



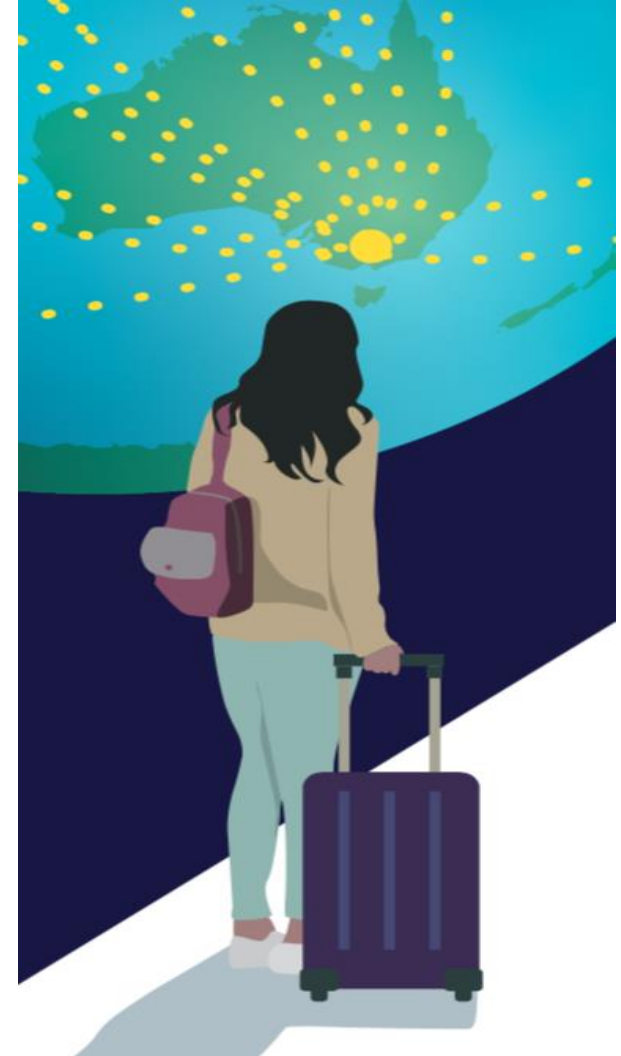
ESOS & the Higher Education Standards Framework – are they the same?

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06 July, 2023

ACKNOWLEDGEMENT

In the spirit of reconciliation, ISANA acknowledges the Traditional Custodians of countries throughout Australia and their connections to land, sea and community.

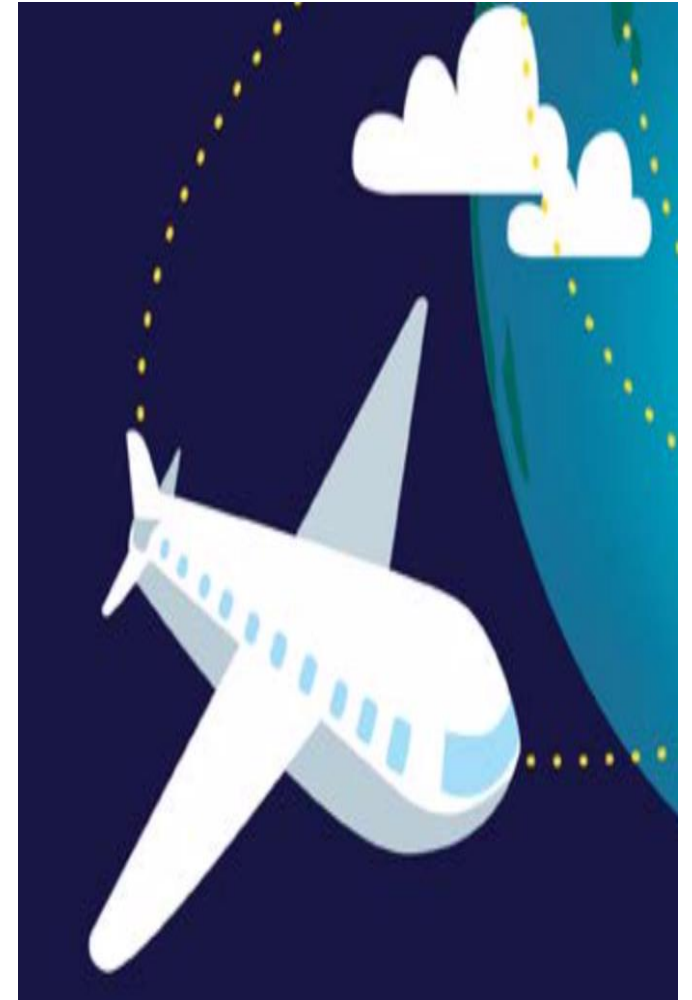
We pay our respect to their Elders' past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.



MISSION STATEMENT

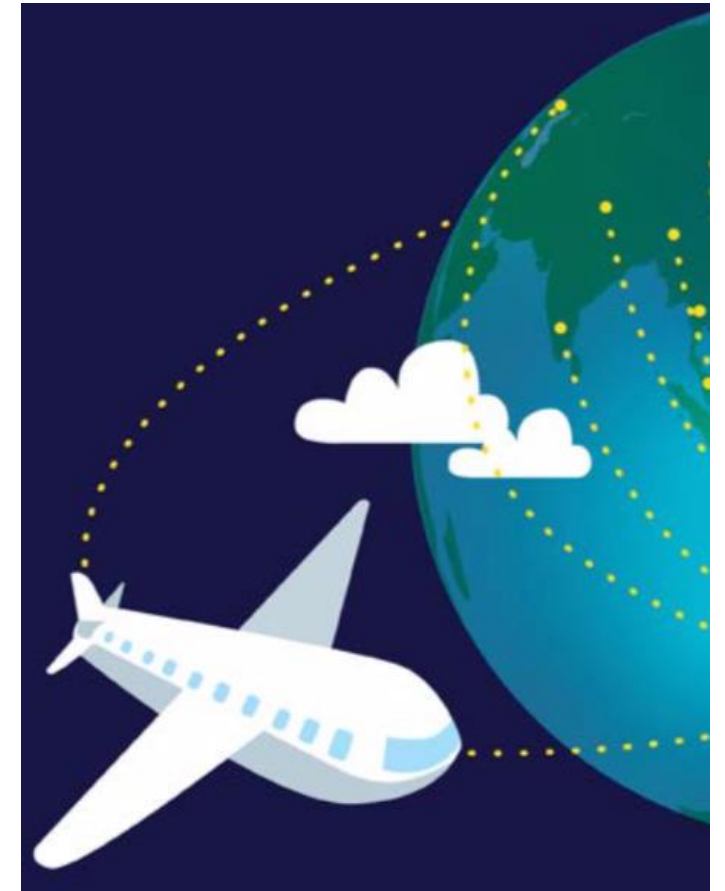
International student support professionals: Working for students and with students through:

- leadership, promotion and advocacy of best-practice standards in the service of international education
- the facilitation of relevant forums, training and information exchange for its membership and the community
- working in partnership with stakeholder organisations including international students, educational, government, business and community groups



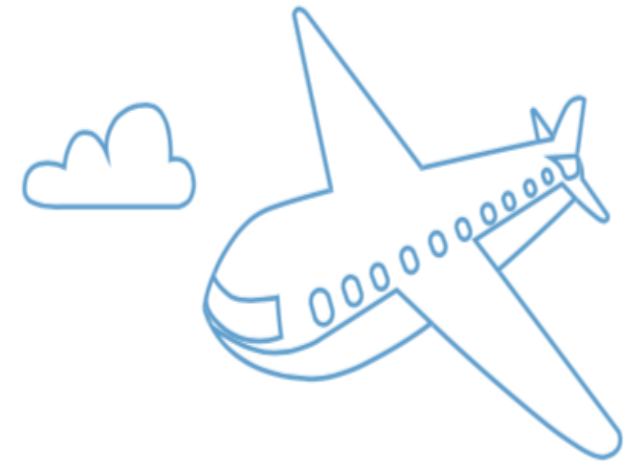
WHAT DO WE DO?

- Support research into international education
- Provide relevant and targeted professional development sessions at Branch and National level
- Contribute to quality assurance of the sector through input into policy and processes, government inquiries and forums
- Support the professional development of international student leaders
- Lead, promote and advocate best practice standards in the service of international education
- Provide volunteering and networking opportunities for students
- Support each new executive of the Council of International Students Australia (CISA) – ISANA supported the establishment of CISA in 2010, signing the first MOU in 2019



WHY BECOME A MEMBER?

- Contribution to policy development, collaboration with peers and informing international education through a range of participative opportunities
- Access to the National ISANA Network
- State and national media coordination
- Advocacy tools and resources on the website- Member only
- Discounted tickets to the annual Conference
- Discounted enrolment fee for National Code Tutorial (NCT)
- Free access to international education and professional development activities
- Regular national and branch emails and industry updates
- Voting at AGMs and other General Meetings of Members



HOW TEQSA REGULATES

Acts and standards

The following acts and standards govern Australian higher education.

- Tertiary Education Quality and Standards Act 2011
- Higher Education Standards Framework (Threshold Standards) 2021 (HES Framework)
- Education Services for Overseas Students Act 2000 (ESOS Act)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)
- Australian Qualifications Framework (AQF)
- <https://www.teqsa.gov.au/how-we-regulate/acts-and-standards>

WHAT DO THE ACTS AND STANDARDS AIM TO DO:

ESOS Act: aims to **protect** and enhance Australia's **reputation** for **quality** education, to provide tuition protection, and support the integrity of the student visa program

HESF Standards: sets out the minimum acceptable requirements for provider entry to, and continued operations within, Australia's higher education sector. These Standards ensure that the requirements for entry into the higher education sector are set sufficiently high to underpin and **protect** the **quality** and **reputation** of the sector as a whole

National Code Standards: to promote Australia's international education industry and maintain Australia's enviable reputation as a popular study destination through a set of nationally consistent standards and procedures for registered providers and for persons who deliver education services on behalf of registered providers

TEQSA Act: aims to **protect** and enhance Australia's **reputation** for, and international competitiveness in, higher education as well as the excellence, diversity and innovation in Australian higher education

aims to **protect** students undertaking, or proposing to undertake, higher education by requiring the provision of **quality** higher education

How do you use your provider obligations under the National Code in your work?



Compare & contrast – NC Standard 6

National Code – Standard 6 – Overseas Student Support Services

- This standard sets out that registered providers must assist overseas students to adjust to study and life in Australia and have an appropriate orientation program that helps overseas students to access the information and services they require.
- The registered provider must support the overseas student in adjusting to study and life in Australia by giving the overseas student information on, or access to an age and culturally appropriate orientation program that provides information about: support services to help them adjust; English language and study assistance programs; legal services; emergency and health services; facilities and resources; complaints and appeals processes; course attendance and progress requirements; support services; services to assist students on employment right and conditions.

Higher Education Standards Framework – Domain 1

- Successful transition into courses of study is achieved through orientation programs that are tailored to the needs of student cohorts and include specific consideration for international students adjusting to living and studying in Australia.
- Specific strategies support transition, including:
 - a) assessing the needs and preparedness of individual students and cohorts
 - b) undertaking early assessment or review that provides formative feedback on academic progress and is able to identify needs for additional support, and
 - c) providing access to informed advice and timely referral to academic or other support.
- Trends in rates of retention, progression and completion of student cohorts through courses of study are monitored to enable review and improvement.

Compare & contrast – NC Standard 6

National Code – Standard 6

- Give relevant information or provide referrals as appropriate to overseas students who request assistance in relation to the services and programs set out in Standard 6.1, at no additional cost to the overseas student.
- Offer reasonable support to overseas students to enable them to achieve expected learning outcomes regardless of the overseas student's place of study or the mode of study of the course, at no additional cost to the overseas student.
- Designate a member or members of its staff to be the official point of contact for overseas students. The student contact officer or officers must have access to up-to-date details of the registered provider's support services.
- The registered provider must have sufficient student support personnel to meet the needs of the overseas students enrolled with the registered provider.
- The registered provider must ensure its staff members who interact directly with overseas students are aware of the registered provider's obligations under the ESOS framework and the potential implications for overseas students arising from the exercise of these obligations.

Higher Education Standards Framework – Domains 2&5

2.3 Wellbeing and Safety

- All students are advised of the actions they can take, the staff they may contact and the support services that are accessible if their personal circumstances are having an adverse effect on their education.
- Timely, accurate advice on access to personal support services is available, including for access to emergency services, health services, counselling, legal advice, advocacy, and accommodation and welfare services.
- The nature and extent of support services that are available for students are informed by the needs of student cohorts, including mental health, disability and wellbeing needs.

5.3 Monitoring, Review and Improvement

- The results of regular interim monitoring, comprehensive reviews, external referencing and student feedback are used to mitigate future risks to the quality of the education provided and to guide and evaluate improvements, including the use of data on student progress and success to inform admission criteria and approaches to course design, teaching, supervision, learning and academic support.

Compare & contrast – NC Standard 2

National Code – Standard 2 – Recruitment of an overseas student

- Prior to accepting an overseas student or intending overseas student for enrolment, the registered provider must make comprehensive, current and plain English information available to the overseas student or intending overseas student on:
- the requirements for an overseas students acceptance into the course, including the minimum level of English language proficiency, educational qualifications or work experience required, and course credit if applicable
- the CRICOS course code, course content, modes of study for the course including compulsory online and/or work-based training, placements, other community-based learning and collaborative research training arrangements, and assessment methods
- indicative tuition and non-tuition fees, including advice on the potential for changes to fees over the duration of a course, and the registered provider's cancellation and refund policies
- the grounds on which the overseas student's enrolment may be deferred, suspended or cancelled
- accommodation options and indicative costs of living in Australia

Higher Education Standards Framework – Domain 1

1.1 Admission

1. Admissions policies, requirements and procedures are documented, are applied fairly and consistently, and are designed to ensure that admitted students have the academic preparation and proficiency in English needed to participate in their intended study, and no known limitations that would be expected to impede their progression and completion.
2. The admissions process ensures that, prior to enrolment and before fees are accepted, students are informed of their rights and obligations, including:
 - a. all charges associated with their proposed studies as known at the time and advice on the potential for changes in charges during their studies
 - b. policies, arrangements and potential eligibility for credit for prior learning, and
 - c. policies on changes to or withdrawal from offers, acceptance and enrolment, tuition protection and refunds of charges.
3. Admission and other contractual arrangements with students, or where legally required, with their parent or guardian, are in writing and include any particular conditions of enrolment and participation for undertaking particular courses of study that may not apply to other courses more generally, such as health requirements for students undertaking clinical work, requirements for security checks, particular language requirements and particular requirements of work placements.

Compare & contrast – NC Standard 2

National Code – Standard 2 – Recruitment of an overseas student

- The registered provider must have and implement a documented policy and process for assessing whether the overseas student's English language proficiency, educational qualifications or work experience is sufficient to enable them to enter the course.
- The registered provider must have and implement a documented policy and process for assessing and recording recognition of prior learning (RPL), and granting and recording course credit, if it intends to assess RPL or grant course credit. The decision to assess prior learning or grant course credit must preserve the integrity of the award to which it applies and comply with requirements of the underpinning educational framework of the course.

Higher Education Standards Framework – Domain 1&5

1.3 Orientation and Progression

- Trends in rates of retention, progression and completion of student cohorts through courses of study are monitored to enable review and improvement.

5.3 Monitoring, Review and Improvement

- Review and improvement activities include regular external referencing of the success of student cohorts against comparable courses of study, including:
 - a. analyses of progression rates, attrition rates, completion times and rates and, where applicable, comparing different locations of delivery, and
 - b. the assessment methods and grading of students' achievement of learning outcomes for selected units of study within courses of study.
- The results of regular interim monitoring, comprehensive reviews, external referencing and student feedback are used to mitigate future risks to the quality of the education provided and to guide and evaluate improvements, including the use of data on student progress and success to inform admission criteria and approaches to course design, teaching, supervision, learning and academic support.

Compare & contrast – NC Standard 2

Higher Education Standards Framework – Domain 7

7.2 Information for Prospective and current students

- Accurate, relevant and timely information for students is publicly available and accessible, including access for students with special needs, to enable informed decision making about educational offerings and experiences.
- There are policies and processes that ensure information and advice given to international students holding or applying for an Australian student visa and decisions taken in relation to such students meet statutory requirements.
- Information for students is available prior to acceptance of an offer, written in plain English where practicable, accompanied by an explanation of any technical or specialised terms, and includes:
 - a. information to assist in decisions about courses or units of study, including the course design, prerequisites, assumed knowledge, when and where courses/units are offered, application dates, arrangements for recognition of prior learning, standing credit transfer arrangements, pathways to employment and eligibility for registration to practise where applicable
 - b. information to assist in planning for and participation in educational and other activities, including contact points, advice about orientation and induction

Representation, Information and Information Management

- c. information to outline the obligations of students and their liabilities to the higher education provider including expected standards of behaviour, financial obligations to the higher education provider, critical deadlines, policies for deferral, change of preference/enrolment and leave of absence, particular obligations of international students, disciplinary procedures, misconduct and grounds for suspension or exclusion
- d. information to give access to current academic governance policies and requirements including admission, recognition of prior learning, transition, progression, assessment, grading, completion, qualifications, appeals, academic integrity, equity and diversity, intellectual property and withdrawal from or cancellation of enrolment
- e. information to facilitate access to services and support including the types of services available such as educational resources including English language support, personal support services, cultural support and ancillary services, hours of availability, how to access services and emergency contact details where applicable
- f. information to assist in resolution of grievances, including an explanation of processes for resolution of grievances and complaints and internal and external appeals processes, guidance on how to participate in the processes and sources of assistance including advocacy, and
- g. information to assist international students studying in Australia if applicable, including indicative costs of living and studying in Australia, accommodation options, arrangements for health care and, where applicable, schooling obligations related to school-aged dependants (including the possibility that school fees may be incurred).

Compare & contrast – NC Standard 8

National Code – Standard 8 – Overseas student visa requirements

- The registered provider must monitor overseas students' course progress and, where applicable, attendance for each course in which the overseas student is enrolled
- The registered provider must monitor the progress of each overseas student to ensure the overseas student is in a position to complete the course within the expected duration specified on the overseas student's CoE
- The registered provider must have and implement documented policies and processes to identify, notify and assist an overseas student at risk of not meeting course progress or attendance requirements, where there is evidence from the overseas student's assessment tasks, participation in tuition activities or other indicators of academic progress that the overseas student is at risk of not meeting those requirements
- The registered provider must clearly outline and inform the overseas student before they commence the course of the requirements to achieve satisfactory course progress and, where applicable, attendance in each study period

Higher Education Standards Framework – Domains 1&5

1.3 Orientation and progression

- Processes that identify students at risk of unsatisfactory progress and provide specific support are implemented across all courses of study.
- Trends in rates of retention, progression and completion of student cohorts through courses of study are monitored to enable review and improvement.

5.3 Monitoring, Review and Improvement

- Review and improvement activities include regular external referencing of the success of student cohorts against comparable courses of study, including:
 - a. analyses of progression rates, attrition rates, completion times and rates and, where applicable, comparing different locations of delivery
- The results of regular interim monitoring, comprehensive reviews, external referencing and student feedback are used to mitigate future risks to the quality of the education provided and to guide and evaluate improvements, including the use of data on student progress and success to inform admission criteria and approaches to course design, teaching, supervision, learning and academic support.

Compare & contrast – NC Standard 10

National Code – Standard 10 – Complaints and appeals

- The registered provider must have and implement a documented internal complaints handling and appeals process and policy, and provide the overseas student with comprehensive, free and easily accessible information about that process and policy
- The registered provider's internal complaints handling and appeals process must:
 - include a process for the overseas student to lodge a formal complaint or appeal if a matter cannot be resolved informally
 - include that the provider will respond to any complaint or appeal the overseas student makes regarding his or her dealings with the registered provider, the registered provider's education agents or any related party the registered provider has an arrangement with to deliver the overseas student's course or related services
 - commence assessment of the complaint or appeal within 10 working days of it being made in accordance with the registered provider's complaints handling and appeals process and policy, and finalise the outcome as soon as practicable
 - ensure the overseas student is given an opportunity to formally present his or her case at minimal or no cost and be accompanied and assisted by a support person at any relevant meetings
 - conduct the assessment of the complaint or appeal in a professional, fair and transparent manner
 - ensure the overseas student is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome
 - keep a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome.

Higher Education Standards Framework – Domains 2&7

2.4 Student Grievances and Complaints

- Current and prospective students have access to mechanisms that are capable of resolving grievances about any aspect of their experience with the higher education provider, its agents or related parties.
- There are policies and processes that deliver timely resolution of formal complaints and appeals against academic and administrative decisions without charge or at reasonable cost to students, and these are applied consistently, fairly and without reprisal.
- Institutional complaints-handling and appeals processes for formal complaints include provision for confidentiality, independent professional advice, advocacy and other support for the complainant or appellant, and provision for review by an appropriate independent third party if internal processes fail to resolve a grievance.
- Decisions about formal complaints and appeals are recorded and the student concerned is informed in writing of the outcome and the reasons, and of further avenues of appeal where they exist and where the student could benefit.
- If a formal complaint or appeal is upheld, any action required is initiated promptly.

7.2 Information for Prospective and Current Students

- f. information to assist in resolution of grievances, including an explanation of processes for resolution of grievances and complaints and internal and external appeals processes, guidance on how to participate in the processes and sources of assistance including advocacy

Do you use any provider obligations under the HESF in your work?



HOT COMPLIANCE TOPICS

- “Return to compliance”
- Capped international student work rights (from July 1st)
- Compassionate and compelling circumstances

UPCOMING EVENTS

Best Practice in International Student Engagement
(updated findings from the Best Practice International
Student Engagement Project)
Date: Thursday 31 August 2023

ISANA VicTas Branch Conference
Same, Same, But Different – are we still ‘in it together’?
Date: Friday 8 September 2023

ISANA 2023 National Conference
Community, Connection: Advancing International Education Services
Date: 6 – 8 December 2023
Venue: Rydges World Square, Sydney
<https://isanaconference.com/>

<https://isana.org.au/pd/>

