

## Audit report – CRICOS

### Commonwealth Register of Institutions and Courses for Overseas Students (Initial and continuing registration)

#### ORGANISATION DETAILS

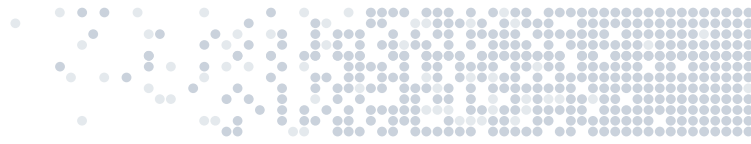
Organisation's legal name	<b>Brighton Educational Services</b>
Trading name/s	Brighton Institute of Technology
RTO number (if applicable)	21438
CRICOS number (if applicable)	02552G

#### AUDIT TEAM

Lead auditor	Rob East
Auditor/s	Matthew McMahon
Technical adviser/s	N/A

#### AUDIT DETAILS

Application number/s	1061849, 1056853	
Audit number/s	1004905, 1006152	
Audit reason 1	Renewal of registration	
Audit reason 2	Change registration - new location	
Audit reason 3	n/a	
Activity type	Site visit	
Address of site/s visited	380 Bourke St Melbourne, Thornbury High School, Peter Lalor Secondary College	
Date/s of audit	1/7/2014	
Organisation's contact for audit	Tony Leech tony@bit.edu.au	Director 0433986
Education Services for Overseas Students Act 2000 - sections audited	n/a	
National Code – Part C Registration on CRICOS – sections audited	7.1, 7.2, 7.3, 8.1, 9.1, 10.2, 12.1	
National Code – Part D Standards for Registered Providers – standards audited	All Standards for Registered Providers	



## **BACKGROUND**

Brighton Educational Services Pty Ltd trading as Brighton Institute of Technology (Brighton) was registered as an RTO and CRICOS provider on 5 March 2004 and is registered until 31 August 2014.

The company is managed by the three Directors, Tony Leech, Ratna Reddy Singareddy and Jai Anand, who are also supported by the:

- Education Officer;
- Operations Manager;
- 4 Course Co-ordinators;
- Trainers; and
- Finance, administration and IT support staff

### **General description of RTO location & facilities**

The main site is at 380 Bourke Street, Melbourne includes classroom and office accommodation plus a small training restaurant with a capacity for 30 customers. There are additional sites at Lalor and Thornbury which include additional classrooms, a training kitchen and an automotive workshop.

### **General description of training modes used by the RTO/organisation**

The RTO organisation provides training using:

- classroom based delivery in all areas
- there are no work placements through private premises.

The RTO delivers courses and qualifications within Victoria to international students. The current trainers have been employed by the RTO for the past 8-10 years.

### **RTO/Organisation scope of registration**

The RTO current scope of registration is from the BSB training package and includes:

BSB51107 - Diploma of Management and

BSB60407 - Advanced Diploma of Management

Plus a further 10 units of competency from the BSB Training Package

The current audit is to renew their VET registration and add to their scope of registration the following qualifications:

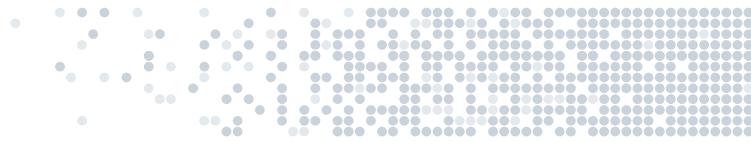
- AUR50112 Dip of Automotive Management
- SIT30813 Cert III in Commercial Cookery
- SIT40313 Cert IV in Hospitality
- SIT40413 Cert IV in Commercial Cookery
- SIT50313 Dip of Hospitality
- SIT60313 Advanced Dip of Hospitality

This audit is being conducted in conjunction with a :

- CRICOS renewal audit ;
- CRICOS extension to scope audit and
- CRICOS addition of 2 additional premises and a change of capacity.

Their CRICOS scope of registration includes:

- SIT60307 Advanced Diploma of Hospitality



- BSB60407 Advanced Diploma of Management
- BSB40807 Certificate IV in Frontline Management
- AUR30405 Certificate III in Automotive Mechanical Technology
- BSB31207 Certificate III in Frontline Management
- SIT30807 Certificate III in Hospitality (Commercial Cookery)
- SIT40407 Certificate IV in Hospitality (Commercial Cookery)
- SIT40307 Certificate IV in Hospitality
- AUR50105 Diploma of Automotive Management
- BSB51107 Diploma of Management
- English for Academic Purposes Non AQF Award
- General English Non AQF Award
- IELTS Preparation

The SIT and AUR courses listed above are all in teach out with this concluding on 18 July 2014.

The BSB31207 Certificate III in Frontline Management has also become superseded and has not been replaced.

No partnership arrangements are in place, however St John Ambulance Australia delivers the unit HLTAID003 Provide first aid and Brighton issues students with a Credit transfer for this unit.

Total number of current enrolments in RTO as at audit date: 362

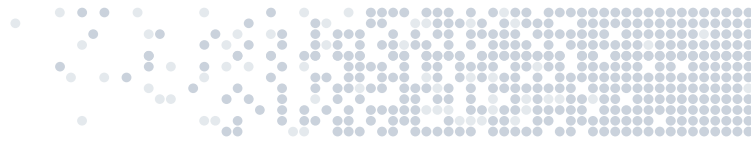
All students are international students, there are no domestic students.

- |            |   |     |
|------------|---|-----|
| • BSB51107 | Diploma of Management                               | 121 |
| • BSB60407 | Advanced Diploma of Management                      | 83  |
| • BSB40807 | Certificate IV in Frontline Management              | 46  |
| • SIT30807 | Certificate III in Hospitality (Commercial Cookery) | 6   |
| • SIT40407 | Certificate IV in Hospitality (Commercial Cookery)  | 32  |
| • SIT40307 | Certificate IV in Hospitality                       | 4   |
| • AUR50105 | Diploma of Automotive Management                    | 21  |
| • SIT50307 | Diploma of Hospitality                              | 21  |
| • SIT60307 | Advanced Diploma of Hospitality                     | 28  |

- Capacity at each location as listed on PRISMs and current enrolments at each location:

Suburb and State/Territory of delivery location	Maximum capacity at location as listed on PRISMS	Current enrolments at location
380 Bourke Street Melbourne	1 (new capacity as 616)	375
343 Little Collins St Melbourne (to be removed)	1100	nil
238 Collins Street Thornbury (New Site)	356	nil
35 Duncans Road Lalor (New Site)	128	
South Yarra (to be removed)	1	nil

- Current maximum capacity (as listed on PRISMS): 1102



- Total number of enrolments as at audit date:
 

International	375
Domestic	Nil

### COURSES SAMPLED

CRICOS Code	National Code	Qualification/Course/Program title	Location	Current enrolments (If not yet on scope, record N/A)
x	AUR50112	Diploma of Automotive Management	Thornbury	21
	SIT30813	Certificate III in Commercial Cookery	Lalor, City	6
	SIT60313	Advanced Diploma of Hospitality	City	28
	BSB51107	Diploma of Management	City	121
	BSB60407	Advanced Diploma of Management	City	83

### INTERVIEWEES

Name	Position	Course
Tony Leech	CEO	All
Jai Anand	Director Marketing	Marketing
Ratna Reddy Singareddy	Director Operations	All
Parvinder S Kohli	Manager Kitchen Operations	SIT Qualifications
Andrew David	Education officer	BSB Qualifications

### ORIGINAL AUDIT FINDING AT TIME OF AUDIT

**Audit finding as at 2/7/2014:**

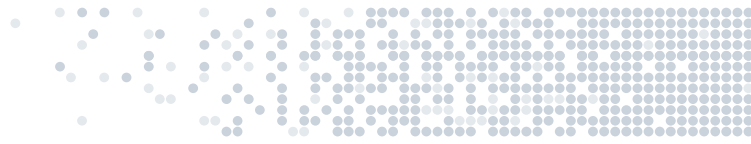
ESOS Act: **Compliant**  
 National Code Part C: **Requirements met**  
 National Code Part D: **Not compliant**

- If non-compliance has been identified, this audit report describes evidence of the non-compliance.
- Refer to notification of non-compliance for information on providing further evidence of compliance.

### AUDIT FINDING FOLLOWING ANALYSIS OF RECTIFICATION EVIDENCE

**Audit finding following analysis of additional evidence provided on 14/08/2014:**

ESOS Act: **Compliant**  
 National Code Part C: **Requirements met**  
 National Code Part D: **Compliant**



## AUDIT FINDING BY REQUIREMENT

### Education Services for Overseas Students Act 2000 - Sections

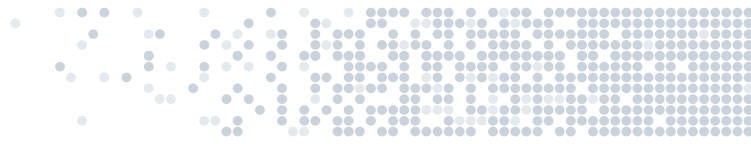
Section	Original finding	Finding following rectification
21	Not audited	n/a
21A	Not audited	n/a

### National Code Part C Registration on CRICOS

Section	Original finding	Finding following rectification
7	Requirements met	n/a
8	Requirements met	n/a
9	Requirements met	n/a
10	Requirements met	n/a
11	Requirements met	n/a
12	Requirements met	n/a

### National Code Part D Registration on CRICOS

1	Compliant	n/a
2	Compliant	n/a
3	Compliant	n/a
4	Compliant	n/a
5	Compliant	n/a
6	Compliant	n/a
7	Compliant	n/a
8	Compliant	n/a
9	Not compliant	Compliant
10	Compliant	n/a
11	Not compliant	Compliant
12	Compliant	n/a
13	Compliant	n/a
14	Not compliant	Compliant
15	Not audited	n/a



## EDUCATION SERVICES FOR OVERSEAS STUDENTS ACT 2000

### SECTION 21 Record Keeping

#### *Records of students' details*

- (1) A registered provider must keep records of each accepted student who is enrolled with the provider or who has paid any tuition fees for a course provided by the provider.
- (2) The records must consist of the following details for each accepted student:
- the student's current residential address
  - the student's mobile phone number (if any)
  - the student's email address (if any), and
  - any other details prescribed by the regulations.
- (2A) A registered provider must have a procedure to ensure that, at least every 6 months, while the student remains an accepted student of the provider:
- the provider confirms, in writing, the details referred to in subsection (2) with the student, and
  - the records are updated accordingly
- (2B) If:
- an accepted student of a registered provider completes an approved unit of study for a course, and
  - the student's progress in that unit is assessed,
- the provider must record the outcome of the student's assessment for the unit
- (2C) A record under subsection (2B) must be:
- kept in accordance with any requirements prescribed by the regulations, and
  - kept up to date

#### *Retention of records*

- (3) The provider must retain records kept under this section for at least 2 years after the person ceases to be an accepted student. However, the records do not need to be kept up-to-date after the cessation.

#### *Unincorporated registered providers*

- (4) If the registered provider is an unincorporated body, then it is instead the principal executive officer who must keep and retain the records as required under this section.

Original finding: Not audited

Following rectification: n/a

### SECTION 21A Obligations relating to provider for study periods

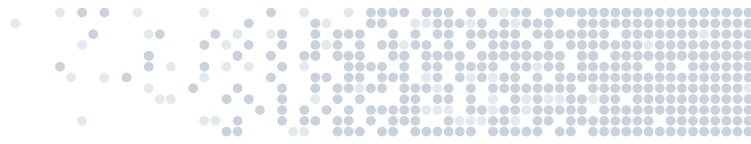
#### A registered provider must:

- maintain a list of all the provider's agents; and
- publish that list:
  - on its website; and
  - in any other manner prescribed by the regulations; and
- comply with any requirements of regulations made for the purposes of subsection (2)

Original finding: Not audited

Following rectification: n/a

## NATIONAL CODE OF PRACTICE FOR REGISTRATION AUTHORITIES AND PROVIDERS



## OF EDUCATION AND TRAINING TO OVERSEAS STUDENTS 2007

### PART C REGISTRATION ON CRICOS

Course/s can only be approved for registration on the *Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS)* where the course meets the following requirements:

#### SECTION 7 Course duration

**Original finding:** Requirement met

**Following rectification:** n/a

#### SECTION 8 Work-based training

**Original finding:** Requirement met

**Following rectification:** n/a

#### SECTION 9 Mode and place of study

**Original finding:** Requirement met

**Following rectification:** n/a

#### SECTION 10 Arrangements with other providers

**Original finding:** Requirement met

**Following rectification:** n/a

#### SECTION 11 Inspection of premises

**Original finding:** Requirement met

**Following rectification:** n/a

#### SECTION 12 Maximum number of students

**Original finding:** Requirement met

**Following rectification:** n/a

### PART D STANDARDS FOR REGISTERED PROVIDERS

#### STANDARD 1 Marketing information and practices

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

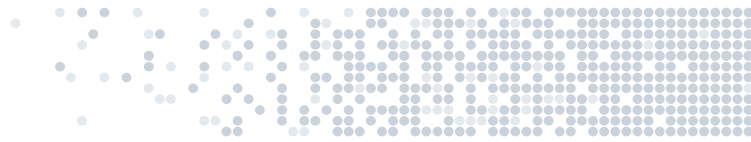
**1.1 The registered provider must ensure the marketing of its education and training services is undertaken in a professional manner and maintains the integrity and reputation of the industry and registered providers.**

**Original finding:** Compliant

**Following rectification:** n/a

**1.2 The registered provider must:**

- a. clearly identify the registered provider's name and CRICOS number in written marketing and other material for students, including electronic form, and
- b. not give false or misleading information or advice in relation to:
  - i. claims of association between providers
  - ii. the employment outcomes associated with a course
  - iii. automatic acceptance into another course
  - iv. possible migration outcomes, or



**v. any other claims relating to the registered provider, its course or outcomes associated with the course.**

**Original finding:** Compliant

**Following rectification:** n/a

**1.3 The registered provider must not actively recruit a student where this clearly conflicts with its obligations under Standard 7 (Transfer between registered providers).**

**Original finding:** Compliant

**Following rectification:** n/a

## **STANDARD 2 Student engagement before enrolment**

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

**2.1 Prior to accepting a student, or an intending student, for enrolment in a course, the registered provider must provide, in print or through referral to an electronic copy, 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**
- 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**
- 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 DEEWR, 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 dependants of intending students, including that school fees may be incurred.**

**Original finding:** Compliant

**Following rectification:** n/a

**2.2 The registered provider must have documented procedures in place, and implement these procedures to assess whether the student's qualifications, experience and English language proficiency are appropriate for the course for which enrolment is sought.**

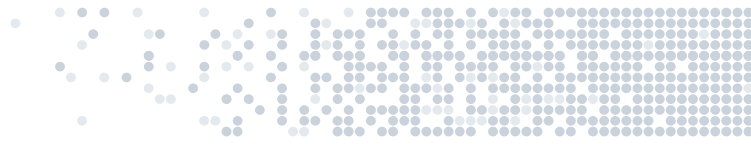
**Original finding:** Compliant

**Following rectification:** n/a

## **STANDARD 3 Formalisation of enrolment**

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





- 3.1** The registered provider must enter into a written agreement with the student, signed or otherwise accepted by that student (or the student’s parent or legal guardian if the student is under 18 years of age), concurrently with or prior to accepting course money from the student. The agreement must:
- a. identify the course or courses in which the student is to be enrolled and any conditions on his or her enrolment
  - b. provide an itemised list of course money payable by the student
  - c. provide information in relation to refunds of course money
  - d. set out the circumstances in which 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. This information includes personal and contact details, course enrolment details and changes, and the circumstance of any suspected breach by the student of a student visa condition, and
  - e. advise the student of his or her obligation to notify the registered provider of a change of address while enrolled in the course.

**Original finding:** Compliant

**Following rectification:** n/a

- 3.2** 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 course money in the case of student and provider default:
- a. amounts that may or may not be repaid to the student (including any course money collected by education agents on behalf of the registered provider)
  - b. processes for claiming a refund
  - c. a plain English explanation of what happens in the event of a course not being delivered, and
  - d. a statement that “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”.

**Original finding:** Compliant

**Following rectification:** n/a

#### **STANDARD 4 Education Agents**

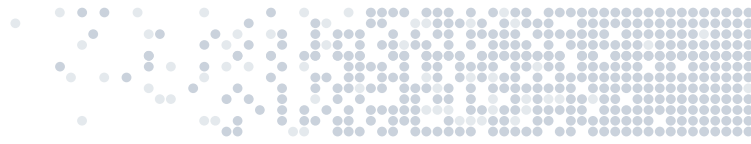
Registered providers take all reasonable measures to use education agents that have an appropriate knowledge and understanding of the Australian international education industry and do not use education agents who are dishonest or lack integrity.

- 4.1** The registered provider must enter into a written agreement with each education agent it engages to formally represent it. The agreement must specify the responsibilities of the education agent and the registered provider and the need to comply with the requirements in the National Code. The agreement must also include:
- a. processes for monitoring the activities of the education agent, including where corrective action may be required, and
  - b. termination conditions, including providing for termination in the circumstances outlined in Standard 4.4.

**Original finding:** Compliant

**Following rectification:** n/a

- 4.2** The registered provider must ensure that its education agents have access to up-to-date and accurate marketing information as set out in Standard 1 (Marketing information and



practices).

Original finding: Compliant

Following rectification: n/a

**4.3** The registered provider must not accept students from an education agent or enter into an agreement with an education agent if it knows or reasonably suspects the education agent to be:

- a. engaged 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.

Original finding: Compliant

Following rectification: n/a

**4.4** Where the registered provider has entered into an agreement with an education agent and subsequently becomes aware of, or reasonably suspects, the engagement by that education agent, or an employee or sub-contractor of that agent, of the conduct set out in Standard 4.3, the registered provider must terminate the agreement with the education agent. This paragraph does not apply where an individual employee or sub-contractor of the education agent was responsible for the conduct set out in Standard 4.3 and the education agent has terminated the relationship with that individual employee or sub-contractor.

Original finding: Compliant

Following rectification: n/a

**4.5** The registered provider must take immediate corrective and preventative action upon the registered provider becoming aware of an education agent being negligent, careless or incompetent or being engaged in false, misleading or unethical advertising and recruitment practices, including practices that could harm the integrity of Australian education and training.

Original finding: Compliant

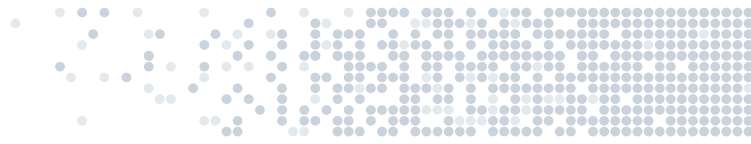
Following rectification: n/a

#### **STANDARD 5 Younger students**

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

**5.1** Where the registered provider has taken on responsibility under the Migration Regulations for approving the accommodation, support and general welfare arrangements for a student who has not turned 18, the registered provider must:

- a. nominate the dates for which the registered provider accepts responsibility for approving the student's accommodation, support and general welfare arrangements using the DIAC pro forma letter available through PRISMS
- b. advise DIAC in writing of the approval using the DIAC pro forma letter available through PRISMS
- c. have documented procedures for checking the suitability of the student's accommodation, support and general welfare arrangements, and



- d. advise DIAC as soon as possible in the event that the under 18 year old student has changed his or her living arrangements or the registered provider no longer approves of the arrangements for the student using the DIAC pro forma letter available through PRISMS.

**Original finding:** Not audited

**Following rectification:** n/a

- 5.2 Where Standard 5.1 applies and the student is under 18 with a student visa that covers multiple courses, the registered provider with whom the student is currently enrolled is responsible for approving arrangements for the student's accommodation, support and general welfare during that nominated period.

**Original finding:** Not audited

**Following rectification:** n/a

- 5.3 Where Standard 5.1 applies and the registered provider suspends or cancels the enrolment of the student, the registered provider must continue to check the suitability of arrangements for that student until:
- the student is accepted by another registered provider and that registered provider takes over responsibility for approving the student's accommodation, support and general welfare arrangements
  - the student leaves Australia
  - other suitable arrangements are made that satisfy the Migration Regulations, or
  - the registered provider reports under Standard 5.1.d that it can no longer approve of the arrangements for the student.

**Original finding:** Not audited

**Following rectification:** n/a

## **STANDARD 6 Student support services**

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

- 6.1 The registered provider must assist students to adjust to study and life in Australia, including through the provision of an age and culturally appropriate orientation programme that includes information about:
- student support services available to students in the transition to life and study in a new environment
  - legal services
  - emergency and health services
  - facilities and resources
  - complaints and appeals processes, and
  - any student visa condition relating to course progress and/or attendance as appropriate.

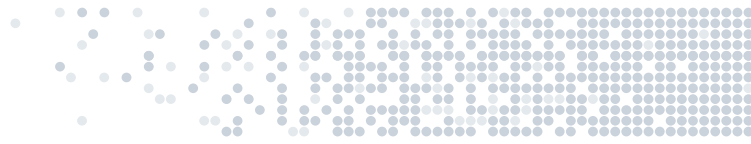
**Original finding:** Compliant

**Following rectification:** n/a

- 6.2 The registered provider must provide the opportunity for students to participate in services or provide access to services designed to assist students in meeting course requirements and maintaining their attendance.

**Original finding:** Compliant

**Following rectification:** n/a



**6.3** The registered provider must provide the opportunity for students to access welfare-related support services to assist with issues that may arise during their study, including course progress and attendance requirements and accommodation issues. These services must be provided at no additional cost to the student. If the registered provider refers the student to external support services, the registered provider must not charge for the referral.

**Original finding:** Compliant

**Following rectification:** n/a

**6.4** The registered provider must have a documented critical incident policy together with procedures that covers the action to be taken in the event of a critical incident, required follow-up to the incident, and records of the incident and action taken.

**Original finding:** Compliant

**Following rectification:** n/a

**6.5** The registered provider must designate a member of staff or members of staff to be the official point of contact for students. The student contact officer or officers must have access to up-to-date details of the registered provider's support services.

**Original finding:** Compliant

**Following rectification:** n/a

**6.6** The registered provider must have sufficient student support personnel to meet the needs of the students enrolled with the registered provider.

**Original finding:** Compliant

**Following rectification:** n/a

**6.7** The registered provider must ensure that its staff members who interact directly with students are aware of the registered provider's obligations under the ESOS framework and the potential implications for students arising from the exercise of these obligations.

**Original finding:** Compliant

**Following rectification:** n/a

#### **STANDARD 7 Transfer between registered providers**

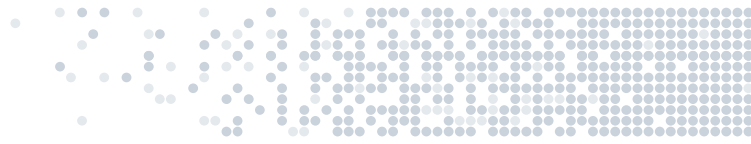
Registered providers assess requests from students for a transfer between registered providers prior to the student completing six months of the principal course of study in accordance with their documented procedures.

**7.1** The receiving registered provider must not knowingly enrol the 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:

- 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 provided a written letter of release
- 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.

**Original finding:** Compliant

**Following rectification:** n/a



- 7.2** The registered provider must have and implement its documented student transfer request assessment policy and procedure, which is available to staff and students. The policy must specify:
- a. the circumstances in which a transfer will be granted
  - b. the circumstances the registered provider considers as providing reasonable grounds for refusing the student's request, including when a transfer can be considered detrimental to the student, and
  - c. a reasonable timeframe for assessing and replying to the student's transfer request having regard to the restricted period.

**Original finding:** Compliant

**Following rectification:** n/a

- 7.3** The registered provider must grant a letter of release only where the student has:
- a. provided a letter from another registered provider confirming that a valid enrolment offer has been made, and
  - b. where the student is under 18;
    - i. the registered provider has written confirmation that the student's parent or legal guardian supports the transfer, and
    - ii. where the student is not being cared for in Australia by a parent or suitable nominated relative, the valid enrolment offer also confirms that the registered provider will accept that responsibility for approving the student's accommodation, support and general welfare arrangements as per Standard 5 (Younger students).

**Original finding:** Compliant

**Following rectification:** n/a

- 7.4** A letter of release, if granted, must be issued at no cost to the student and must advise the student of the need to contact DIAC to seek advice on whether a new student visa is required.

**Original finding:** Compliant

**Following rectification:** n/a

- 7.5** Where the registered provider does not grant a letter of release, the student must be provided with written reasons for refusing the request and must be informed of his or her right to appeal the registered provider's decision in accordance with Standard 8 (Complaints and appeals).

**Original finding:** Compliant

**Following rectification:** n/a

- 7.6** The registered provider must maintain records of all requests from students for a letter of release and the assessment of, and decision regarding, the request on the student's file.

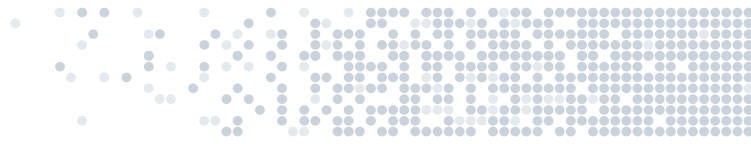
**Original finding:** Compliant

**Following rectification:** n/a

## **STANDARD 8 Complaints and appeals**

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

- 8.1** The registered provider must have an appropriate internal complaints handling and appeals process that satisfies the following requirements, or can use its existing internal



complaints and appeals processes as long as it meets these requirements:

- a. a process is in place for lodging a formal complaint or appeal if the matter cannot be resolved informally, which requires a written record of the complaint or appeal to be kept
- b. each complainant or appellant has an opportunity to formally present his or her case at minimal or no cost to him or herself
- c. each party may be accompanied and assisted by a support person at any relevant meetings
- d. the complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome, and
- e. the process commences within 10 working days of the formal lodgement of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.

**Original finding:** Compliant

**Following rectification:** n/a

**8.2** The registered provider must have arrangements in place for a person or body independent of and external to the registered provider to hear complaints or appeals arising from the registered provider's internal complaints and appeals process or refer students to an existing body where that body is appropriate for the complaint or appeal.

**Original finding:** Compliant

**Following rectification:** n/a

**8.3** If the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, the registered provider must advise the student of his or her right to access the external appeals process at minimal or no cost.

**Original finding:** Compliant

**Following rectification:** n/a

**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.

**Original finding:** Compliant

**Following rectification:** n/a

**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.

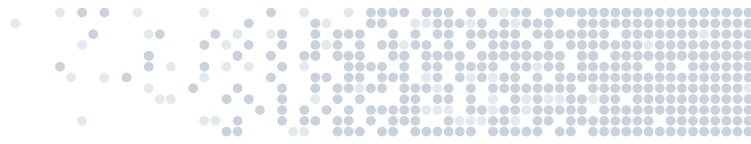
**Original finding:** Compliant

**Following rectification:** n/a

#### **STANDARD 9 Completion within the expected duration of study**

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

**9.1** The registered provider must have and implement documented policies and procedures for monitoring the progress of each student to ensure that at all times the student is in a



position to complete the course within the expected duration as specified on the student's CoE. In monitoring this enrolment load, the registered provider must ensure that in each compulsory study period for a course, the student is studying at least one unit that is not by distance or online learning.

**Original finding:** Compliant

**Following rectification:** n/a

- 9.2** The registered provider may only extend the duration of the student's study where it is clear that the student will not complete the course within the expected duration, as specified on the student's CoE, as the result of:
- compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student was unable to attend classes or where the registered provider was unable to offer a pre-requisite unit)
  - the registered provider implementing its intervention strategy for students who were at risk of not meeting satisfactory course progress, or
  - an approved deferment or suspension of study has been granted under Standard 13.

**Original finding:** Compliant

**Following rectification:** n/a

- 9.3** Where there is a variation in the student's enrolment load which may affect the student's expected duration of study in accordance with 9.2, the registered provider is to record this variation and the reasons for it on the student file. The registered provider must correctly report the student via PRISMS and/or issue a new CoE when the student can only account for the variation/s by extending his or her expected duration of study.

**Original finding:** Compliant

**Following rectification:** n/a

- 9.4** The registered provider may allow the student to undertake no more than 25 per cent of the student's total course by distance and/or online learning. However, the registered provider must not enrol the student exclusively in distance or online learning units in any compulsory study period.

**Original finding:** Compliant

**Following rectification:** n/a

- 9.5** Except in the circumstances specified in 9.2, the expected duration of study specified in the student's CoE must not exceed the CRICOS registered course duration.

**Original finding:** Not compliant

**Following rectification:** Compliant

*Reasons for finding of non-compliance:*

- A number of student CoE's were identified as being longer than the CRICOS registered course duration.

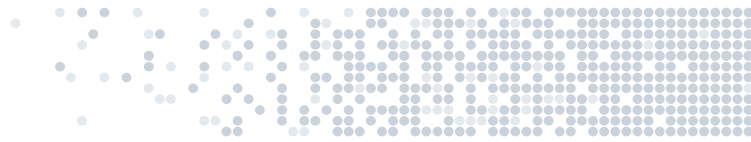
*In order to become compliant, the organisation is required to:*

- Provide evidence that the Coe's have been amended to not exceed to CRICOS registered course duration.

*Analysis of rectification evidence:*

Evidence supplied included new CoE's for:

- Mr Gunarathne
- Mr Kulasinghe



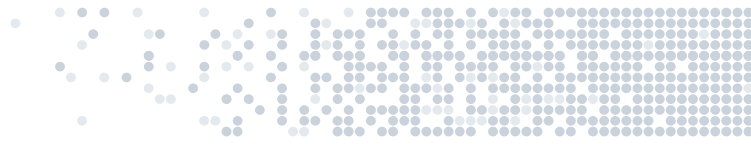
- Mr O’Hanrahan
- Mr Ozen
- Ms Yilmaz
- Ms Manzoor
- Mr Bhim Singh (Diploma of Management)
- Mr Bhim Singh (Advanced Diploma of Management)
- Mr Samandeep Singh
- Mrs Anuradha
- Mr Jerin Joy
- Mr Pathihiraja Mudiysnselage
- Ms Mika
- Ms Rupinder Kaur
- Ms Kulvinder Kaur
- Mr Silva Pulle

Each of the above COEs have been accurately recorded on PRISMS.

The provider has met the requirements of this Standard

<b>STANDARD 10 Monitoring course progress</b>	
<b>Registered providers systematically monitor students’ course progress. Registered providers are proactive in notifying and counselling students who are at risk of failing to meet course progress requirements. Registered providers report students, under section 19 of the ESOS Act, who have breached the course progress requirements.</b>	
<b>10.1</b>	<b>The registered provider must monitor, record and assess the course progress of each student for each unit of the course for which the student is enrolled in accordance with the registered provider’s documented course progress policies and procedures.</b>
<b>Original finding:</b> Compliant	<b>Following rectification:</b> n/a
<b>10.2</b>	<b>The registered provider must have and implement appropriate documented course progress policies and procedures for each course, which must be provided to staff and students, that specify the:</b> <b>a. requirements for achieving satisfactory course progress</b> <b>b. process for assessing satisfactory course progress</b> <b>c. procedure for intervention for students at risk of failing to achieve satisfactory course progress</b> <b>d. process for determining the point at which the student has failed to meet satisfactory course progress, and</b> <b>e. procedure for notifying students that they have failed to meet satisfactory course progress requirements.</b>
<b>Original finding:</b> Compliant	<b>Following rectification:</b> n/a
<b>10.3</b>	<b>The registered provider must assess the course progress of the student in accordance with the registered provider’s course progress policies and procedures at the end point of every study period.</b>
<b>Original finding:</b> Compliant	<b>Following rectification:</b> n/a





- 10.4** The registered provider must have a documented intervention strategy, which must be made available to staff and students, that specifies the procedures for identifying and assisting students at risk of not meeting the course progress requirements. The strategy must specify:
- procedures for contacting and counselling identified students
  - strategies to assist identified students to achieve satisfactory course progress, and
  - the process by which the intervention strategy is activated.

**Original finding:** Compliant

**Following rectification:** n/a

- 10.5** The registered provider must implement the intervention strategy for any student who is at risk of not meeting satisfactory course progress requirements. At a minimum, the intervention strategy must be activated where the student has failed or is deemed not yet competent in 50% or more of the units attempted in any study period.

**Original finding:** Compliant

**Following rectification:** n/a

- 10.6** Where the registered provider has assessed the student as not achieving satisfactory course progress, the registered provider must notify the student in writing of its intention to report the student for not achieving satisfactory course progress. The written notice must inform the student that he or she is able to access the registered provider's complaints and appeals process as per Standard 8 (Complaints and appeals) and that the student has 20 working days in which to do so.

**Original finding:** Compliant

**Following rectification:** n/a

- 10.7** Where the student has chosen not to access the complaints and appeals processes within the 20 working day period, withdraws from the process, or the process is completed and results in a decision supporting the registered provider, the registered provider must notify the Secretary of DEEWR through PRISMS of the student not achieving satisfactory course progress as soon as practicable.

**Original finding:** Compliant

**Following rectification:** n/a

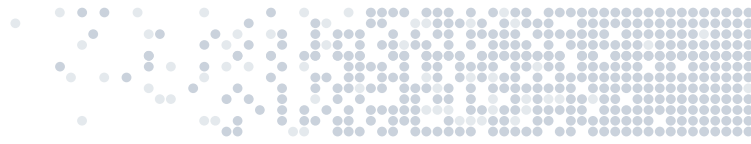
#### **STANDARD 11 Monitoring attendance**

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

- 11.1** The registered provider must record the attendance of each student for the scheduled course contact hours for each CRICOS registered course in which the student is enrolled which is:
- an accredited vocational education and training course (unless Standard 11.2 applies)
  - an accredited school course
  - an accredited or non-award ELICOS course, or
  - another non-award course.

**Original finding:** Compliant

**Following rectification:** n/a



**11.2 Where the registered provider implements the DEEWR and DIAC approved course progress policy and procedures for its vocational education and training courses, Standard 11 does not apply.**

**Original finding:** Not audited

**Following rectification:** n/a

**11.3 For the courses identified in 11.1, the registered provider must have and implement appropriate documented attendance policies and procedures for each course which must be provided to staff and students that specify the:**

- requirements for achieving satisfactory attendance, which at a minimum, requires overseas students to attend at least 80 per cent of the scheduled course contact hours**
- manner in which attendance and absences are recorded and calculated**
- process for assessing satisfactory attendance**
- process for determining the point at which the student has failed to meet satisfactory attendance, and**
- procedure for notifying students that they have failed to meet satisfactory attendance requirements.**

**Original finding:** Not compliant

**Following rectification:** Compliant

*Reasons for finding of non-compliance:*

- the document provided as the 'Monitoring Student Attendance Procedure' was a copy of the National Code Standard 11 information, not a documented attendance policy and procedure.

*In order to become compliant, the organisation is required to:*

- Develop and submit an appropriate documented attendance policy and procedure for each course that meets the requirement of National Code Standard 11.3

*Analysis of rectification evidence:*

- Evidence supplied included a revised policy entitled "*Monitoring Student Attendance Policy and Procedure*" which included all of the elements of Standard 11.3 of Section D of the National Code 2007.

The provider has met the requirements of this Standard.

**11.4 For the courses identified in 11.1, the registered provider's attendance policies and procedures must identify the process for contacting and counselling students who have been absent for more than five consecutive days without approval or where the student is at risk of not attending for at least 80 per cent of the scheduled course contact hours for the course in which he or she is enrolled (i.e. before the student's attendance drops below 80 per cent).**

**Original finding:** Not compliant

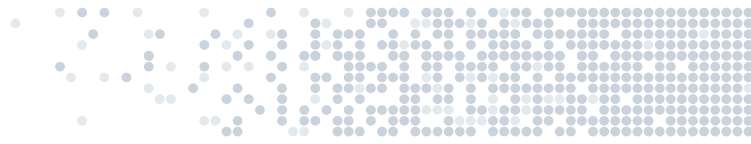
**Following rectification:** n/a

*Reasons for finding of non-compliance:*

- The provider did not have a documented attendance policy and procedure that met Standard 11.4 for all the courses it is required to take attendance for.

*In order to become compliant, the organisation is required to:*

- Develop and submit an appropriate documented attendance policy and procedure for each course that meets the requirement of National Code Standard 11.4



*Analysis of rectification evidence:*

- Evidence supplied included a revised policy entitled “*Monitoring Student Attendance Policy and Procedure*” which included all of the elements of Standard 11.4 of Section D of the National Code 2007.
- A template letter sent to students following 5 consecutive days of absence;
- Unsatisfactory attendance letter (First Reminder);
- Unsatisfactory attendance letter (Second Reminder);
- Intention to report for attendance letter;
- At Risk International Report course;
- At Risk International Report Module form;
- Memo to all staff advising them of the new policy and procedure.

The provider has met the requirements of this Standard.

**11.5 For the courses identified in 11.1, the registered provider must regularly assess the attendance of the student in accordance with the registered provider’s attendance policies and procedures.**

**Original finding:** Not compliant

**Following rectification:** Compliant

*Reasons for finding of non-compliance:*

- The provider showed evidence of regularly assessing attendance of students, however this was not in accordance with attendance policies and procedures as they had not been developed for all courses for which the provider is required to take attendance.

*In order to become compliant, the organisation is required to:*

- Develop and submit an appropriate documented attendance policy and procedure for each course that meets the requirement of National Code Standard 11.5

*Analysis of rectification evidence:*

- Evidence supplied included a revised policy entitled “*Monitoring Student Attendance Policy and Procedure*” which included all of the elements of Standard 11.4 of Section D of the National Code 2007.

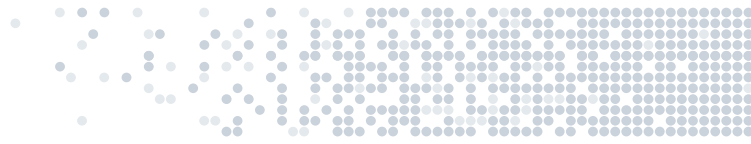
The provider has met the requirements of this Standard.

**11.6 Where the registered provider has assessed the student as not achieving satisfactory attendance for the courses identified in 11.1, the registered provider must notify the student in writing of its intention to report the student for not achieving satisfactory attendance. The written notice must inform the student that he or she is able to access the registered provider’s complaints and appeals process as per Standard 8 (Complaints and appeals) and that the student has 20 working days in which to do so.**

**Original finding:** Not audited

**Following rectification:** n/a

**11.7 Where the student has chosen not to access the complaints and appeals processes within**



the 20 working day period, withdraws from the process, or the process is completed and results in a decision supporting the registered provider, the registered provider must notify the Secretary of DEEWR through PRISMS that the student is not achieving satisfactory attendance as soon as practicable.

**Original finding:** Not audited

**Following rectification:** n/a

- 11.8** For the vocational education and training and non-award courses identified in 11.1.a and 11.1.d, the registered provider may only decide not to report the student for breaching the 80 per cent attendance requirement where:
- a. that decision is consistent with its documented attendance policies and procedures, and
  - b. the student records clearly indicate that the student is maintaining satisfactory course progress, and
  - c. the registered provider confirms that the student is attending at least 70 per cent of the scheduled course contact hours for the course in which he or she is enrolled.

**Original finding:** Not audited

**Following rectification:** n/a

- 11.9** For the ELICOS and school courses identified in 11.1, the registered provider may only decide not to report a student for breaching the 80 per cent attendance requirement where:
- a. the student produces documentary evidence clearly demonstrating that compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes) apply, and
  - b. that decision is consistent with its documented attendance policies and procedures, and
  - c. the registered provider confirms that the student is attending at least 70 per cent of the scheduled course contact hours for the course in which he or she is enrolled.

**Original finding:** Compliant

**Following rectification:** n/a

## **STANDARD 12 Course credit**

**Registered providers appropriately recognise course credit within the ESOS framework**

- 12.1** Where the registered provider grants course credit, the registered provider must:
- a. have documented procedures for the granting and recording of course credit, and
  - b. provide a record of the course credit to the student, which must be signed or otherwise accepted by the student, and place it on the student's file.

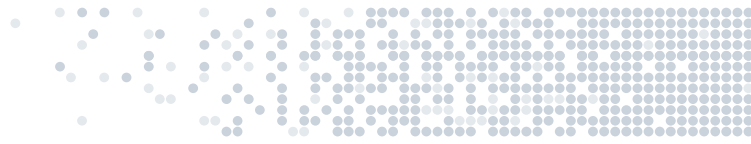
**Original finding:** Compliant

**Following rectification:** n/a

- 12.2** If the registered provider grants the student course credit which leads to a shortening of the student's course, the registered provider must:
- a. if the course credit is granted before the student visa grant, indicate the actual net course duration (as reduced by course credit) in the confirmation of enrolment issued for that student for that course, or
  - b. if the course credit is granted after the student visa grant, report the change of course duration via PRISMS under section 19 of the ESOS Act.

**Original finding:** Compliant

**Following rectification:** n/a



**STANDARD 13 Deferring, suspending or cancelling the students' enrolment**

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

**13.1 The registered provider must have in place documented procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student's file of the assessment of the application.**

**Original finding:** Compliant

**Following rectification:** n/a

**13.2 The registered provider can only defer or temporarily suspend the enrolment of the student on the grounds of:**

- a. compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes), or**
- b. misbehaviour by the student.**

**Original finding:** Compliant

**Following rectification:** n/a

**13.3 The registered provider must:**

- a. inform the student that deferring, suspending or cancelling his or her enrolment may affect his or her student visa, and**
- b. notify the Secretary of DEEWR via PRISMS as required under section 19 of the ESOS Act where the student's enrolment is deferred, temporarily suspended or cancelled.**

**Original finding:** Compliant

**Following rectification:** n/a

**13.4 The registered provider must 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 the registered provider's internal complaints and appeals process as per Standard 8.1. If the student accesses the registered provider's internal complaints and appeals process, the suspension or cancellation of the student's enrolment under this standard can not take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.**

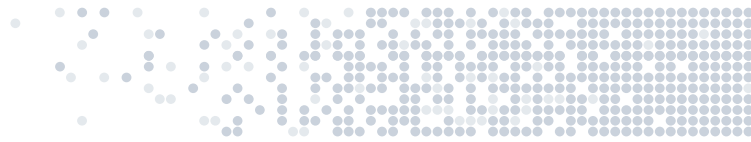
**Original finding:** Compliant

**Following rectification:** n/a

**STANDARD 14 Staff capability, educational resources and premises**

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

**14.1 The registered provider must have and implement policies and procedures to ensure its staffing resources are adequate and have the capabilities as required by the quality assurance framework applying to the course. Where the course provided by the registered provider is not subject to an appropriate quality assurance framework, the registered provider must have and implement appropriate documented policies and processes for the recruitment, induction, performance assessment and ongoing development of members of staff involved with the recruitment or delivery of education or**



**client services to students.**

**Original finding:** Compliant

**Following rectification:** n/a

**14.2 The registered provider must have adequate education resources, including facilities, equipment, learning and library resources and premises as required by the quality assurance framework applying to the course. Where the course provided by the registered provider is not subject to an appropriate quality assurance framework, the registered provider must ensure it has adequate education resources, including facilities, equipment, learning and library resources, and premises, including ownership or tenancy arrangements for the premises, as are needed to deliver the registered course to the students enrolled with the registered provider.**

**Original finding:** Not compliant

**Following rectification:** n/a

*Reasons for finding of non-compliance:*

- Refer to ELICOS Standards 3.2
- The provider did not produce planning policies and procedures that enable teachers to research special purpose content and developments in English language to meet student needs.

*In order to become compliant, the organisation is required to:*

- The provider is to develop and submit planning policies and procedures that enable teachers to research special purpose content and developments in English language to meet student needs.

*Analysis of rectification evidence:*

- Evidence supplied included a new policy and procedure for ELICOS trainers outlining the opportunities for professional development and the creation of special purpose content to meet student needs in the study of English.

The provider has met the requirements of this Standard.

**14.3 The registered provider must notify the designated authority and the students enrolled with the registered provider of any intention to relocate premises (including the head office and campus locations) at least 20 working days before the relocation.**

**Original finding:** Not audited

**Following rectification:** n/a

**STANDARD 15 Changes to registered providers' ownership or management**

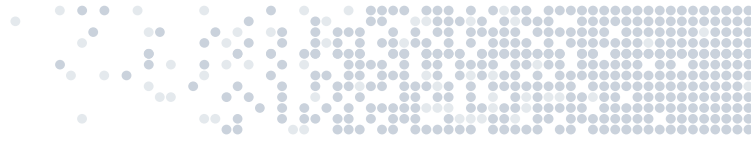
**Registered providers proactively inform the designated authority of prospective ownership and/or management changes.**

**15.1 The registered provider must advise the designated authority in writing of:**

- a. any prospective changes to the ownership of the registered provider as soon as practicable prior to the change taking effect, and**
- b. any prospective or actual change to the high managerial agents (as defined in section 5 of the ESOS Act) of the registered provider as soon as practicable prior to the change taking effect or within 10 working days of the change taking effect where the change cannot be determined until it takes effect.**

**Original finding:** Not audited

**Following rectification:** n/a



**15.2 The registered provider must provide the designated authority with information on the new owner or high managerial agent for the purpose of making an assessment under section 9(6) of the ESOS Act.**

**Original finding:** Not audited

**Following rectification:** n/a