



Schools with Overseas Students

What Does the New ESOS Code Mean for You?



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Managing Director
CompliSpace



Today...



Our Vision

The Current Situation for Schools with Overseas Students

The Development of the New 2018 National Code

The Impacts of Changes to the National Code

CompliSpace's Overseas Students Module



Our Vision



*To simplify risk, compliance and policy management
so schools can focus on their core purpose.*



The Situation



500

non-government CRICOS
registered schools

2

national standards

5

federal laws and
regulations

200+

compliance points to
meet CRICOS registration



The ESOS Framework



Federal Legislation and Regulation +

ESOS Act

ESOS Regs

Migration Act

Migration Regs

Refund Spec

National Standards +

ESOS National
Code 2018

ELICOS
Standards 2018

State-Based Requirements

State and Territory Acts &
Regs

Additional Guidelines &
Evidence Requirements



ESOS Framework Administration



Australian Government
Department of Education and Training



**NSW
EDUCATION
STANDARDS
AUTHORITY**



Australian Government
Tuition Protection Service



**Victorian Registration &
Qualifications Authority**



Australian Government
Department of Home Affairs



**Queensland
Government**

Department of Education and Training



CRICOS Registration



Phase 1



State or Territory Regulator
Assessment and Recommendation

Phase 2



Federal
Assessment and Registration



Initial Registration



CRICOS Registration

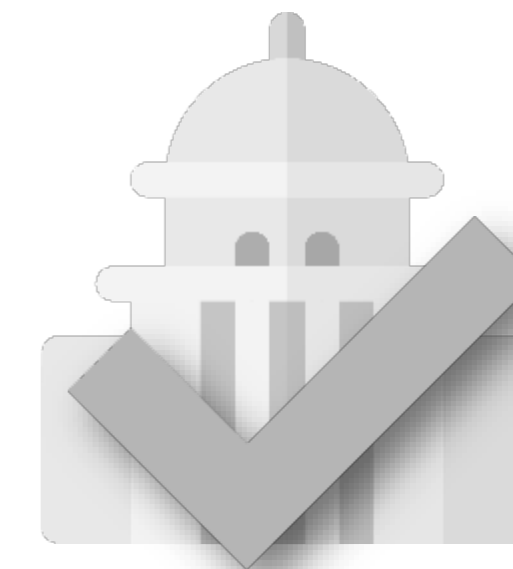


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Federal
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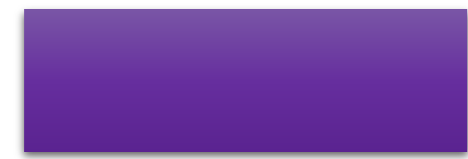


New National Code

Timeline of February 2017 to January 2018



Impacts of the 2018 National Code



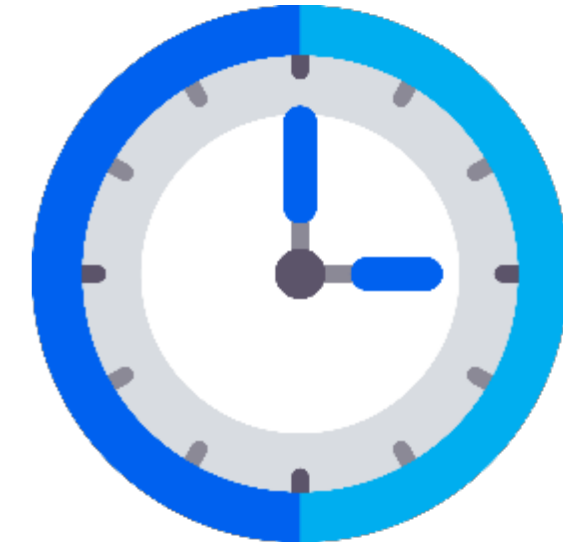
Fewer Standards



More Compliance
Points



Increased Transparency



Short Turnaround
for Compliance



A Closer Look at the 2018 National Code



- ✓ 4 Parts (A, B, C and D)
- ✓ 15 Standards



- ✓ Major Structural Changes
- ✓ 2 Parts (A and B)
- ✓ 11 Standards



Standard 1: Marketing Information and Practices



Standard 1 Marketing Information and Practices

- ✓ Improvement in transparency
- ✓ Increase in disclosures
- ✓ Increased focus on Australian Consumer Law



Standard 2: Recruitment of an Overseas Student



- ✓ Additional disclosure requirements to increase transparency



Standard 3: Formalisation of Enrolment and Written Agreements



Standard 3 Formalisation of Enrolment and Written Agreements

- ✓ Ensures information is provided to students before and at the time of enrolment
- ✓ Increase in transparency to set a higher bar for minimum info required



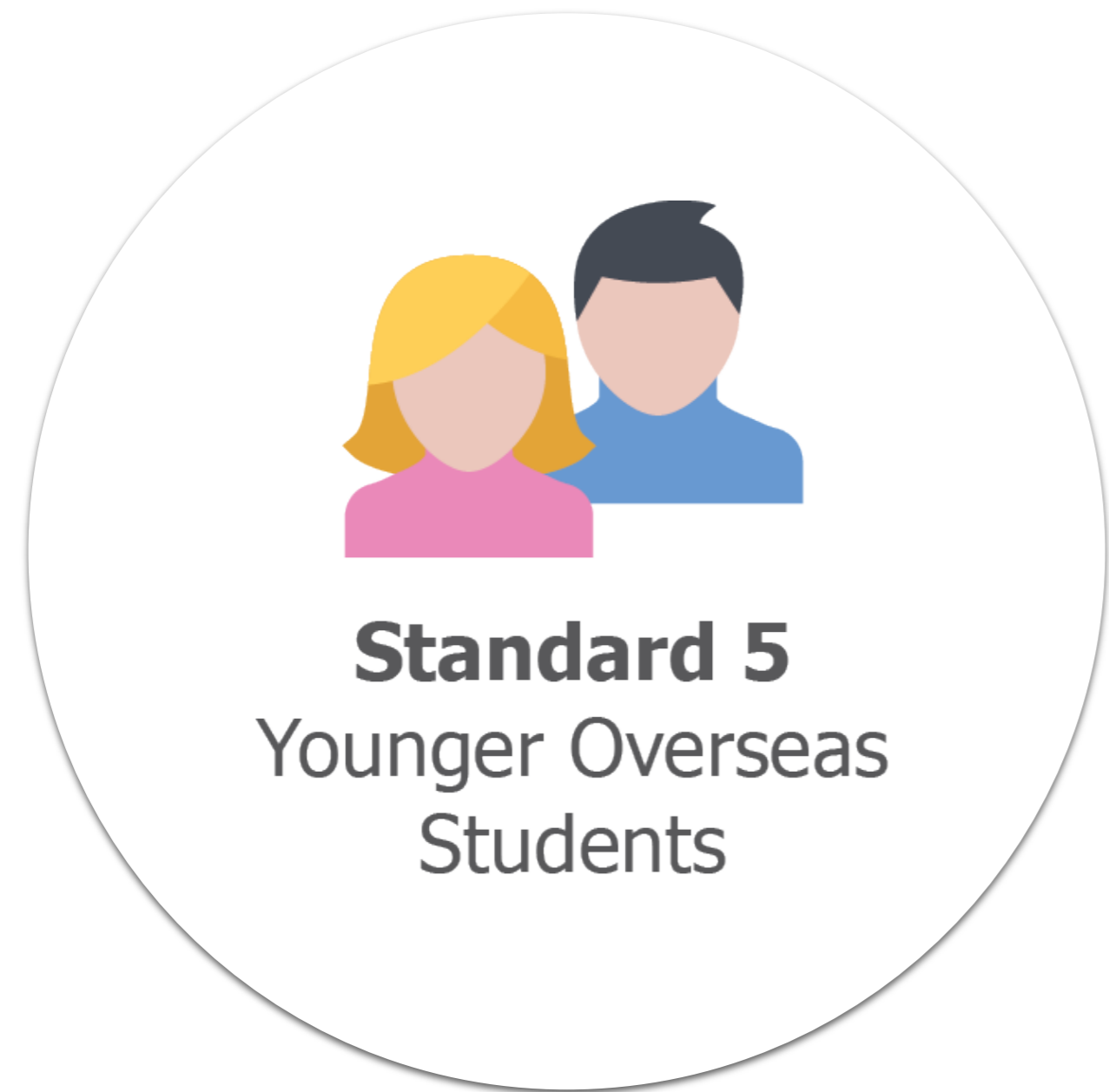
Standard 4: Education Agents



- ✓ increased requirements on schools in relation to their use, monitoring and reporting on the actions of education agents
- ✓ schools must require their agents to:
 - declare and avoid conflicts of interest
 - observe appropriate levels of confidentiality and transparency
 - act honestly and in good faith, and in the student's best interest
 - have knowledge of the international education system



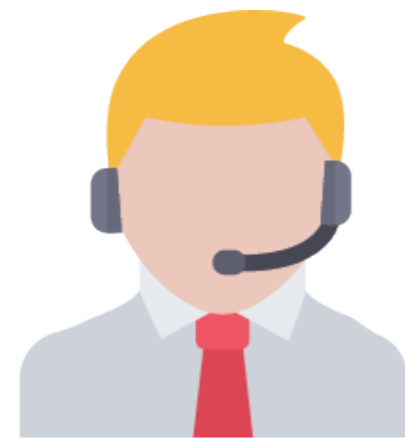
Standard 5: Younger Overseas Students



- ✓ introduction of additional measures to strengthen the welfare of younger overseas students
- ✓ references to other regulatory requirements, including state and territory child protection requirements
- ✓ new requirement to provide child protection training to students
- ✓ increased accommodation approval and verification requirements for schools



Standard 6: Overseas Student Support Services

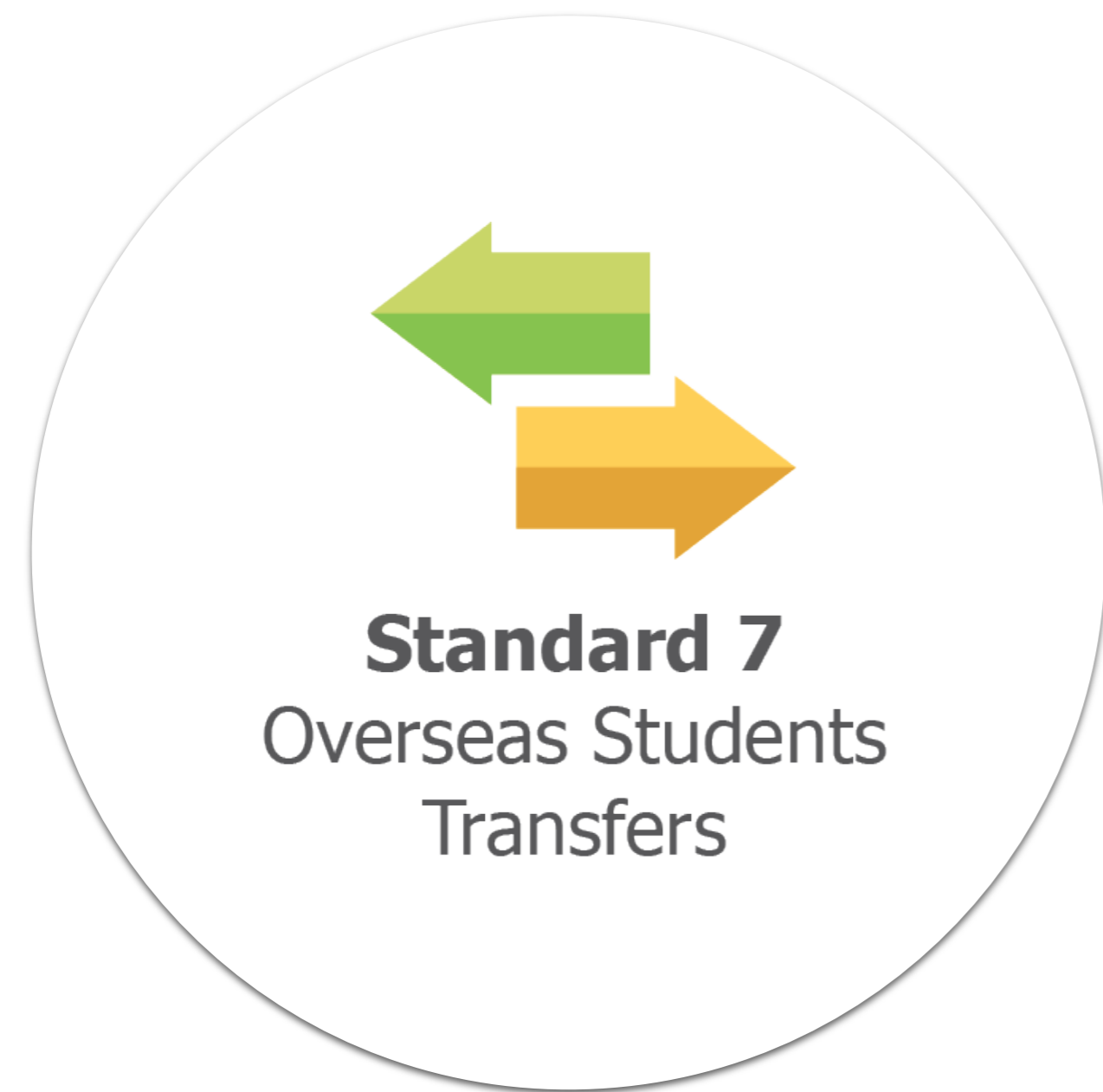


Standard 6 Overseas Student Support Services

- ✓ increased requirements for supporting students to achieve expected learning outcomes
- ✓ new requirement to take all reasonable steps to provide a safe environment on campus and give students information on seeking assistance and reporting incidents impacting on their wellbeing, and safety and awareness relevant to life in Australia



Standard 7: Overseas Student Transfers



- ✓ maintains restriction on students transferring in the first 6 months, but adds key exceptions
- ✓ student transfers now to be recorded in PRISMS
- ✓ schools are no longer permitted to finalise transfer requests until the student has had a chance to access the school's complaints and appeals process
- ✓ new list of circumstances where transfer should be granted to students

Standard 8: Overseas Student Visa Requirements



- ✓ increased requirements for monitoring student progress, attendance and student visa requirements



Standard 9: Deferring, Suspending or Cancelling the Student's Enrolment

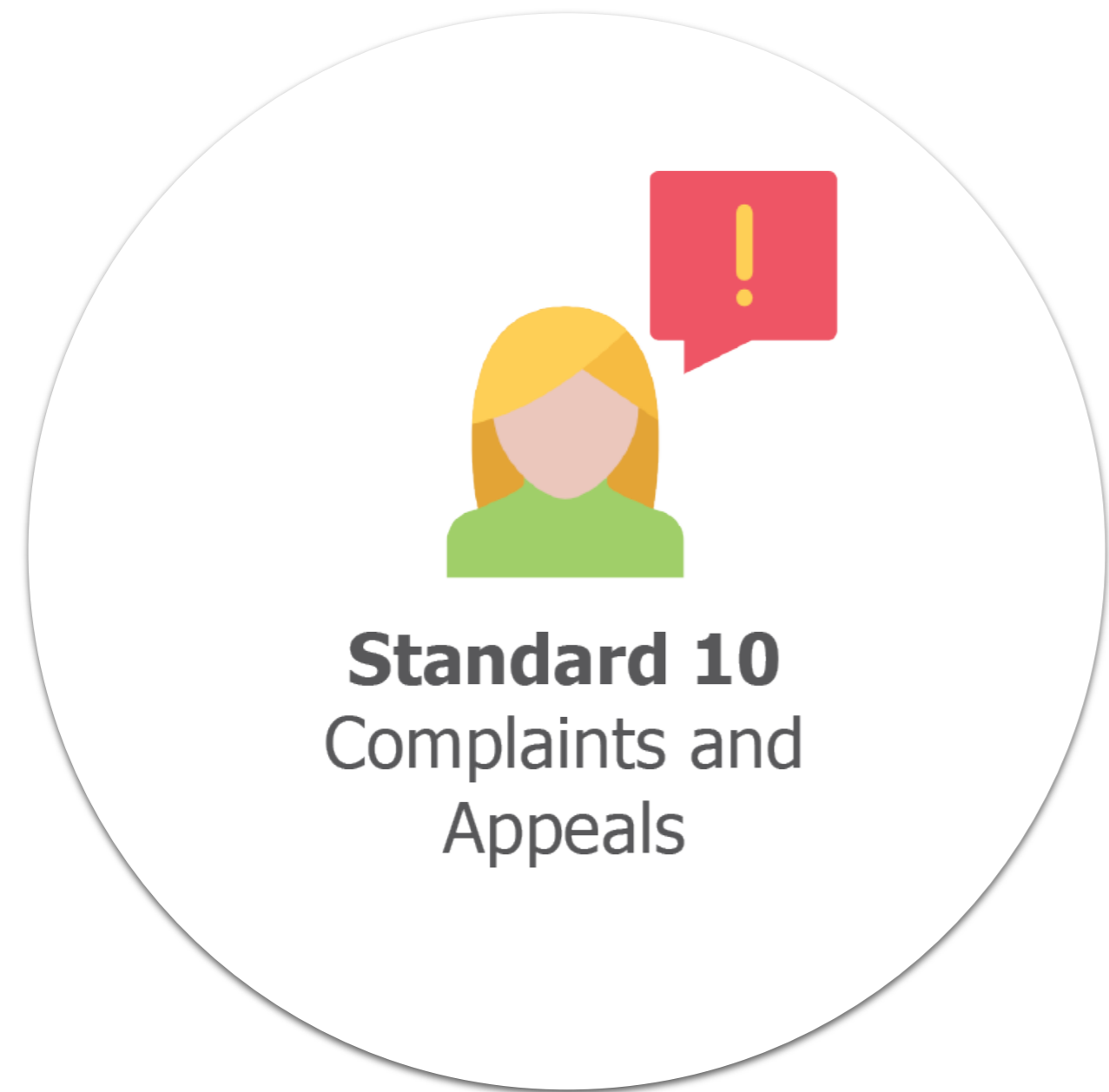


Standard 9
Deferring, Suspending
or Cancelling the
Student's Enrolment

- ✓ Contains no significant changes from the 2007 National Code
- ✓ Still a complex area of the National Code that schools need to review



Standard 10: Complaints and Appeals



- ✓ Previously Standard 8 in the 2007 Code
- ✓ Requirements largely the same
- ✓ Recent push for all schools to increase their complaints handling practices

Standard 11: Additional Registration Requirements



Standard 11 Additional Requirements

- ✓ Notifications to be made to the Cth DET
- ✓ Outlines what a school must be able to demonstrate to the DET for the purposes of registration, for example:
 - Compliant course duration periods
 - Compliant modes of delivery
 - Appropriate number of overseas students for the school



Impacts of the 2018 National Code



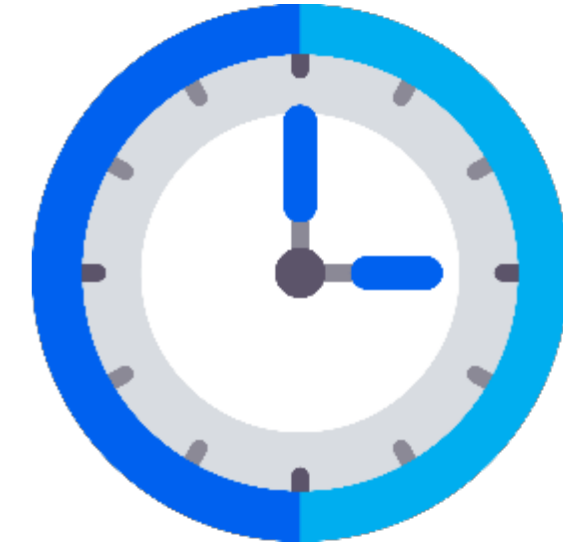
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What are the **REAL** Impacts of the
2018 National Code?



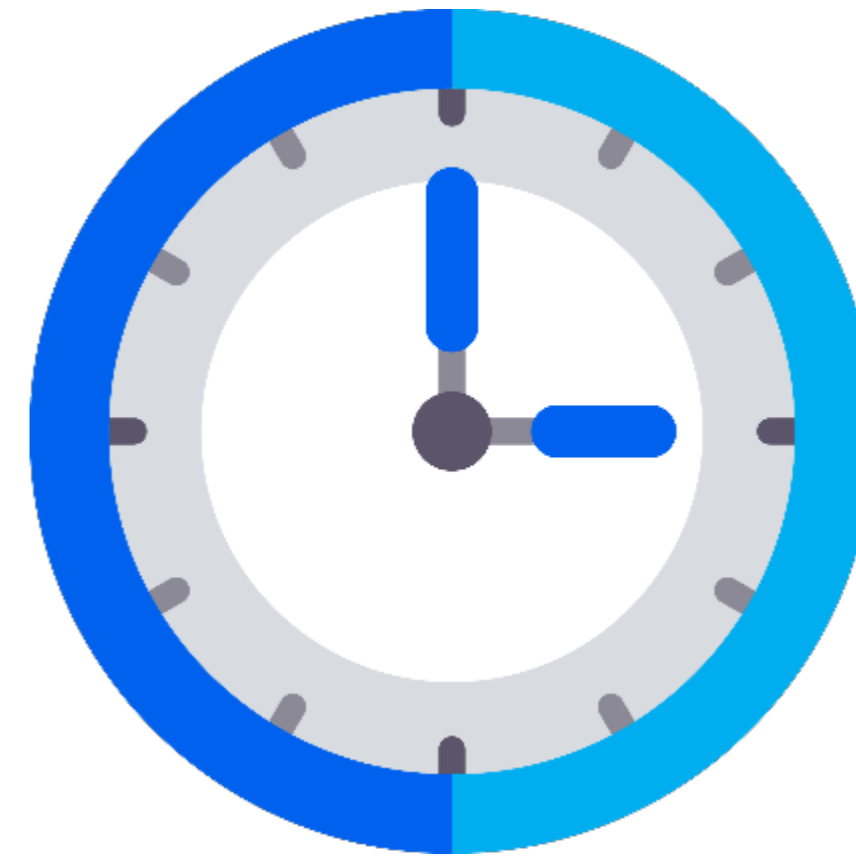
Real Impacts of the 2018 National Code



Stress



Expense



Time



To-Do's

Development of an Overseas Students Program



Overseas Students Program



- ✓ Aimed to fix a compliance headache for schools
- ✓ Took into account relevant laws, regulations, standards and guidelines
- ✓ GRCP package for schools to take and run with

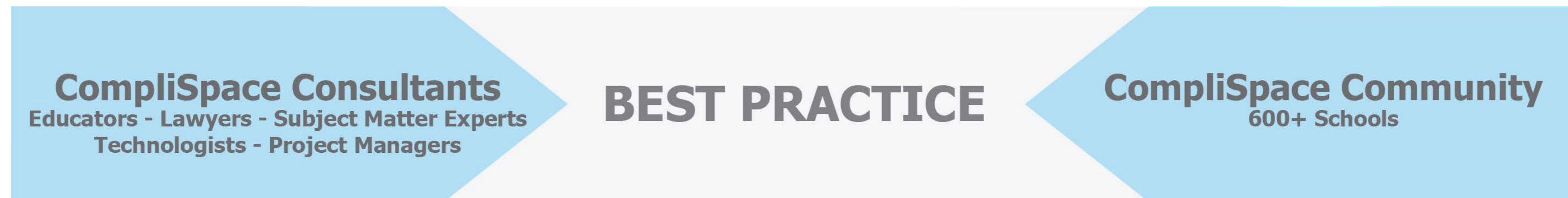
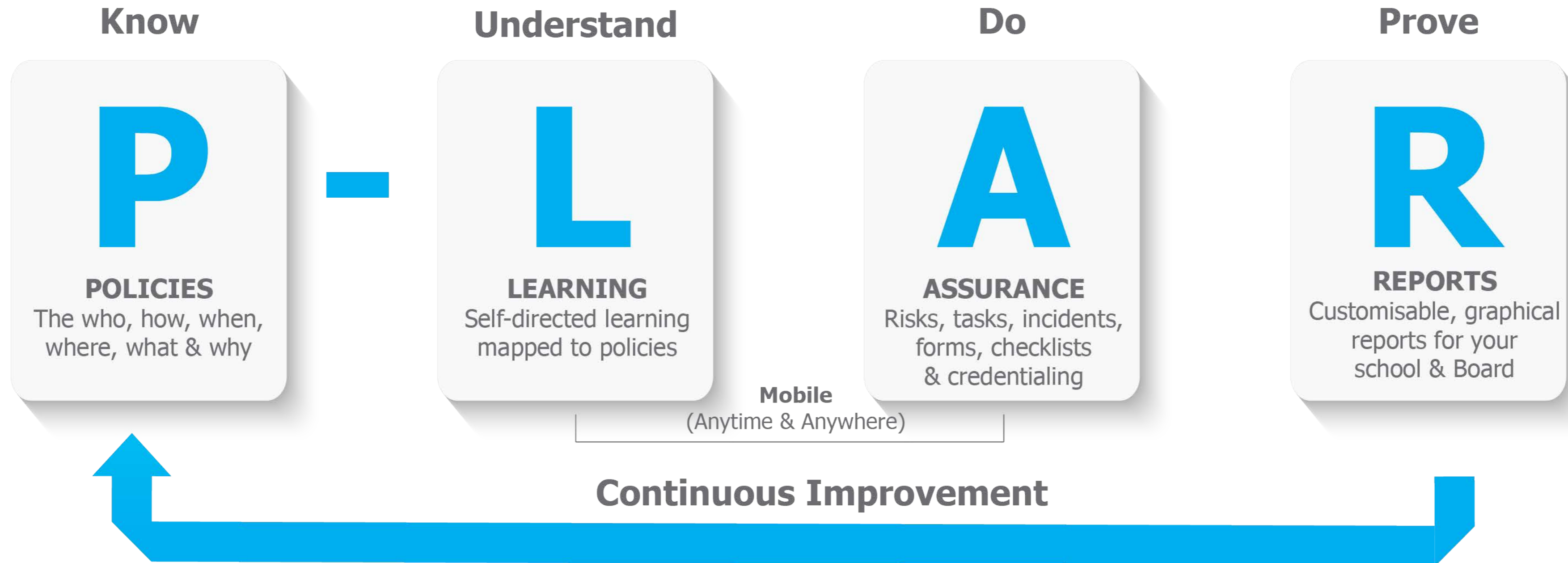


PLAR



Policy to Culture

Keeping you up-to-date with your legal obligations whilst helping you manage change in your school.



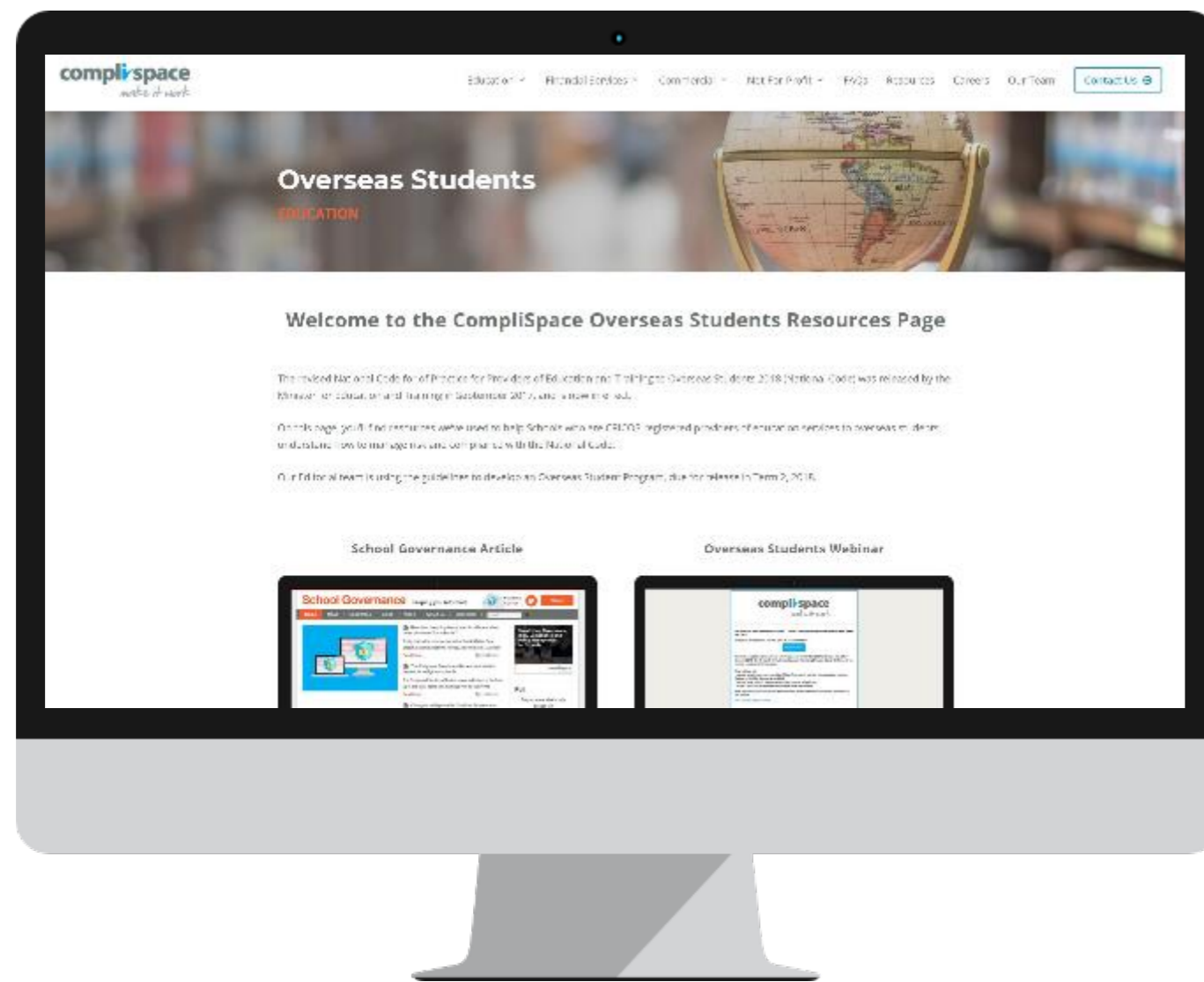
Key Takeaways



1. Take action now
2. Compliance doesn't work in a vacuum
3. Real benefits, at a real cost
4. The Code is already in effect
5. Change is incremental, not a revolution



Thank You for Attending Today's Webinar



Go to

complispace.com.au/overseas-students-resources



Contact us at

contactus@complispace.com.au

