



Standard 6: Student Support Services

National Code of Practice for Providers of Education and Training to Overseas Students 2018

Overview

Overseas students require certain support services as they are living and studying in an unfamiliar environment. Registered providers are responsible for providing access to certain services to ensure the mental and physical wellbeing of their overseas students.

Registered providers must:

- give overseas students information on, or access to, an orientation program about living and studying in Australia, including information about safety on campus and while living in Australia;
- offer reasonable support to overseas students, irrespective of their place or mode of study, at no additional cost to the overseas student;
- have a critical incident management policy; and
- ensure there are sufficient staff, in addition to academic staff, to support and advise overseas students who request assistance.

Key Requirements

Orientation programs

Orientation programs help familiarise overseas students with the registered provider's expectations, rules and facilities, and introduce the social and cultural norms which overseas students need to be aware of while in Australia.

Registered providers must give all overseas students access to an age and culturally appropriate orientation program. This includes making the program available to late arrivals or overseas students who begin at different entry points.

Opportunity through learning

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The orientation program must provide 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 registered provider’s facilities and resources;
- complaints and appeals processes;
- requirements for course attendance and progress, as appropriate;
- the support services available to assist overseas students with general or personal circumstances that are adversely affecting their education in Australia; and
- services overseas students can access for information on their employment rights and conditions, and how to resolve workplace issues, such as through the Fair Work Ombudsman.

Orientation programs should take into account the registered provider’s local context. Registered providers may wish to use verbal and written or electronic formats to deliver information, so that overseas students can both listen and take away material they can refer to at a later time.

Registered providers must also:

- take all reasonable steps to provide a safe environment on campus or premises, 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, such as beach safety or the etiquette and laws concerning smoking in Australia.

Access to support services

Registered providers must offer reasonable support to overseas students to enable them to achieve expected learning outcomes, irrespective of the overseas student’s place of study or the mode of study of the course. There must be no additional cost to the overseas student for this support.

Registered providers must also facilitate access to learning support services consistent with the requirements of the course, mode of study and the learning needs of overseas students.

This includes having and implementing documented processes for supporting and maintaining contact with overseas students undertaking online or distance units of study.

Where an overseas student requests access to services and programs included in the orientation program, registered providers must give information or referrals at no additional cost to the overseas student.

Education providers must give overseas students access to a range of services, either by providing the service in-house or having an arrangement to refer overseas students to affordable externally provided services. Services may include:

- English and academic support services;
- tutoring support;
- study skills centres;
- counselling and mental health support;
- career services;
- housing and tenancy services;
- financial support services; and
- health and disability services.

Staff and support personnel

Registered providers must designate at least one member of staff to be the official point of contact for overseas students. The contact officer must have access to up-to-date details of the registered provider’s support services. Registered providers could consider making access to the contact officer available 24 hours a day, seven days a week, but there is no obligation to do so under the National Code.

Registered providers must have sufficient student support personnel to meet the needs of the enrolled overseas students. In determining the sufficient level of staff, the registered provider may take into consideration the number of overseas students enrolled, the types of courses being offered and the likely needs of the overseas students. Registered providers may have additional support staff if they enrol students under the age of 18.

Registered providers must also ensure its staff members who interact directly with overseas students are aware of their obligations under the Education Services for Overseas Students (ESOS) framework and the potential implications for overseas students arising from the exercise of these obligations. This could include:

- incorporating information regarding the ESOS responsibilities of the registered provider and of staff who interact with overseas students in staff handbooks and induction training, or
- emails and discussions at staff meetings about the ESOS framework, such as how basic classroom administration such as keeping accurate attendance may have different ramifications for overseas students compared with domestic students.

Critical incident policy

The National Code defines a critical incident as ‘a traumatic event, or the threat of such (within or outside Australia), which causes extreme stress, fear or injury’. This does not include serious academic misconduct.

Where a provider enrolls overseas students under the age of 18, the critical incident policy must also comply with the requirements under Standard 5 of the National Code.

Critical incidents are not limited to, but could include:

- missing students;
- severe verbal or psychological aggression;
- death, serious injury or any threat of these;
- natural disaster;
- issues such as domestic violence, physical, sexual or other abuse; and
- other non-life threatening events.

The policy must include procedures to follow in the event of a critical incident, and should include contact information for the police, the Department of Home Affairs, the overseas student’s family, and any other relevant organisations that may be able to assist in such a situation, for example community organisations or phone counselling services. The policy must also include steps to immediately take action and resolve or address the critical incident. When writing policies, registered providers should consider the Australian Privacy Principles and also refer to state or territory legislation or other regulatory requirements, in relation to privacy principles, appropriate to the jurisdiction in which they operate.

Registered providers must 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.

Registered providers must maintain a written record of any critical incident and remedial action taken by the registered provider for at least two years after the overseas student ceases to be an *accepted student* under the ESOS Act.

Disclaimer

The Department of Education and Training provides general information and assistance to registered providers and overseas students on the National Code and the *Education Services for Overseas Students Act 2000*.

However, such information or assistance should not be relied on as legal advice or as a substitute for legal advice. Overseas students and education providers should seek independent legal advice as appropriate.

The National Code fact sheets are designed to give registered providers practical guidance in day to day operations. Registered providers should note that compliance will be measured against the requirements of the National Code, not against the fact sheets.