

Submission on proposed changes to the National Code of Practice for Providers of Education and Training to Overseas Students 2007

Overview

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none">• Parts A, B and C of the 2007 National Code have been streamlined to:<ul style="list-style-type: none">○ provide an overview of the ESOS framework○ summarise the role of the National Code and its purpose○ outline the quality assurance arrangements and roles of other relevant Commonwealth agencies	SUPPORT	
<ul style="list-style-type: none">• Some part C and D requirements in the 2007 National Code have been moved to Standard 11 as requirements for providers.• The standards are now in part B.	SUPPORT	

Standard 1 – Marketing information and practices

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Clarifies that providers must not engage in false or misleading marketing practices, consistent with Australian Consumer Law. 	SUPPORT	
<ul style="list-style-type: none"> Marketing material must accurately identify the provider's association with any other providers, work-based or work-integrated learning opportunities, and prerequisites including English language. 	DO NOT SUPPORT	While English Australia is generally supportive of this standard, to confidently provide its full support it requests clarification, perhaps through a supplementary fact sheet, of whether providers are required to include CRICOS Provider Code or CRICOS course codes in the information it makes available.
<ul style="list-style-type: none"> Specific provisions prevent a provider from undertaking to or guaranteeing that it can secure a migration or successful education assessment outcome. 	SUPPORT	

Standard 2 – Enrolment of an overseas student

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Clarifies that a provider must inform a student before they enrol about: course content, modes of study (including online and/or work related learning placements) and assessment requirements. 	DO NOT SUPPORT	<p>While English Australia is generally supportive of this standard, to confidently provide its full support it requests clarification, perhaps through a supplementary fact sheet, of:</p> <ul style="list-style-type: none"> which of the various means that a provider might use to communicate such details are acceptable, for example, via electronic signature, via ticking a box on an online form confirming that these details have been made available, etc. whether providers are required to include CRICOS Provider Code or CRICOS course codes in the information it makes available.
<ul style="list-style-type: none"> Requires providers to give information about the policy and process for approving welfare and accommodation arrangements for students under 18 where relevant. 	SUPPORT	
<ul style="list-style-type: none"> Requires registered providers to have and implement a documented policy and process for assessing English language proficiency, educational qualifications and work experience are sufficient to undertake the course. 	DO NOT SUPPORT	<p>English Australia notes that many ELICOS courses cater to the variety of proficiency levels and needs of individual enrolling students.</p> <p>To confidently give full support to this requirement, English Australia requests clarification, perhaps through a fact sheet of how the assessment of English language proficiency would align with ELICOS courses that do not have a specific English language competency requirement for entry, such as 'General English'.</p>
<ul style="list-style-type: none"> Incorporates the requirements relating to course credit, previously in standard 12. Adds that course credit or recognition of prior learning (RPL) must preserve the integrity of the award to which it applies. 	SUPPORT	

Standard 3 – Formalisation of enrolment and written agreements

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
Written agreements must include more detailed information about students' enrolment.	DO NOT SUPPORT	While English Australia is generally supportive of this standard, to confidently provide its full support it requests clarification, perhaps through a supplementary fact sheet, of the term in Standard 3.1 "or otherwise accepted". Alternatively, English Australia recommends the addition to this standard of a phrase to the effect of "such as by payment of fees".
Providers must require students must keep their personal and contact information up to date.	SUPPORT	
<ul style="list-style-type: none"> The provider must retain records of the written agreement and receipts of payments by the student for at least 2 years after the person ceases to be an accepted student. 	SUPPORT	

Standard 4 – Education agents

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Clarifies that providers must ensure the agent has up to date and accurate information, does not engage in false or misleading conduct, declares in writing and takes reasonable steps to avoid conflicts of interest, observes appropriate levels of confidentiality and transparency in dealing with students, and acts honestly and in good faith. 	DO NOT SUPPORT	English Australia requests the Department of Education and Training add a clause that requires providers to include agents details in PRISMS as a mandatory condition. This facility currently exists in PRISMS on a voluntary basis. Current data indicates that most providers are entering the data voluntarily, however, a compulsory condition would enhance data integrity.

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Clarifies the provider must ensure the agent has appropriate knowledge and understanding of the international education system in Australia, including the code of ethics. 	SUPPORT	

Standard 5 – Younger students

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Providers enrolling students under 18 must meet any Australian, state or territory legislation or other regulatory requirements relating to child welfare and protection. 	SUPPORT	
<ul style="list-style-type: none"> Requires providers to give information to students under 18 about who to contact in emergency situations. 	SUPPORT	
<ul style="list-style-type: none"> Requires providers to give information on how a student under 18 can seek assistance and report any incident or allegation involving abuse. 	SUPPORT	
<ul style="list-style-type: none"> Providers with responsibility for a student’s welfare must check initially and least every six months thereafter that the student’s accommodation is appropriate to the student’s age and needs. 	DO NOT SUPPORT	While English Australia supports the spirit of this draft, to confidently give its full support, it requests clarification, perhaps via a supplementary fact sheet, of the manner in which checks may be performed.

<p style="text-align: center;">PROPOSED AMENDMENTS</p>	<p style="text-align: center;">SUPPORT / DO NOT SUPPORT</p>	<p style="text-align: center;">COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i></p>
<ul style="list-style-type: none"> • Adults involved in or providing accommodation must have any Working with Children clearances (or equivalent) as required in a state or territory. 	<p>SUPPORT</p>	
<ul style="list-style-type: none"> • Requires a policy and process for managing critical incidents, including in emergency situations and when welfare arrangements are disrupted. 	<p>SUPPORT</p>	
<ul style="list-style-type: none"> • Where a provider is no longer able to approve welfare arrangements, all reasonable steps must be taken to notify the student’s parent or legal guardian immediately. 	<p>SUPPORT</p>	
<ul style="list-style-type: none"> • Providers must have documented processes for selecting, screening and monitoring any third parties engaged by the provider to organise and assess welfare and accommodation arrangements. 	<p>SUPPORT</p>	
<ul style="list-style-type: none"> • If a provider enrolls a student under 18 who has welfare arrangements approved by another provider, the receiving provider must negotiate the transfer date for welfare arrangements to ensure there is no gap. 	<p>SUPPORT</p>	
<ul style="list-style-type: none"> • The provider must advise the student of their visa obligation to maintain their current welfare arrangements until the transfer date or have alternative welfare arrangements approved or return to their home country until the new arrangements take effect. 	<p>SUPPORT</p>	

Standard 6 – Student support services

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Requires providers to give information to students regarding a range of support services, including relating to English language, health, legal services, complaints and appeals avenues, and employment assistance (including resolving workplace issues). 	SUPPORT	
<ul style="list-style-type: none"> Requires the provider to facilitate access to learning support services, including for different modes of study such as online or distance. 	SUPPORT	
<ul style="list-style-type: none"> Clarifies that providers must have in place a documented policy and process to manage critical incidents that could affect a student undertaking or completing the course. (Note: standard 5 requires a critical incident policy and process more specific to the needs of students under 18.) 	SUPPORT	
<ul style="list-style-type: none"> Providers must take all reasonable steps to provide a safe environment on campus and give overseas students information about how to seek assistance for and report an incident that significantly impacts on their wellbeing. 	SUPPORT	

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Standard 6.6 	DO NOT SUPPORT	<p>While English Australia supports the principle behind this standard, to confidently give full support, it requests clarification of what precisely will be deemed as 'sufficient' or otherwise. While this may come in the form of a supplementary fact sheet, English Australia recommends amendment to Standard 6.6 to the effect of "sufficient student support personnel consistent with services outlined in the provider's written agreement and marketing materials".</p>

Standard 7 – Student transfers

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Providers must not knowingly enrol a student wishing to transfer from another provider’s course prior to the student completing six months of their principal course, or for the school sector, until after the first six months of the first registered school sector course. 	<p>DO NOT SUPPORT</p>	<p>English Australia is concerned that “must not knowingly” leaves this Standard open to exploitation. English Australia recommends the word ‘knowingly’ is removed with the exceptions set out in 7.1.1 – 7.1.4 remaining in place.</p> <p>English Australia strongly supports a systems-based approach to addressing this issue, such as via further development of PRISMS.</p> <p>English Australia notes the issue of concurrent study enrolments has not been addressed in this draft of the National Code and recommends that DET clarifies a position. English Australia is of the view that this must be addressed in the National Code as it applies to all sectors and to formal enrolment, monitoring, and reporting requirements for a student on a student visa.</p> <p>English Australia is of the view that such additional enrolment should be treated in the same fashion as an enrolment in a ‘hobby’ course or for a non-student visa holding student. That is, the student maintains their original enrolment and continues to be monitored and reported on with respect to their various student visa obligations by the original provider and is enrolled with the additional course provider without entry to PRISMS.</p>
<ul style="list-style-type: none"> Transfer requests from the student must be in writing. 	<p>SUPPORT</p>	<p>As noted above English Australia strongly supports a systems-based solution to improving the efficiency of this, such as via increased capability in PRISMS.</p>
<ul style="list-style-type: none"> The provider must have and implement a documented policy and process for assessing student transfer requests, which must outline circumstances in which the provider will grant a transfer because it is in the student’s best interests; and reasonable grounds for refusal of the request. 	<p>SUPPORT</p>	

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> The standard contains additional guidance for providers about circumstances in which they should grant a transfer because it is in the student’s best interests. 	DO NOT SUPPORT	<p>While English Australia supports the efforts of DET in streamlining the National Code and avoiding being overly prescriptive in its approach, it is of the view that for consistent and objective administration of Standard 7 by both providers and the regulators to be achieved, this spirit must be clearly stated.</p> <p>Thus, English Australia recommends that Standard 7.2.2 be amended to read “the circumstances in which a transfer request should be granted because the transfer is in the student’s best interests. Such circumstances might include, but are not necessarily limited to:”. This would avoid a reading of this Standard that sees the points 7.2.2.1 – 7.2.2.6 as obligating a provider to grant release as opposed to possible reasons a provider might choose to grant release.</p> <p>With this change in place the points from 7.2.2.1 to 7.2.2.6 do not require amendment. However, without this change, English Australia is of the view that the below listed elements require amendment to address the following issues:</p> <ul style="list-style-type: none"> Standard 7.2.2.1 appears to conflict with Standards 8 and 9 with respect to students being reported for failure to make appropriate course progress. If students are released when at risk of not meeting the required progress this will encourage course hopping as a means of avoiding being reported. It is also noted that it would be very unusual for a student to be noted as at risk and of having failed to respond to a provider’s intervention strategy all within the first 6 months of their program Standard 7.2.2.2 offers such a broad justification for release that it enables students to gain a release within the first six months for basically any reason. English Australia believes that this will encourage course hopping and negatively impact the integrity of the student visa system. Standard 7.2.2.4 presents a less quantifiable and less objective version of Standard 7.2.2.5. Further, if the student has an expectation of a particular service or quality that is not specifically claimed in the marketing and communications of the provider, it is unreasonable to claim this as a reasonable expectation. <p>English Australia is concerned that Standard 7.2.2.6 is quite ambiguous. That is, it does not state that the appeal led to a decision to release the</p>

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> If a student requesting a transfer is under 18, written confirmation of agreement of a parent or legal guardian is required. 	SUPPORT	
<ul style="list-style-type: none"> Where a provider agrees to a student's release the date of effect and reason for release must be recorded in PRISMS and the provider must advise the student Immigration to seek advice on whether a new student visa is required. 	DO NOT SUPPORT	While English Australia does support the statement listed opposite in this document, this does not accurately reflect Standard 7.4 which does not refer to recording the date of effect or reason for release in PRISMS. English Australia would support the addition of this phrase to an amended version of Standard 7.4
<ul style="list-style-type: none"> If release is not to be granted, the provider must give to the student the reasons for refusal in writing. 	SUPPORT	
<ul style="list-style-type: none"> The provider must maintain records of all requests for transfer, assessment and decision on the student's file for two years after the student ceases to be an accepted student. 	SUPPORT	

Standard 8 – Monitoring course progress and attendance

Providers must monitor student progress

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> All providers must monitor students' progress, as satisfactory course progress is a student visa requirement. Some sectors require providers to also monitor attendance. 	SUPPORT	
<ul style="list-style-type: none"> Providers must clearly outline and inform the student before they commence their course of the requirement to achieve satisfactory course progress in each study period. 	SUPPORT	
<ul style="list-style-type: none"> Providers must have documented policies and processes to identify, notify and assist a student at risk of not meeting course progress (or attendance requirements if applicable) where evidence from the student's assessment tasks, participation or other indicators of academic progress indicate the student is at risk of not meeting requirements. 	SUPPORT	

Schools, ELICOS and foundation programs

<p style="text-align: center;">PROPOSED AMENDMENTS</p>	<p style="text-align: center;">SUPPORT / DO NOT SUPPORT</p>	<p style="text-align: center;">COMMENTS</p> <p style="text-align: center;"><i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i></p>
<ul style="list-style-type: none"> • School, ELICOS and foundation programmes require both course progress and attendance monitoring. The requirement for attendance is 80% of the scheduled contact hours for the course, or higher if specified under state registration or approval frameworks. 	<p style="text-align: center;">DO NOT SUPPORT</p>	<p>English Australia supports the value of monitoring course progress. It notes, however, that many ELICOS courses cater to a variety of proficiency levels and learning needs. To confidently give full support to this requirement, English Australia requests clarification, perhaps through a supplementary fact sheet, of how the assessment of course progress should align with ELICOS courses that do not result in a qualification or a specific level of proficiency, such as 'General English'.</p>

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> School, ELICOS and foundation program providers must have a documented policy and process for monitoring and recording students' attendance. 	DO NOT SUPPORT	<p>English Australia certainly supports the need for providers to have a documented policy and process for monitoring and recording students' attendance. However, due to the unique nature of ELICOS enrolments, English Australia is of the view that Standard 8.6 does not provide sufficient clarity for providers or regulating agencies to confidently or consistently administer this requirement.</p> <p>To confidently provide support for this standard, English Australia requests clarification, perhaps through a supplementary fact sheet, of the specific requirement regarding the period over which attendance must be measured. English Australia recommends that providers have discretion in formulating their attendance policy to the extent that they may define attendance as being measured over one of various options, including but not limited to:</p> <ul style="list-style-type: none"> over the period of an eCoE over the period of an enrolment where that enrolment contains more than one eCoE over a set period of time, such as each 20-week period separately for each individual course that makes up a single eCoE period.

<p align="center">PROPOSED AMENDMENTS</p>	<p align="center">SUPPORT / DO NOT SUPPORT</p>	<p align="center">COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i></p>
<ul style="list-style-type: none"> Higher education providers must have and implement a documented policy and process for monitoring and recording course progress, specifying requirements for achieving satisfactory progress, the provider's processes and policies to uphold academic integrity, assessment of progress, identification of students at risk of not meeting requirements and details of the provider's intervention strategy. 	<p>SUPPORT</p>	

VET programs

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> VET providers must have and implement a documented policy and process for assessing course progress, specifying requirements for achieving satisfactory process and policies to uphold academic integrity, assessment of progress, identification of students at risk of not meeting requirements and details of the provider's intervention strategy. 	SUPPORT	
<ul style="list-style-type: none"> A VET provider must have and implement a documented policy and process for monitoring students' attendance if the ESOS agency requires that provider to monitor attendance as well as course progress. This requirement in the National Code replaces previous arrangements split between the National Code and Course Progress Guidelines that applied to VET. If the ESOS agency imposes attendance monitoring as a requirement for a VET provider, the minimum requirement for attendance is 80% of the scheduled contact hours for the course. If the VET provider is required to monitor attendance of students, the provider must have an intervention strategy for students at risk of not meeting attendance requirements. 	SUPPORT	

Course duration and allowable extensions

<p style="text-align: center;">PROPOSED AMENDMENTS</p>	<p style="text-align: center;">SUPPORT / DO NOT SUPPORT</p>	<p style="text-align: center;">COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i></p>
<ul style="list-style-type: none"> • Providers must continue to not extend the duration of a student’s enrolment if the student is unable to complete the course within the expected duration, unless: <ul style="list-style-type: none"> ○ compassionate and compelling circumstances apply ○ the provider has implemented, or is implementing, an intervention strategy to assist the student to meet course progress (or attendance, if applicable) requirements ○ there is an approved deferral or suspension of the student’s enrolment under standard 9. 	<p style="text-align: center;">SUPPORT</p>	
<ul style="list-style-type: none"> • If a student’s enrolment is extended, the provider must advise the student of any potential impacts on their visa. 	<p style="text-align: center;">SUPPORT</p>	

Reporting breaches of visa requirements

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> • Providers must continue to report students who do not meet course progress (attendance requirements if applicable) and notify the student: <ul style="list-style-type: none"> ○ that the provider intends to report them ○ inform the student of the reasons ○ advise the student they can appeal ○ report the breach in PRISMS in accordance with s19(2) of the ESOS Act 	DO NOT SUPPORT	<p>English Australia does not support the wording of Standard 8.15.4 “where the breach of course progress or attendance is substantiated and the 20 working days for internal appeal has passed, the registered provider must report the breach in PRISMS”. Specifically, this appears to require the provider to wait for the full 20 days regardless of whether the internal appeal has been completed in a shorter period and the appeal has found against the student, which would be inefficient operationally.</p> <p>English Australia recommends that the phrase be amended to “where the breach of course progress or attendance is substantiated or the 20 working days for internal appeal has passed without an appeal being lodged, the registered provider must report the breach in PRISMS”.</p>
<ul style="list-style-type: none"> • A provider may decide not to report a student for breaching attendance requirements if the student provides genuine evidence of compassionate or compelling circumstances, is still attending at least 70 per cent of course contact hours and appeals the decision successfully 	SUPPORT	

Online learning

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Online and distance learning are defined in the standard. 	<p>DO NOT SUPPORT</p>	<p>English Australia is of the view that the definition of online learning is still problematic. To confidently give full support to the new definition English Australia request clarification of the sentence “For the purposes of the ESOS framework, it is not intended that the provision of online lectures and other asynchronous tuition or resources be defined as online learning.”</p> <p>English Australia is also of the view that including the phrase ‘on a student visa’ in the sentence defining distance learning appears to suggest that such student can be enrolled via distance. To confidently give full support to the new definition English Australia requests that ‘on a student visa’ be removed from the definition or further clarification of the intent of the definition be provided.</p>
<ul style="list-style-type: none"> The 2007 National Code requirement that providers must not enrol a student exclusively in distance or online learning in any compulsory study period has been removed. 	<p>SUPPORT</p>	
<ul style="list-style-type: none"> Higher education and VET providers must not deliver more than one-third of a student’s course online. 	<p>SUPPORT</p>	
<ul style="list-style-type: none"> Providers must take all reasonable steps to prevent students being disadvantaged by additional costs or requirements associated with online learning or by an inability to access the resources and community of the education institution, or opportunities to engage with other students. 	<p>SUPPORT</p>	

Standard 9 – Deferring, suspending or cancelling the student’s enrolment

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Standard 9 now relates to deferring, suspending or cancelling the student’s enrolment (previously standard 13). It clarifies the current requirements but makes no significant changes to policy from the 2007 version. 	DO NOT SUPPORT	While English Australia supports the general principle of this standard, to confidently provide full support to this draft standard, it requests clarification, perhaps through a supplementary fact sheet, of the provider’s right to restrict provision of learning services, such as lessons, to students during the process of internal appeal, in instances including but not necessarily limited to those where students have failed to make payments by the due dates set out in the student’s written agreement.

Standard 10 – Complaints and appeals

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Assessment of an internal complaint or appeal must be finalised within 20 working days. 	SUPPORT	

Standard 11 – Additional requirements

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> • Standard 11 creates new provisions for additional registration requirements, many of which were previously in Part C of the 2007 version of the National Code relating to ‘registration authorities’. Registration authorities are replaced by ESOS agencies by amendments to the ESOS Act passed in December 2015. 	<p>SUPPORT</p>	
<ul style="list-style-type: none"> • Providers must seek approval from the ESOS agency, including through the relevant designated State authority if the provider is a school, for proposed: <ul style="list-style-type: none"> ○ course content and duration ○ number of overseas students enrolled within the limit approved by the ESOS agency ○ arrangements with other education providers (partnerships). • Providers must also seek approval from their ESOS agency for any proposed changes to the above during their period of registration under the ESOS Act. 	<p>DO NOT SUPPORT</p>	<p>English Australia notes that the current Standard 14.3 which clarifies providers’ responsibilities regarding changing or additional locations has no equivalent in the new draft. English Australia recommends that providers’ obligations regarding premises be made clear to enable objective and consistent administration.</p>
<ul style="list-style-type: none"> • Providers must advise their ESOS agency, including through the relevant designated State authority if the provider is a school, in writing of: <ul style="list-style-type: none"> ○ any other affiliated organisations registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) ○ any changes to high managerial agents or ownership of their organisation. 	<p>SUPPORT</p>	

PROPOSED AMENDMENTS	SUPPORT / DO NOT SUPPORT	COMMENTS <i>Please provide a comment if you do not support a proposed amendment, and suggest alternative wording if appropriate.</i>
<ul style="list-style-type: none"> Self-accrediting providers must undertake an independent external audit during their period of registration, at least within 18 months prior to renewal of registration, allowing the outcomes to be used for registration renewal. 	SUPPORT	

Other comments

Please list any other comments here:

English Australia notes the view 'Do Not Support' has been reference for several proposed amendments where there is a need for greater clarity of the Standard to ensure consistency in the approach of providers and regulators. This could be achieved through Fact Sheets or an explanatory guide.