

Policy area	Additional registration requirements
Standards	National Code 2018 Standard 8 – Overseas student visa requirements
Relates to	CEO/PEO, Academic Manager, Student Services Manager, Student Services Officer and Trainer/Assessor
Classification	Internal Only

1. Purpose

AVTI College aims to provide a secure and supportive environment for staff and students. This policy outlines the procedures for responding to critical incidents that may affect those studying or working at AVTI College. The college recognises its role in assisting overseas students who may lack traditional support networks.

AVTI College will inform students and staff about measures they can take to promote their personal security and safety. The college will also offer information on safety practices relevant to living in Australia and explain how to seek assistance or report any incidents that could impact wellbeing.

2. Definitions

Definition of a Critical Incident:

A critical incident is defined as any sudden or escalating event that necessitates immediate response and decisive action to prevent or mitigate adverse effects on the health and welfare of one or more individuals. Examples of critical incidents include, but are not limited to, the following:

- Death or suicide;
- Serious accident or injury;
- Death or serious illness of a student's family member or friend overseas (in their country of origin);
- Deprivation of liberty under duress, threats of violence, assault, sexual assault, aggravated burglary, or the presence/discovery of biological or chemical weapons;
- Fire, explosion, bomb threat, gas or chemical hazards, or discharge of firearms;
- Threats of widespread infection or contamination;
- Civil unrest;
- Significant damage to essential facilities or major disruption to AVTI College operations; and
- Disclosure of information that may adversely affect the reputation of AVTI College within the media and/or broader community.

3. Policy and Procedure statement

The designated officer is the staff member who witnesses or receives information about a critical incident. If available, the Chief Executive Officer should take control immediately. Follow the procedure below in all cases.

Critical Incident Procedure

- The Designated Officer assesses risks to personal and others' safety at the scene.
- If there is a threat to life or emergency, the Designated Officer contacts Emergency Services (dial 000) and is connected to the appropriate service.
- If safe, the Designated Officer acts to limit further harm, possibly involving bystanders as needed.
- The Chief Executive Officer (CEO) or most senior staff member takes charge, forming a Critical Incident Team if necessary.
- The CEO or senior staff prepares an initial report with incident details, location, and affected individuals; include Student Written Agreement if students are involved.
- The CEO and Critical Incident Team review the situation, set priorities, assign responsibilities, and coordinate communications with all stakeholders.
- Any staff managing the incident consults with or follows instructions from the CEO when required.
- The Critical Incident Team manages follow-up actions such as staff briefings, counselling, and ongoing review.
- A de-briefing session is held to evaluate the response and suggest further actions if needed.
- A final report is prepared with recommendations for future incidents, which may include revising this procedure.

Tasks and Responsibilities

The Chief Executive Officer or senior staff will:

- Lead the Critical Incident Team
- Coordinate with emergency services and diplomatic contacts
- Notify senior staff about the incident
- Communicate with families or guardians as needed
- Convene the response team
- Develop and implement the incident plan
- Arrange debriefings and counselling
- Ensure secure record-keeping of all incident-related information

Notifying the Police

The police are required to investigate all cases of sudden or unexpected death. Their responsibilities include:

- Reporting the death to the Coroner;
- Notifying the next of kin;
- Securing official identification of the deceased, which must be provided by someone who has been acquainted with the individual for at least one year; and
- Conducting a thorough investigation, which may involve interviewing witnesses or other relevant parties.

Notifying Next of Kin

After confirming death or injury, carefully consider how to contact next of kin or significant others. Key questions include:

- What is the best way to make contact?
- What were the circumstances of the event?

Ongoing Support

Maintain regular communication with individuals requiring ongoing support, which may occur outside of standard class times or locations. The following considerations are recommended:

- Personal contact should be initiated with victims and those affected by the incident outside normal operating hours, prioritising family and friends.
- The Critical Incident Team will evaluate the needs of those impacted and facilitate referrals for counselling or advisory services, including agencies beyond usual providers as necessary.
- Culturally appropriate responses, provision of interpreters, and notification of relevant overseas authorities, such as embassies and legations, may be implemented.
- Where appropriate, staff and students should be encouraged to seek professional counselling. Prioritising the psychological wellbeing of staff and students is essential in incidents involving trauma. Special leave may be granted when warranted.
- Issuing a written statement to staff and students may be required, following the Privacy Act 1988, to ensure appropriate communication regarding the incident.
- It may be necessary to identify additional individuals affected to provide reassurance and minimise distress.
- Facilitating a return to routine as swiftly as possible is important. The Chief Executive Officer will meet with staff at the end of the day to conduct a debrief and support the recovery process.

4. Considerations

Dissemination of this Policy

This policy will be accessible on the AVTI College website. Staff will conduct an emergency evacuation drill with all new students at the beginning of each semester. The policy and procedure will be reviewed regularly as part of AVTI College's ongoing improvement process.

Record Retention Requirements for Critical Incidents

AVTI College is required to maintain written documentation of any critical incident, as well as any remedial actions taken, for a minimum of two (2) years following the cessation of an overseas student's enrolment. The Chief Executive Officer (CEO) is responsible for overseeing the secure retention and storage of all records associated with the management of critical incidents.

EMERGENCY CONTACTS

Support Services

AVTI College emergency contacts are listed in the Student Handbook.

Service	Phone Number
Police	000
Fire Brigade	000
Ambulance Service	000
State Emergency Service	132 500

5. Other documents to consider with this policy

Policies

- Monitoring Course Progress Policy

6. Forms

None

Handbooks, manuals or other documents

- Student Handbook

7. Flow chart

None.

8. Reference(s)

National Code 2018 Standard 8 – Overseas student visa requirements

Monitoring overseas student progress, attendance and course duration

8.1

The registered provider must monitor overseas students' course progress and, where applicable, attendance for each course in which the overseas student is enrolled.

8.2

The expected duration of study specified in the overseas student's CoE must not exceed the CRICOS registered duration.

8.3

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.

8.4

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.

8.5

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. Schools, ELICOS and Foundation Programs: course progress and attendance requirements

8.6

The registered provider of a school, ELICOS or Foundation Program course must have and implement a documented policy and process for monitoring and recording attendance of the overseas student, specifying:

8.6.1

requirements for achieving satisfactory attendance for the course which at a minimum must be 80 per cent—or higher if specified under state or territory legislation or other regulatory requirements—of the scheduled contact hours

8.6.2

the method for working out minimum attendance under this standard

8.6.3

processes for recording course attendance

8.6.4

details of the registered provider's intervention strategy to identify, notify and assist overseas students who have been absent for more than five consecutive days without approval, or who are at risk of not meeting attendance requirements before the overseas student's attendance drops below 80 per cent

8.6.5

processes for determining the point at which the overseas student has failed to meet satisfactory course attendance.

8.7

The registered provider must have and implement a documented policy and process for monitoring and recording course progress for the overseas student, specifying:

8.7.1

requirements for achieving satisfactory course progress for the course

8.7.2

processes for recording and assessing course progress

8.7.3

details of the registered provider's intervention strategy to identify, notify and assist students at risk of not meeting course progress requirements in sufficient time for those students to achieve satisfactory course progress

8.7.4

processes for determining the point at which the student has failed to meet satisfactory course progress. Higher education: course progress requirements

8.8

The registered provider of a higher education course must have and implement a documented policy and process for monitoring and recording course progress for the overseas student, specifying:

8.8.1

requirements for achieving satisfactory course progress, including policies that promote and uphold the academic integrity of the registered course, and processes to address misconduct and allegations of misconduct

8.8.2

processes for recording and assessing course progress requirements

8.8.3

processes to identify overseas students at risk of unsatisfactory course progress

8.8.4

details of the registered provider's intervention strategy to assist overseas students at risk of not meeting course progress requirements in sufficient time for those overseas students to achieve satisfactory course progress

8.8.5

processes for determining the point at which the overseas student has failed to meet satisfactory course progress. Vocational education and training (VET): course progress and attendance requirements

8.9

The registered provider of a VET course as defined in the NVETR Act must have and implement a documented policy and process for assessing course progress that includes:

8.9.1

requirements for achieving satisfactory course progress, including policies that promote and uphold the academic integrity of the registered course and meet the training package or accredited course requirements where applicable, and processes to address misconduct and allegations of misconduct

8.9.2

processes for recording and assessing course progress requirements

8.9.3

processes to identify overseas students at risk of unsatisfactory course progress

8.9.4

details of the registered provider's intervention strategy to assist overseas students at risk of not meeting course progress requirements in sufficient time for those overseas students to achieve satisfactory course progress

8.9.5

processes for determining the point at which the overseas student has failed to meet satisfactory course progress.

8.10

The registered provider must have and implement a documented policy and process for monitoring the attendance of overseas students if the requirement to implement and maintain minimum attendance requirements for overseas students is set as a condition of the provider's registration by an ESOS agency.

8.11

If an ESOS agency requires a VET provider to monitor overseas student attendance as a condition of registration, the minimum requirement for attendance is 80 per cent of the scheduled contact hours for the course.

8.12

If an ESOS agency requires a VET provider to monitor overseas student attendance, the registered provider must have and implement a documented policy and process for monitoring and recording attendance of the overseas student, specifying:

8.12.1

the method for working out minimum attendance under this standard

8.12.2

processes for recording course attendance

8.12.3

details of the registered provider's intervention strategy to identify, notify and assist overseas students who have been absent for more than five consecutive days without approval, or who are at risk of not meeting attendance requirements before the overseas student's attendance drops below 80 per cent

8.12.4

processes for determining the point at which the overseas student has failed to meet satisfactory course attendance. Reporting unsatisfactory course progress or unsatisfactory course attendance

8.13

Where the registered provider has assessed the overseas student as not meeting course progress or attendance requirements, the registered provider must give the overseas student a written notice as soon as practicable which:

8.13.1

notifies the overseas student that the registered provider intends to report the overseas student for unsatisfactory course progress or unsatisfactory course attendance

8.13.2

informs the overseas student of the reasons for the intention to report

8.13.3

advises the overseas student of their right to access the registered provider's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.

8.14

The registered provider must only report unsatisfactory course progress or unsatisfactory course attendance in PRISMS in accordance with section 19(2) of the ESOS Act if:

8.14.1

the internal and external complaints processes have been completed, and the decision or recommendation supports the registered provider, or

8.14.2

the overseas student has chosen not to access the internal complaints and appeals process within the 20-working day period, or

8.14.3

the overseas student has chosen not to access the external complaints and appeals process, or

8.14.4

the overseas student withdraws from the internal or external appeals processes by notifying the registered provider in writing.

8.15

The registered provider may decide not to report the overseas student for breaching the attendance requirements if the overseas student is still attending at least 70 per cent of the scheduled course contact hours and:

8.15.1

for school, ELICOS and Foundation Program courses, the overseas student provides genuine evidence demonstrating that compassionate or compelling circumstances apply; or

8.15.2

for VET courses, the student is maintaining satisfactory course progress. Allowable extensions of course duration

8.16

The registered provider must not extend the duration of the overseas student's enrolment if the overseas student is unable to complete the course within the expected duration, unless:

8.16.1

there are compassionate or compelling circumstances, as assessed by the registered provider on the basis of demonstrable evidence, or

8.16.2

the registered provider has implemented, or is in the process of implementing, an intervention strategy for the overseas student because the overseas student is at risk of not meeting course progress requirements, or

8.16.3

an approved deferral or suspension of the overseas student's enrolment has occurred under Standard 9 (Deferring, suspending or cancelling the overseas student's enrolment).

8.17

If the registered provider extends the duration of the student's enrolment, the provider must advise the student to contact Immigration to seek advice on any potential impacts on their visa, including the need to obtain a new visa.

Modes of delivery

Note: Online learning is study where the teacher and overseas student primarily communicate through digital media, technology-based tools and IT networks and does not require the overseas student to attend scheduled classes or maintain contact hours. For the purposes of the ESOS framework, online learning does not include the provision of online lectures, tuition or other resources that supplement scheduled classes or contact hours. Distance learning is any learning that an overseas student undertakes off campus and does not require an overseas student on a student visa to physically attend regular tuition for the course on campus at the provider's registered location.

8.18

A registered provider must not deliver a course exclusively by online or distance learning to an overseas student.

8.19

A registered provider 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.

8.20

A registered provider must 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.

8.21

For school, ELICOS or foundation programs, 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.

8.22

The registered provider must take all reasonable steps to support overseas students who may be disadvantaged by:

8.22.1

additional costs or other requirements, including for overseas students with special needs, from undertaking online or distance learning

8.22.2

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.