# Proforma for document audit for Initial Approval of a school provider (CRICOS)

The following proforma lists the documentation that a proposed school provider must prepare for a period of initial approval. Evidence of policies and procedures that will ensure compliance with the legislative requirements must be included.

The requirements for initial approval to deliver courses to overseas students for the first time are detailed in Section 5 of the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students* (the Guidelines). If an application for initial approval is successful, the new school provider must maintain evidence of compliance with the requirements detailed in Section 3 of the Guidelines throughout the period of initial approval.

By listing the required documentation as detailed in the Guidelines, the proforma provides a useful checklist for a proposed school provider applying for initial approval. The proforma aims to assist a proposed school provider in identifying the policies and procedures the school provider will need to have in place to meet the requirements. Once completed, the proforma provides a record of the location of these policies and procedures.

The proforma is intended to supplement, not replace, the Guidelines. The Guidelines provide a full description of the requirements.

There is a separate *Proforma for document audit for approval of a school provider of ELICOS* for the requirements for approval to deliver ELICOS.

## Proforma (initial approval)

| **Policies, procedures, records and other documentation required as evidence of compliance for each requirement as listed in the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students*** **(the Guidelines)** | **Guidelines reference** | **Does the school provider have this documentation?** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **FIT AND PROPER TEST** | | | | | | |
| * a statutory declaration by the Principal Executive Officer (PEO) of the provider declaring whether the provider, or an associate of the provider, or a high managerial agent of a provider who has been, is, or who will be involved in the business of delivering programs to overseas students: * has been convicted of a criminal offence * has ever had its CRICOS registration cancelled or suspended under the *Educational Services for Overseas Students (ESOS) Act 2000* (ESOS Act) * has ever been issued with an Immigration Minister’s suspension certificate * 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* (Corporations Act) * has been involved in the business of provision of courses by another provider covered by any of the points above | 5.1.2 |  |  |  |  |  |

| **Policies, procedures, records and other documentation required as evidence of compliance for each requirement as listed in the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students*** **(the Guidelines)** | **Guidelines reference** | **Does the school provider have this documentation?** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **AUSTRALIAN RESIDENCY** | | | | | | |
| * a certificate of Incorporation as a Company, ASIC registration certificate, or evidence that the legal entity of the provider is a kind approved by the Minister for education to be the proprietor of a non-government school, or that the provider is administered by a state education authority | 5.1.3 |  |  |  |  |  |
| * the address of the proposed school provider's place of business, postal address and contact details | 5.1.3 |  |  |  |  |  |
| * contact details for all premises at which the proposed school provider intends to deliver courses to overseas students | 5.1.3 |  |  |  |  |  |

| **Policies, procedures, records and other documentation required as evidence of compliance for each requirement as listed in the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students*** **(the Guidelines)** | **Guidelines reference** | **Does the school provider have this documentation?** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **MARKETING INFORMATION AND PRACTICES** | | | | | | |
| * proposed marketing and other materials for intending overseas students which are consistent with 3.4.1 and 3.4.2 of the Guidelines that identify a place for the provider’s name and CRICOS number should the provider be approved. The marketing information may include the school provider’s proposed website, prospectus, application forms and overseas student handbooks or information packages | 5.1.4 |  |  |  |  |  |

| **Policies, procedures, records and other documentation required as evidence of compliance for each requirement as listed in the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students*** **(the Guidelines)** | **Guidelines reference** | **Does the school provider have this documentation?** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **RECRUITMENT OF AN OVERSEAS STUDENT** | | | | | | |
| * proposed enrolment and course structure information that are consistent with section 3.5.1 of the Guidelines | 5.1.5 |  |  |  |  |  |
| * procedures to assess whether the overseas student's qualifications, experience and English language proficiency are appropriate for the course for which enrolment is sought | 5.1.5 |  |  |  |  |  |

| **Policies, procedures, records and other documentation required as evidence of compliance for each requirement as listed in the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students*** **(the Guidelines)** | **Guidelines reference** | **Does the school provider have this documentation?** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **FORMALISATION OF ENROLMENT AND WRITTEN AGREEMENTS** | | | | | | |
| * the proposed written agreement to be signed by each enrolled overseas student and parent if the overseas student is under 18 years of age, identifying the mandatory written agreement components consistent with sections 3.6.3 to 3.6.5 of the Guidelines | 5.1.6 |  |  |  |  |  |
| * a procedure to confirm in writing and update every six months, overseas student contact details including address, mobile phone number and email address | 5.1.6 |  |  |  |  |  |
| * a process for maintaining a copy of the written agreement with each enrolled overseas student | 5.1.6 |  |  |  |  |  |

| **Policies, procedures, records and other documentation required as evidence of compliance for each requirement as listed in the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students*** **(the Guidelines)** | **Guidelines reference** | **Does the school provider have this documentation?** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **EDUCATION AGENTS** | | | | | | |
| * the proposed written agreement with each education agent to be engaged by the provider consistent with sections 3.7.2, 3.7.4 and 3.7.5 | 5.1.7 |  |  |  |  |  |
| * the documented responsibilities of the education agent and proposed school provider consistent with section 3.7.3 of the Guidelines | 5.1.7 |  |  |  |  |  |
| * processes for the proposed school provider to monitor the activities of the education agent, including where corrective action may be taken | 5.1.7 |  |  |  |  |  |
| * processes for ensuring that up-to-date and accurate information will be provided to each agent used by the proposed school provider | 5.1.7 |  |  |  |  |  |

| **Policies, procedures, records and other documentation required as evidence of compliance for each requirement as listed in the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students*** **(the Guidelines)** | **Guidelines reference** | **Does the school provider have this documentation?** | | | | |
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| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **YOUNGER OVERSEAS STUDENTS - *for proposed school providers intending to enrol overseas students under 18 years of age*** | | | | | | |
| * if the proposed school provider intends to enrol overseas student under 18 years of age it must have evidence of the capacity to comply with section 3.8 of the Guidelines (Evidence of compliance A) | 5.1.8 |  |  |  |  |  |
| * clear description of the proposed arrangements for the accommodation, support and general welfare arrangements for overseas students under 18 years of age, including whether or not the proposed provider will accept overseas students who will not be living with a parent or The Department of Home Affairs (DHA) approved relative | 5.1.8 |  |  |  |  |  |
| * proposed process for maintaining up-to-date records of the living arrangements of all overseas students under 18 years of age | 5.1.8 |  |  |  |  |  |
| * proposed policies and procedures for complying with 3.8.5 of the Guidelines where the school provider is unable to contact an overseas student and has concerns for the student's welfare | 5.1.8 |  |  |  |  |  |
| * proposed policies and procedures for complying with 3.8.7 of the Guidelines where the school provider enrols an overseas student who, at the time of enrolment, had welfare arrangements approved by another registered provider | 5.1.8 |  |  |  |  |  |

| **Policies, procedures, records and other documentation required as evidence of compliance for each requirement as listed in the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students*** **(the Guidelines)** | **Guidelines reference** | **Does the school provider have this documentation?** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **YOUNGER OVERSEAS STUDENTS - *where welfare and accommodation is approved by the provider - CAAW letter issued*** | | | | | | |
| * if the proposed provider intends to enrol overseas students under 18 years of age, where welfare and accommodation will be approved by the proposed provider, it must have evidence of the capacity to comply with 3.8 of the Guidelines (Evidence of compliance B) | 5.1.8 |  |  |  |  |  |
| * policies and procedures for verifying that the overseas student's accommodation and welfare arrangements is appropriate to the student's age and needs | 5.1.8 |  |  |  |  |  |
| * policies and procedures for ensuring any adults involved in or providing accommodation and welfare arrangements to the overseas student have a Working With Children Check clearance | 5.1.8 |  |  |  |  |  |
| * policies and procedures for managing critical incidents, including in emergency situations and here welfare arrangements are disrupted | 5.1.8 |  |  |  |  |  |
| * policies and procedures for notifying the overseas student's parent or legal guardian immediately if the school provider is no longer able to approve the welfare arrangements of the overseas student | 5.1.8 |  |  |  |  |  |
| * procedures for advising DHA of any changes to the overseas student's welfare and accommodation arrangements as described in section 3.8.3 of the Guidelines | 5.1.8 |  |  |  |  |  |

| **Policies, procedures, records and other documentation required as evidence of compliance for each requirement as listed in the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students*** **(the Guidelines)** | **Guidelines reference** | **Does the school provider have this documentation?** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **YOUNGER OVERSEAS STUDENTS - *where welfare and accommodation is approved by DHA - no CAAW letter issued*** | | | | | | |
| * if the proposed provider intends to enrol overseas students under 18 years of age, where welfare and accommodation will be approved by DHA, it must have evidence of the capacity to comply with 3.8 of the Guidelines (Evidence of compliance C) | 5.1.8 |  |  |  |  |  |
| * policies and procedures for monitoring the living arrangements of overseas students living with a parent or approved DHA relative | 5.1.8 |  |  |  |  |  |
| * policies and procedures for responding to concerns about the accommodation or welfare of an overseas student under 18 years of age raised through the proposed school provider's monitoring or any other credible source | 5.1.8 |  |  |  |  |  |

| **Policies, procedures, records and other documentation required as evidence of compliance for each requirement as listed in the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students*** **(the Guidelines)** | **Guidelines reference** | **Does the school provider have this documentation?** | | | | |
| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **OVERSEAS STUDENT SUPPORT SERVICES** | | | | | | |
| * proposed information on or access to an age and culturally appropriate orientation program for overseas students, consistent with section 3.9.1 of the Guidelines | 5.1.9 |  |  |  |  |  |
| * policies and procedures to assist overseas students to adjust to study and life in Australia consistent with 3.9.2 to 3.9.9 of the Guidelines that include: * information or referrals as appropriate to overseas students who request assistance in relation to services and programs set out in national Code National Code Standard 6.1, at no additional cost to the overseas student * providing reasonable support to enable overseas students to achieve expected learning outcomes * facilitating access to learning support services consistent with the requirements of the course, modes of study and learning needs * designating a member or members of its staff to be the official point of contact for overseas students * having sufficient support personnel to meet the needs of overseas students * ensuring staff members who interact directly with overseas students are aware of the providers obligations under the ESOS framework * managing critical incidents that could affect an overseas student's ability to undertake or complete a course | 5.1.9 |  |  |  |  |  |

| **Policies, procedures, records and other documentation required as evidence of compliance for each requirement as listed in the *Guidelines for Approved NSW School* *Providers Delivering Courses to Overseas Students*** **(the Guidelines)** | **Guidelines reference** | **Does the school provider have this documentation?** | | | | |
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| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **OVERSEAS STUDENT TRANSFERS** | | | | | | |
| * policies and procedures in relation to overseas student transfers consistent with 3.10 of the Guidelines that include: * the process for not knowingly enrolling an overseas student seeking to transfer from another registered school provider's course prior to the student completing the first six months of the first registered school sector course * the process by which an enrolled overseas student makes a request to transfer to another registered provider * the process by which the proposed school provider will assess an overseas student request to transfer * how an overseas student is informed of the decision | 5.1.10 |  |  |  |  |  |

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| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **OVERSEAS STUDENT VISA REQUIREMENTS** | | | | | | |
| * policies and procedures in relation to overseas student visa requirements consistent with 3.11 of the Guidelines that include: * course progress and attendance requirements, consistent with sections 3.11.1 to 3.11.7 * reporting unsatisfactory course progress or unsatisfactory attendance, consistent with 3.11.8 to 3.11.10 of the Guidelines * allowable extension of course duration, consistent with sections 3.11.11 and 3.11.12 of the Guidelines * modes of delivery, consistent with 3.11.13 to 3.11.16 of the Guidelines | 5.1.11 |  |  |  |  |  |

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| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **DEFERRING, SUSPENDING OR CANCELLING THE OVERSEAS STUDENT'S ENROLMENT** | | | | | | |
| * policies and procedures in relation to deferring, suspending or cancelling an overseas student's enrolment, consistent with 3.12 of the Guidelines that include: * assessing, approving and recording a deferment of the commencement of study, a suspension of study or the cancellation of an overseas student's enrolment * informing parents of overseas students under 18 years of age of any identified risk of cancellation of student enrolment | 5.1.12 |  |  |  |  |  |

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| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **COMPLAINTS AND APPEALS** | | | | | | |
| * policies and procedures in relation to complaints and appeals, consistent with 3.13 of the Guidelines that include: * handling complaints an appeals with processes for internal review and independent external review * maintaining the enrolment of an overseas student whilst a complaint and/or appeal is considered * providing access to an independent external body for the provision of dispute resolution | 5.1.13 |  |  |  |  |  |

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| --- | --- | --- | --- | --- | --- | --- |
| **Yes** | **No** | **N/A** | **If yes, document name, location and date last revised** | **Responsible staff member** |
| **ADDITIONAL REGISTRATION REQUIREMENTS INCLUDING NOTIFICATIONS TO NESA** | | | | | | |
| * policies and procedures in relation to making notifications to NESA, consistent with 3.14 of the Guidelines | 5.1.14 |  |  |  |  |  |