

Issue of Awards & Certification Policy

Policy Summary	
Department Responsible for Policy	Academic Department
Contact Person for Policy	Head of Cookery, Hospitality & Events
Approving Authority	Academic Board
Date Last Approved	28/04/2020
Next Review Date (Evaluation)	Every 4 years
Related Documents	<p>Guidelines</p> <ul style="list-style-type: none"> • <i>National Vocational Education and Training Regulator Amendment Act 2015</i> • <i>Australian Qualifications Framework (AQF)</i> • <i>Australian Skills Quality Authority (ASQA) Standards for NVR Registered Training Organisations 2015</i> • <i>The National Code 2018</i> • <i>Education Services for Overseas Students Act 2000 (ESOS)</i> • <i>Education Services for Overseas Students Regulations 2019</i> • <i>The Tertiary Education Quality Standards Agency (TEQSA) Higher Education Standards Framework 2015</i> • <i>Student Identifiers Act 2014</i> • <i>Student Identifiers Regulation 2014</i> <p>Policies</p> <ul style="list-style-type: none"> • <i>1-01-001 Student Code of Conduct</i> • <i>1-01-002 Academic Integrity and Misconduct Policy</i> • <i>1-01-009 Academic Freedom Policy</i> • <i>2-01-001 Admissions Policy</i> • <i>5-01-006 Staff Code of Conduct</i> • <i>8-01-011 Risk Management Policy</i> • <i>8-01-034 Business Continuity Policy</i> <p>Manuals</p> <ul style="list-style-type: none"> • <i>1-02-009 Academic Manual</i> • <i>1-02-010 Academic Records Database</i> • <i>1-03-001 Student Handbook</i> • <i>8-02-004 Risk Management Plan</i> • <i>10-02-011 Business Continuity Plan</i> <p>Documents</p> <ul style="list-style-type: none"> • <i>1-02-001 Subject Guide Template and Assessments</i> • <i>1-03-007 Special Consideration Form</i> • <i>1-03-025 Application for replacement award</i>

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Policy History		
Policy version	Main changes made	Date
1.0	New Policy	17/11/2013
2.0	Higher Education Standards, Update Branding and Approval Authority	5/12/2016
3.0	Update following internal audit	16/11/2018
4.0	Update to job titles	28/04/2020

1. Preamble

- 1.1 AQF provides a qualifications issuance framework in order to ensure the integrity, quality and transparency for all Australian qualifications. This ensures that all RTOs use consistent certification documentation, and AQF qualification titles.
- 1.2 Kenvale College is committed to ensuring the accuracy and authenticity of issued documents recording details of students' academic information and qualification attainments.

2. Definitions

Academic Record A full record of Subject results that students receive after the completion of a Program of Learning and awarded by the College at graduation.

Academic Transcript A full record of Unit of Competency results that students receive after the completion of a Program of Learning and awarded by the College at graduation.

Australian Qualifications Framework (AQF) First introduced in 1995, it 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. In 2011, under the leadership of the AQF Council, the AQF was revised to ensure that qualification outcomes remain relevant and nationally consistent, continue to support flexible qualifications linkages and pathways and enable national and international portability and comparability of qualifications. The latest version of the AQF framework was published in January 2013.

Australian Quality Training Framework (AQTF) The national set of standards which assures nationally consistent, high-quality training and assessment services for the clients of Australia's vocational education and training (VET) system. Initially established in 2001 for implementation in 2002, it is approved by the Ministerial Council for Tertiary Education and Employment (MCTEE), which includes all Ministers for VET in Australia.

Australian Skills Quality Authority (ASQA) The national regulator for Australia's vocational education and training (VET) sector. ASQA regulates courses and training providers to ensure nationally approved quality standards are met.

Award An academic certificate, diploma or Advanced Diploma received upon completion of a full qualification.

The College Kenvale College of Hospitality, Cookery and Events.

Foundation for Education and Training (FFET) The College is a project of the Foundation For Education and Training Limited (FFET), a non-profit company limited by guarantee.

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 2018.

Higher Education (HE) Provider A body that is established or recognised by the Commonwealth or a state or territory government to issue qualifications in the HE sector.

Program of Learning Any learning path where a student successfully completes part or a full qualification which leads to either of two outcomes: An AQF qualification or a non-accredited learning outcome.

Registered Training Organisation (RTO) A vocational education and training organisation registered by a state or territory registering body in accordance with ASQA.

Statement of Attainment is awarded when units have been achieved but does not meet a full AQF qualification.

Strategic Boards All boards, committees and advisory panels set up by the FFET Board for the purpose of managing the affairs of the College. Refer to 8-01-002 *Delegations Register* for more detailed information.

Subject Made up of one or more units of competency, taught over eight or sixteen weeks and assessed in a holistic way that is compliant with regulatory obligations.

Testamur It is the certificate that students receive after the completion of a complete Program of Learning and awarded by the College at graduation.

The Education Services for Overseas Students Act 2000, (ESOS Act), establishes legislative requirements and standards for the quality assurance of education and training institutions offering courses to international students who are in Australia on a student visa. ESOS also provides tuition fee protection for international students.

The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) sets nationally consistent standards for the delivery of courses to overseas students. The National Code 2018 commenced on 1 January 2018.

The Tertiary Education Quality Standards Agency (TEQSA) is an independent statutory authority established in 2011. It sits within the Education portfolio. TEQSA regulates and assures the quality of Australia's large, diverse and complex higher education sector. TEQSA registers and evaluates the performance of higher education providers against the Higher Education Standards Framework.

Unit of Competency (UoC) A single component of a qualification, or a stand-alone unit, that has been accredited by the same process as for a whole AQF qualification. (AQF, 2013).

Unit of Study (UoS) A unit of study is a term used by our student management system to refer to subjects offered in our course curriculum. These subjects can comprise of one or a number of competency units, selected from a training package. Competencies are grouped together according to similar or complementary content material, creating subjects with the correct amount of content achievable in the designated hours allocated.

Unique Student Identifier (USI) The USI is a reference number that will link to the National Vocational Education and Training (VET) Data Collection allowing an individual to view all of their training results from all providers including all completed training units and qualifications.

Vocational Education and Training (VET) A type of tertiary education under the Australian Qualifications Framework (AQF), which enables students to gain qualifications for all types of employment, and specific skills to help them in the workplace.

3. Scope

Aim

- 3.1 This policy aims to provide a framework that protects the integrity of all College awards, certificates and statements of attainment.

Scope

- 3.2 This policy covers all College issued documents recording details of students' academic information and qualification attainments.
- 3.3 This policy does not apply to non-AQF qualifications such as short courses without UoC, and any other non-accredited courses.
- 3.4 This policy does not detail the procedures associated with issues of awards and certification. For all procedural information, please refer to the *1-02-009 Academic Manual*.
- 3.5 This policy does not contain content that would overlap with the *1-03-001 Student Handbook* and *1-01-001 Student Code of Conduct*. For all student specific information, or information aimed for student consumption, please refer to the *1-03-001 Student Handbook*, if required.
- 3.6 This policy should be used in unison with the *1-02-009 Academic Manual*.

4. AQF qualifications

Introduction

- 4.1 Kenvale College is committed to ensuring the accuracy and authenticity of issued documents recording details of students' academic information and qualification attainments.

Issuing of awards

- 4.2 All graduates who have completed a Program of Learning as part of an AQF qualification will receive an award of the qualification on the following certification documentation: a Testamur, an Academic Record and an Academic Transcript.
- 4.3 AQF certification documentation is issued to students within 30 calendar days of the student being assessed as meeting the requirements of the training product if the training program in which the learner is enrolled is complete, and providing all agreed fees the learner owes to the RTO have been paid. All certification documentation is created through JobReady and is saved against the student record.
- 4.4 All Kenvale College AQF qualifications:
 - 4.4.1 meet the Australian Qualifications Framework (AQF) requirements;
 - 4.4.2 are identifiable by the College's RTO ID 6901 and
 - 4.4.3 Include the Nationally Recognised Training (NRT) logo in accordance with the current conditions of use (AQF logo or the words 'The qualification is recognised within the Australian Qualifications Framework').
- 4.5 All College certification documentation (and Statement of Attainment) becomes unique and permanent records are stored on JobReady which ensures retained records of AQF certification documentation issued for a period of 30 years.
- 4.6 All College certification documentation contain the following information: name, code and logo of Kenvale College, official testamur seal, official verified name of graduate who is entitled to receive the AQF qualification, name of qualification by its full title, date of issue/award/conferral, name and signature of persons in the organisation authorised to issue the documentation (Managing Director and Head of Cookery, Hospitality & Events), and unique number identifier. These details serve as means for authentication and reduce any possible fraudulent use.
- 4.7 All templates are created on JobReady, the College's Student Management System, where the certificates will be issued and stored.

Protection of Qualifications

- 4.8 The College is committed to authenticating and verifying the potential graduate's certification documentation. This means having certain evidence of fulfilment for all required documentation. The same applies to the replacement of certification documentation.
- 4.9 The College keeps a register in the shape of a secure database for qualifications issuance for students who have graduated prior the Student Management System (Jobready) has been implemented. Refer to: *1-02-010 Academic Records Database*.

Eligibility

- 4.10 In order to qualify for a VET award, students need to satisfactorily complete:
- 4.10.1 Subjects (Units of Competency) required for the specific award,
 - 4.10.2 Eighty per cent (80%) attendance to classes including justified absences,
 - 4.10.3 Fulfil all Industry Placement Hours requirements, which vary according to the course.

Issuing of Statement of Attainment

- 4.11 Students who partially complete the requirements for an Award will receive a Statement of Attainment of competencies leading to a specified award.
- 4.12 The issuance of a statement of attainment recognises that students do not always study a whole AQF qualification. They may choose to complete only a unit or units of competence or study from an accredited qualification or an accredited short course. Through the use of the statement of attainment, the AQF acknowledges that completion of accredited units contributes to the progression towards the achievement of an individual's lifelong learning goals.
- 4.13 Besides the guidelines indicated in point 4.6 of this policy, a Statement of Attainment must include the statement *'This statement of attainment is issued when an individual has completed one or more accredited units'*.

Replacement Awards:

- 4.14 In the event that the original award is lost, students are required to contact the College and present the required documentation and payment.
- 4.15 Graduates of Kenvale College may apply for replacement certification documentation if their original has been lost, stolen, destroyed or damaged. In this instance, an additional fee will be applied. For details about additional fees, refer to Kenvale's website (Home>International>Additional Fees or Home>Apply>Fees>Australian and New Zealanders>Additional Fees).
- 4.16 A replacement award cannot be issued if the student is still in possession of the original award. Replacement awards are issued through Jobready in the current style, but will show the original date of graduation.
- 4.17 Replacement awards will only be posted to the person named on the award. A relative or other person collecting the award from Kenvale College must have a written letter of authority from the person named on the award. In this instance, an additional fee will be applied. For details about additional fees, refer to Kenvale's website (Home>International>Additional Fees or Home>Apply>Fees>Australian and New Zealanders>Additional Fees).
- 4.18 Replacement Awards should usually be processed within 3 weeks, not including delivery of receipt of the application. For more information please refer to *1-03-025 Application for replacement award*.

5. Non-AQF Qualifications

- 5.1 The College delivers a number of non-AQF qualifications in the form of short courses or non-accredited Programs of Learning. These courses are designed to cater for the needs of specific learning groups who do not fall under AQF employability skills requirements.

- 5.2 The College is committed to provide a clear separation between non-accredited Programs of Learning and those accredited under AQF. For this reason the following guidelines apply to these:
- 5.2.1 The statement must not include the Nationally Recognised Training (NRT) or AQF logos;
- 5.2.2 The statement must include the following words: *“This qualification is **not** recognised within the Australian Qualifications Framework”*.
- 5.3 Templates can be found on JobReady – Testamur Non AQF Qualifications & Record and Results Non AQF Qualifications

6. Application

- 6.1 This policy applies to all staff and students of the College.
- 6.2 For further procedural information, please refer to the *1-02-009 Academic Manual*.
- 6.3 In line with AQF (2013), this policy will be applied consistently and fairly.

7. Responsibilities

- 7.1 The College’s Academic Department is responsible for the management of this policy.
- 7.2 The College’s Head of Cookery, Hospitality & Events and Management Team are responsible for the application of this policy, as may be pertinent or appropriate.

8. Quality and Compliance

- 8.1 The College’s approach to Issue of Awards and Certification aligns with and gratefully acknowledges the Issue of Awards and Certification from University of New South Wales, and the University of Wollongong.
- 8.2 This policy will be reviewed and updated every four years or whenever there are changes applicable by the Academic Department to ensure the quality and relevance of its content, and to maximise the effectiveness of its application to both the students and the needs of industry.
- 8.3 The following legislation and compliance regulations apply to this policy:

Standards for Registered Training Organisations (RTOs) 2015

Standard 1	<p>"The RTO’s training and assessment strategies and practices are responsive to industry and learner needs and meet the requirements of training packages and VET accredited courses</p> <p>To be compliant with Standard 1 the RTO must meet the following:</p> <p>1.1. The RTO’s training and assessment strategies and practices, including the amount of training they provide, are consistent with the requirements of training packages and VET accredited courses and enable each learner to meet the</p>
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	<p>requirements for each unit of competency or module in which they are enrolled.</p> <p>1.2. For the purposes of Clause 1.1, the RTO determines the amount of training they provide to each learner with regard to:</p> <ul style="list-style-type: none"> a) the existing skills, knowledge and the experience of the learner; b) the mode of delivery; and c) where a full qualification is not being delivered, the number of units and/or modules being delivered as a proportion of the full qualification. <p>1.3. The RTO has, for all of its scope of registration, and consistent with its training and assessment strategies, sufficient:</p> <ul style="list-style-type: none"> a) trainers and assessors to deliver the training and assessment; b) educational and support services to meet the needs of the learner cohort/s undertaking the training and assessment; c) learning resources to enable learners to meet the requirements for each unit of competency, and which are accessible to the learner regardless of location or mode of delivery; and d) facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment. <p>1.4. The RTO meets all requirements specified in the relevant training package or VET accredited course.</p> <p>Industry relevance</p> <p>1.5. The RTO's training and assessment practices are relevant to the needs of industry and informed by industry engagement.</p> <p>1.6. The RTO implements a range of strategies for industry engagement and systematically uses the outcome of that industry engagement to ensure the industry relevance of:</p> <ul style="list-style-type: none"> a) its training and assessment strategies, practices and resources; and b) the current industry skills of its trainers and assessors. <p>Learner support</p> <p>1.7. The RTO determines the support needs of individual learners and provides access to the educational and support services necessary for the individual learner to meet the requirements of the training product as specified in training packages or VET accredited courses.</p> <p>Assessment</p> <p>1.8. The RTO implements an assessment system that ensures that assessment (including recognition of prior learning):</p> <ul style="list-style-type: none"> a) complies with the assessment requirements of the relevant training package or VET accredited course; and b) is conducted in accordance with the Principles of Assessment contained in Table 1.8-1 and the Rules of Evidence contained in Table 1.8-2. <p>1.9. The RTO implements a plan for ongoing systematic validation of assessment practices and judgements that includes for each training product on the RTO's scope of registration:</p> <ul style="list-style-type: none"> a) when assessment validation will occur;
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- b) which training products will be the focus of the validation;
- c) who will lead and participate in validation activities; and
- d) how the outcomes of these activities will be documented and acted upon.

1.10. For the purposes of Clause 1.9, each training product is validated at least once every five years, with at least 50% of products validated within the first three years of each five year cycle, taking into account the relative risks of all of the training products on the RTO's scope of registration, including those risks identified by the VET Regulator.

1.11. For the purposes of Clause 1.9, systematic validation of an RTO's assessment practices and judgements is undertaken by one or more persons who are not directly involved in the particular instance of delivery and assessment of the training product being validated, and who collectively have:

- a) vocational competencies and current industry skills relevant to the assessment being validated;
- b) current knowledge and skills in vocational teaching and learning; and
- c) the training and assessment qualification or assessor skill set referred to in Item 1 or 3 of Schedule 1.

Industry experts may be involved in validation to ensure there is the combination of expertise set out in (a) to (c) above.

1.12. The RTO offers recognition of prior learning to individual learners.

Trainers and assessors

1.13. In addition to the requirements specified in Clause 1.14 and Clause 1.15, the RTO's training and assessment is delivered only by persons who have:

- a) vocational competencies at least to the level being delivered and assessed;
- b) current industry skills directly relevant to the training and assessment being provided; and
- c) current knowledge and skills in vocational training and learning that informs their training and assessment.

Industry experts may also be involved in the assessment judgement, working alongside the trainer and/or assessor to conduct the assessment.

1.14. The RTO's training and assessment is delivered only by persons who have:

- a) prior to 1 January 2016, the training and assessment qualification specified in Item 1 or Item 2 of Schedule 1, or demonstrated equivalence of competencies; and
- b) from 1 January 2016, the training and assessment qualification specified in Item 1 or Item 2 of Schedule 1.

1.15. Where a person conducts assessment only, the RTO ensures that the person has:

- a) prior to 1 January 2016, the training and assessment qualification specified in Item 1 or Item 2 or Item 3 of Schedule 1, or demonstrated equivalence of competencies; and
- b) from 1 January 2016, Item 1 or Item 2 or Item 3 of Schedule 1.

1.16. The RTO ensures that all trainers and assessors undertake professional development in the fields of the knowledge and practice of vocational training,

learning and assessment including competency based training and assessment.

Individuals working under the supervision of a trainer

1.17. Where the RTO, in delivering training and assessment, engages an individual who is not a trainer or assessor, the individual works under the supervision of a trainer and does not determine assessment outcomes.

1.18. The RTO ensures that any individual working under the supervision of a trainer under Clause 1.17:

- a) holds the skill set defined in Item 4 of Schedule 1 or, prior to 1 January 2016, is able to demonstrate equivalence of competencies;
- b) has vocational competencies at least to the level being delivered and assessed; and
- c) has current industry skills directly relevant to the training and assessment being provided.

1.19. Where the RTO engages an individual under Clause 1.17, it ensures that the training and assessment complies with Standard 1.

1.20. Without limiting Clauses 1.17 - 1.19, the RTO:

- a) determines and puts in place:
 - i) the level of the supervision required; and
 - ii) any requirements, conditions or restrictions considered necessary on the individual's involvement in the provision of training and collection of assessment evidence; and
- b) ensures that trainers providing supervision monitor and are accountable for all training provision and collection of assessment evidence by the individual under their supervision.

Delivery of the training and assessment qualifications for trainers and assessors

1.21. Prior to 1 January 2016, to deliver any AQF qualification or skill set from the Training and Education Training Package (or its successor) the RTO must ensure all trainers and assessors delivering the training and assessment:

- a) hold the training and assessment qualification at least to the level being delivered; or
- b) have demonstrated equivalence of competencies.

1.22. From 1 January 2016, to deliver any AQF qualification or skill set from the Training and Education Training Package (or its successor) the RTO must ensure all trainers and assessors delivering the training and assessment hold the training and assessment qualification at least to the level being delivered.

1.23. From 1 January 2017, to deliver the training and assessment qualification specified in Item 1 of Schedule 1, or any assessor skill set from the Training and Education Training Package (or its successor), the RTO must ensure all trainers and assessors delivering the training and assessment:

- a) hold the qualification specified in Item 5 of Schedule 1; or
- b) work under the supervision of a trainer that meets the requirement set out in (a) above.

1.24. The RTO must ensure that any individual working under supervision under Clause 1.23.b) holds the qualification specified in Item 1 of Schedule 1 and does not

	<p>determine assessment outcomes.</p> <p>Note: from 1 January 2017, the requirements set out in Clause 1.22 continue to apply to any other AQF qualification or skill set from the Training and Education Training Package (or its successor).</p> <p>Independent validation of training and assessment qualifications</p> <p>1.25. From 1 January 2016, to deliver any AQF qualification or assessor skill set from the Training and Education Training Package (or its successor), the RTO must have undergone an independent validation of its assessment system, tools, processes and outcomes in accordance with the requirements contained in Schedule 2 (and the definitions of independent validation and validation).</p> <p>Transition of training products</p> <p>1.26. Subject to Clause 1.27 and unless otherwise approved by the VET Regulator, the RTO ensures that:</p> <p>a) where a training product on its scope of registration is superseded, all learners' training and assessment is completed and the relevant AQF certification documentation is issued or learners are transferred into its replacement, within a period of one year from the date the replacement training product was released on the National Register;</p> <p>b) where an AQF qualification is no longer current and has not been superseded, all learners' training and assessment is completed and the relevant AQF certification documentation issued within a period of two years from the date the AQF qualification was removed or deleted from the National Register;</p> <p>c) where a skill set, unit of competency, accredited short course or module is no longer current and has not been superseded, all learners' training and assessment is completed and the relevant AQF certification documentation issued within a period of one year from the date the skill set, unit of competency, accredited short course or module was removed or deleted from the National Register; and</p> <p>d) a new learner does not commence training and assessment in a training product that has been removed or deleted from the National Register.</p> <p>1.27. The requirements specified in Clause 1.26 (a) do not apply where a training package requires the delivery of a superseded unit of competency."</p>
Standard 2	<p>"The operations of the RTO are quality assured.</p> <p>To be compliant with Standard 2 the RTO must meet the following:</p> <p>2.1. The RTO ensures it complies with these Standards at all times, including where services are being delivered on its behalf. This applies to all operations of an RTO within its scope of registration.</p> <p>2.2. The RTO:</p> <p>a) systematically monitors the RTO's training and assessment strategies and practices to ensure ongoing compliance with Standard 1; and</p> <p>b) systematically evaluates and uses the outcomes of the evaluations to continually improve the RTO's training and assessment strategies and practices. Evaluation information includes but is not limited to quality/performance indicator data collected under Clause 7.5, validation outcomes, client, trainer and assessor feedback and complaints and appeals.</p>

	<p>2.3. The RTO ensures that where services are provided on its behalf by a third party the provision of those services is the subject of a written agreement.</p> <p>2.4. The RTO has sufficient strategies and resources to systematically monitor any services delivered on its behalf, and uses these to ensure that the services delivered comply with these Standards at all times."</p>
Standard 3	<p>"The RTO issues, maintains and accepts AQF certification documentation in accordance with these Standards and provides access to learner records.</p> <p>To be compliant with Standard 3 the RTO must meet the following:</p> <p>3.1. The RTO issues AQF certification documentation only to a learner whom it has assessed as meeting the requirements of the training product as specified in the relevant training package or VET accredited course.</p> <p>3.2. All AQF certification documentation issued by an RTO meets the requirements of Schedule 5.</p> <p>3.3. AQF certification documentation is issued to a learner within 30 calendar days of the learner being assessed as meeting the requirements of the training product if the training program in which the learner is enrolled is complete, and providing all agreed fees the learner owes to the RTO have been paid.</p> <p>3.4. Records of learner AQF certification documentation are maintained by the RTO in accordance with the requirements of Schedule 5 and are accessible to current and past learners.</p> <p>3.5. The RTO accepts and provides credit to learners for units of competency and/or modules (unless licensing or regulatory requirements prevent this) where these are evidenced by:</p> <p>a) AQF certification documentation issued by any other RTO or AQF authorised issuing organisation; or</p> <p>b) authenticated VET transcripts issued by the Registrar.</p> <p>3.6. The RTO meets the requirements of the Student Identifier scheme, including:</p> <p>a) verifying with the Registrar, a Student Identifier provided to it by an individual before using that Student Identifier for any purpose;</p> <p>b) ensuring that it will not issue AQF certification documentation to an individual without being in receipt of a verified Student Identifier for that individual, unless an exemption applies under the Student Identifiers Act 2014;</p> <p>c) ensuring that where an exemption described in Clause 3.6 (b) applies, it will inform the student prior to either the completion of the enrolment or commencement of training and assessment, whichever occurs first, that the results of the training will not be accessible through the Commonwealth and will not appear on any authenticated VET transcript prepared by the Registrar; and</p> <p>d) ensuring the security of Student Identifiers and all related documentation under its control, including information stored in its student management systems."</p>
Standard 5	<p>"Each learner is properly informed and protected.</p> <p>To be compliant with Standard 5 the RTO must meet the following:</p> <p>5.1. Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides advice to the prospective learner about the training product appropriate to meeting the learner's needs, taking into</p>

	<p>account the individual's existing skills and competencies.</p> <p>5.2. Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides, in print or through referral to an electronic copy, current and accurate information that enables the learner to make informed decisions about undertaking training with the RTO and at a minimum includes the following content:</p> <ul style="list-style-type: none"> a) the code, title and currency of the training product to which the learner is to be enrolled, as published on the National Register; b) the training and assessment, and related educational and support services the RTO will provide to the learner including the: <ul style="list-style-type: none"> i) estimated duration; ii) expected locations at which it will be provided; iii) expected modes of delivery; iv) name and contact details of any third party that will provide training and/or assessment, and related educational and support services to the learner on the RTO's behalf; and v) any work placement arrangements. c) the RTO's obligations to the learner, including that the RTO is responsible for the quality of the training and assessment in compliance with these Standards, and for the issuance of the AQF certification documentation. d) the learner's rights, including: <ul style="list-style-type: none"> i) details of the RTO's complaints and appeals process required by Standard 6; and ii) if the RTO, or a third party delivering training and assessment on its behalf, closes or ceases to deliver any part of the training product that the learner is enrolled in; e) the learner's obligations: <ul style="list-style-type: none"> i) in relation to the repayment of any debt to be incurred under the VET FEE-HELP scheme arising from the provision of services; ii) any requirements the RTO requires the learner to meet to enter and successfully complete their chosen training product; and iii) any materials and equipment that the learner must provide; and f) information on the implications for the learner of government training entitlements and subsidy arrangements in relation to the delivery of the services. <p>5.3. Where the RTO collects fees from the individual learner, either directly or through a third party, the RTO provides or directs the learner to information prior to enrolment or the commencement of training and assessment, whichever comes first, specifying:</p> <ul style="list-style-type: none"> a) all relevant fee information including: <ul style="list-style-type: none"> i) fees that must be paid to the RTO; and ii) payment terms and conditions including deposits and refunds; b) the learner's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies;
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	<p>c) the learner's right to obtain a refund for services not provided by the RTO in the event the:</p> <p>i) arrangement is terminated early; or</p> <p>ii) the RTO fails to provide the agreed services.</p> <p>5.4. Where there are any changes to agreed services, the RTO advises the learner as soon as practicable, including in relation to any new third party arrangements or a change in ownership or changes to existing third party arrangements."</p>
<p>Standard 6</p>	<p>"Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.</p> <p>Subject to Clause 6.6, to be compliant with Standard 6 the RTO must meet the following:</p> <p>6.1. The RTO has a complaints policy to manage and respond to allegations involving the conduct of:</p> <p>a) the RTO, its trainers, assessors or other staff;</p> <p>b) a third party providing services on the RTO's behalf, its trainers, assessors or other staff; or</p> <p>c) a learner of the RTO.</p> <p>6.2. The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.</p> <p>6.3. The RTO's complaints policy and appeals policy:</p> <p>a) ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;</p> <p>b) are publicly available;</p> <p>c) set out the procedure for making a complaint or requesting an appeal;</p> <p>d) ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and</p> <p>e) provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.</p> <p>6.4. Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:</p> <p>a) informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and</p> <p>b) regularly updates the complainant or appellant on the progress of the matter.</p> <p>6.5. The RTO:</p> <p>a) securely maintains records of all complaints and appeals and their outcomes; and</p> <p>b) identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.</p> <p>6.6. Where the RTO is an employer or a volunteer organisation whose learners solely consist of its employees or members, does not charge fees for the training</p>

	and/or assessment, and does not have in place a specific complaints and appeals policy in accordance with Clauses 6.1 & 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO."
Standard 8	<p>"The RTO cooperates with the VET Regulator and is legally compliant at all times. To be compliant with Standard 8 the RTO must meet the following:</p> <p>8.1. The RTO cooperates with the VET Regulator:</p> <ul style="list-style-type: none"> a) by providing accurate and truthful responses to information requests from the VET Regulator relevant to the RTO's registration; b) in the conduct of audits and the monitoring of its operations; c) by providing quality/performance indicator data; d) by providing information about substantial changes to its operations or any event that would significantly affect the RTO's ability to comply with these standards within 90 calendar days of the change occurring; e) by providing information about significant changes to its ownership within 90 calendar days of the change occurring; and f) in the retention, archiving, retrieval and transfer of records. <p>8.2. The RTO ensures that any third party delivering services on its behalf is required under written agreement to cooperate with the VET Regulator:</p> <ul style="list-style-type: none"> 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. <p>8.3. The RTO notifies the Regulator:</p> <ul style="list-style-type: none"> a) of any written agreement entered into under Clause 2.3 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 b) within 30 calendar days of the agreement coming to an end. <p>8.4. The RTO provides an annual declaration on compliance with these Standards to the VET Regulator and in particular whether it:</p> <ul style="list-style-type: none"> a) currently meets the requirements of the Standards across all its scope of registration and has met the requirements of the Standards for all AQF certification documentation it has issued in the previous 12 months; and b) has training and assessment strategies and practices in place that ensure that all current and prospective learners will be trained and assessed in accordance with the requirements of the Standards. <p>8.5. The RTO complies with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations.</p> <p>8.6. The RTO ensures its staff and clients are informed of any changes to legislative and regulatory requirements that affect the services delivered."</p>

Higher Education Standards Framework 2015

Standard 1	<p>1.1 Admission</p> <p>1. Admissions policies, requirements and procedures are documented, are applied fairly and consistently, and are designed to ensure that admitted students have the academic preparation and proficiency in English needed to participate in their intended study, and no known limitations that would be expected to impede their progression and completion.</p> <p>2. The admissions process ensures that, prior to enrolment and before fees are accepted, students are informed of their rights and obligations, including:</p> <p>a. all charges associated with their proposed studies as known at the time and advice on the potential for changes in charges during their studies</p> <p>b. policies, arrangements and potential eligibility for credit for prior learning, and</p> <p>c. policies on changes to or withdrawal from offers, acceptance and enrolment, tuition protection and refunds of charges.</p> <p>3. Admission and other contractual arrangements with students, or where legally required, with their parent or guardian, are in writing and include any particular conditions of enrolment and participation for undertaking particular courses of study that may not apply to other courses more generally, such as health requirements for students undertaking clinical work, requirements for security checks, particular language requirements and particular requirements of work placements.</p>
	<p>1.2 Credit and Recognition of Prior Learning</p> <p>1. Assessment of prior learning is undertaken for the purpose of granting credit for units of study within a course of study or toward the completion of a qualification, such assessment is conducted according to institutional policies, the result is recorded and students receive timely written advice of the outcome.</p> <p>2. Credit through recognition of prior learning is granted only if:</p> <p>a. students granted such credit are not disadvantaged in achieving the expected learning outcomes for the course of study or qualification, and</p> <p>b. the integrity of the course of study and the qualification are maintained.</p>
	<p>1.4 Learning Outcomes and Assessment</p> <p>1. The expected learning outcomes for each course of study are specified, consistent with the level and field of education of the qualification awarded, and informed by national and international comparators.</p> <p>2. The specified learning outcomes for each course of study encompass discipline-related and generic outcomes, including:</p> <p>a. specific knowledge and skills and their application that characterise the field(s) of education or disciplines involved</p> <p>b. generic skills and their application in the context of the field(s) of education or</p>

	<p>disciplines involved</p> <p>c. knowledge and skills required for employment and further study related to the course of study, including those required to be eligible to seek registration to practise where applicable, and</p> <p>d. skills in independent and critical thinking suitable for life-long learning.</p> <p>3. Methods of assessment are consistent with the learning outcomes being assessed, are capable of confirming that all specified learning outcomes are achieved and that grades awarded reflect the level of student attainment.</p> <p>4. On completion of a course of study, students have demonstrated the learning outcomes specified for the course of study, whether assessed at unit level, course level, or in combination.</p> <p>5. On completion of research training, students have demonstrated specific and generic learning outcomes related to research, including:</p> <p>a. a detailed understanding of the specific topic of their research, within a broad understanding of the field of research</p> <p>b. capacity to scope, design and conduct research projects independently</p> <p>c. technical research skills and competence in the application of research methods, and</p> <p>d. skills in analysis, critical evaluation and reporting of research, and in presentation, publication and dissemination of their research.</p> <p>6. Assessment of major assessable research outputs for higher degrees by research, such as theses, dissertations, exegeses, creative works or other major works arising from a candidate's research incorporates assessment by at least two assessors with international standing in the field of research, who are independent of the conduct of the research, competent to undertake the assessment and do not have a conflict of interest, and:</p> <p>a. for doctoral degrees, are external to the higher education provider, and</p> <p>b. for masters degrees by research, at least one of whom is external to the higher education provider.</p> <p>7. The outputs arising from research training contribute to the development of the field of research, practice or creative field and, in the case of doctoral degrees, demonstrate a significant original contribution.</p>
Standard 3	<p>3.1 Course Design</p> <p>1. The design for each course of study is specified and the specification includes:</p> <p>a. the qualification(s) to be awarded on completion</p> <p>b. structure, duration and modes of delivery</p> <p>c. the units of study (or equivalent) that comprise the course of study</p> <p>d. entry requirements and pathways</p> <p>e. expected learning outcomes, methods of assessment and indicative student workload</p>

	<p>f. compulsory requirements for completion</p> <p>g. exit pathways, articulation arrangements, pathways to further learning, and</p> <p>h. for a course of study leading to a Bachelor Honours, Masters or Doctoral qualification, includes the proportion and nature of research or research-related study in the course.</p> <p>2. The content and learning activities of each course of study engage with advanced knowledge and inquiry consistent with the level of study and the expected learning outcomes, including:</p> <p>a. current knowledge and scholarship in relevant academic disciplines</p> <p>b. study of the underlying theoretical and conceptual frameworks of the academic disciplines or fields of education or research represented in the course, and</p> <p>c. emerging concepts that are informed by recent scholarship, current research findings and, where applicable, advances in practice.</p> <p>3. Teaching and learning activities are arranged to foster progressive and coherent achievement of expected learning outcomes throughout each course of study.</p> <p>4. Each course of study is designed to enable achievement of expected learning outcomes regardless of a student's place of study or the mode of delivery.</p> <p>5. Where professional accreditation of a course of study is required for graduates to be eligible to practise, the course of study is accredited and continues to be accredited by the relevant professional body.</p>
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National Code 2018

Standard 1	<p>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.</p> <p>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:</p> <p>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</p> <p>1.2.2 any work-based training a student is required to undertake as part of the course</p> <p>1.2.3 prerequisites—including English language proficiency—for entry to the course</p> <p>1.2.4 any other information relevant to the registered provider, its courses or outcomes associated with those courses.</p> <p>1.3 The registered provider must not:</p> <p>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</p> <p>1.3.2 guarantee a successful education assessment outcome for the student or intending student.</p> <p>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:</p> <p>1.4.1 providing or offering to provide a course to an overseas student</p> <p>1.4.2 inviting a student to undertake or apply for a course, or</p> <p>1.4.3 indicating it is able or willing to provide a course to overseas students.</p> <p>1.5 The registered provider must not actively recruit a student where this conflicts with its obligations under Standard 7 (Overseas student transfers).</p>
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Standard 2

- 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.

Standard 3

- 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

	<p>details including:</p> <p>3.5.1 the student's current residential address, mobile number (if any) and email address (if any)</p> <p>3.5.2 who to contact in emergency situations</p> <p>3.5.3 any changes to those details, within 7 days of the change.</p> <p>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.</p>
<p>Standard 6</p>	<p>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:</p> <p>6.1.1 support services available to assist overseas students to help them adjust to study and life in Australia</p> <p>6.1.2 English language and study assistance programs</p> <p>6.1.3 any relevant legal services</p> <p>6.1.4 emergency and health services</p> <p>6.1.5 the registered provider's facilities and resources</p> <p>6.1.6 complaints and appeals processes as outlined in Standard 10 (Complaints and appeals)</p> <p>6.1.7 requirements for course attendance and progress, as appropriate</p> <p>6.1.8 the support services available to assist students with general or personal circumstances that are adversely affecting their education in Australia</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>6.6 The registered provider must have sufficient student support personnel to meet the needs of the overseas students enrolled with the registered provider.</p> <p>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.</p> <p>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</p>

	<p>student.</p> <p>6.9 The registered provider must:</p> <p>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</p> <p>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</p> <p>6.9.3 provide overseas students with or refer them to (including electronically) general information on safety and awareness relevant to life in Australia.</p>
<p>Standard 7</p>	<p>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:</p> <p>7.1.1 the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered</p> <p>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</p> <p>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</p> <p>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.</p> <p>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:</p> <p>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</p> <p>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:</p> <p>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)</p> <p>7.2.2.2 there is evidence of compassionate or compelling circumstances</p> <p>7.2.2.3 the registered provider fails to deliver the course as outlined in the written agreement</p> <p>7.2.2.4 there is evidence that the overseas student's reasonable expectations about their current course are not being met</p> <p>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</p> <p>7.2.2.6 an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.</p>

	<p>7.2.3 the circumstances which the registered provider considers as reasonable grounds to refuse the transfer</p> <p>7.2.4 a reasonable timeframe for assessing and replying to the overseas student's transfer request having regard to the restriction period.</p> <p>7.3 If the overseas student is under 18 years of age:</p> <p>7.3.1 the registered provider must have written confirmation the overseas student's parent or legal guardian supports the transfer</p> <p>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).</p> <p>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.</p> <p>7.5 If the registered provider intends to refuse the transfer request, they must inform the overseas student in writing of:</p> <p>7.5.1 the reasons for the refusal</p> <p>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.</p> <p>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.</p> <p>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.</p>
<p>Standard 8</p>	<p>Monitoring overseas student progress, attendance and course duration</p> <p>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.</p> <p>8.2 The expected duration of study specified in the overseas student's CoE must not exceed the CRICOS registered duration.</p> <p>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.</p> <p>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.</p> <p>8.5 The registered provider must clearly outline and inform the overseas student before they commence the course of the requirements to achieve satisfactory course progress and, where applicable, attendance in each study period. Schools, ELICOS and Foundation Programs: course progress and attendance requirements</p> <p>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:</p> <p>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</p> <p>8.6.2 the method for working out minimum attendance under this standard</p>

- 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

	<p>student's enrolment).</p> <p>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.</p> <p>Modes of delivery</p> <p>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.</p> <p>8.18 A registered provider must not deliver a course exclusively by online or distance learning to an overseas student.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>8.22 The registered provider must take all reasonable steps to support overseas students who may be disadvantaged by:</p> <p>8.22.1 additional costs or other requirements, including for overseas students with special needs, from undertaking online or distance learning</p> <p>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</p>
<p>Standard 9</p>	<p>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.</p> <p>9.2 A registered provider may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.</p> <p>9.3 A registered provider may suspend or cancel a student's enrolment including, but not limited to, on the basis of:</p> <p>9.3.1 misbehaviour by the student</p> <p>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</p> <p>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).</p> <p>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:</p> <p>9.4.1 inform the overseas student of that intention and the reasons for doing so, in writing</p> <p>9.4.2 advise the overseas student of their right to appeal through the provider's</p>

	<p>internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.</p> <p>9.5 When there is any deferral, suspension or cancellation action taken under this standard, the registered provider must:</p> <p>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</p> <p>9.5.2 report the change to the overseas student's enrolment under section 19 of the ESOS Act.</p> <p>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.</p>
<p>Standard 10</p>	<p>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.</p> <p>10.2 The registered provider's internal complaints handling and appeals process must:</p> <p>10.2.1 include a process for the overseas student to lodge a formal complaint or appeal if a matter cannot be resolved informally</p> <p>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</p> <p>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</p> <p>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</p> <p>10.2.5 conduct the assessment of the complaint or appeal in a professional, fair and transparent manner</p> <p>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</p> <p>10.2.7 keep a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome.</p> <p>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.</p> <p>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</p>

9. References

- 9.1 Australian Qualifications Framework Council. (2013) *Australian Qualifications Framework (AQF)*, 2nd ed., Australia.
- 9.2 Australian Skills Quality Authority (ASQA) (2012) *Standards for VET Accredited Courses 2011*. Australia.
- 9.3 Australian Skills Quality Authority (ASQA) (2015) *Standards for Registered Training Organisations (RTOs) 2015*. Australia.
- 9.4 Australian Skills Quality Authority (ASQA) (2013) *Australian Quality Training Framework (AQTF): User's Guide to the Essential Conditions and Standards for Initial Registration*. Australia.
- 9.5 Department of Education and Training (DET), 2018, *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students* (The National Code). Australia.
- 9.6 The Tertiary Education Quality Standards Agency (TEQSA) (2015). *Higher Education Standards Framework 2015*. Australia.