

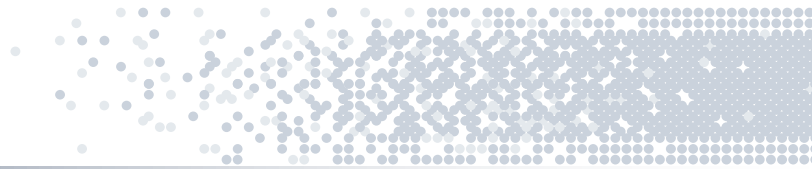


Audit report – CRICOS

Commonwealth Register of Institutions and Courses for Overseas Students

(Initial and continuing registration)

ORGANISATION DETAILS		
Organisation's legal name	Envirotech Institute of Education Pty Ltd ATF Envirotech Institute of Education Trust	
Trading name/s	Envirotech Institute of Education, Envirotech International College, Burleigh Heads International College, Byron Bay International College	
RTO number (if applicable)	31871	
CRICOS number (if applicable)	03094J	
AUDIT TEAM		
Lead auditor	Amanda Fairweather	
Auditor/s	n/a	
Technical adviser/s	n/a	
AUDIT DETAILS		
Application number/s	1060678	
Audit number/s	1006008	
Audit reason 1	Change registration - new location	
Audit reason 2	n/a	
Audit reason 3	n/a	
Activity type	Site visit	
Address of site/s visited	27/33 Childe Street, Byron Bay NSW 2481	
Date/s of audit	18/06/2014	
Organisation's contact for audit	Shelly Bengiat shelly.bengiat@envirotech.edu.au	Director / CEO 07 5535 3766
Education Services for Overseas Students Act 2000 - sections audited	n/a	
National Code – Part C Registration on CRICOS – sections audited	n/a	
National Code – Part D Standards for Registered Providers – standards audited	Selected Standards for Registered Providers 6, 14.1, 14.2	



Audit report – VET Quality Framework

**Continuing registration as a national VET regulator
(NVR) registered training organisation**



BACKGROUND

- The provider is applying add 27/33 Childe Street, Byron Bay NSW 2481 as an additional delivery site, with a capacity of 400.
 - This would increase the provider's total capacity from 440 to 840.
 - The provider's current delivery venue is located at 62-66 Goodwin Terrace, Burleigh Heads QLD 4220.
 - As 100 students are currently carpooling from Byron Bay to attend the Burleigh Heads campus, the provider has identified a market need to deliver training and assessment in Byron Bay. The proposed Byron Bay campus is located close to the town centre and share house and backpacker accommodation.
 - The provider's organisational structure consists of the CEO, Student Register, Learning Resources Manager, Trainers/Assessors and Marketing.
 - The provider has no partnership or significant associations.
 - Core clients consist of international students.
 - Fee revenue sources consist of fee for service. The provider also has user choice approval for BSB20112 Certificate II in Business and BSB30112 Certificate III in Business and Centrelink ausstudy approval for all qualifications on its scope of registration, except for ICA20111 Certificate II in Information, Digital Media and Technology.
- 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
Burleigh Heads QLD	440	291

- Current maximum capacity (as listed on PRISMS): 440
- Total number of enrolments as at audit date:

International	291
Domestic	0

COURSES SAMPLED

CRICOS Code	National Code	Qualification/Course/Program title	Location	Current enrolments (If not yet on scope, record N/A)
076379C	40620SA	Certificate I in English Proficiency	Byron Bay NSW	N/A
076380K	40621SA	Certificate II in English Proficiency	Byron Bay NSW	N/A
076381J	40622SA	Certificate III in English Proficiency	Byron Bay NSW	N/A
076382G	40623SA	Certificate IV in English Proficiency	Byron Bay NSW	N/A
081090M	BSB10112	Certificate I in Business	Byron Bay NSW	N/A
081091K	BSB20112	Certificate II in Business	Byron Bay NSW	N/A
081092J	BSB30112	Certificate III in Business	Byron Bay NSW	N/A
075147E	BSB40407	Certificate IV in Small Business	Byron Bay NSW	N/A



Management				
077251M	BSB50207	Diploma of Business	Byron Bay NSW	N/A
075148D	BSB51107	Diploma of Management	Byron Bay NSW	N/A
073538F	BSB51413	Diploma of Project Management	Byron Bay NSW	N/A
077247G	ICA10111	Certificate I in Information, Digital Media and Technology	Byron Bay NSW	N/A
077249E	ICA20111	Certificate II in Information, Digital Media and Technology	Byron Bay NSW	N/A
077250A	TAE40110	Certificate IV in Training and Assessment	Byron Bay NSW	N/A

INTERVIEWEES

Name	Position	Course
Shelly Bengiat	CEO / Trainer & Assessor	N/A
Shani Shpilman	Quality Manager / Trainer & Assessor	N/A
Yoav Proart	Learning Resources Manager / Trainer & Assessor	BSB51413 Diploma of Project Management

ORIGINAL AUDIT FINDING AT TIME OF AUDIT

Audit finding as at 18/06/2014:

ESOS Act: **n/a**

National Code Part C: **n/a**

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 01/08/2014:

ESOS Act: **n/a**

National Code Part C: **n/a**

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	Not audited	n/a
8	Not audited	n/a
9	Not audited	n/a
10	Not audited	n/a
11	Not audited	n/a
12	Not audited	n/a

National Code Part D Registration on CRICOS

1	Not audited	n/a
2	Not audited	n/a
3	Not audited	n/a
4	Not audited	n/a
5	Not audited	n/a
6	Not compliant	Compliant
7	Not audited	n/a
8	Not audited	n/a
9	Not audited	n/a
10	Not audited	n/a
11	Not audited	n/a
12	Not audited	n/a
13	Not audited	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:
 - a) the student's current residential address
 - b) the student's mobile phone number (if any)
 - c) the student's email address (if any), and
 - d) 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:
 - a) the provider confirms, in writing, the details referred to in subsection (2) with the student, and
 - b) the records are updated accordingly
- (2B) If:
 - a) an accepted student of a registered provider completes an approved unit of study for a course, and
 - b) 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:
 - a) kept in accordance with any requirements prescribed by the regulations, and
 - b) 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 the agents of registered providers

A registered provider must:

- (a) maintain a list of all the provider's agents; and
- (b) publish that list:
 - (i) on its website; and
 - (ii) in any other manner prescribed by the regulations; and
- (c) 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: Not audited

Following rectification: n/a

SECTION 8 Work-based training

Original finding: Not audited

Following rectification: n/a

SECTION 9 Mode and place of study

Original finding: Not audited

Following rectification: n/a

SECTION 10 Arrangements with other providers

Original finding: Not audited

Following rectification: n/a

SECTION 11 Inspection of premises

Original finding: Not audited

Following rectification: n/a

SECTION 12 Maximum number of students

Original finding: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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:

- 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 arrangements
- b. the student leaves Australia
- c. other suitable arrangements are made that satisfy the Migration Regulations, or
- d. 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:

- 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.

Original finding: Not compliant

Following rectification: Compliant

Reasons for finding of non-compliance:

- The provider supplied its Student Handbook which included support services relevant to Burleigh Heads, however did not include the provision of an age and culturally appropriate orientation programme which includes information to support students to adjust to study and life in Byron Bay. Specifically the provider did not provide an appropriate orientation programme which 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, and
 - facilities and resourceslocated in Byron Bay and at the Byron Bay campus.



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

- provide evidence of an 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, and
 - facilities and resourceslocated in Bryon Bay and at the Bryon Bay campus.

Analysis of rectification evidence:

- The provider supplied its Byron Bay Student Handbook and orientation powerpoint which included 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, and
 - facilities and resourceslocated in Bryon Bay and at the Bryon Bay campus.

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: Not compliant

Following rectification: Compliant

Reasons for finding of non-compliance:

- The registered provider supplied a Student Handbook which detailed welfare related support services for the Burleigh Heads campus, however did not provide information relevant to the Byron Bay campus, for students to access welfare-related support services, to assist with issues that may arise during their study, including accommodation issues.

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

- provide evidence to demonstrate that students studying at the Byron Bay campus have access to welfare-related support services, to assist with issues that may arise during their study, including accommodation issues.

Analysis of rectification evidence:

- The provider supplied its Bryon Bay Student Handbook and orientation powerpoint which included information regarding welfare-related support services, to assist with issues that may arise during study, including accommodation issues.



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: Not compliant

Following rectification: Compliant

Reasons for finding of non-compliance:

- The provider supplied names of student support personnel who would be available for the day classes however this evidence did not demonstrate that sufficient student support personnel are available to meet the needs of students for all class shifts (including evenings and weekends) and are sufficient for the requested student capacity of 400 students at the Byron Bay campus.

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

- provide evidence to demonstrate that sufficient student support personnel are available to meet the needs of students for all class shifts (including evenings and weekends) and are sufficient for the requested student capacity of 400 students at the Byron Bay campus.

Analysis of rectification evidence:

- The provider supplied an updated organisational chart and support staff roster to demonstrate that sufficient student support personnel are available to meet the needs of students for all class shifts (including evenings and weekends) and are sufficient for the requested student capacity of 400 students at the Byron Bay campus.

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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:
- 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. the registered provider implementing its 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.

Original finding: Not audited

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: Not audited

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: Not audited

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 audited

Following rectification: n/a

STANDARD 10 Monitoring course progress

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.

- 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.

Original finding: Not audited

Following rectification: n/a



- 10.2** 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:
- 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.

Original finding: Not audited

Following rectification: n/a

- 10.3** 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.

Original finding: Not audited

Following rectification: 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:
- 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.

Original finding: Not audited

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: Not audited

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: Not audited

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: Not audited

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:
- a. an accredited vocational education and training course (unless Standard 11.2 applies)
 - b. an accredited school course
 - c. an accredited or non-award ELICOS course, or
 - d. another non-award course.

Original finding: Not audited

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:
- a. 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
 - 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, and
e. procedure for notifying students that they have failed to meet satisfactory attendance requirements.

Original finding: Not audited

Following rectification: n/a

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 audited

Following rectification: n/a

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 audited

Following rectification: n/a

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not audited

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: Not compliant

Following rectification: Compliant

Reasons for finding of non-compliance:

- The provider supplied a trainer/assessor matrix, copies of qualifications and resumes, professional development register, staff recruitment policy, staff training strategy for all trainers and assessors delivering qualifications across its intended scope of registration at the Byron Bay campus. However the provider did not supply evidence to demonstrate that its nominated trainer and assessor for BSB51107 Diploma of Management, Tracey Mayer, holds the relevant vocational competency at least to the level being delivered.

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

- provide evidence to demonstrate that its nominated trainer and assessor for BSB51107 Diploma of Management, Tracey Mayer, holds the relevant vocational competency at least to the level being delivered.

Analysis of rectification evidence:

- The provider supplied the qualification issued to Tracey Mayer for BSB51107 Diploma of Management and equivalence matrix with relevant work experience in order to demonstrate that its nominated trainer and assessor for BSB51107 Diploma of Management holds the relevant vocational competency at least to the level being delivered.

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: Compliant

Reasons for finding of non-compliance:

- The provider supplied a lease, council approval, timetable, empty premises and floor plan for the Byron Bay campus however did not provide evidence to demonstrate that it had sufficient offices, classrooms, facilities and equipment for the Byron Bay premises. In addition, the provider did not supply evidence to demonstrate that it had the equipment, as specified in the relevant Training Package, for the training and assessment of ICA20111 Certificate II in Information, Digital Media and Technology at the Byron Bay campus.

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

- provide evidence to demonstrate that it has sufficient offices, classrooms, facilities and



equipment for the Byron Bay premises. In addition, the provider must demonstrate that it has the equipment, as specified in the relevant Training Package, for the training and assessment of ICA20111 Certificate II in Information, Digital Media and Technology at the Byron Bay campus.

Analysis of rectification evidence:

- The provider supplied:
 - an updated floor plan which included offices, classrooms and the seating capacity for the Byron Bay campus.
 - photos of the premises which included the classrooms, offices, chairs, tables, projector, sound system, kitchen and student common area.
 - an equipment and facilities checklist for the Bryon Bay campus
 - updated training and assessment strategy for ICA20111 Certificate II in Information, Digital Media and Technology
 - an equipment checklist for the training and assessment of ICA20111 Certificate II in Information, Digital Media and Technology
 - photos of the equipment relevant to the training and assessment of ICA20111 Certificate II in Information, Digital Media and Technology.

The evidence provided demonstrated that the provider has sufficient offices, classrooms, facilities and equipment for the Byron Bay premises. In addition, the evidence demonstrated that the provider has the equipment, as specified in the relevant Training Package, for the training and assessment of ICA20111 Certificate II in Information, Digital Media and Technology at the Byron Bay campus.

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.
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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: <ul style="list-style-type: none">a. any prospective changes to the ownership of the registered provider as soon as practicable prior to the change taking effect, andb. 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.
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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.
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Original finding: Not audited

Following rectification: n/a