INTERNATIONAL STUDENTS REPORTING REQUIREMENTS POLICY AND PROCEDURE

1. PURPOSE

The purpose of this Policy and Procedure is to describe how George Brown College (GBC) will comply with its reporting obligations as set out in the ESOS Framework which comprises

- Education Services for Overseas Students ESOS Act 2000 (ESOS Act),
- Education Services for Overseas Students Regulations 2001 (ESOS Regulations)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code).

2. POLICY

This policy outlines the obligations of the College as a CRICOS provider in maintaining the integrity of the Vocational Education and Training sector through compliance with the ESOS Framework by maintaining student records, monitoring students and providing information via PRISMS about accepted students and any Student Course Variations (SCV) as outlined in Section 19 of the Education Services for Overseas Students (ESOS) Act 2000.

All staff are required to comply with the ESOS regulatory framework and implement the College's policies and procedures relating to international students.

The College will ensure that

- All reporting obligations must be made through PRISMS
- All relevant information related to international students is entered into PRISMS in a timely manner; PRISMS facilitates the monitoring of student compliance with visa conditions, as well as provider compliance with the ESOS Act.
- It keeps the relevant government agencies up-to-date with any notifiable changes.
- Staff induction includes their obligations in relation to the ESOS Framework and International students.
- Staff are kept up-to-date with any changes in relation to the ESOS regulatory framework which may affect their duties.
- Any education agents engaged to recruit international students on behalf of the College will be aware of their obligations under the ESOS Framework and National Code 2018.

3. RESPONSIBILITIES

Administration/Student Services Team Leader is responsible for ensuring compliance with this policy and procedure.
Student Services and Administration Staff report on student misconduct or academic progress concerns via PRISMS.
All staff must be familiar with and adhere to the reporting requirements
Finance Team is responsible for notifying the Administration/Student Services Team Leader when a student is not meeting their financial payment obligations under their visa conditions.

Students are responsible for meeting all conditions of their visa and for notifying the College of any change of personal situation (including location / moving, change of phone number, financial situation etc.) as soon as it becomes known.

4. REQUIREMENTS

The College must comply with the following requirements

- Education Services for Overseas Students Act 2000 (ESOS Act),
- Education Services for Overseas Students Regulations 2001 (ESOS Regulations) and
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code).

ESOS Act Section 19 Giving information about accepted students.

Within 31 days enter the following information into PRISMS

A. Commencement of studies

Section 19(1)(a and b) of the ESOS Act requires the provider to give the name, starting day and expected duration of the course for which the student is accepted;

B. Non commencement of studies (student default)

Section 19(1)(c) of the ESOS Act requires the provider to give prescribed information about an accepted student who did not begin his or her course on the agreed starting date.

C. Termination of studies

Section 19(1)(d) of the ESOS Act requires the provider to give prescribed information about the termination of an accepted student studies before the student's course is completed.

D. Change to identity or duration of course

Section 19(1)(f) of the ESOS Act requires the provider to give information on any other prescribed matter about an accepted student.

E. Breach of prescribed conditions

Section 19 (2, 2A) A registered provider must give particulars of any breach by a student of a prescribed condition of a student visa as soon as practicable after the breach occurs and must give particulars of a breach by a student under subsection (2) even if the student has ceased to be an accepted student of the provider.

ESOS Act Section 21 Record Keeping.

Within 31 days enter the following information into PRISMS

Record of student details

Section 21 (1, 2) of the *ESOS Act* requires a registered provider to 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. The records must consist of the following details for each accepted student:

- the student's current residential address;
- the student's mobile phone number (if any);
- the student's email address (if any);

- any other details prescribed by the regulations.

ESOS Act Section 21 Update Records

Section 21 (2A) The provider must have a procedure to ensure that, at least every 6 months, while the student remains an accepted student of the provider that the provider confirms, in writing, the details referred to in subsection (2) with the student; and the records are updated accordingly.

Record of assessment

Section 21 (2B) Where a student completes a unit of study and that unit is assessed the provider must record the outcome of the student's assessment for the unit.

Retention of records

Section 21(3) The provider must retain records 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.

Section 21A Obligations relating to the agents of registered providers

A registered provider must maintain a list of all the provider's agents; and publish that list:

a. on its website; and
b. in any other manner prescribed by the regulations; and
c. comply with any requirements of regulations made for the purposes of subsection (2)

5. SCOPE

This policy applies

- to all staff involved in the management, administration, and delivery of courses to overseas students enrolled under CRICOS.
- All international students on a student visa

6. PROCEDURES

Please see PRISMS User Guide V 1 Feb 2022
ASQA Guide to reporting obligations for CRICOS providers—1 July 2020

This information must be reported through PRISMS within the specified periods below

a. 14 days - if the student is under 18 years of age
b. 31 days - all other international students

6.1 Non-Commencement of Studies

Students are required to commence their course within 14 days from the course start date. If they do not, they are required to complete the Course Variation Form before the course start date and should defer their course by 14 days. Failure to do so will result in cancellation of their COE after 14 days from course start date.

Non-Commencement of studies can be due to various reasons:

- Delay in Student Visa being granted where student is outside Australia
- On-shore student choose to return permanently to their home country and not commence the course.

- Student does not commence the course and no reason is provided

a. Off-shore Students

Off-shore students who are waiting for their student visa to be finalised and their course commencement date has passed, must submit:

- Course Variation Form within 21 days of their Agreed Starting Date, requesting to defer their course commencement to the next available intake. If a student submits the required documents as mentioned above within 21 days, the College will complete the deferment of the Couse Start Date to the next available intake and enter relevant comments in PRISMS within 31 days of the Agreed Starting Date.

- If a student fails to submit a Course Variation Form within 21 days of their course start date, the College will initiate the process of course variation and report such instance on PRISMS within 31 days of the agreed starting date of the course under Non-Commencement of Studies.

b. On-shore students

If an onshore student decides to withdraw from a course and return permanently to their home country before course commencement date, they must submit:

- A completed Course Variation Form to the College.
- A completed Form 1194 and copy of the flight ticket to be emailed to Department of Home Affairs (DHA) on super.hobart@border.gov.au to voluntarily cancel their student visa and send a copy to GBC's email.
- If a student fails to submit the Course Variation Form within 21 days of their course start date, the College will initiate the process of enrolment variation and report such instance on PRISMS within 31 days of the agreed start date.

c. Onshore and offshore students

Where students had their visa granted but did not commence their course or contact the College to defer the course, the Student Services Officer must within the first week of the agreed start date contact those students by sending them an email reminding them of their course commencement date.

If students do not commence the course or request a deferral within 21 days of agreed start date (10 days for students under 18 years of age), then the College will initiate the process of enrolment variation and report such instance on PRISMS within 31 days of agreed start date.

d. Notification of students.

The Student Services Officer is required to notify the student in writing of the cancellation of their CoE once the action is taken

6.2.Termination of studies (non-resumption of studies)

The College may cancel a student's enrolment for any of the following reasons:

- Non-payment of fees
- Disciplinary reasons
- unsatisfactory course/attendance progress
- Student no longer holding a valid visa
- The College is unable to deliver the course

The Student Services Officer is required to notify the student in writing of the cancellation of their CoE once the action is taken

Termination of studies before the course is completed.

a) Termination of studies can be initiated by the student or the College, as outlined below:

- Where the student advises the College that they will not be continuing their studies with the College for various reasons such as a new visa or returning home country for good.
- Where the student does not re-enrol or attend their scheduled class on the recommencement day within 10 days of the course resumption following a scheduled term break or holiday, deferment or a suspension, it is considered an inactive notification by the student of the termination of their studies with the College.
- does not inform the College of any delay in returning to studies within 10 days of the course resumption

b) Students deemed to have terminated their studies will have their enrolment cancelled for the reason of 'cessation of study'.

c) The Student Services Officer will ensure the records of all evidentiary and supporting documents are kept in student folder in SMS and get approval from the PEO for CoE cancellation.

d) Once the cancellation is approved, within 5 working days the Student Services Officer should take action in PRISMS with as much detailed information as possible when making the comments regarding the reasons for the termination.

e) Students who return to study after cancellation of enrolment, will need to reapply for their course and pay applicable fees.

6.3 Change of identity or duration of the course

Change in the identity or duration of an accepted student's course

- Change of identity or the duration of the course could be on student request or initiated by the College.
- Any request for course variation by the student will require them to complete the Course Variation Form.
- The Student Services Officer will make a decision on the course variation request in consultation with the Student Services Team Leader and get approval from the PEO
- Any course variation will be reported to Department of Home Affairs via PRISMS by the Student Services Officer within 5 working days.

The student will be informed by the Student Services Officer of the changes to their CoE and a copy of new CoE to be provided to the student via student email and copy to their agent if any.

6.4 Deferment or suspension of studies

Standard 9.2 of the ESOS National Code, states that the College may only extend the duration of the student's study where it is clear that the student will not complete their course within the expected duration (as specified in the student's CoE) as the result of one or more of the following circumstances:

- Where student has not passed the pre-requisite qualification prior to the subsequent course
- Where an international student is undertaking an intervention strategy because he/she has been deemed to be at risk of not meeting satisfactory course progress
- Where student has got approval from the College to defer or suspend their study for compassionate or compelling circumstances
- Where the College may also initiate suspension of a student's enrolment due to misbehaviour of the student.

Note - This Standard allows for three different outcomes for the student's Confirmation of Enrolment (CoE):

Outcome 1 – the College will notify the Department of Employment and Work Place Relations (DEWR) through PRISMS that it is deferring or suspending a student's enrolment for a period without affecting the end date of the CoE. In this case there is no change to the CoE or the student's enrolment status on PRISMS i.e. the student's CoE status will still be listed as 'studying'. However, the notice of deferment or suspension will be recorded in PRISMS and sent on to the Department of Home Affairs. This information will be kept for future reference.

Outcome 2 – the College will notify the DEWR through PRISMS that it is deferring or suspending a student's enrolment for a period which will affect the end date of the CoE. In such situations, PRISMS will cancel the original CoE, and immediately offer the College the opportunity to create a new CoE with a more appropriate end date. If the College does not know when the student will return, it can choose not to create a new CoE at that point, but to wait until the student has notified the College of the intended date of return before creating the new CoE.

Outcome 3 – the College will notify the DEWR through PRISMS that it wishes to permanently cancel (terminate) the student's enrolment. Once this process is complete, the student's CoE status will be listed as 'cancelled'.

The following information is required to be reported via PRISMS within 10 working days when an enrolled student's studies have been suspended or deferred at the request of the student or by the College.

- The proposed duration of any deferment or suspension of studies
- The change to the proposed end date of the deferment or suspension of studies

Reporting on deferment or suspension of studies

a. Any deferment or suspension of studies, whether initiated by the student or the College, will follow the procedure outlined in the Deferment, Suspension or Cancellation of Enrolment Policy and Procedure
b. The Student Services Officer will ensure that records of all evidentiary and supporting documents for cancellation of enrolment are kept in the student file.
c. The Student Services Officer will take the course variation request into consideration and consult with the PEO within 5 working days when the request is received.
d. A copy of this form will be maintained in the student's folder, saved in the SMS

e. Upon receiving approval by the PEO, the Student Services Officer will inform DHA via PRISMS of any student deferment or suspension within 5 working days of the deferment or suspension.
f. Where a student requests an 'extension' to their CoE because the student or the College has identified that the student will not be able to complete their course of study by the Proposed Course End Date indicated on the CoE, the Student Services Officer will find the CoE concerned and select the SCV report option in PRISMS, titled 'Student requests change to existing enrolment.'
g. The student will be informed by student services officer of the changes to their CoE and email a copy of the new CoE and cc to their agent.

6.5 Breach of visa condition

Any breach of visa condition by an accepted student of a prescribed student visa condition should be reported via PRISMS as soon as practicable after the breach occurs.

If a student has breached a prescribed condition of a student visa, it is the responsibility of the College to send a written notice with intention to report to the student.

Reporting on breach of visa condition

- The College will monitor international student's course progress according to the procedure outlined in the Course Progress Policy
- In the case of reportable unsatisfactory course progress, the Student Services Officer will notify the PEO of the breach of a student visa condition by email with all the details, which must be authorised by the PEO.
- A copy of this email will be maintained in the PRISMS Report Folder, kept by the Compliance Officer
- The PEO will authorise the cancellation of the student's enrolment, as appropriate, and the Student Services Officer will inform DHA via PRISMS within 5 working days upon receiving the approval.

The Student Services Officer will immediately notify the student in writing of the cancellation of their CoE once the action is taken.

6.6 Providing information including contact details to PRISMS

When a student is enrolled at the College, the prescribed details according to paragraph 19 (1) (a) of the ESOS Act as listed below, will be provided via PRISMS within 5 days of the student's enrolment at the College:

- The student's full name, date of birth, gender, country of birth and nationality
- The student's contact details
- The course name, code and start date of the course in which the student is enrolled
- The date on which the student is expected to complete the course
- The initial sum that the College has received from the student for the course
- The total amount the student is required to pay for the full course
- Whether premiums have been paid for Overseas Student Health Cover before the course commences
- The name, test date and score of the test undertaken to determine the student's level of English comprehension

- The Department of Home Affairs where the student's application for a student visa was made or is expected to be made
- The details of the student's passport
- The visa number of the student's Australian visa

Procedure

- The Student Services Officer will follow instructions detailed in the PRISMS User Guide to enter the information listed in 11.1 (a)
- For the offshore student's contact details, once they arrive in Australia and after the orientation, their Australian address must be entered into PRISMS based on the College registration form they have completed within 5 working days.

Complaints And Appeals

Students can appeal or complain about a decision made by the College to report or cancel in accordance with the Complaints and Appeals Policy.

7. Policy Implementation

This policy will be made available to all staff members and stakeholders through the internal communication channels.

8. Review and Continuous Improvement

This Policy and Procedure will undergo an annual review, or sooner if required, to ensure it remains relevant and effective in guiding the operations and strategies or as needed to reflect any changes in the regulatory environment or operational practices.

Feedback will be collated and analysed and discussed at the monthly management meetings, for noting or action with any necessary changes documented in a Continuous Improvement Form and in the Continuous Improvement Register.

Document Control

Version number:	V1	Approved by:	PEO
Approval date:	9/6/2025	Review date:	10/06/2026
Standards: Standard 2025 4.3 Education Services for Overseas Students Act 2000 (ESOS Act), Education Services for Overseas Students Regulations 2001 (ESOS Regulations) National Code of Practice for Providers of Education and Training to Overseas Students (2018)			

Version Control

Version #	Changes	Approval By	Approval Date
1.0	Original Version	Preeti Singh	9/6/2025

ASSOCIATED DOCUMENTS

- Deferment, Suspension or Cancellation of Student Enrolment Policy
- Course Progress Policy and Risk Intervention Procedures
- Transfer Between Registered Providers Policy and Procedure
- Complaints and Appeals Policy