
- ANE College will maintain records of all communication regarding transfer requests from students on individual student files, such as the original letter of request, a copy of ANE College’s assessment/response to request; and outcome.
- To support the student’s application, ANE College may provide a ‘Conditional’ Letter of Offer which clearly states that an offer of a place is contingent on the student obtaining a Release on PRISMS from their current provider.
- Students who are in receipt of a Government scholarship, should provide written support from this government scheme, agreeing to the change which will stand in lieu of any Release on PRISMS.
- If the students record on PRISMS states a release has been approved and the student has no outstanding fees to be paid to their current institution or other outstanding matters of concern, the application will be processed as per the policies and procedures.

2. Students wishing to transfer from ANE College to another registered provider after completion of 6 months

No Record of Release on PRISMS is required where:

- a) the Student has completed at least 6 months’ study in his or her Principal Course; or
- b) the Student is sponsored by another government and that government sponsor provides written support of the change on the basis it considers the change to be in the Student’s best interests; or
- c) ANE College has ceased to be registered or the Course in which the student is enrolled has ceased to be registered; or
- d) ANE College has a sanction imposed on it that prevents the student from continuing his or her Principal Course.

3. Students wishing to transfer from ANE College to another registered provider within the first 6 months of principal course

- a) To apply to transfer to another provider within the first 6 months of the Student’s Principal Course, the student’s request will be assessed against a number of criteria.
- b) Acceptable – ANE College considers the following circumstances to justify a transfer:
 - the international student will be reported because they are unable to achieve satisfactory course progress
 - there are compassionate or compelling circumstances
 - the registered provider is not able to deliver the course
 - there is evidence that current courses do not meet international student’s expectations
 - there is evidence that the international student was misled by the registered provider or an education agent
 - an appeal (internal or external) on another matter results in a decision or recommendation to release the international student.
 - The Student has provided:
 - a signed and dated “*Change of Enrolment – Application Form*”; and

- a letter detailing their reasons for requesting a transfer to another provider and that the transfer request form meets all requirements; and
 - the Student is sponsored by another government and that government sponsor provides written support of the change on the basis it considers the change to be in the Student's best interests; or
 - ANE College has ceased to be registered or the Course in which the student is enrolled has ceased to be registered; or
 - ANE College has a sanction imposed on it that prevents the student from continuing his or her Principal Course.
 - ANE College will not grant a Record of Release on PRISMS in circumstances other than the above.
- c) Non-Acceptable - ANE College considers the following circumstances do not justify as transfer:
- the student has not completed the first 6 months of the course in which he or she is enrolled; or
 - ANE College considers that the student is trying to avoid being reported to the DHA for failure to meet the ANE College Attendance or Course Progress requirements; or
 - The Student has not accessed ANE College Student support or welfare services after having been requested to do so; or
 - The documents provided by the Student do not, in ANE College's view, adequately support grounds upon which the transfer is requested; or
 - The Student has outstanding fees at ANE College in the current unit of competency or course; and
 - Circumstances other than those identified in 3 (b).

4. Record of release process for students less than 6 months

- a) Students must complete a "*Change of Enrolment - Application Form*" available from the Student Administration Office.
- b) ANE College must not knowingly enrol a student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course of study except where:
- I. the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
 - II. the original registered provider has finalised the release through PRISMS
 - III. the original 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 his or her principal course, or
 - IV. any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.
- c) A record of Release on PRISMS is issued at no cost to the Student
- d) A Record of Release on PRISMS will only be issued within the 6-month period if the student meets the required conditions
- e) The following documents must be attached to the "*Change of Enrolment - Application Form*":
- A letter detailing the reasons behind their request to transfer to another registered provider and how they will benefit from the transfer; and
 - Copy of the other Registered Provider's Letter of Offer, confirming that a valid enrolment offer has been made unconditionally at that institution; and

- Copy of documentary evidence. Failure to present evidence may adversely affect the outcome of the *“Change of Enrolment - Application Form”*; and
- Written approval for the change from the scholarship body if a sponsor is paying the tuition fees
- f) Student Administration staff may also:
 - Forward a copy of the *“Change of Enrolment - Application Form”* to the Student Support Officer in certain circumstances
 - Arrange an appointment for the student with the Student Support Officer

5. Assessment of request for transfer

The Student Support Officer will interview the Student to determine the circumstances surrounding the release; and

- a) How the student may benefit from a transfer to another education provider; and consider options available to the student to achieve his or her learning goals, including through implementing an Intervention Plan or any other student support services offered by ANE College to assist the student to adjust to study and life in Australia; and
- b) Where it is in the student’s interests, refer the student to support services for:
 - Academic skill support;
 - Additional English support;
 - Additional tutoring and study group support;
 - Increased monitoring;
 - Referral to personal counselling;
 - The purpose of discussing the suitability of the course;
 - Consideration of reduction in course load;
 - Implementing an Intervention Plan

Within 5 working days of the student’s lodgement of the *“Change of Enrolment - Application Form”*, make a recommendation to the Academic Manager.

- c) The Academic Manager will:
 - Consider the *“Change of Enrolment - Application Form”* and supporting documents on the basis of:
 - The Student’s educational goals and individual circumstances; and
 - Student Support Officer’s recommendation;
 - Make and record a decision as to whether to grant a Record of Release on PRISMS within 5 working days of receiving the Student Support Officer’s recommendation.

6. Decisions and outcomes

- a) Students will be advised in writing of the outcome of the application within 20 working days of the lodgment of a complete *“Change of Enrolment - Application Form”*.
- b) **Record of Release Approved.** If the Academic Manager decides to grant a Record of Release, the Student Support Officer will immediately write to the Student, including the following:
 - Withdrawal from Course Form
 - Course Feedback Form
 - Confirmation of Record of Release
 - Information in relation to student’s commitment to study, attendance/ course progress and whether fees are up to date
 - Advice that the students Confirmation of Enrolment (CoE) will be cancelled and he or she must contact Department of Home Affairs (DHA) to seek advice on whether a new student visa is required;
 - Advise the Student that they may apply for a refund in accordance with ANE College’s *Refund Policy and Procedure*.

- c) **Record of Release Denied.** If the Academic Manager decides not to grant a Record of Release, he or she will notify the student in writing, including:
 - The reasons for the decision not to grant a Record of Release on PRISMS;
 - Advice that he or she may freely transfer after completion of 6 months of his or her Principal Course; and
 - Information on the student’s right to appeal the decision in accordance with the *Complaints and Appeals Policy*, within 20 working days of notification, at no cost to the student.
 - The Student is required to remain enrolled until the appeals process is completed
 - Provide the student with a Complaints and Appeals Form
 - Process the Complaints and Appeals as per the Policy and Procedure
 - Enter decision onto PRISMS upon finalisation of Complaints and Appeals process, unless the student wishes to Appeal the decision.
- d) **Record of Release Denied on Appeal.** If, after careful review by ANE College’s Review Panel, the Student’s Appeal is unsuccessful, ANE College will notify the Student in writing including:
 - The reasons for the decision
 - Requesting the Student to make an appointment with the Student Support Officer to discuss ANE College’s support services; information regarding the external appeal process
 - Copies of the Overseas Ombudsman Form and External Review Process, and ESOS Framework Factsheet, which includes information on “Transferring between Education Providers”.
 - The Student’s right to pursue further action under Australia’s Consumer Protection Laws.
- e) Maintain records of all communication regarding transfer requests, Letters of release and the assessment process and outcomes from students in individual student files.
- f) Enter decision onto PRISMS upon finalisation of Appeals process

Refer to the [PRISMS Provider User Guide](#) for the process of how to enter and record Transfers on PRISMS.

Responsibilities

The Academic Manager is responsible for the implementation of this policy and procedure and to ensure that staff and students are aware of its application and requirements.

The policy will be communicated to staff through staff induction processes, Staff Handbook and staff training. The Academic Manager or nominated delegate as detailed above is responsible for assessing all applications for request for transfer to and from ANE College.

Evidence

- International Student Handbook
- “Change of Enrolment - Application Form”
- “Change of Enrolment - Application Form”
- Withdrawal Acknowledgement Letter
- Under 18 Letter of Support for Transfer
- Student Management System
- Enrolment Application Form
- Letter of Offer

Continuous Improvement

This standard is reviewed, according to the Continuous Improvement Cycle, during the month of **February** on an annual basis.

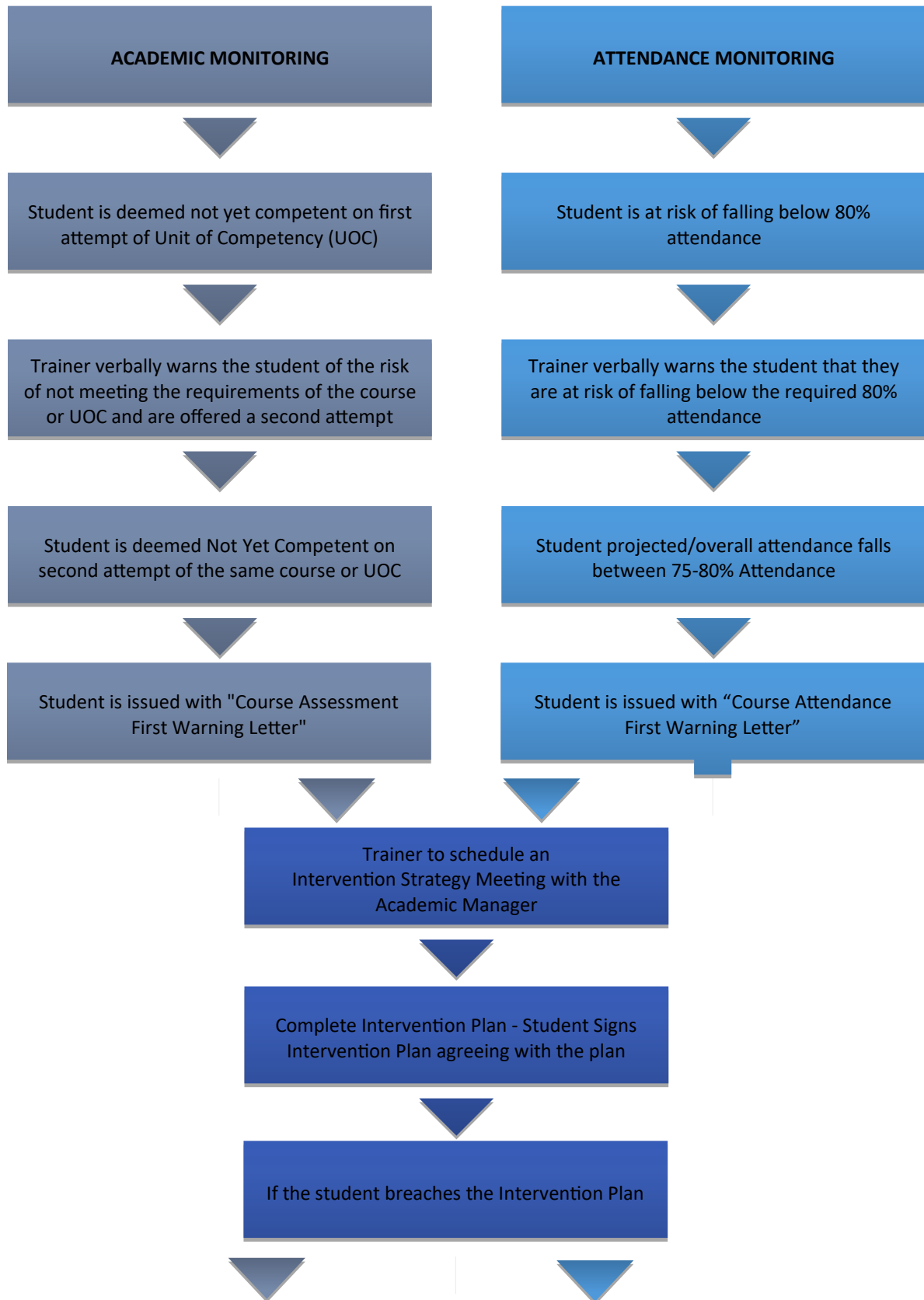
Responsibility

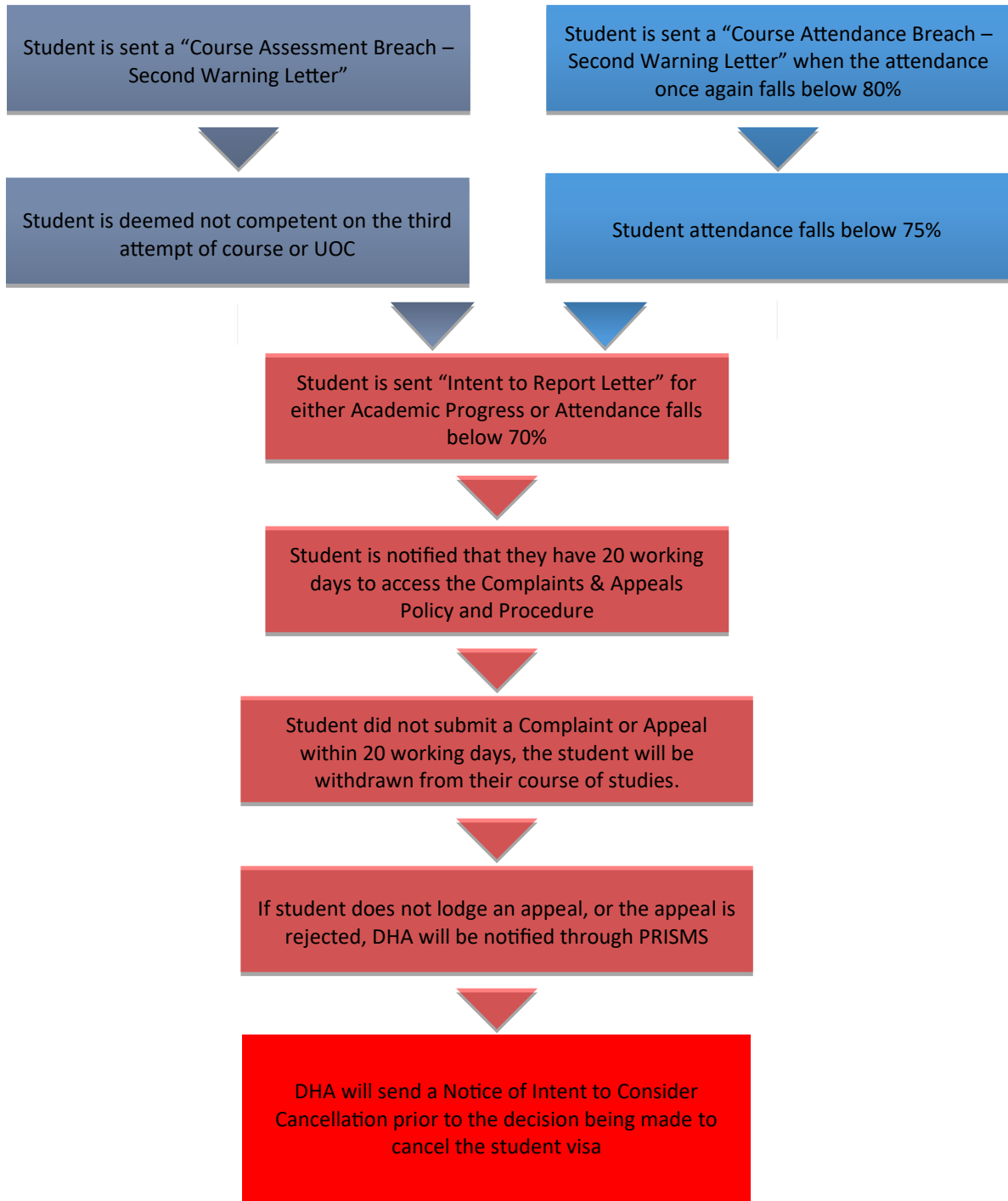
- Principle/General Manager
- Chief Executive Officer



- Senior Management or Academic Manager

MONITORING AND INTERVENTION PROCESS (S)





STANDARD 9 – DEFERRING, SUSPENDING OR CANCELLING THE OVERSEAS STUDENT'S ENROLMENT

This standard sets out that registered providers must appropriately manage the enrolment of their overseas students and ensure all necessary information about enrolments has been provided to the relevant government department by maintaining updated information in the Provider Registration and International Student Management System (PRISMS) database.

- 9.1 A registered provider must have and implement a documented process for assessing, approving and recording a deferment of the commencement of study or suspension of study requested by an overseas student, including maintaining a record of any decisions.**
- 9.2 A registered provider may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.**
- 9.3 A registered provider may suspend or cancel a student's enrolment including, but not limited to, on the basis of:**
 - 9.3.1 misbehaviour by the student**
 - 9.3.2 the student's failure to pay an amount he or she was required to pay the registered provider to undertake or continue the course as stated in the written agreement**
 - 9.3.3 a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 (Overseas student visa requirements).**
- 9.4 If the registered provider initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation the registered provider must:**
 - 9.4.1 inform the overseas student of that intention and the reasons for doing so, in writing**
 - 9.4.2 advise the overseas student of their right to appeal through the provider's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.**
- 9.5 When there is any deferral, suspension or cancellation action taken under this standard, the registered provider must:**
 - 9.5.1 inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa**
 - 9.5.2 report the change to the overseas student's enrolment under section 19 of the ESOS Act.**
- 9.6 The suspension or cancellation of the overseas student's enrolment under Standard 9.3 cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.**

Strategy

Deferring, Suspending or Cancelling Enrolment Policy (S)

Students need written permission from ANE College to defer their course. In cases where permission is granted, DHA will be advised via PRISMS. Student enrolments will be deferred or temporarily suspended by ANE College when there are compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes), or misbehaviour by the student.

The full policy and procedure pertaining to the circumstances in which a student may defer, suspend or cancel their enrolment is available within the International Student Handbook.

ANE College is required to advise DHA via PRISMS when a student fails to commence a course, withdraws before the course ends, or changes their course, which will affect his or her student visa.

Students who are unable to arrive on time may be given up to one week to commence. After one week, the student cannot be guaranteed a place in the course. If the student arrives after the agreed date, they may be required to return home or placed in an English language program until the next available commencement date for the course.

Evidence of assessment of applications for deferment or suspension of enrolment will be retained on student files.

ANE College will inform the student of its intention to suspend or cancel the student's enrolment where the suspension or cancellation is not initiated by the student and notify the student that he or she has 20 working days to access ANE College's internal Complaints and Appeals procedure.

Policy and Procedure/s

Deferring, Suspending or Cancelling Enrolment Procedure - Staff

Staff Member	Action	Ref
It is the role of the following staff members to undertake these steps in the event of a student-initiated request for a withdrawal or deferment of enrolment		
Academic Manager	Assess the student's application for Change of Enrolment – Application Form, to apply for a Withdrawal, Deferment or cancel enrolment	"Change of Enrolment - Application Form"
Principle /General Manager	Approve or reject student "Change of Enrolment - Application Form"	"Change of Enrolment - Application Form"
Academic Manager	Record and advise the student of the outcome of the application for Change of Enrolment, and if the students' request is granted, advise the student who wishes to defer or suspend his/her enrolment, that this may affect their visa	"Change of Enrolment - Application Form" "Change of Enrolment – Acknowledgement" Letter
Admissions Officer	Notify DHA via PRISMS as required by Standard 19 of the ESOS Act	PRISMS

Admissions Officer	Ensure that all records are updated on the Student Management System Database	{{SMS}}
The following details the role of staff when undertaking the necessary steps in the event of a student-initiated request for cancellation of enrolment		
Academic Manager	Assess student application for student-initiated request for cancellation of enrolment on the <i>“Change of Enrolment - Application Form”</i>	“Change of Enrolment - Application Form”
Principle /General Manager	Arrange for any refund of course fees to be paid as per the written agreement, and refund policy	“Refund Request Form” and Letter
Admissions Officer	<p>Notify the Secretary of DHA via PRISMS as required under Standard 47D (4) of the ESOS Act.</p> <p>If obligations have been met, as per the Written Agreement, enter the following into PRISMS:</p> <ul style="list-style-type: none"> ▪ Date the student’s claim was received ▪ Amount claimed by the student ▪ Amount paid by the provider ▪ Date the refund was paid ▪ Whether or not the refund was paid in accordance with the written agreement between provider and the student 	PRISMS
It is the role of the following staff members to undertake these steps in the event of a Provider Initiated suspension or cancellation of enrolment. There are two options, depending on whether there are extenuating circumstances.		
Principle /General Manager	<p>FIRST STEP</p> <p>Determine the grounds for Suspension or Cancellation of a student’s enrolment</p> <p>Make the decision to suspend or cancel a student’s enrolment based on the information about grounds for doing this provided in pre-enrolment information to the student, and assess if there are any extenuating circumstances</p>	
Principle /General Manager	<p>OPTION 1</p> <p>If there are no extenuating circumstances inform the student in writing:</p> <p>ANE College intends to suspend or cancel his/her enrolment</p> <p>Student has 20 days to access the company’s Internal Complaints and Appeals Process</p> <p>Deferment or Suspension of Enrolment may affect the student’s visa</p>	“Notice of Suspension” letter

	Academic Manager	Supervise the student's conditions of continuing enrolment and care arrangements, and process student's appeal	Intervention Strategy
	Student Support Officer		Complaints and Appeals
	Academic Manager	Advise the student in writing of the outcome of the appeal process including reasons for the outcome	Complaints and Appeals
	Principle /General Manager	If the outcome of the appeal favours the student, the provider will also comply with the National Code Standard 8.5	Complaints and Appeals
	Admissions Officer	If the outcome of the appeal upholds the Company's decision, the Company then notifies DHA via PRISMS within 14 days of this outcome that the student's enrolment is suspended or cancelled, however, continues to check suitability of care arrangements until one of the criteria is met	PRISMS Intervention Plan
	Principle /General Manager	OPTION 2 If there are no extenuating circumstances relating to the welfare of the student, the company contacts DHA to discuss the situation, or report suspension or cancellation of enrolment of the student via PRISMS with an explanation, or both, depending on the severity of the situation (The student may still access ANE College's Complaints and Appeals Process, however, this can be done off-shore if necessary)	PRISMS Complaints and Appeals
	Academic Manager Student Support Officer	Continue to check the suitability of the student's care arrangements (if necessary) as per the conditions in the National Code; unless it is necessary to advise DHA via PRISMS that ANE College can no longer approve the care arrangements for the student. In this case, contact DHA before making this report via PRISMS, so DHA is aware of the situation and can monitor the student's movements if necessary.	PRISMS
	Academic Manager	If the student accesses ANE College's Complaints and Appeals Process, advise the student in writing of the outcome of the appeals process, including details of reasons for the outcome	Complaints and Appeals Letter
Academic Manager Student Support officer	IN ALL CASES Record all outcomes and ensure all records for all steps are kept on the students file and available for audit when necessary.	Application Forms Letters	

Academic Manger		Intervention Plans
	In the case of a suspension initiated by ANE College taking longer than 28 days, inform the student that this may affect the student’s visa and contact DHA (www.homeaffairs.gov.au) to discuss the situation. DHA will advise if there is a need for the student to make an appointment for visa advice	Letter

Refer to the PRISMS website for more details on how to use PRISMS (<https://prisms.education.gov.au/Logon/Logon.aspx>)

Deferment of Commencement of Study (S)

ANE College will only grant a deferment of commencement of studies under compassionate and compelling circumstances. These include but are not limited to:

- Illness, where a medical certificate states that a student was unable to attend classes;
- Bereavement of close family members such as parents or grandparents, supported by a letter from a family member or a death certificate;
- Major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies;
- A traumatic experience which has impacted on the student (these cases should be where possible supported by police or a psychologist’s reports);
- Delay in student visa being granted or inability to acquire airline tickets, especially during peak season

Requests for deferment must be made in writing using the “*Change of Enrolment - Application Form*” and documentary evidence must be attached. The final decision to allow deferment will be made by the Academic Manager or delegate. Students will be informed of the decision in writing of the outcome within ten (10) working days and how the changes may affect their visa.

A new CoE will be created in the event the deferment is granted.

The Secretary of DHA via PRISMS will be notified under section 19 of the ESOS Act

Suspension of Study (S)

Once a student has commenced the course, ANE College will only grant a suspension of study under compassionate and compelling circumstances. These include but are not limited to:

- Illness, where a medical certificate states that a student was unable to attend classes;
- Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- Major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies;
- A traumatic experience which has impacted on the student (these cases should be where possible supported by police or psychologist’s report).

Process for Suspension Applications (S)

1. The period of suspension will not be included in attendance calculations.
2. The final decision for assessing and granting a suspension of studies will be the responsibility of the Academic Manager or delegate.

3. Suspensions of study must be requested in writing using the “Change of Enrolment – Application Form”. Students will be informed of the decision, in writing, of the outcome within ten (10) days and how the changes may affect their visa.
4. Assessment of any leave will take into consideration the student’s course progress, attendance and any risk indicators. The student will be counselled accordingly.
5. All decisions are recorded on the student’s file and in the database
6. Suspensions will be recorded on PRISMS and a new CoE will be created
7. CoE may not be recreated if the period of suspension will not affect the end date of study. (i.e. A course may be run for seven weeks, so 2 weeks would have a significant impact)
8. The Secretary of DHA via PRISMS will be notified under section 19 of the ESOS Act
9. When the student returns from leave, PRISMS is to be updated noting recommencement of studies.
10. An Intervention Strategy meeting may need to be implemented for re-introducing students to study, with an Intervention Plan being developed for the student to get back on track with their studies.

Cancellation of enrolment initiated by student (S)

Cancellation of enrolment can occur in a range of circumstances. In the event the student wishes to cancel enrolment and to avoid being reported to the DHA, the student will be required to complete a “*Change of Enrolment - Application Form*”.

If the student’s application is approved, the enrolment will be cancelled through PRISMS and all records will be maintained in the student file.

Any fees owed to ANE College will need to be paid. Any refunds will be made in accordance with the Refund Policy and Procedure.

Reasons that the student may apply for cancellation of their enrolment include:

- Student Completed Course early
- Student wishes to Transfer Providers
- Student notifies cessation of studies
- Student has passed away and a family member is requesting a refund
- Student no longer holds a student visa

Exclusion from Class (1-28 days) (S)

ANE College may exclude a student from class on the grounds of misbehaviour by the student subject to ANE College’s Student Code of Conduct Policy and Procedure.

Where the student is provided with homework or other studies for the period of the exclusion, the student must continue to meet the academic requirements of the course.

Exclusions from class will not be recorded on PRISMS. The periods of ‘exclusion from class’ will not be included in attendance calculations.

Institute Initiated Suspension or Cancellation of Enrolment (28 days +) (S)

ANE College may initiate a suspension from class for a student on the grounds of misbehaviour by the student. Suspension will occur as the result of any behaviour identified as constituting a breach of ANE College’s Student Code of Conduct Policy and Procedure.

Students will be notified of ANE Colleges intention to suspend the student’s enrolment in writing. Students will be notified that they have 20 working days to access ANE College’s internal complaints and appeals process. If the student accesses ANE Colleges internal complaints and appeals process, the suspension or cancelation of the student’s enrolment

under this standard will not take effect until the internal process is completed unless extenuating circumstances relating to the welfare of the student apply.

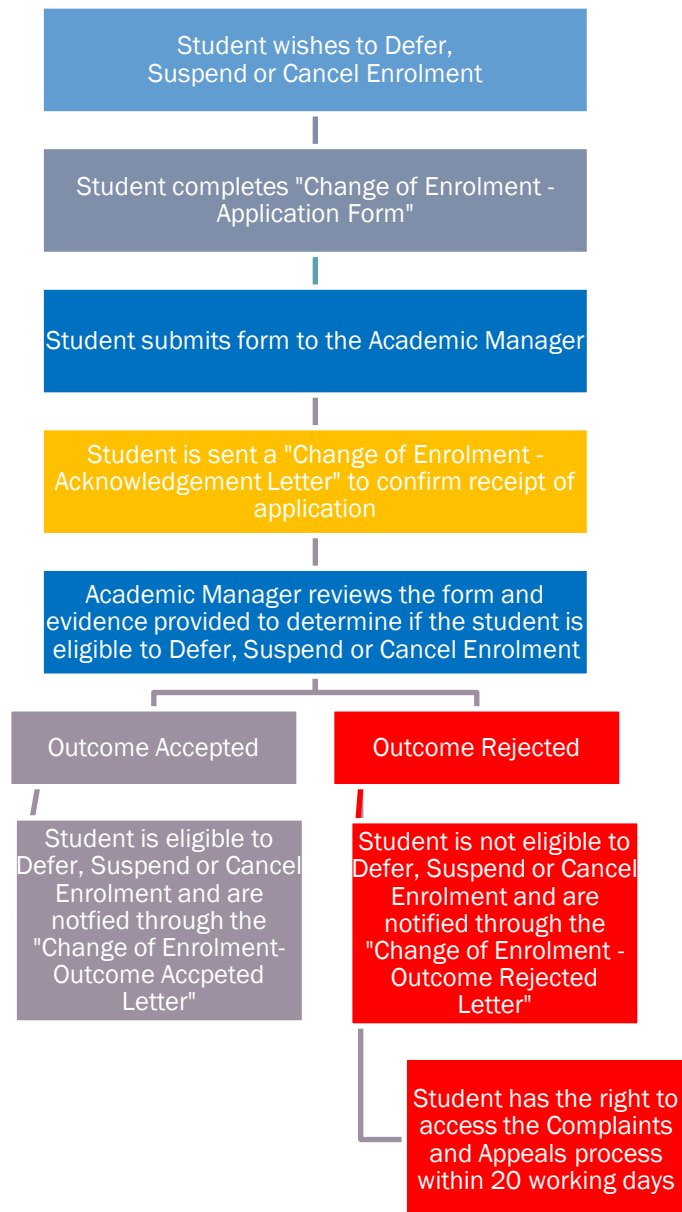
Students who have been suspended for more than 28 days are required by DHA to return to their home country unless compassionate and compelling circumstances exist (e.g. The student is medically unfit to travel).

If compassionate and compelling circumstances exist, the student must abide by the conditions of his or her suspension.

Suspensions will be recorded on PRISMS, Student files and {{Database}}.

The period of suspension will not be included in attendance calculations.

Change of Enrolment Process (S)



1. Evidence to support application

- a) Students are required to complete a “*Change of Enrolment - Application Form*” and produce documentary evidence of any compassionate and compelling circumstances.

- b) Student to submit the “*Change of Enrolment - Application Form*” to either the Academic Manager or the Student Support Officer at ANE College
- c) Evidence presented will be reviewed by the Academic Manager in terms of making appropriate decisions.
- d) The range of supporting documentation could include:
 - **Medical Certificates:** Medical certificates must be issued by a registered Medical Practitioner. The certificate must state that:
 - The student has a medical condition and is unfit to attend classes; and the length of time the student will be unfit for class
 - The Doctor’s contact details (name, address, telephone number). The doctor’s registration number should be evident
 - **Death Certificates:** These certificates must be certified and translated into English
 - **Evidence of a major political upheaval or natural disaster:** This must be within reasonable proximity to the student’s family and must be able to be verified
 - **Evidence of a traumatic experience:** Evidence may include a police report or a report from a registered psychologist, or other suitable qualified professional. All contact details must be included for verification purposes. The psychologist’s registration number must be included in the report.

2. Outcome of Assessment

- a) The student will be advised in writing of the outcome of the review by the Academic Manager
- b) In the event the student is not satisfied with the outcome, they will be informed of their right to access ANE College’s Complaints and Appeals process within 20 working days.

3. **Unacceptable reasons:** The following may not constitute compassionate and compelling reasons as support services are available to assist:

- Financial difficulties
- Difficulties with employment and clashes of work
- Travel opportunities
- Relationship breakdowns
- Difficulties adjusting to life and study in Australia
- Timetables

Non-commencement of Studies

If the student does not attend Orientation within 14 days of the Commencement date, this will need to be reported in PRISMS.

Institute initiated Cancellation of Enrolment (S)

ANE College will cancel the enrolment of a student under the following conditions:

- Failure to pay course fees within thirty (30) calendar days
- Any behaviour identified as resulting in cancellation in ANE College’s **Error! Reference source not found.** on page **Error! Bookmark not defined.**
- ANE College is required to report failure to maintain satisfactory course progress, failure to follow the terms of Intervention Plans constructed and/or failure to maintain satisfactory attendance to the DHA which may result in the cancellation of the student’s visa
- If a student does not return to class after the holiday break
- Where a proposal to terminate, suspend or cancel a student’s enrolment is made, the student will be advised in writing, together with their right to appeal within twenty (20) working days.

- If the student does not commence within five (5) working days of the start date without notification, the DHA will be notified through PRISMS.
- Students will be notified of ANE Colleges intention to cancel the student's enrolment in writing. Students will be notified that they have twenty (20) working days to access ANE College's internal complaints and appeals process. If the student accesses ANE Colleges internal complaints and appeals process, the suspension or cancelation of the student's enrolment under this standard will not take effect until the internal process is completed unless extenuating circumstances relating to the welfare of the student apply.

Extenuating Circumstances

Extenuating circumstances include:

- The student is missing;
- The student has medical concerns or severe depression or psychological issues which lead ANE College to fear for the student's wellbeing;
- The student has engaged or threatened to engage in behaviour that is reasonable believed to endanger the student or others;
- The student is at risk of committing a criminal offence; or
- The student is the subject of investigations relating to criminal matters

The use of extenuating circumstances by ANE College to suspend or cancel the student's enrolment prior to the completion of any Complaints and Appeals process will be supported by appropriate evidence.

The final decision for evaluating extenuating circumstances lies with the Principal Executive Officer.

Student Advice

Deferment, suspension and cancellation of enrolment can affect a student's visa as a result of changes to enrolment status. Students will be informed in writing to obtain relevant expert advice from the DHA to determine how this will affect their student visa.

Responsibilities

All staff are informed of the requirements of this policy at induction and through the Staff Handbook.

Students are made aware of this policy prior to enrolment, at orientation and through the International Student Handbook.

Review

In the event of deferral, suspension or cancellation, a selection of student files will be reviewed to ensure compliance with processes and procedures and that all records are appropriately documented.

This policy is the subject of review as determined by the internal audit schedule and at any time there are changes to the ESOS Act 2000 and National Code 2018.

Compassionate and Compelling Circumstances (S)

This policy provides students and staff of ANE College with a definition of what constitutes Compassionate and Compelling Circumstances, when considering an international student's:

- Ability to complete the course within the expected duration (Standard 9: Completion within Expected Duration);
- Failure to meet attendance requirements (Standard 11: Monitoring Attendance);
- Failure to meet course progress requirements (Standard 10: Course Progress)

- Assessment, approval/rejection and recording of a deferment of study or suspension of study (Standard 13: Deferring, Suspending or Cancelling the Student’s Enrolment);
- Other appeals lodged through ANE College’s internal appeals process (Standard 8: Complaints and Appeals);

The Standards above refer to the National Code 2018.

Compassionate or Compelling Circumstances are generally deemed to be those beyond the control of an individual. These circumstances would be considered as having an impact on the student’s course progress and well-being. These circumstances could include, but are not limited to:

- A serious medical condition or injury
- A bereavement of close family members such as parents or grandparents
- A major political upheaval or natural disaster in the home country requiring immediate travel
- A traumatic event, which could include but is not limited to involvement in or witnessing of an accident: a crime committed against the student or the student has witnessed a crime, and this has impacted on the student.

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student’s course progress or wellbeing. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided);
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student’s studies; or
- 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)
- where the registered provider was unable to offer a pre-requisite unit; or
- Providers must inform the student that deferment, suspension or cancellation of enrolment may affect his or her student visa.

Evidence

- Student Management System
- “Change of Enrolment - Application Form”
- Intervention Plan
- Complaints and Appeals Form
- Letters of Release
- Logbook or Register of Suspension or Deferment (database)

Continuous Improvement

This standard is reviewed, according to the Continuous Improvement Cycle, during the month of **February** on an annual basis.

Responsibility

- The Principal Administrator/CEO/PEO/General Manager is responsible for the implementation of this Policy and Procedure and to ensure that Staff and Students are aware of its application and that staff implement its requirements.
- The Principal Administrator/CEO/PEO/General Manager in consultation with the Academic Manager and Administration and Enrolment Officer is responsible for the assessment of each case matter in accordance with this policy.
- Staff will be advised of this policy at induction and through the Staff Handbook.
- Students will be advised of this policy at Orientation and through the International Student Handbook.

- Standard 1.7