



ESOS Compliance Framework

Policy Category	Governance
Policy Code	GOV-HE-03
Policy owner	Principal
Responsible Officer	Principal
Approving authority	Board of Directors & Academic Board
Contact Officer	Head of Academic Support and Student Services
Approval date	20 November 2019
Commencement date	21 November 2019
Review date	3 years - December 2020
Version	2019.1
Related Documents	Education Services for Overseas Students Act 2000 (ESOS Act), Education Services for Overseas Students Regulations 2001 (ESOS Regulations) National Code of Practice for Providers of Education and Training to Overseas Students (2018) PRISMS User Guide

1. Purpose

The intent of this Policy is to describe how the Australian Institute of Higher Education Pty Ltd ('the Institute') will comply with the Education Services for Overseas Students Act 2000 (ESOS Act), the Education Services for Overseas Students Regulations 2001 (ESOS Regulations) and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code).

2. Principles

The key principle informing this Policy is to articulate and support the Institute's commitment to complying with the regulatory framework establishing the minimum requirements for education programs delivered to international students.

3. Context

This Policy has been developed to ensure that all relevant staff are aware of their obligations with respect to the regulatory framework.

4. Scope

This Policy applies to all relevant staff at the Institute, and all enrolled international students.

5. Definitions

See the *AIH Glossary of Terms* for definitions.

6. Policy Details

6.1 Institution Obligations

The Institute is committed to achieving full compliance with ESOS legislative requirements. To support compliance the Institute will:

- inform International students clearly and in a timely manner their rights and responsibilities arising under ESOS;
- ensure staff are aware of the Institute's ESOS obligations and how this affects their roles and their interactions with International students;
- maintain a suite of policies and procedures that clearly explain the rights and responsibilities of international students in the context of the ESOS compliance framework;
- ensure that courses offered to international students are taught by qualified lecturers in appropriate facilities according to the lecturing and assessment schedule applicable to international students;
- provide appropriate support services to meet the needs of international students;
- ensure that all relevant information related to international students is entered into PRISMS in a timely manner;
- keep the relevant government agencies up-to-date with any notifiable changes.

The Principal will undertake the role of the ESOS Compliance Manager and is charged with the primary responsibility for coordinating and overseeing ESOS compliance.

6.2 Staff Obligations

All of the Institution's staff have a responsibility to ensure that their activities on behalf of the Institution, and those of their colleagues, comply with the ESOS regulatory framework. All staff are required to:

- comply with all relevant ESOS legislation;
- familiarise themselves with the Institute's policies and procedures relating to international students that affect their workplace and activities;
- report perceived breaches or weaknesses of the Institute's ESOS compliance.

All staff will be inducted prior to commencement of their employment with the Institution. Staff induction will include a session on staff responsibilities in regards to the ESOS regulatory framework.

Staff will be reminded of their obligations in relation to International students in professional development sessions and staff meetings, where appropriate. Staff will also be kept up-to-date with any changes in relation to the ESOS regulatory framework which may affect their duties.

Any staff member who perceives a breach or weakness in the Institution's ESOS compliance should contact the Principal.

6.2 Benchmarking and Auditing

The Institute will liaise with other institutions to ensure that its own processes and procedures are of a standard and are consistent with that of other institutions.

Regular monitoring and follow up audit activity relating to compliance with the ESOS Act are to be undertaken by Senior Management.

7. Legislation

This Policy complies with the ESOS Act (2000), ESOS Regulations (2001), and the National Code of Practice for Providers of Education and Training to Overseas Students (2018).

It also complies with Higher Education Standards Framework standard 7.2 (Information for Prospective and Current Students), which specifies that:

“3. There are policies and processes that ensure information and advice given to international students holding or applying for an Australian student visa and decisions taken in relation to such students meet statutory requirements.”

8. Version Control

This Framework has been endorsed by the Australian Institute of Higher Education Board of Directors and Academic Board as at December 2017 and is reviewed every 3 years. The Framework is published and available on the Australian Institute of Higher Education website <http://www.aih.nsw.edu.au/> under 'Policies and Procedures'.

Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
2016-2	Registrar	Updated template	6 July 2016	6 August 2016
2017-1	Ms. McCoy	Revised/edited content	19 April 2017	20 April 2017
2017-2	Registrar	Updated to reflect change in the National Code.	15 December 2017	16 December 2017
2019-1	Principal	Minor update: Updated Titles from Policy owner and Responsible Officer from Executive Dean to Principal, and Contact Officer from Registrar to Head of Academic Support and Student Services.	20 November 2019	21 November 2019