



Overseas Students: Academic Support Policy

This Policy provides Overseas Students and their parents with information about academic support available to Overseas Students at Cranbrook School (the School).

Rationale

Standard 6.3 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) requires the School to offer reasonable support to Overseas Students to enable them to achieve expected learning outcomes regardless of the Overseas Student's place of study or mode of student of the course, at no additional cost to the Overseas Student.

Cranbrook School's Policy

It is Cranbrook School's policy to offer various types of academic support to Overseas Students so that they can achieve expected learning outcomes under the School's curriculum.

Overseas Students in the Senior School who require academic assistance, can contact the Head of Learning Support, their Housemaster or one of their teachers for assistance. Overseas Students in the Junior School who require academic assistance, can contact the Educational Development Team Co-ordinator or their class teacher.

If a teacher believes that an Overseas Student requires academic assistance in relation to a particular area of the School's curriculum, the teacher must pass this information to the Head of Learning Support (Senior School) or the Educational Development Team Co-ordinator (Junior School).

The School provides the following academic support services to Overseas Students to enable them to achieve expected learning outcomes, at no additional cost to the Overseas Student. These services aim to ensure that Overseas Students have regular access to academic assistance in a variety of subject.

Senior School

- Individual or small group sessions to support learning with Learning Support Teachers and/or Educational Assistants, including organisation and study skills.
- Supervision of student sessions to aid Overseas Students with homework or study, including availability of tutors and teachers for subject-specific assistance in Boarder Prep, Year 12 College and Homework Club.

Junior School

- Individual or small group sessions with Educational Development Teachers and/or Educational Assistants.

Record Keeping

The School maintains evidence of compliance with this policy by maintaining records of academic support provided to an Overseas Student in accordance with this policy. Records are maintained in accordance with the [Overseas Students: Records Management and Retention Policy](#).

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Overseas Students: Additional Registration Requirements Policy

This Policy provides Overseas Students and their parents with information about the additional registration requirements and notifications to the NSW Education Standards Authority (NESA) that apply to Cranbrook School (School) as an Education Provider registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).

Rationale

Standard 11.1 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) requires the School, in applying to register a full-time course at a location, to seek approval from the ESOS Agency, including through the Designated State Authority (DSA), for the following:

- The course duration, including school holiday breaks;
- Modes of study, including online, distance or work-based training;
- Number of Overseas Students enrolled at the School, within the limit or maximum number approved by the ESOS Agency for each location; and
- Arrangements with other education providers, including partners, in delivering a course or courses to Overseas Students.

Standard 11.2 requires that in seeking approval under Standard 11.1, the School must demonstrate any matters requested by the ESOS Agency, including through the DSA, which may include but are not limited to the following:

- The expected duration of the course does not exceed the time required to complete the course on the basis of full-time study;
- The expected duration of the course includes any school holiday periods or any work-based training required;
- Any work-based training to be undertaken as part of the course necessary for the student to gain the qualification and that there are appropriate arrangements for the supervision and assessment of students;
- The course is not to be delivered entirely by online or distance learning;
- The School and any partner it engages to deliver a course or courses to Overseas Students has adequate staff and education resources, including facilities, equipment, learning and library resources and premises as needed to deliver the course to the Overseas Students enrolled with the School; and
- The maximum number of Overseas Students proposed by the School for the location reflects the appropriateness of the staff, resources and facilities for the delivery of the course.

Standard 11.3 requires that the School must submit to the Commonwealth Department of Education and Training (DET) for approval, including through the DSA, information on any proposed changes to its registration for a course as outlined in Standard 11.1 of the National Code at least 30 days prior to the time at which those changes are proposed to take effect.

Section 17A of the *Education Services for Overseas Students Act 2000* (Cth) (ESOS Act) requires the School to notify the DET of the occurrence of an event that would significantly affect the School's ability to comply with the ESOS Act.

The School must notify NESA in writing via the RANGS Online system:

- When the School, or an associate of the School, or high managerial agent of the School who has been, is, or will be involved in the business of delivering programs to Overseas Students:
 - has been convicted of an offence;

- has been convicted of an offence under the ESOS Act at any time during the past five years;
 - has ever had its CRICOS registration cancelled or suspended under the ESOS Act;
 - has ever been issued with a suspension certificate from the Minister for Home Affairs;
 - has ever had conditions imposed on its registration under the ESOS Act;
 - has been bankrupt;
 - has ever been disqualified from managing a corporation under the *Corporations Act 2001*; or
 - has been involved in the business of provision of courses by another provider that was listed in the points listed directly above.
- Of any change in the name or address of the School at least one month before such a change is to take effect;
 - Of any intention to relocate premises (including the head office or principal place of business) at least three months before the relocation;
 - Of any change in the School's name and/or name of a delivery site at least one month before such a change is to take place;
 - Of any prospective changes to the ownership of the School as soon as practicable before the change is to take effect;
 - Of any change to the details of courses approved including changes to course duration and course cost at least one month before such a change is to take place;
 - To request a decrease in the Overseas Student capacity of the School's scope of approval at least one month before such a change is to take place;
 - To request the cancellation or suspension of the School's approval and registration to deliver courses to the Overseas Students, at least three months before the cancellation or suspension; or
 - To request to add to the School's existing scope of approval by adding a course, adding a delivery site or increasing the maximum approved Overseas Student capacity.

Cranbrook School's Policy

It is the School's policy to provide the following information to the DET and NESA:

- The course duration, including school holiday breaks;
- Modes of study, including online, distance or work-based training;
- The number of Overseas Students enrolled at the School, within the limit or maximum number approved by the DET for each location;
- Arrangements with other education providers, including partners, in delivering a course or courses to Overseas Students; and
- The information required by section 17A of the ESOS Act.

To provide further clarification on the abovementioned list, the School will demonstrate any matters requested by the DET and NESA on how the School meets the requirements of the National Code including but not limited to that:

- The expected duration of the course does not exceed the time required to complete the course on the basis of full-time study;
- The expected duration of the course includes any school holiday periods or any work-based training required;
- Any work-based training to be undertaken as part of the course necessary for the student to gain the qualification and there are appropriate arrangements for the supervision and assessment of students;
- The course is not to be delivered entirely by online or distance learning;

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- The School and any partner they engage to deliver a course or courses to Overseas Students has adequate staff and education resources, including facilities, equipment, learning and library resources and premises as are needed to deliver the course to the Overseas Students enrolled with the School; and
 - The maximum number of Overseas Students proposed by the School for the location reflects the appropriateness of the staff, resources and facilities for the delivery of the course.

Proposed Changes

Any proposed changes to the School's CRICOS registration requirements under Standard 11.1, will require the School to notify the DET and NESAs at least 30 days prior to the time at which those changes take effect.

Section 17A Notification: Change of Ownership or Change to a Related Person

Section 17A of the ESOS Act requires the School to provide the DET within 10 business days of the occurrence of the following events:

- Any prospective changes to the ownership of the School as soon as practicable before the change takes effect; or
- Any prospective or actual change in relation to a "related person" of the School:
 - if the change cannot be determined until it takes effect - within 10 business days of the change taking effect; or
 - otherwise - as soon as practicable before the change takes effect.

A "related person" is:

- an associate of the School who has been, or will be, involved in the business of the provision of the School courses; or
- a high managerial agent of the School.

A notice to the DET under section 17A must be accompanied by information on the new owner or the related person of the School to enable the making of a decision under the Fit and Proper Provider Test.

Record Keeping

The School maintains the records in relation to activities and actions taken under this policy. Records are maintained in accordance with the Overseas Students: Records Management and Retention Policy.

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Overseas Students: Alternative Modes of Delivery Policy

This Policy provides Overseas Students and their parents with information about the policy of Cranbrook School (the School) with respect to the provision of online or distance learning).

Rationale

Standard 8.18 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) requires that the School must not deliver a course exclusively by online or distance learning to an Overseas Student.

Standard 8.19 requires that the School must not deliver more than one-third of the units (or equivalent) of a higher education or VET course by online or distance learning to an Overseas Student.

Standard 8.20 requires the School to ensure that in each compulsory study period for a course, the Overseas Student is studying at least one unit that is not by distance or online learning, unless the student is completing the last unit of their course.

Standard 8.21 requires that any online or distance learning must be in addition to minimum face-to-face teaching requirements approved by the relevant designated State authority or ESOS agency as part of the registration of the course, if applicable.

Standard 8.22 requires the School to take all reasonable steps to support Overseas Students who may be disadvantaged by:

- Additional costs or other requirements, including for Overseas Students with special needs, from undertaking online or distance learning; and/or
- Inability to access the resources and community offered by the education institution, or opportunities for engaging with other Overseas Students while undertaking online or distance learning.

Cranbrook School's Policy

It is the School's policy to deliver the curriculum in accordance with Standard 8 of the National Code.

The School does not offer online and distance education to Overseas Students.

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Overseas Students: Critical Incidents Response Policy

This Policy outlines the policy and process of Cranbrook School (the School) with respect to responding to critical incidents as they relate to Overseas Students.

Rationale

The *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) defines a critical incident to be a traumatic event, or the threat of such (within or outside Australia), which causes extreme stress, fear or injury.

A critical incident is an emergency situation that usually involves an abnormal and sudden occurrence and can include a fire, explosion, a chemical leak, a bomb threat or terrorist attack that is dangerous or potentially dangerous to life, property or the environment.

The incident may occur at the School or through a related School-based activity or circumstance. In relation to Overseas Students, critical incidents may also include emergency situations that occur in students' home countries, or relate to their family in or outside Australia.

Standard 5.3.4 of the National Code requires the School to have a process for managing emergency situations including when welfare arrangements are disrupted for students under 18 years of age.

Standard 6.8 of the National Code requires the School to have and implement a documented policy and process for managing critical incidents that could affect the Overseas Student's ability to undertake or complete a course, including but not limited to incidents that may cause physical or psychological harm.

Cranbrook School's Policy

The School is committed to providing a safe School environment for all of the School's staff, volunteers, students (including Overseas Students), visitors and guests.

How the School responds to a critical incident will depend largely on its size, nature and complexity. It is the role of the School to:

- Identify potential critical incident situations;
- Conduct internal risk assessments with respect to those critical incidents;
- Provide a 24-hour emergency communication system for staff and Overseas Students;
- Develop appropriate response plans;
- Create a Critical Incident Management Team (CIMT) to deal with critical incidents;
- Regularly test the overall effectiveness of our risk management and critical response procedures.

Through the development of preventative measures and planning our responses, the School seeks to gain control over such situations in order to ensure, that if they do occur, the best possible help is available in a timely manner.

The [Critical Incident Management Plan](#) outlines the framework for responding to critical incidents.

Critical Incident Management

The School has developed a number of critical incident management procedures including regarding:

- Armed Robbery and Cash Handling;
- Evacuation Procedures;

- Hazardous Material Incident Response;
- Gas Leak;
- Sudden Death;
- Hostage Situation/Siege;
- Lockdown Procedures;
- Intruder on Grounds;
- Storm Management;
- Power Failure;
- Flood Response;
- Water Stoppage;
- Threats Received;
- Suspicious Object on Grounds;
- Traffic / Vehicle Accident;
- Explosion Response;
- Electric Shock;
- Emergency Bushfire Management;
- Nearby Emissions Incident;
- Abduction of a Student; and
- Adverse Weather.

Staff Responsibilities

All staff are responsible for:

- Participating in critical incident response training as required;
- Co-operating in carrying out their duties in an emergency situation;
- Taking prompt action to secure and isolate any hazardous situation in an emergency if this can be done without placing themselves or other workers at risk; and
- Immediately reporting any critical incident to a member of the School Executive, or the Facilities Manager.

Critical Incident Contacts

In the event of a critical incident that affects an Overseas Student, the School may, depending on the size, nature and complexity of the critical incident, need to contact:

- Emergency services (Police, Fire, Ambulance);
- The Department of Home Affairs (DHA);
- the Overseas Student's parents or guardian; and
- the NSW Education Standards Authority (NESA).

Younger Overseas Students

In the event of a critical incident affecting a younger Overseas Student, the processes and procedures in this Policy will be followed in addition to any child protection notification requirements.

In the case of an emergency requiring evacuation of the Boarding House, the Director of Boarding / Boarding Housemaster will notify the Director of Admissions who will document approval of any temporary change to welfare arrangements and notify the DHA via PRISMS accordingly.

Record Keeping

If a critical incident occurs at the School that affects an Overseas Student, the School maintains a record of the incident and any remedial action taken by the School for at least two years after the Overseas Student ceases to be an accepted student. Records will be maintained in accordance with the Overseas Students: Records Management and Retention Policy.

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Overseas Students: Default Policy

This Policy explains the meaning of default under the *Education Services for Overseas Students Act 2000* (Cth) (ESOS Act) whereby an Overseas Student may receive a refund of tuition and non-tuition fees, and the obligations that Cranbrook School (the School) has in the event that a default occurs.

Rationale

Part 5, Division 2 of the ESOS Act sets out the circumstances of a default by a registered provider or an Overseas Student which can lead to an Overseas Student receiving a refund of tuition or non-tuition fees.

Standard 3.4.2 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) requires the School to have processes in place for claiming a refund of tuition or non-tuition fees.

Cranbrook School's Policy

It is the School's policy to ensure that in the event of either a default by the School, as a registered provider, or the Overseas Student, to follow all the notification and refund processes and procedures prescribed by the ESOS Act.

School Default

The School, as a registered provider, is bound by the default requirements under section 46A of the ESOS Act. Under section 46A, the School defaults if:

- Either of the following occurs:
 - the School fails to start to provide the course to the Overseas Student at the location on the agreed starting day; or
 - the course ceases to be provided to the Overseas Student at the location at any time after it starts but before it is completed; and
- The Overseas Student has not withdrawn before the default day.

The School will also default if a sanction is imposed on it under the ESOS Act which prevents it from providing a course.

Exceptions to School default circumstances exist, including where the Overseas Student defaults.

Section 46D of the ESOS Act sets out the School's obligations to an Overseas Student or intending Overseas Student if the School defaults on the provision of a course.

The School will discharge its obligations to the Overseas Student if:

- Both of the following apply:
 - the School arranges for the Overseas Student to be offered a place in an alternative course at the School's expense; and
 - the Overseas Student accepts the offer in writing; or
- The School provides a refund (see the [Overseas Students: Refund Policy](#)).

The School must discharge its obligations to the Overseas Student within 14 days after the default day (the Provider Obligation Period).

It is an offence under the ESOS Act for the School to fail to comply with its obligations under section 46D.

Overseas Student Default

Under section 47A of the ESOS Act an Overseas Student defaults if:

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- The course starts on the agreed starting day, but the Overseas Student does not start the course on that day (and has not previously withdrawn); or
 - The Overseas Student withdraws from the course (either before or after the agreed starting day); or
 - The School refuses to provide, or to continue providing, the course to the Overseas Student because of one or more of the following events:
 - the Overseas Student failed to pay an amount they were liable to pay the School, directly or indirectly, in order to undertake the course;
 - the Overseas Student breached a condition of their visa;
 - there was misbehaviour by the Overseas Student.

An Overseas Student will not be classified as defaulting if the reason why an Overseas Student does not start a course on the start day is because the School fails to provide the course to the Overseas Student on the agreed starting day (Registered Provider Default).

In relation to Overseas Student misbehaviour, an Overseas Student will not be considered to have defaulted unless the School accords the Overseas Student natural justice before refusing to provide, or continue providing, the course to the Overseas Student.

Notification of School Default

Under section 46B of the ESOS Act the School must provide written notice to the Commonwealth Department of Education and Training (DET) and the Director of the Tuition Protection Service (TPS) of a default by the School within three business days of the default occurring.

The notice must include the following:

- The circumstances of the default;
- The details of the Overseas Student(s) in relation to whom the School has defaulted;
- Advice as to:
 - Whether the School intends to discharge its obligations to those Overseas Students under section 46D; and
 - If appropriate, how the School intends to discharge those refund obligations.

The School will also give written notice of the default to the Overseas Students affected by the default.

Notification of Discharge of Obligations

Under section 46F of the ESOS Act the School must provide notice to the DET and the Director of the TPS within seven days after the end of the Provider Obligation Period.

The notice must include the following:

- Whether the School discharged its obligations towards the Overseas Student under section 46D;
- If the School arranged alternative courses:
 - Details of the Overseas Student(s) the School provided arranged alternative obligations for;
 - Details of the courses arranged; and
 - Evidence of each student's acceptance of an offer for a place in an alternative course;
- If the School provided refunds:
 - Details of the Overseas Students the School provided refunds to; and
 - Details of the amounts of the refunds provided.

Record Keeping

The School maintains evidence of compliance with this policy by maintaining records of default notifications received by the School and any decisions made in relation to such notifications. Records will be maintained in accordance with the Overseas Students: Records Management and Retention Policy.

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Overseas Students: English Language Proficiency and Educational Qualifications Policy

This Policy explains the policy and process of Cranbrook School (the School) with respect to assessing the English language proficiency, educational qualifications and work experience of an Overseas Student with respect to ability to enter the course.

Rationale

Standard 2.2 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) requires the School to implement a documented policy and process for assessing whether an Overseas Student's English language proficiency, educational qualifications or work experience is sufficient to enable them to enter the course.

Cranbrook School's Policy

It is the School's policy to assess an Overseas Student's English language proficiency and educational qualifications during the recruitment process and prior to their enrolment at the School.

Assessing English Language Proficiency

The School uses the Australian Education Assessment Services (AEAS) English Language Proficiency Test to determine whether an intending Overseas Student satisfactorily meets the minimum level of English proficiency required for the course.

Assessing Educational Qualifications

The School assesses the educational qualifications of an intending Overseas Student by requesting:

- educational certificates;
- school reports from the student's home country;
- student academic reports from a school which the Overseas Student attended in their home country and/or the school they attend/ed overseas; and/or
- reports that may be relevant to meeting the Overseas Student's individual needs, whether medical, psychological or social / emotional.

Record Keeping

The School maintains evidence of compliance with this policy by maintaining records of assessments made in relation to Overseas Students. Records will be maintained in accordance with the [Overseas Students: Records Management and Retention Policy](#).

Published: March 2022



Overseas Students: Intervention Strategy Policy

This Policy outlines the intervention strategies used by Cranbrook School (the School) when an Overseas Student is at risk of not meeting course attendance and progress requirements.

Rationale

Monitoring course progress and attendance is important to ensure Overseas Students are in a position to complete the course within the expected duration specified on the Overseas Students' Confirmation of Enrolment (CoE).

If an Overseas Student is at risk of not meeting their course attendance and progress requirements, the School will implement an intervention strategy to identify, notify and assist them.

Cranbrook School's Policy

An Overseas Student will be identified as needing an intervention strategy when the School's attendance requirements and/or course progress requirements are not met, or are at risk of not being met.

The School checks attendance at least daily. If an Overseas Student has been absent from school for more than five consecutive days without approval, that student will not have met their course attendance requirements.

Where an Overseas Student is absent from boarding, parents and the nominated guardian are notified immediately.

Non-attendance can be an indication that a student needs additional support and/or referral to other services (see the [Overseas Students: Support Services Policy](#)).

The School checks academic progress at least at the end of each school term. If an end of term review shows that an Overseas Student has not satisfactorily completed any of their required assessments, that student will not have met their course progress requirements.

Notification of Students

If the School determines that an intervention strategy is needed for an Overseas Student to assist them to meet their attendance and/or course progress requirements, the School will initially contact the Overseas Student directly (for Senior School students) and the parents (for Junior School students). The Overseas Student / their parent(s) is informed of their attendance and/or course progress rates.

Intervention Strategy

The School's intervention strategies will vary depending upon the circumstances, but will generally include the below steps:

- The Overseas Student is directly contacted by the Director of Boarding / Housemaster (for Senior School) or Deputy Head Student Wellbeing P-6 (for Junior School) and informed of their attendance rates, with parents informed as appropriate;
- Counselling is offered/recommended as necessary- to the Overseas Student to help them to address issues which may be contributing to their attendance rates;
- Extra tutoring and/or learning support is offered to those Overseas Students who feel that this will help them in meeting their course progress requirements.

Updating PRISMS

The School will report via PRISMS any Overseas Student who has not met course progress requirements.

Records of Course Attendance

The School keeps records in relation to Overseas Students' satisfactory course attendance. These include:

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- Records of our attendance monitoring; and
 - Any evidence from an Overseas Student in relation to an absence.

Records of Course Progress

The School keeps records in relation to Overseas Students' satisfactory course progress. These include:

- Assessment of course progress records for each student;
- Assessment results (as required by section 21 of the *Education Services for Overseas Students Act 2000* (Cth))
- Records of contact with students
- Notices of intention to report
- Complaints and appeals outcomes, and
- Other relevant records.

Record Keeping

The School maintains records in relation to activities and action taken under this Policy including:

- Student contact and counselling records, including warning letters;
- Notices of intention to report;
- Complaints and appeals outcomes, and
- Other relevant records.

Records will be maintained in accordance with the [Overseas Students: Records Management and Retention Policy](#).

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Overseas Students: Formalisation of Enrolment and Written Agreements Policy

This Policy outlines the policy and procedures followed by Cranbrook School (the School) in relation to formalising enrolment and written agreements with Overseas Students.

Rationale

Standard 3.1 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) requires the School to enter into a written agreement with an Overseas Student or intending Overseas Student, signed or otherwise accepted by the student, concurrently with or prior to accepting payment of tuition fees and non-tuition fees.

A written agreement may take any form, provided it meets the requirements of the *Education Services for Overseas Students Act 2000* (Cth) (ESOS Act) and the National Code.

Cranbrook School's Policy

It is the School's policy that written agreements with each Overseas Student and intending Overseas Student comply with the requirements under Standard 3 of the National Code and the ESOS Act.

Under Standard 3.2, if the Overseas Student or intending Overseas Student is under 18 years of age, the written agreement must be signed by their parent.

Written Agreement Requirements

Standard 3.3 requires that in addition to all requirements in the ESOS Act, the written agreement must, in plain English:

- Outline the course or courses in which the student is to be enrolled, the expected course start date, the location(s) at which the course will be delivered, the offered modes of study for the course, including compulsory online and/or work-based training, placements, and/or other community-based learning and/or collaborative research training arrangements;
- Outline any prerequisites necessary to enter the course or courses, including English language requirements;
- List any conditions imposed on the student's enrolment;
- List all tuition fees payable by the student for the course, the periods to which those tuition fees relate and payment options (including, if permitted under the ESOS Act, that the student may choose to pay more than 50 per cent of their tuition fees before their course commences);
- Provide details of any non-tuition fees the student may incur, including as a result of having their study outcomes reassessed, deferral of study, fees for late payment of tuition fees, or other circumstances in which additional fees may apply;
- Set out the circumstances in which personal information about the student may be disclosed by the School, the Commonwealth including the Tuition Protection Service (TPS), or state or territory agencies, in accordance with the *Privacy Act 1988* (Cth);
- Outline the School's internal and external complaints and appeals processes, in accordance with Standard 10 and with the School's [Overseas Students: Complaints and Appeals Policy](#);
- State it is the responsibility of the student to keep a copy of the written agreement as supplied by the School, and receipts of any payments of tuition fees or non-tuition fees; and
- Only use hyperlinks to provide supplementary material.

Standard 3.4 requires the School to also include the following information in relation to refunds of tuition fees and non-tuition fees in the case of student default and/or the School's default:

- Amounts that may or may not be repaid to the Overseas Student (including any tuition and non-tuition fees collected by Education Agents on behalf of the School);
- Processes for claiming a refund;
- The specified person(s), other than the Overseas Student, who can receive a refund in respect of the Overseas Student identified in the written agreement, consistent with the ESOS Act;
- A plain English explanation of what happens in the event of a course not being delivered, including the role of the TPS; and
- The following statement reserving the student's rights in Australian Consumer Law:

"This written agreement, and the right to make complaints and seek appeals of decisions and actions under various processes, does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies."

Standard 3.5 requires Overseas Students, while in Australia and studying with the School, to advise the School of their contact details including:

- The student's current residential address, mobile number (if any) and email address (if any);
- Who to contact in emergency situations; and
- Any changes to those details, within seven days of the change.

Online Acceptance

The Overseas Student's or intending Overseas Student's parents may accept the written agreement by signing a form.

Payment of Fees Before a Course Commences

Section 27 of the ESOS Act prohibits the School from receiving more than 50 per cent of an Overseas Student or intending Overseas Student's total tuition fees for a course before the student has begun the course unless the student or the person responsible for pay those fees chooses to pay more than 50 per cent.

The School may also receive more than 50 per cent of the fees before the course starts if the course has a duration of 25 weeks or less. If the School receives tuition fees for a course before the course has begun, the School must manage that money in accordance with the requirements of sections 28-30 of the ESOS Act.

Refunds

Information regarding refunds are contained in the [Overseas Students: Refund Policy](#).

Record Keeping

The School maintains evidence of compliance with this policy by maintaining records of all written agreements entered into with Overseas Students. Records will be maintained in accordance with the [Overseas Students: Records Management and Retention Policy](#).

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Overseas Students: Missing Students Policy

This Policy explains the policy and process of Cranbrook School (the School) as to the steps taken when an Overseas Student is missing.

Rationale

Standard 5.5 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) requires that if the School is unable to contact an Overseas Student and has concerns for the Overseas Student's welfare, the School must make all reasonable efforts to locate the student, including notifying the police and any other relevant Commonwealth, state or territory agency as soon as practicable.

Cranbrook School's Policy

It is the School's policy that in the event that the School cannot contact an Overseas Student or has concerns for the Overseas Student's welfare or safety, the School initiates its missing Overseas Student procedures.

When is an Overseas Student Missing?

An Overseas Student will be regarded as missing when the School cannot contact or locate the student and:

- The absence of the Overseas Student is inadequately explained;
- There are suspicious circumstances surrounding an Overseas Student's disappearance;
- There are fears or concerns for the safety and welfare of the Overseas Student; or
- If the Overseas Student is residing in Sydney with a parent or other approved family member, the family member cannot locate the Overseas Student.

Strategies for Locating Missing Overseas Students

Before determining that an Overseas Student is missing, the School will attempt to contact the Overseas Student, the Overseas Student's nominated guardian, and, if the Overseas Student is residing in Sydney with a parent, the parent.

Notifying Police and Other Agencies

In the event that the School cannot locate or contact the student or has concerns for the student's welfare and safety, the Headmaster, Head of Senior School, Director of Students or Director of Boarding (for Senior School) or Deputy Head Student Wellbeing P-6 or Head of Junior School (for Junior School) will contact the Police. The contact number for Rose Bay Police Station is 9362 6399, or alternatively, 000.

Once the Police have been informed, the School will inform the Overseas Student's parents, if they have not already done so.

The School will also inform the Commonwealth Department of Education and Training (DET) and the NSW Education Standards Authority (NESA) as soon as practicable:

- NESA: Phone 9367 8111
- DET: Phone 1300 566 046 or <https://www.education.gov.au/feedback-and-enquiry-form>.

Critical Incident

The categorisation of an Overseas Student as missing in accordance with this Policy constitutes a critical incident under the [Overseas Students: Critical Incidents Response Policy](#).

Record Keeping

The School maintains evidence of compliance with this Policy by maintaining records of notifications made and actions taken by the School in accordance with this Policy. Records will be maintained in accordance with the Overseas Students: Records Management and Retention Policy.

Published: March 2022



Overseas Students: Records Management and Retention Policy

This Policy outlines how Cranbrook School (the School) manages and retains records in relation to Overseas Students and its obligations under the *Education Services for Overseas Students Act 2000* (Cth) (ESOS Act).

Rationale

The *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) imposes record keeping obligations on the School. Certain National Code Standards expressly require records to be maintained.

Section 21 of the ESOS Act prescribes that certain records are to be kept and regularly updated.

Regulation 3.04 of the *Education Services for Overseas Students Regulations 2019* (Cth) (ESOS Regulations) supplements section 21 of the ESOS Act with additional record keeping requirements.

Each section of the *Guidelines for Approved School Providers Delivering Courses to Overseas Students* (NESA Guidelines) requires records to be kept as evidence of compliance with each Standard of the National Code and each obligation in the NESA Guidelines.

Cranbrook School's Policy

It is the School's policy to comply with all record keeping obligations prescribed by the ESOS Framework (comprised of the National Code, ESOS Act, ESOS Regulations and NESA Guidelines) and set out in this policy, and to ensure that records of evidence of our compliance with the National Code Standards are maintained, regardless of whether record keeping is prescribed by each Standard.

Specific Record Keeping Requirements

Recruitment of Students

Standard 2.4 of the National Code requires that if the School grants an Overseas Student of recognition of prior learning (RPL) or course credit, the School must maintain a written record of acceptance by the Overseas Student for two years after the Overseas Student ceases to be an accepted student.

Student Written Agreements

Standard 3.6 of the National Code requires the School to retain records of all written agreements as well as receipts of payments made by Overseas Students under the written agreement for at least two years after the person ceases to be an accepted student.

Student Contact Details

Standard 5.3.5 of the National Code and section 21(2) of the ESOS Act require the School to maintain up-to-date contact details for all accepted Overseas Students, including:

- The Overseas Student's current residential address;
- The Overseas Student's mobile phone number (if any);
- The Overseas Student's email address (if any); and
- Who to contact in emergency situations.

Overseas Students are required to notify the School of any changes to these details within seven days of the change.

Critical Incidents

Standard 6.8 requires that if a critical incident occurs at the School that affects an Overseas Student, the School must maintain a record of the incident and any remedial action taken by the School for at least two years after the Overseas Student ceases to be an accepted student.

Transfer Requests

Standard 7.7 requires the School to maintain records of all requests from Overseas Students for a release and the assessment of, and decision regarding, the request for two years after the Overseas Student ceases to be an accepted student.

Deferring, Suspending or Cancelling Overseas Student Enrolment

Standard 9.1 requires the School to maintain a record of any decision made to approve a deferment of the commencement of study or suspension of study requested by an Overseas Student.

Complaints and Appeals

Standard 10.2.7 requires the School to keep a written record of a complaint or appeal from an Overseas Student, including a statement of the outcome and reasons for the outcome.

Student Payment Details

Regulation 3.04 of the ESOS Regulations requires the School to maintain a record of each enrolled Overseas Student or any Overseas Student who has paid any tuition fees for a course provided by the School with the following details:

- The amount of money that the student has paid to the School, including the separate identification of tuition fees and non-tuition fees;
- For an amount of tuition fees that the student has paid to the School for a course:
 - Whether the amount was paid for the full course or part of the course;
 - If the amount was paid for the full course, the duration of the course; and
 - If the amount was paid for part of the course, the duration of that part of the course;
- Copies of written agreements to which the School and student are parties;
- Any amounts that:
 - Have become payable, directly or indirectly, to the School by the student for the student to undertake a course; and
 - Have not been paid;
- The amount that a student will be charged to access the student's records, noting the amount of a fee for a student to access a record must not exceed the cost incurred by the School in providing access to that record.

Student Assessment Details

Section 21(2B) of the ESOS Act requires the School to record the outcome of an accepted Overseas Student's assessment if:

- They complete a unit of study of their course at the School; and
- Their progress in that unit is assessed.

Under section 21(2C) of the ESOS Act, the assessment record must be kept up-to-date.

PRISMS Notifications

The School must notify the Commonwealth Department of Education and Training (DET), through PRISMS, in relation to various events including student course progress, attendance, transfers and deferment.

The School ensures that records of PRISMS notifications and related actions taken by the School (such as notifying an Overseas Student that they are at risks of not meeting course progress requirements) are maintained in accordance with this Policy.

How We Manage Records

The School is committed to ensuring that all records are managed in an efficient, systematic and transparent manner.

The School ensures that records:

- Are kept up-to-date;
- Are indexed and stored in a logical manner that allows easy access, retrieval and association of related information;
- Are preserved and stored in a suitable physical or digital environment that ensures records are not subject to degradation, loss, alteration or corruption;
- Are subject to confidentiality and security measures so that access is controlled to protect the privacy of individuals and minimise any risk of a breach of privacy;
- Meet the School’s obligations under the *Privacy Act 1988* (Cth) and are compliant with the School's [Privacy Policy](#).

The School has a record management system for the management of records using digital/electronic storage facilities for electronic records, with paper/print records being scanned and saved digitally.

Historic paper / print records are kept in physical storage facilities in an offsite secure facility.

All digitally/electronically stored records are saved in the cloud and backed-up securely.

Destruction and Archiving of Records

The School balances its requirements to retain documents in accordance with applicable legal requirements, and archives or destroys them when they are no longer required for any legal or legitimate business purpose in accordance with our Privacy Policy.

Student records are maintained for at least the period required by the Australian Society of Archivists Record Retention Schedule for Non-Government Schools.

Review of Student Contact Records

The School maintains up-to-date student contact details including:

- Current residential address;
- Mobile number;
- Email address; and
- Who to contact in an emergency.

Record Keeping Responsibility

It is the responsibility of the Corporate Services Department to ensure that every six months, while a student remains an accepted student of the School, the accuracy of the above information is confirmed with the student in writing.

It is the responsibility of the Director of Admissions to ensure that all record keeping procedures required by this policy are implemented effectively and reviewed for improvement regularly and that all staff who have responsibility for Overseas Students at the School are trained on their record keeping obligations under the ESOS Framework.

All staff at the School who have responsibility for Overseas Students are required to maintain appropriate records, as set out in this Policy and other policies related to Overseas Students.



Overseas Students: Support Services Policy

This Policy outlines the Support Services that Cranbrook School (the School) has available for Overseas Students.

Rationale

Standard 6.1 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code) requires the School to support Overseas Students 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 available to assist Overseas Students to help them adjust to study and life in Australia;
- English language and study assistance programs;
- Any relevant legal services;
- Emergency and health services;
- The School's facilities and resources;
- Complaints and appeals processes;
- Requirements for course attendance and progress, as appropriate;
- The support services available to assist students with general or personal circumstances that are adversely affecting their education in Australia; and
- Services students can access information on their employment rights and conditions, and how to resolve workplace issues, such as through the Fair Work Ombudsman.

Standard 6.2 requires the School, upon the request of the Overseas Student, to provide relevant information or appropriate referrals to the Overseas Student requesting assistance in relation to the services and programs offered by the School, at no additional cost to the Overseas Student.

Cranbrook School's Policy

It is the School's policy to assist Overseas Students in adjusting to life and study in Australia, by facilitating access to:

- Counselling for general or personal matters;
- Nursing services;
- Health and disability services;
- English and academic support services;
- Relevant legal services;
- Emergency and health services; and
- Information on employment rights and conditions, and how to resolve workplace issues, such as through the Fair Work Ombudsman.

The School also provides access to other relevant sources of information on life in Australia.

Student Contact Officers

Standard 6.5 requires the School to designate a member or members of its staff to be the official point of contact for Overseas Students.

The School has appointed the the designated contact points for Overseas Students. Students are introduced to these staff during their enrolment and at orientation, and given their contact details.

In addition, the School's Overseas Student contact officer/s must have up-to-date contact details of all Overseas Students enrolled at the School. The contact officer/s must also provide their contact details to all Overseas Students enrolled at the School. Overseas Students are informed about the School's Overseas Student Officer/s and how to contact them at orientation.

Current designated staff contacts for Overseas Students are:

- The Deputy Head of Student Wellbeing P to 6, Mr Grant Andrews, for Overseas Students attending the Junior School (+61 2 9327 9100 and gandrews@cranbrook.nsw.edu.au).
- The Director of Boarding, Mr Matthew Banes, and Boarding Housemaster, Mr Bradley Gill, for Overseas Students attending the Senior School as boarders (Mr Matthew Banes: +61 2 9327 9501 or mbanes@cranbrook.nsw.edu.au; Mr Bradley Gill: +61 2 9327 9511).
- The relevant Master on Duty for the boarding houses are also key and emergency contacts for Overseas Students attending the Senior School as boarders (Street MOD: 0427 485 418 and Rawson MOS 0427 665 296)
- The Director of Students, Mr Peter Young, for Overseas Students attending the School but residing in Sydney full time with their parents (+61 2 9327 9510 or pyoung@cranbrook.nsw.edu.au).

Current staff who provide support for all students at Cranbrook School include:

- The Headmaster, Mr Nicholas Sampson, is the Chief Executive Officer of Cranbrook and is responsible to the School Council for the quality of education provided to all students.
- The Head of Senior School and Deputy Headmaster, Mr Bob Meakin, is responsible for the wellbeing, attendance and academic care of all students from Years 7 to 12 and efficient functioning of relevant staff.
- The Head of Junior School, Mrs Michele Marquet, is responsible for the wellbeing, attendance and academic care of all students in the Junior School and efficient functioning of relevant staff.
- The Chief Operating Officer, Mr Andrew Moore, is responsible for all financial matters relating to a student's enrolment at the School.
- The Director of Students, Mr Peter Young, has oversight of pastoral care of students in the Senior School.
- The Director of Student Wellbeing, Ms Angelique Sanders, works with the Director of Students focusing on wellbeing of the students in the Senior School.
- The Deputy Head of Student Wellbeing P to 6, Mr Grant Andrews, has oversight of pastoral care of students in the Junior School.
- The Director of Academics and Deputy Head of Senior School, Mr Nick Jolly, has oversight of academic progress for students in the Senior School.
- The Deputy Head of Curriculum P to 6, Ms Genet Erickson-Adam, has oversight of academic progress for students in the Junior School.
- The Deputy Head of Operations and Staffing P to 6, Mr Richard Baker, is responsible for the efficient functioning of the Junior School and its staff.
- The Director of Boarding, Mr Matthew Banes, is responsible for student welfare and attendance of boarding students.
- Resident boarding staff assist with settling in of overseas boarding students and with their welfare.
- Year Coordinators are responsible for the academic welfare of students in each year group in the Junior School.
- Housemasters are responsible for pastoral care of students in their house in the Senior School.
- Heads of Department are responsible for issues associated with student progress in their area of responsibility in the Senior School.

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- Class Teachers are responsible for the welfare and progress of students in a particular class in the Junior School.
 - The School Nurses are responsible for the healthcare of all students. A School Nurse will attend the student and make the necessary arrangements should further medical attention be required. The School Nurse will also inform the parents and/or nominated guardian of the situation.
 - The School Psychologists provide a confidential counselling service to students that supports and promotes the growth and wellbeing of all students.
 - The Director of Admissions Ms Meredith Stone, is responsible for student recruitment and enrolment.

Sufficient Student Support Personnel

Standard 6.6 requires the School to have sufficient student support personnel to meet the needs of the Overseas Students enrolled at the School.

The number and type of student support personnel at the School have been selected to ensure that Overseas Students are supported in adjusting to study and life in Australia and throughout their enrolment. Overseas Students are supported by:

- The Overseas Student Contact Officer/s;
- Teaching staff, including Housemasters and Class Teachers;
- School Psychologists in the Counselling Department; and
- School Nurses in the Health Centre.

Notifying Staff of ESOS Obligations

Standard 6.7 requires the School to ensure that staff members who interact directly with Overseas Students are aware of the School's obligations under the Education Services for Overseas Students framework and the potential implications for Overseas Students arising from the exercise of these obligations.

The School briefs all staff members who teach or otherwise have responsibilities to Overseas Students on the School's obligations under the ESOS Framework and potential implications for our Overseas Students arising from the exercise of these obligations. Key contact staff for Overseas Students are also provided more detailed training. All staff also have access to this training should they want to learn more about the School's obligations.

Where there are changes or updates to the School's policies or procedures relating to Overseas Students at the School, relevant staff will be informed as soon as practicable.

Overseas Students Critical Incidents

Standard 6.8 requires the School to have and implement a documented policy and process for managing critical incidents that could affect an Overseas Student's ability to undertake or complete a course, such as but not limited to incidents that may cause physical or psychological harm.

The School maintains a written record of all critical incidents and any remedial action taken by the School following a critical incident, for at least two years after the student ceases to be an accepted student.

Safe School Environments

Standard 6.9 requires the School to:

- Take all reasonable steps to provide a safe environment on campus and advise Overseas Students and staff on actions they can take to enhance their personal security and safety;
- Provide information to Overseas Students about how to seek assistance for and report an incident that significantly impacts on their wellbeing, including critical incidents; and

- Provide Overseas Students with or refer them to (including electronically) general information on safety and awareness relevant to life in Australia.

The School has policies and procedures relating to Student Duty of Care and Child Protection that applies to all students enrolled at the School, including Overseas Students, to ensure the safety of all students and that staff take actions to enhance the personal security and safety of students.

Additionally, at orientation, and on a continuing basis, the School provides information to Overseas Students on how to seek assistance for and report an incident that significantly impacts on their wellbeing, including critical incidents and general information safety and awareness relevant to life in Australia.

Implementation

To provide the best support services to Overseas Students, the School:

- Employs appropriately trained and qualified staff;
- Effectively communicate contact details for the Overseas Student Contact Officer/s to all Overseas Students;
- Have sufficient numbers of student support staff to meet the needs of Overseas Students; and
- Educate Overseas Students and staff on emergency contact numbers and critical incident procedures at the School.

Record Keeping

The School maintains evidence of compliance with this Policy by maintaining records of orientation program, records of critical incidents and records of designated student support personnel in accordance with this Policy. Records will be maintained in accordance with the [Overseas Students: Records Management and Retention Policy](#).

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