



The Peninsula School: CRICOS No.00333A)

Policy Document

ESOS ACT 2000. National Code 2007

Preamble

1. This Policy document is an adjunct to The Peninsula School Staff handbook 2008.
2. This Policy reflects the structure of the ESOS Code, captured in 15 standards.
3. The TPS Policy response to these standards is embedded into the text.
4. The filing and privacy of documents will be in accordance with the Peninsula International Procedure Manual

All documents referred to in this procedure will be held in an individual physical file for each student in International House until such time as the Enrolment Procedure is complete. When enrolment is complete, the files will be stored with Central Administration. All documents relating to the student during his/her tenure at the school will be placed in this file. All files will be stored in a manner that is compliant with current privacy laws. Upon the student's departure, the file will be moved into the TPS archive and retained indefinitely.

The TPS Vision Statement

Peninsula is a co-educational school of distinction which fosters the full and balanced development of each child. In caring for students and their learning, we encourage them to take up life's challenges both at school and beyond. We value a spiritual and moral view of life that prizes the highest standards of personal character with a Christian ethic of service and concern for others.

Catering for day and boarding students, the School is renowned for its unsurpassed record of pastoral care, its outstanding academic achievement and the cultural enrichment that is part of the Peninsula experience. We are a modern, outward looking school which aims to produce students who have an understanding of the world beyond Australia's shores. To help achieve this goal we readily welcome international students into our community.

Our school is served by dedicated and skillful staff that constitutes its most powerful resource. The day-to-day program is well structured and varied, designed to promote orderly conditions of work, encouraging personal development plus individual style.

We offer a wide range of inter and intra-school activities; a host of co-curricular opportunities, including highly commended music and drama programs; an extensive House program catering for sport and cultural interests; a well-defined code of behaviour and a strong sense of community, with lasting bonds of friendship between staff and students.

Standard 1 - Marketing information and practices

- 1.1 Our guiding principle is that all information, advice and service is professional, accurate and maintains the integrity and reputation of the Australian education industry and conforms to our vision and standards. Our policy will faithfully reflect and respond to the ESOS Act.
- 1.2 We must:
 - a) clearly identify ourselves and provide our 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.

- 1.3** We will not actively recruit a student where this clearly conflicts with our obligations under Standard 7 (Transfer between registered providers).

1.4 Marketing Policy:

- a)** All information, advice and service must be professional, accurate and maintain the integrity and reputation of the Australian education industry and conforms to our vision and standards.
- b)** We must:
 - i.** clearly Identify ourselves and provide our CRICOS number in written marketing and other material for students, including electronic form, and
 - ii.** not give false or misleading information or advice in relation to:
 - claims of association between providers
 - the employment outcomes associated with a course
 - automatic acceptance into another course
 - possible migration outcomes, or
 - any other claims relating to TPS, its courses or outcomes associated with the course.
- c)** We will not actively recruit a student where this clearly conflicts with our obligations under Standard 7 (Transfer between registered providers).
- d)** TPS will select Education Agents to represent it in accordance with the following guidelines:
 - i.** Agents must be managed in accordance with a formal legal agreement
 - ii** No Agent who does not have such an agreement may act on our behalf
 - iii.** Agents will be monitored for their performance on a regular basis
 - iv.** In the event that the Agent breaches their TPS agreement and/or the ESOS Act, the International Director or delegate will inform the agent in writing that the agreement has become void with immediate effect. (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.)
 - v.** We will not allow any agent to enter data into PRISMS on our behalf.
- e)** We will 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:
 - i.** 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).
 - ii.** facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her student visa
 - iii.** using Provider Registration and International Students Management System (PRISMS) to create Confirmations of Enrolment for other than a bona fide student, or
 - iv.** providing immigration advice where not authorised under the *Migration Act 1958* to do so
 - v.** Upon identifying misconduct by an Education Agent The International Director will take remedial action which will depend upon the nature of the breach
 - vi.** The remedial action will always take the form of informing DIAC, affected clients and any other

TPS agents in the same market of the details of the incident

- vii. The remedial action may also take the form of advertising a renunciation in the local media, inviting a reputable agent to assist adversely affected clients, financial compensation to a client or legal action against the former agent
- f) We will ensure that our education agents have access to up-to-date and accurate marketing information as set out above.

Standard 2 – Student engagement before enrolment

2.1 Prior to accepting a student, or an intending student, for enrolment in a course, we will 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 required and whether course credit may be applicable.
 - i. our laptop computer policy
 - ii. our code of conduct
 - iii. our refund policy
 - iv. our parent email policy

2.2 Admissions Policy

- a) Upon receipt of the information about study in Australia, the facilities and programs of The Peninsula School applications can be made for enrolment.
- b) A valid application will always include:
 - i. correctly and fully completed application form
 - ii. copies of school reports for the previous 3 years of study
 - iii. a covering written communication from the applicant, their parent, delegate and/or agent
- c) An application may also include:
 - i. an AEAS assessment of their English Language and Academic skills
 - ii. an IELTS assessment
 - iii. references and contact details for referees
 - iv. copies of relevant awards and certificates
- d) TPS reserves the right to seek further information as detailed below.
- e) The international Director or delegate will decide to make an offer, reject the application, or seek further information based on suitability as defined below:

Suitability

- f) Our International Program seeks to enrol international students who with their parents are willing to share the TPS educational philosophy. In order to do this as international students, often without English as their first language, they would need to:

- i. demonstrate sound academic skills, or in the case of disadvantage, the capacity for developing sound academic skills
- ii. have made significant progress in their study of English or be competent in English
- iii. have a good record of conduct and attendance
- iv. be capable of living independently from their parents
- v. be sufficiently motivated and mature to face the challenges of study abroad
- vi. be of good health, or in the case of a medical or psychological issue, have reasonable prospects of managing their condition, while living abroad and away from their family
- vii. have the capacity to pay our fees for the full duration of the proposed course
- viii. be comfortable with our Christian ethos
- ix. comply with our requirement of co-curricular involvement
- x. comply with our laptop program
- xi. have a future plan of study or employment for which we can provide a pathway
- xii. in the case of Boarding house applicants, to have a capacity for harmonious communal living
- xiii. in the case of Homestay applicants, to have a capacity for harmonious living with a local family

The Decision making process – general

- g) Making decisions about the suitability of applicants will always require consultation with the applicant, their family and their agent, where applicable.
- h) TPS agents are required to be familiar with ESOS regulations, understand what TPS has to offer and the kind of applicant we seek, as detailed above. They must have interviewed the student and members of their family to secure a sound understanding of their client’s background and requirements.
- i) Students are not required to have an agent. TPS welcomes direct applications which often come from contacts of community members or relatives or friends.
- j) Applicants and families are strongly encouraged to visit TPS and other schools in Australia in order to make an informed choice.
- k) We will not indulge in competitive behaviour with regard to other Australian schools. We hold that there are a large number of varied and excellent schools in Australia working in a highly regulated industry. Clients should make an informed choice based on their requirements.
- l) When suitability is uncertain, decision making may also involve other parties as indicated by the table below:

Issue	Contact	Possible action
Health	TPS School Doctor	Seek additional medical information from client’s doctor(s)
Academic Progress	Client referee or client former Principal	Seek confidential further information about academic capability and achievement
Conduct	Former Principal Police	Seek confidential information on conduct
Financial	Client accountant or banker	Seek written assurances of

		financial capacity
General	TPS International Director	Face to face interview with clients
English	Agent	Seek IELTS or AEAS test
Academic background	TPS head of EAL and Mathematics	Set diagnostic test for client

Decision making - placement in Year level

- m) The TPS Deputy Principal in consultation with the Principal determines what places are available to international students.
- n) Applicants who are judged suitable and who meet the English language requirements (below) will be offered a specific place in a year level at TPS if available.
- o) The year level offered will be equal to or lower than the corresponding year level they would have been in had they remained in their home country.
- p) Students will be offered a lower year level when the required English language training means that their mainstream education has been interrupted, and/ or there is a mismatch between academic years in Australia and their former place of residence.

Credit for Previous Studies

- q) Formal credit transfer for previous studies overseas is only required for students entering directly into year 12 where that is permitted by visa regulations. Applications for credit are managed by the Head of The Senior School. Credit is sought through formal VCAA procedures, the outcome of which TPS must accept and which:
 - i. determines whether the credit claimed has equivalent value
 - ii. determine whether the claim is genuine
- r) The outcome of an application for credit transfer is electronically recorded by the VCAA and is available to TPS and the student and becomes part of the electronic record and printed record of enrolment and achievement available to all students in Years 11 and 12.
- s) In preparing a Letter of Offer for students requesting Credit transfer, Admissions staff will make an offer to the applicant which assumes Credit Transfer will be granted only when:
 - i. they have received certified copies of the relevant school reports and
 - ii. the Head of The Senior School verifies that the country of the applicant is eligible for credit transfer
 - iii. the International Director confirms that the applicant is from a country from which visa regulations permit direct entry into Year 12

Decision making - English Language Requirement

- t) The Peninsula School accepts both students who require further intensive English training and those who don't. It has a pathway for both.
- u) English Language Requirements for entry are shown in the table below:

Country of Origin	Action	Outcome
-------------------	--------	---------

English speaking countries	No action	Standard English classes
Europe excluding English speaking countries	Consult reports. Liaise with student	EAL in Mainstream classes Standard English classes
Asia (DIAC level 4)with IELTS report	<lower than IELTS 4.5 4.5 – 6 IELTS	Reject application Minimum 10 weeks in TPS English Language Centre
Asia with AEAS report	Accept AEAS assessment of Language Centre requirement	English Language Centre EAL in mainstream classes
Asia (DIAC level 3 and below)	Consult reports. Liaise with student and agent.	English Language Centre EAL in Mainstream Standard English classes

Formalisation of enrolment

- v) To accept enrolment at TPS an applicant must provide:
- i. a completed and signed enrolment agreement which applies to the Letter Of Offer that was made following approval of the initial application ;
 - ii. A completed and signed medical declaration;
 - iii. A completed and signed computer agreement;
 - iv. Payment of the sum of money requested in the Letter Of Offer.
 - v. Once the above items have been received the enrolment is considered to be formalised because all requirements have been met in accordance with the ESOS code as detailed below.

Standard 3 – Formalisation of enrolment

3.1 Our enrolment agreement with the student bears a direct relationship to our Letter of Offer. The enrolment agreement must be signed by that student (or the student's parent or legal guardian if the student is under 18 years of age), and must be received concurrently with or prior to accepting course money from the student. Our Letter of Offer, Enrolment Agreement, Medical Consent Form, and International Student Information Booklets, together constitute our agreement with the client.

In this agreement we 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. 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.

3.2 We 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 appeal processes, does not remove the right of the student to take action under Australia’s consumer protection laws”.

Standard 4 – Education Agents

- 4.1 We must enter into a written agreement with each education agent we engage to formally represent us. 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
- 4.2 We 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).
- 4.3 We 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
- 4.4 Where we have 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, we 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.
- 4.5 We 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.

Standard 5 – Younger Students

- 5.1** Most of our international students are under 18 at time of application. We take on responsibility under the Migration Regulations for approving the accommodation, support and general welfare arrangements for such students and therefore 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 specified PRISMS pro forma letter
 - b)** advise DIAC in writing of the approval using the specified PRISMS pro forma letter
 - 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 specified PRISMS pro forma letter
- 5.2** Where Standard 5.1 applies and the student is under 18 with a student visa that covers multiple courses, where we are the provider with whom the student is currently enrolled, we are responsible for approving arrangements for the student's accommodation, support and general welfare during that nominated period.
- 5.3** Where Standard 5.1 applies and we terminate, suspends or cancels the enrolment of the student, we must continue to check the suitability of arrangements for that student until:
- a)** 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 arrangement
 - b)** the student leaves Australia
 - c)** other suitable arrangements are made that satisfy the Migration Regulations, or
 - d)** we report under Standard 5.1.d that it can no longer approve of the arrangements for the student

5.4 Accommodation and Welfare Policy

- a)** All incoming international students will be accommodated in our Boarding House, unless exceptional circumstances apply.
- b)** Exceptional circumstances would be assessed by the International Director and include:
 - i.** parent appointed guardian living at reasonable proximity to the school providing a written undertaking to provide due care of the student
 - ii.** parent(s) living for an extended and unbroken period of time at reasonable proximity to the school
 - iii.** appropriately documented health or psychological issues, which do not preclude enrolment, meaning that the student's needs could not be met by the Boarding Houses
 - iv.** the student is over 18
 - v.** The student is in grade 5 or 6 in which case they will only be enrolled if they are to live with their parents until the completion of primary school
- c)** No student will be accepted below Grade 5, in accordance with current TPS registration.

- d) If permission to live outside the Boarding House is granted for any reason, The Peninsula School will not relinquish its ultimate responsibility for the accommodation and welfare of international students, as defined by the ESOS Code.
- e) Where a student is under 18 years of age, unless a reputable guardian is provided by the parents, a TPS staff member will be nominated, at no initial or ongoing cost, as a guardian.
- f) Students, other than those described above under exceptional circumstances, will be permitted to enter Homestay, on a case by case basis, as determined by the International Director.
- g) The Homestay service will be exclusively provided by Monash University and as such is expected to be fully compliant with the ESOS Code.
- h) No student under 13yrs may be placed in Homestay unless they normally reside in the boarding house and the placement is temporary and during school holidays.
- i) The Criteria for a temporary move to Homestay, normally during school holidays are:

	Nature of Criteria	Source of Information
1.	Good Conduct	Head of Boarding House School Marshal
2.	Independence and social skills	Head of Boarding House
3.	Sound communication in English	Head of EAL
4.	Financial capacity to pay Homestay fees	Accounts payable

- j) The criteria for a permanent move to Homestay are as follows:

	Nature of Criteria	Source of Information
1.	Good Conduct	Head of Boarding House School Marshal
2.	Independence and reasonable social skills	Head of Boarding House
3.	Sound communication in English	Head of EAL
4.	Financial capacity to pay Homestay fees	Accounts payable
5.	Academic diligence	Head of Sub-School
6.	Self-motivation	Head of Boarding House
7.	Approval from Parent or Guardian	Written confirmation from parent or guardian

- k) Care and ongoing monitoring of students is conducted by a team of professionals as detailed below:

Type of monitoring	Responsible person(s)	Frequency
Attendance	School Marshal	School Days
Attendance	Heads of Boarding House	Daily
Academic	Tutor	School days
	Head of Year	School days
	Head of sub school	As required and advised of need
Residential -Boarding	Heads of Boarding House	Daily
Residential - Homestay	International Program Manager	Daily
	Homestay Parent	Daily
	Monash	Selection inspection
		Annual inspection
		As required and advised
Health	School Nurse	School days
	School doctor	In accordance with appointments made by School Nurse
Marketing	International Director	Daily
Admission	International Program Manager	
Visa regulations	International Program Assistant	
Cancellation		
Deferment		
Suspension		
Integration and Orientation	International Students Liaison Officers	School Days
Social and psychological issues	School Social Worker	By appointment made through the School Nurse
	School psychologist	
Careers Counselling	Careers Counsellor	Compulsory initial and annual consultations and by requested appointment

- l) Information about the welfare and academic progress of students comes from a variety of sources:

	Nature of Correspondence	Source of Correspondence
1.	Formal, written, broadly accessible	Boarding House Log books Daily attendance roles School reports Incident reports
2.	Formal, written and confidential	Medical Reports Parental Correspondence Student generated correspondence
3.	Informal and anecdotal and sometimes confidential	Emails from staff Telephone conversations with Homestay parents and Placement officers Other students
4	Meetings of staff	Discussion at meetings Minutes of meetings

- m) The Boarding Houses will be run as detailed by an information booklet which is available in printed and electronic versions both of which are available to prospective clients and reviewed annually by the International Director.
- n) The Boarding House staff will meet formally at least on a weekly basis with the International Director or his delegate to ascertain that the houses are run in accordance with school policy.
- o) A committee formed from those identified at (g.) above will meet twice each term to ascertain that international students are cared for in accordance with school policy and to review the situation of students for whom concerns have been raised.
- p) Further details about monitoring students, terminating or changing their arrangements can be found in the Monitoring and Enrolment Policy (Standard 10).

Standard 6 – Student Support Services

- 6.1** We must assist students to adjust to study and life in Australia, including through the provision of an age and culturally appropriate orientation program that includes information about:
- a) student support services available to students in the transition to life and study in a new environment
 - b) legal services
 - c) emergency and health services
 - d) facilities and resources
 - e) complaints and appeals processes, and
 - f) any student visa condition relating to course progress and/or attendance as appropriate

- 6.2** We 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 through our pastoral system.
- 6.3** We 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. Such procedures are detailed in the Peninsula International Procedure Manual.
- 6.4** In the event of a critical incident we will activate our procedure as detailed in the separate TPS Critical Incident Procedure manual.
- 6.5** The designated contact person for international students is the International Director. He is supported by the International Program Manager and Administrative Assistant.
- 6.6** In addition to the designated contact person each international student will have access to a tutor, head of year, school nurse, school psychologist, school social worker, school doctor and careers counsellors. Students in the Boarding Houses are cared for by a team of specialist staff. Students in Homestay are overseen by a professional Homestay company operated by Monash University.
- 6.7** The staff detailed at 6.5 must have access to training with respect to ESOS and their job descriptions must specify that they must maintain a working and up to date knowledge of it.

6.8 Student Support Policy

- a)** Each International student who enters the school will be provided with an Orientation Program.
- b)** The Orientation Program will be delivered by the English Language Centre for most International students who first study there.
- c)** Those not entering the school through the English Language Centre will be provided with an Orientation Program through the International Program Manager.
- d)** The Orientation Program will include the following information:
 - i.** responsibilities and obligation under a student visa
 - ii.** the TPS complaints and appeals procedure and legal support
 - iii.** the physical facilities
 - iv.** banking
 - v.** uniform
 - vi.** accommodation
 - vii.** health issues and support and emergency procedures
 - viii** monitoring course progress and attendance
 - ix.** meeting key people relating to health, academic progress, careers counselling, accommodation in Boarding or Homestay
 - x.** Billing and fee payment
- e)** The key contact persons for International Students is the International Director. He is supported by the International Programs Manager and The International Program Administration Assistant

- f) The International Program staff have specified in their position descriptions the need for knowledge upon induction and ongoing training in the compliance with the ESOS Code and its implications for students.
- g) The training available to International Program staff will include:
- DIAC briefings and publications
 - University briefings and publications
 - VCAA briefings and publications
 - VTAC briefings and publications
 - MARA briefings, training and publications
 - VASS training
 - Customer Service training
 - Financial management training
 - First Aid training
 - Food and Safety training
 - PRISMS Training
 - DEEWR Training

Standard 7 – Transfer between registered providers

7.1 We must not knowingly enrol the student wishing to transfer from another registered provider's course within the first six months of the commencement date of that student's 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

7.2 We must have and implement a documented student transfer request assessment policy and procedure, which is available to staff and students. This policy will be contained in our International Students information booklet and Policy Manual. 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.

7.3 We 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

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.

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.

7.6 We 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.

7.7 The Transfer Policy:

If student has had tenure of less than six months at TPS and exceptional circumstances do not apply, a written refusal with reasons will be provided. Counselling will be provided. Access to the TPS Grievance Procedure will be offered in the refusal letter.

Exceptional circumstances are defined by this table:

Exceptional circumstance	Clarification	Proof required
Health	The school environment is determined to be detrimental to the physical or psychological health of the student	Written report by qualified doctor or psychologist
Financial	The family of the student is unable to continue to pay school fees.	Confirmation by the family accountant or banker

- a) The total time taken to assess the application for transfer, provide counselling, make necessary contacts, conduct an appeal and provide any consequential documentation will not exceed 10 working days.
- b) If exceptional circumstances apply, or an appeal against an initial refusal is successful, then permission in writing will be provided.
- c) If a student will have had tenure of greater than six months and access to counselling has been provided and they wish to transfer then permission will be granted.
- d) Once permission is granted a Letter of Release will only be provided if:
 - i. a letter from another registered provider confirming that a valid enrolment offer has been made, and
 - ii. where the student is under 18, the registered provider has written confirmation that the student's parent or legal guardian supports the transfer, and
 - iii. 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

- e) If the conditions above are met a Letter of Release and copies of reports will be provided, confirmation with the new school will take place and PRISMS will be updated accordingly. No additional cost will be incurred for such services.
- f) TPS will accept responsibility for the transferring student, if they are to remain in Australia and there is no intervening school holiday period, until such time as they have been collected by their parent or guardian or their authorised representative or until such time as TPS delivers them to their new authorised place of residence. The authorised place of residence will be provided by the new school and confirmed by the student's parents, guardian or authorised representative.

Standard 8 – Complaints and appeals

8.1 We must have an appropriate internal complaints handling and appeals process that satisfies the following requirements, or can use its existing 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.
- 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 possible.

8.2 We must have arrangements in place for a person or body independent to us to hear complaints or appeals arising from our internal complaints and appeals process or refer students to an existing body where that body is appropriate for the complaint or appeal.

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

8.4 If the student chooses to access our complaints and appeals processes as per this standard, we must maintain the student's enrolment while the complaints and appeals process is ongoing.

8.5 If an internal or external complaint handling or appeal process results in a decision that supports the student, we must immediately implement any decision and/or corrective and preventative actions required and advise the student of the outcome.

8.6 Complaints and Appeals Policy

- a) Complaints will initially be dealt with by the International Director.
- b) During the initial consultation process details of the School Complaints and Appeals Policy will be provided to the complainant.

- c)** Should the matter be unresolved after initial consultation the matter will be referred, within 10 working days, at no cost, to a Complaints Committee which will be composed as follows in accordance with the nature of the issue:

Residential	Deputy Principal, International Director and	Head of Appropriate Boarding House
Academic	Deputy Principal, International Director and	Head of Sub school
Health	Deputy Principal, International Director and	School Nurse or Doctor
Conduct	Deputy Principal, International Director and	School Marshal

- d)** For the complaint or appeal process, the complainant can choose to have any member of TPS staff support him/her other than those listed above and/ or any reputable adult from outside of the school.
- e)** The complainant can choose to have a formal statement of grievance prepared by the International Director or by those listed at (d.) above.
- f)** The outcome of the Complaint Committee hearing will be provided in writing to the complainant with 24 hours, including the clause: “should you be dissatisfied with the outcome or process of this hearing of the Complaint Committee you are entitled to an external appeal”.
- g)** Should the complainant wish to take the matter to an appeal process, a committee, as identified at (c.) above will be constituted from Toorak College or another school from the AGS group. A levy of \$500 will apply payable to such school.
- h)** The Deputy Principal from the school that conducts the appeal will prepare a letter informing the complainant of the outcome within 48 hours.
- i)** The complainant’s enrolment will be maintained during the complaint and appeal process.
- j)** If the internal or external complaint or appeal process results in a decision that supports the student, we will immediately implement any decision and/or corrective action required and advise the student of the outcome.
- k)** Criteria for assessing complaints. A negative outcome against a student can only be upheld if all of the following criteria apply and the issue is not of a criminal nature:

1.	Student has been properly informed in writing of his/her rights and obligations with respect to their enrolment at TPS.
2.	The matter in question is a clear breach of their responsibilities to TPS, or related agencies such as the VCAA.
3.	Student has had access to appropriate counselling/ support services from experts detailed at standard 6.
4.	At least one written warning has been issued to the student and their family/legal guardian.
5.	Written confirmation of alleged incident/breach/issue is provided from a reputable source.
6.	The Complaints and Appeals process as detailed above has been followed

- l) If the matter at issue with the complainant is of a criminal nature, then the school reserves the right to consult its legal representatives as to the appropriate action to take.

Standard 9 - Completion within the expected duration of study

- 9.1** We 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, we 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.
- 9.2** We 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:
- a) 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).
 - b) we have implemented our intervention strategy for students who were at risk of not meeting satisfactory course progress, or
 - c) an approved deferment or suspension of study has been granted under Standard 13.
- 9.3** Where there is a variation in the student's load which may affect the student's expected duration of study in accordance with 9.2, we must record this variation and the reasons for it on the student file. We 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.
- 9.4** The registered provider may allow the student to undertake no more than 25 percent 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.
- 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.

9.6 The Enrolment and Monitoring Policy

- a) Students, their parents, guardians or authorised representatives must inform the International Director or his delegate of each of the following matters. The appropriate action is show:

	Matter to be notified	Action
1.	Change of Home Address or Home stay address or contact details	Inform Admissions to change Synergetic Data
2.	Change of Medical Condition	Inform Medical Centre
3.	Intention to defer or cancel	Counsel, inform DIAC through PRISMS. See also Refund Policy
4.	Intention to transfer	See Transfer Policy. Standard 7
5.	Intention to move to Home stay	Parent approval in writing. Student completes Application form on line
6.	Breach of Visa Condition	Counsel. Notify student of intention to report and available appeals process. If no appeal after 20 days or appeal is unsuccessful or withdrawn, notify DEEWR through PRISMS. Make exit arrangements.

- b)** The Head of the Junior, Middle or Senior School must inform the International Director or his delegate if any international student fails or is in danger of failing a subject, cannot be promoted at the end of the year or is in danger of not being promoted or is not complying with the School's Code of Conduct or visa conditions such as attendance as shown below:

	Issue	Response will include
1.	In danger of failing or failing a subject	Inform parents, counsel student, set up extra tuition through class teacher, arrange counselling by Careers Counsellor, Psychologist or Social Worker
2.	In danger of failing a year	Inform parents, counsel student, set up extra tuition through class teacher, arrange counselling by Careers Counsellor, Psychologist or Social Worker.
3.	Failing a year	Inform parents, arrange counselling as above. Investigate visa implications. If new visa required, decide whether exceptional circumstances apply. If yes, facilitate new visa. If not, notify student of intention to report and available appeals process. If no appeal after 20 days or appeal is unsuccessful or withdrawn, notify DEEWR through PRISMS. Make exit arrangements.
4	Serious Breaches of school Rules	Inform parents, counsel, arrange further counselling by Psychologist or Social Worker. Caution, Punish, Place on Contract, Suspend, Expel. If expelled, and after full access to appeals process, inform DEEWR through PRISMS.
5.	Breach of Visa conditions, including poor attendance	Notify student of intention to report and available appeals process. If no appeal after 20 days or appeal is unsuccessful or withdrawn, notify DEEWR through PRISMS. Make exit arrangements.

9.7 Attendance

An electronic daily attendance record is maintained for each student at TPS by the School Marshal. TPS policy is to know the whereabouts of all students under the school's care in school time at all times. The reason for absence for each student in the school is determined by the School Marshal and recorded. A daily absentee report is provided electronically to all TPS staff.

The Head of sub-school determines from this daily report, which can provide summary information over extended periods, any breaches or possible breaches of the TPS attendance policy.

Where breaches or possible breaches of attendance apply to international students, the Head of sub-school informs the International Director or delegate.

- a)** The International Director or delegate will take action in accordance with the table at (b.) above.
- b)** Students will be verbally warned of a possible breach of their visa conditions after each single day of unauthorised absence.
- d)** Where unauthorised absences reach 4 days in number, the student and their family will be given a formal written warning which will be stored in their file.

- d)** The exceptional circumstances referred to at item 4 in the table above are:
 - i.** 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)
 - ii.** we have implemented our intervention strategy for students who were at risk of not meeting satisfactory course progress, or
 - iii.** an approved deferment or suspension of study has been granted under Standard 13
- e)** International students will be permitted to undertake only one subject in each year of attendance by Distance Education.
- f)** The details of their enrolment and any changes to their enrolment at TPS, in VET Programs or in Distance Education will be stored in their physical file and electronically.
- g)** The TPS minimum attendance requirement is 90% and as such a student will be in breach of it before they are in breach of their visa attendance requirement.
- h)** The Enrolment and Monitoring Policy will meet the requirements of Standard 10.

Standard 10 - Monitoring course progress

- 10.1** 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.
- 10.2** We 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:
 - a)** requirements for achieving satisfactory course progress.
 - b)** process for assessing satisfactory course progress.
 - c)** procedure for intervention for students at risk of failing to achieve satisfactory course progress.
 - d)** process for determining the point at which the student has failed to meet satisfactory course progress, and
 - e)** procedure for notifying students that they have failed to meet satisfactory course progress requirements.
- 10.3** We 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.
- 10.4** We 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:
 - a)** procedures for contacting and counselling identified students.
 - b)** strategies to assist identified students to achieve satisfactory course progress, and
 - c)** the process by which the intervention strategy is activated.
- 10.5** We 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.

- 10.6** Where we have assessed the student as not achieving satisfactory course progress, we 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.
- 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.
- 10.8** The TPS procedures related to Standard 10 are embedded in the Enrolment and Monitoring Policy at 9.6 and contained in a separate document entitled *TPS Reporting and Assessment Policy*.

Standard 11 – Monitoring attendance

- 11.1** We 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 school course.
- 11.2** We must have and implement appropriate documented attendance policies and procedures for each course which must be provided to staff and students that specify the:
- a)** requirements for achieving satisfactory attendance, which at a minimum, requires overseas students to attend at least 80% of the scheduled course contact hours.
 - b)** manner in which attendance and absences are recorded and calculated.
 - c)** process for assessing satisfactory attendance.
 - d)** process for determining the point at which the student has failed to meet satisfactory attendance.
 - e)** procedure for notifying students that they have failed to meet satisfactory attendance requirements.
- 11.3** We 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% 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%).
- 11.4** We must regularly assess the attendance of the student in accordance with the registered provider's attendance policies and procedures.
- 11.5** Where we have assessed the student as not achieving satisfactory attendance we 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.
- 11.6** 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.

11.7 For ELICOS and school courses identified in 11.1, the registered provider may only decide not to report a student for breaching the 80% 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% of the scheduled course contact hours for the course in which he or she is enrolled.

11.8 ATTENDANCE POLICY

An electronic daily attendance record is maintained for each student at TPS by the School Marshal. TPS policy is to know the whereabouts of all students under the school's care in school time at all times. The reason for absence for each student in the school is determined by the School Marshal and recorded. A daily absentee report is provided electronically to all TPS staff.

The Head of sub-school determines from this daily report, which can provide summary information over extended periods, any breaches or possible breaches of the TPS attendance policy.

Where breaches or possible breaches of attendance apply to international students, the Head of sub-school informs the International Director or delegate.

- a) The International Director or delegate will take action in accordance with the table at (b.) above.
- b) Students will be verbally warned of a possible breach of their visa conditions after each single day of unauthorised absence.
- c) Where unauthorised absences reach 4 days in number, the student and their family will be given a formal written warning which will be stored in their file.
- d) The exceptional circumstances referred to at item 4. In the table above are:
 - i. 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 pre-requisite unit)
 - ii. we have implemented our intervention strategy for students who were at risk of not meeting satisfactory course progress, or
 - iii. an approved deferment or suspension of study has been granted under Standard 13
- e) International students will be permitted to undertake only one subject in each year of attendance by Distance Education.
- f) The details of their enrolment and any changes to their enrolment at TPS, in VET Programs or in Distance Education will be stored in their physical file and electronically.
- g) The TPS minimum attendance requirement is 90% and as such a student will be in breach of it before they are in breach of their visa attendance requirement.

11.9 The TPS procedure related to Standard 11 are also embedded in the Monitoring Policy at 9.7.

Standard 12 – Course credit

12.1 Where we grant course credit, we 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.

12.2 If we grant the student course credit which leads to a shortening of the student's course, we 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.

Standard 13 – Deferring, suspending or cancelling the student's 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 We 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.

13.2 We 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.

13.3 We 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.

13.4 We must inform the student of its intention to terminate, suspend or cancel the student's enrolment where the termination, 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 our internal complaints and appeals process, the termination, suspension or cancellation of the student's enrolment under this standard cannot take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.

Standard 14 – Staff capability, educational resources and premises

14.1 We must have and implement policies and procedures to ensure our 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, we 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.

- 14.2** We 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, we 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 us.
- 14.3** We 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.
- 14.4** Our compliance with this standard is also assured by our compliance with the Registered School's Code.

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** We must advise the designated authority in writing of:
- a)** any prospective changes to the ownership of TPS 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 TPS 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.
- 15.2** We 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.
- 15.3** Our compliance with this standard is also assured by our compliance with the Registered School's Code.