Australian Government

Department of Education and Training

ESOS Agency for Schools
Regulator Performance Framework
Annual Report 2017-18

Contents

Abbreviations

AISWA	Association of Independent Schools of Western Australia
ARC	Annual Registration Charge
ASQA	Australian Skills Quality Authority
CoE	Confirmation of Enrolment
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students
DE International	Part of the NSW Government Department of Education
DSA	Designated State Authority (for schools, including territory agencies)
ELICOS	English Language Intensive Courses for Overseas Students
EMC	Entry to Market Charge
EQI	Education Queensland International
ESOS Act	*Education Services for Overseas Students Act 2000*
ESOS Agencies	Secretary of the department (for school providers); ASQA (for VET and ELICOS providers); and TEQSA (for higher education and foundation program providers)
ESOS Regulations	*Education Services for Overseas Students Regulations 2001*
ESOS Charges Act	*Education Services for Overseas Students (Registration Charges) Act 1997*
GETI	Tasmanian Government Education and Training International
Home Affairs	Australian Government Department of Home Affairs
ISQ	Independent Schools Queensland
KPI	Key Performance Indicator
National Code	*National Code of Practice for Providers of Education and Training to Overseas Students 2018*
PRISMS	Provider Registration and International Student Management System
Refund Specification	*Education Services for Overseas Students (Calculation of Refund) Specification 2014*
RPF	Regulator Performance Framework
SCV	Student Course Variation
State	State and Territory

TEQSA	Tertiary Education Quality and Standards Agency
The agency	The ESOS agency for approved school providers under the ESOS legislation, i.e. the Secretary, through the Quality Frameworks Branch, International Group
The department	Australian Government Department of Education and Training
The Secretary	Secretary of the department
TPS	Tuition Protection Service
VET	Vocational Education and Training

Regulator Performance Framework Annual Report 2017-18

Introduction

The Education Services for Overseas Students Act 2000 (ESOS Act) sets out the legal framework governing delivery of education to international students on a student visa in Australia. The Australian Government, through the Department of Education and Training (the department), administers the ESOS Act and its associated instruments. The ESOS legislative framework governs:

- the registration process for education providers wishing to be approved to provide courses to international students on a student visa;
- the obligations providers are required to meet;
- the operation of the Tuition Protection Service; and
- regulatory enforcement and compliance arrangements.

Under the ESOS Act, the Secretary of the department is the ESOS agency (the agency) for approved school providers that offer courses to international students.

The agency's responsibilities and powers under the ESOS Act are undertaken and exercised by the department's Quality Frameworks Branch of the International Group.

As at 30 June 2018, 396 school providers were registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). These 396 school providers had in total around 1,117 locations and 1,058 courses with an overall approved capacity of 88,285 students. Their distribution by state is given in *Chart 1*.

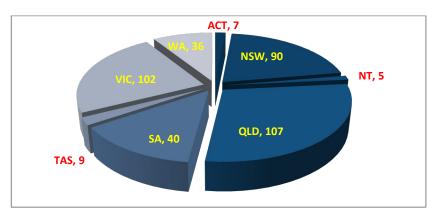***Chart 1*** **Distribution of school providers by state, as at 30 June 2018**

Of the total 396 providers, 13 also delivered courses in higher education and/or VET sectors. These 13 providers, referred to as dual or multi sector providers, were also regulated by other ESOS agencies, i.e. the Tertiary Education Quality and Standards Agency (TEQSA) and/or the Australian Skills Quality Authority (ASQA).

This report is a formal self-assessment report by the agency against the *ESOS Regulator (Schools) RPF Metrics,* which is found at *Appendix 1* and also available at www.internationaleducation.gov.au.

Summary of Performance

In 2017-18, the agency met all objectives against the following *Regulator Performance Framework* key performance indicators:

1. Regulators do not unnecessarily impede the efficient operation of regulated entities
2. Communication with regulated entities is clear, targeted and effective
3. Actions undertaken by regulators are proportionate to the regulatory risk being managed
4. Compliance and monitoring approaches are streamlined and coordinated
5. Regulators are open and transparent in their dealings with regulated entities
6. Regulators actively contribute to the continuous improvement of regulatory frameworks.

Key activities performed by the agency (see *Tables 1* and *2*) include:

- 11 monitoring visits
- one information session – ESOS presentation to schools in Victoria
- four face-to-face meetings with Designated State Authorities (DSAs)
- 41 CRICOS registration renewals
- four new CRICOS registrations.

The agency also:

- provided a hotline telephone service for information and guidance about ESOS compliance and CRICOS registration requirements and processes
- updated quick reference guides and call centre scripts

The agency also performed the following functions in relation to all registered CRICOS providers (not just the schools sector):

- collected approximately $1.51 million in Entry to Market Charges (EMC) from 262 providers and initial TPS levies from 92 newly registered providers
- managed debt collection processes for 56 providers who failed to pay the second or third EMCs by the due date
- provided telephone hotline services for EMC-related enquiries
- maintained and updated CRICOS and relevant pages on www.internationaleducation.gov.au.

Table 1 **Compliance education, stakeholder engagement and monitoring activities**

Date	Activity	State
5-Dec-17	Information Session	VIC
5-Dec-17	Meeting with DSA	VIC
6-Dec-17	Monitoring Visits	VIC
6-Dec-17	Monitoring Visits	VIC

7-Dec-17	Monitoring Visits	VIC
7-Dec-17	Monitoring Visits	VIC
14-Nov-17	Meeting with DSA	SA
15-Nov-17	Monitoring Visits	SA
15-Nov-17	Monitoring Visits	SA
16-Nov-17	Monitoring Visits	SA
18-Jul-17	Meeting with DSA	WA
19-Jul-17	Monitoring Visits	WA
19-Jul-17	Monitoring Visits	WA
20-Jul17	Monitoring Visits	WA
20-Jul-17	Monitoring Visits	WA

Table 2 **Number of New Registrations and Renewals of School Providers**

State	New Registrations	Renewals
ACT	0	0
NSW	1	14
NT	0	0
QLD	3	21
SA	0	1
TAS	0	0
VIC	0	3
WA	0	2
ALL	**4**	41

Detailed Report

Deliverables of the agency are self-assessed according to evidence collected against the *ESOS Regulator (Schools) RPF Metrics* (see *Appendix 1*) and described as follows.

KPI 1 - Regulators do not unnecessarily impede the efficient operation of regulated entities

The agency's mandate is to ensure all CRICOS registered school providers meet the standards as prescribed by Part B of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (the National Code) and fully comply with the requirements of the ESOS Act. The National Code was updated during 2017 and came into effect on 1 January 2018.

The agency's information requests were tailored to minimise any impact on providers, and were only made when necessary to secure regulatory objectives. For instance, when processing registration renewal requests, the agency only required further information or action from providers where both the number and proportion of possible breaches identified were significant (i.e. above the thresholds determined by the agency). For the cases where there were a small number of minor issues identified, the agency sent detailed and informative emails targeted to those issues.

The agency employed a number of proactive and reactive strategies to detect and rectify potential non-compliance by providers. Monitoring and inspection approaches were centred on a rigorous risk-based approach and took into account the circumstance and operational needs of the regulated entity. Desktop audits were only carried out with providers whose number and proportion of issues identified were above specific thresholds determined by the agency. Where possible the agency organised joint monitoring visits with DSAs and other ESOS agencies.

The agency ensured that all visits conducted by its authorised officers were justified, and at a time agreed with the providers. The agency's authorised officers were required to explain the purpose, nature and scope of the proposed visit to providers and seek their consent prior to the visit.

In order to minimise unnecessary regulatory burden, the agency set a limit for visit duration (two hours maximum) and for the number of student files examined (approximately two to four depending on overall enrolment numbers). The authorised officers followed these procedures consistently.

Additionally, the agency implemented continuous improvement strategies to reduce the costs of compliance for CRICOS registered school providers. In 2017-18, the agency:

- reviewed and simplified its risk assessment and communication processes for CRICOS registration renewals (as a result, it reduced the number of requests for additional information from providers, which shortened the renewal assessment turn-around time).
- enhanced the Provider Registration and International Students Management System (PRISMS) by having enabled providers to bulk-upload some student data via PRISMS.
- further refined registration processes, application forms and reporting requirements.

The agency continued to regularly communicate with providers via PRISMS news items and feedback processes to identify new areas for improvement. Stakeholders were able to provide feedback on the ESOS web page, through the hotline telephone service, as well as in person during workshops and visits.

KPI 2 – Communication with regulated entities is clear, targeted and effective

The agency considers the provision of targeted communication with providers and other stakeholders as a significant risk mitigation control. In 2017-18, the agency communicated with school providers on a regular basis on topics, such as CRICOS registration, renewals, fees, charges, PRISMS, ESOS compliance and legislative change. Targeted and effective communication was vital during the period this year when the new National Code was being introduced.

The agency took the following action to ensure effective communication with school providers:

- reviewed and re-edited the scripts used by the Call-Centre (1300 615 262) operators regarding ESOS compliance and regulation
- improved accessibility of the agency's website material
- updated contacts of DSAs on the CRICOS website

- reviewed all relevant templates for case managers to ensure consistency, accuracy and effectiveness in their dealings with school providers.

The agency used quality assurance mechanisms, such as feedback from DSAs and providers, to identify areas for improvement and ensured up to date, clear, accessible and concise information provision through media appropriate to the target audience. Guidance material and information were made accessible to providers through a number of mechanisms including the following:
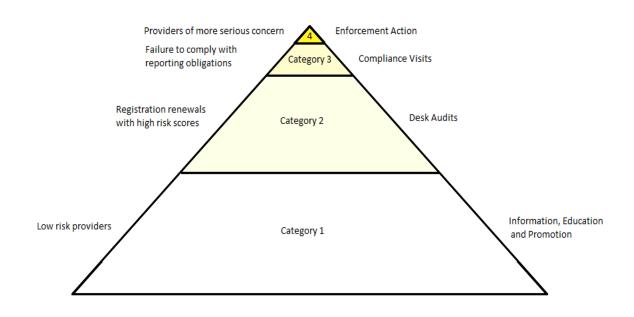
- Australian Education International website
  https://internationaleducation.gov.au/Pages/default.aspx
- ESOS Compliance Mailbox: esoscomplianceandregistration@education.gov.au
- Compliance Hotline telephone number: 1300 615 262
- ARC Hotline: 1300 793 993 (January – April each year within Australia)

Forty one providers came up for registration renewal in 2017-18 compared with 58 in 2016-17. The renewal requests were processed within the three week turn-around timeframe.

KPI 3 – Actions undertaken by regulators are proportionate to the regulatory risk being managed

The agency took a risk-based and proportionate approach to regulation to ensure that it could direct limited resources to areas of higher risk and appropriately prioritise its regulatory focus, and in turn achieved the objects of the ESOS legislation. Diagram 1 below is an illustration of this approach.

Diagram 1: Hierarchy of Interests and Respective Compliance Activities

The pyramid above shows a hierarchy of interests and respective activities of the agency when dealing with common categories of provider:

Category 1: newly registered providers; providers that have no enrolments; providers which consistently meet compliance requirements; and providers that have effectively addressed non-compliance issues proportionately and by absolute numbers as a result of the agency's intervention.

Category 2: providers that request to renew their registrations but have relatively high risk scores revealed by the latest risk matrix report of PRISMS.

Category 3: providers with big enrolments but appear to have repeatedly and seriously failed to comply with their reporting obligations under section 19 of the ESOS Act; providers that are nominated by their DSAs to visit; and newly registered providers that have already enrolled students.

Category 4: providers of more serious concern that require enforcement action; or less reputable providers which may have been involved in fraudulent activity which requires investigation by the Fraud Control and Investigations Branch of the department.

To determine a targeted and proportionate level of action the agency conducted careful and thorough analyses of the following:

- Risk Matrix data available from PRISMS, including:
    - reporting volumes, timeliness and accuracy against section 19(1) of the ESOS Act
    - ARC or TPS levy payment details
    - composition and proportion of overseas students
    - number of approved welfare arrangements for students under 18 years of age
- the record of previous monitoring visits and desktop analyses
- referrals from DSAs
- referrals from the Overseas Students Ombudsman
- media coverage
- serious complaints/allegations received by the agency.

The agency reviewed the PRISMS Risk Matrix information/data on a quarterly basis.

ESOS compliance monitoring exercises through desktop analyses and monitoring visits over the last twelve months suggest that most of the schools visited have the following common issues:

- delays in reporting student course variations as required by section 19(1) of the ESOS Act
- inaccurate course cost or duration information reported to the Secretary
- lack of knowledge of refund obligations for visa refusals, or delays in providing a refund
- lack of knowledge about providers' responsibility under Standard 5 of the National Code for students under 18 years of age who are not accompanied in Australia by a parent or guardian.

As a result of the visits, all identified issues were either fully rectified (e.g. compliant refund policies were developed and implemented and all outstanding refunds were provided soon after the visits) or satisfactorily addressed by the relevant providers through voluntary undertakings and appropriate actions, including staff training or reviewing and revising their relevant procedures.

It is the agency's policy to only take enforcement action when providers are found to:

- have seriously breached the provisions of the ESOS Act that are regarded as offences
- have breached in a large scale (e.g. in breach of most of the 15 Standards of the National Code) and
- have systematic and on-going non-compliance issues (i.e. repeated failure to meet the obligations under the ESOS legislation and repeated failure to rectify breaches).

There was no evidence to suggest enforcement action (such as suspension or cancellation of CRICOS registration) was required against any school provider during 2017-18.

KPI 4 - Compliance and monitoring approaches are streamlined and coordinated

The agency is engaged in a collaborative approach to monitoring and compliance. The agency engaged with DSAs and other ESOS agencies including TEQSA and ASQA to conduct joint monitoring visits to ensure compliance activities are streamlined, consistent and coordinated.

In 2017-18, authorised officers of the agency exercised their powers under the ESOS Act to monitor, through site visits or desk audits, the level of compliance with legislative requirements by 398 CRICOS registered school providers. This also included a small number of providers who also provided higher education or VET sector courses. *Table 6* shows the number of joint visits completed by the agency and relevant DSAs in 2017-18 compared to the previous financial year.

Table 6 **Number of visits and joint visits in 2015-16, 2016-17 & 2017-18**

State	2017-18		2016-17		2015-16	
	No. of Visits	*No. of Joint Visits*	*No. of Visits*	*No. of Joint Visits*	*No. of Visits*	*No. of Joint Visits*
ACT	0	0	2	2	0	0
NT	0	0	0	0	3	3
NSW	0	0	3	2	0	0
QLD	0	0	3	3	5	5
SA	3	3	0	0	1	1
TAS	0	0	3	3	2	0
VIC	4	0	0	0	1	0
WA	4	4	0	0	5	5
ALL	**11**	**7**	**11**	**10**	**17**	**14**
% of ALL		**63.6**		**90.9**		**82.4**

In 2017-18, eleven visits were made seven of which were joint visits and one was a visit to a multi-sector provider.

The agency worked with DSAs and other ESOS agencies to conduct joint compliance activities where possible as these have the following benefits:

- providers deal with one combined approach to monitoring and compliance rather than being subject to a range of disparate activities performed by different agencies
- provide an invaluable opportunity for providers to ask questions, to learn about ESOS compliance, and to get practical problems solved immediately (e.g. issues relating to PRISMS reporting, adding new courses to their registration, updating course costs or duration)
- enabling DSA and other ESOS agency representatives to understand the agency's objectives and processes
- minimising the frequency of information collection, as it may be shared between agencies conducting joint visits.

To ensure coordinated approaches, the agency made efforts to meet with relevant DSAs before or after provider visits to share information about providers of concern, legislative changes, organisational or staff changes and to schedule further joint visits where appropriate. In 2017-18, the agency had three meetings with DSAs, shown in *Table 7* below.

Table 7 **Meetings with DSAs 2017-18**

Date	Activities	State
5-Dec-17	Meeting with DSA	VIC
14-Nov-17	Meeting with DSA	SA
18-Jul-17	Meeting with DSA	WA

KPI 5 – Regulators are open and transparent in their dealings with regulated entities

The agency made on-going efforts to ensure its processes in dealing with school providers were open and transparent.

Prior to or during each visit, the agency's authorised officers would explain the purpose and scope of the proposed visit to the provider.

If potential non-compliance issues were identified at the visit, these would be brought to the attention of the provider and an opportunity given to address any potential or alleged breaches. To date, the feedback from providers visited about the approach taken has been very positive.

As a result of site visits, most schools visited by the agency in 2017-18 improved their level of compliance on most risk factor measures used for compliance purposes – see Table 8 below.

Table 8 also indicates most of the 11 schools have reduced the number of breaches of the reporting obligations specified under section 19(1) of the ESOS Act.

According to PRISMS, the incidence of late and inaccurate reporting has also reduced broadly across the sector (a reduction of 11 per cent between May 2017 and August 2018).

Table 8 **Reduction in terms of possible breaches of section 19(1) by provider visited in 2017-18 ***

Provider Visited*	Late Reporting for non-commencement (No.)	Late Reporting for early termination (No.)	Late Reporting for accepting a student (No.)	Inaccurate reporting for course duration (No.)	Inaccurate reporting for course cost (No.)
A	-10	-146	8	47	-143
B	-1	-2	0	0	-2
C	1	-22	-4	0	0
D	1	0	4	-1	-1
E	-4	1	-5	0	2
F	1	0	-1	3	-18
G	0	0	-1	0	0
H	0	0	2	0	18
I	0	-1	-3	0	4
J	0	0	0	0	0
K	0	0	0	0	0

*For privacy considerations, the names of the individual providers visited have been removed.
Source: PRISMS – pre and post visits.
** Data from May 17 to May 18 or August 18 - depending on time of visit and risk data

PRISMS data for provider 'H' in the table above shows a significant increase in inaccurate reporting for course cost since the provider was visited. This provider is the subject of follow up action by the regulator.

KPI 6 – Regulators actively contribute to the continuous improvement of regulatory frameworks

The agency maintained cooperative and collaborative relationships with all stakeholders to promote trust and improve the efficiency and effectiveness of the regulatory framework. It maintained an open, friendly and professional relationship with all relevant regulators on a regular basis.

The agency engaged stakeholders in the development of options to reduce compliance costs including changes to the overarching regulatory framework, or other strategies to streamline monitoring and compliance approaches. It liaised with stakeholders to avoid duplication of requests for information and coordinated joint visits/workshops.

The agency regularly shared feedback from stakeholders about consultations, legislative requirements and regulators' performance with relevant colleagues within the department to improve the operation of the regulatory framework and administrative processes.

CONCLUSION

As illustrated in *Appendix 2*, the agency delivered and achieved most stated objectives against the *ESOS Regulator (Schools) RPF Metrics*, with some exceptions (marked as semi-ticks).

In 2018-19, the agency will actively contribute to the continuous improvement of regulatory frameworks through implementing the *National Strategy for International Education 2025* (National Strategy). The schools regulator function sits under Goal 3, "Providing Effective Quality Assurance and Regulation" as part of the first pillar of the National Strategy which is, "Strengthening the Fundamentals".

The agency will continue:

- strengthening education activities through producing quality compliance guidance and education materials and providing training on compliance at workshops and written materials at www.internationaleducation.gov.au
- conducting more targeted and focused compliance activities based on thorough analyses of risk data available to the agency, to ensure that school providers of concern are closely monitored
- enhancing intergovernmental relations through stakeholder engagement to achieve a coordinated approach in compliance
- improving regulatory processes to meet the requirements of the *Regulator Performance Framework*, and ensure that its regulatory processes are fair, transparent, effective and efficient as per the *ESOS Regulator (Schools) RPF Metrics.*

ACKNOWLEDGEMENT

This report was prepared by the agency which operates out of the Quality Frameworks Branch of the International Education Group in the Australian Government Department of Education and Training.

The agency acknowledges the endorsements given by key stakeholders (see below).

Enquiries about this report may be forwarded to esoscomplianceandregistration@education.gov.au

SOURCES OF DATA
Data used in this report came from PRISMS. The average data excludes providers that have no enrolments.

KEY STAKEHOLDERS
Before its release, this report has been forwarded to the following organisations:

DSA - AUSTRALIAN CAPITAL TERRITORY
Ms Lynda Tooth, Manager, Liaison Unit, ACT Education Directorate

DSA - NEW SOUTH WALES
Ms Anne Keenan, Director, School Registration and Accreditation
NSW Education Standards Authority

DSA - NORTHERN TERRITORY
Ms Debra Liddiard-Taruminggi, Director, International Education & Non-Government Schools, NT Department of Education

DSA - QUEENSLAND
Ms Vanessa Fensom, Manager, International Quality (Schools) Registration Services (International, Non-State and Home Education), QLD Department of Education and Training

DSA - SOUTH AUSTRALIA
Ms Lynette Bellwood, Senior Advisor Schools Registration, Education Standards Board

DSA - TASMANIA
Ms Katrina Beams, Executive Officer, Tasmanian Assessment, Standards and Certification

DSA - VICTORIA
Mr Gary Bourton, Manager School Projects, Victorian Registration and Qualifications Authority

DSA - WESTERN AUSTRALIA
Mr Gavin Agacy, A/g Assistant Director (Education Regulation), Department of Education

THE INDEPENDENT SCHOOLS COUNCIL OF AUSTRALIA
Ms Caroline Miller, Director Policy and Research

AUSTRALIAN GOVERNMENT SCHOOLS INTERNATIONAL
Ms Elizabeth Webber, Chair

NATIONAL CATHOLIC EDUCATION COMMISSION
Ray Collins, A/g Executive Director

Appendix 1 **ESOS Regulator (Schools) RPF Metrics**

KPI 1 – REGULATORS DO NOT UNNECESSARILY IMPEDE THE EFFICIENT OPERATION OF REGULATED ENTITIES		
Measure	**Output/activity-based evidence**	**Self-assessment methodology (evidence to be collected)**
1.1 ESOS Regulator (for Schools) demonstrates an understanding of the operating environment of the industry or organisation, or the circumstances of individuals and the current and emerging issues that affect the sector.	1.1.1 Maintain a knowledge base of providers their environment and issues impacting them. 1.1.2 Mechanisms are in place for regular communication with CRICOS-registered schools, designated state authorities (DSAs) and other relevant regulators to share knowledge and understanding of current and emerging issues.	• Maintain and update providers' profiles annually. • Undertake regular environmental scanning at least annually by staff (including review of international best practice.) • Regularly meet with State/Territory DSAs (before or after compliance monitoring visits) • Share information with all relevant stakeholders where possible (including meetings with the multi-sector working group)
1.2 ESOS Regulator (for Schools) takes actions to minimise the potential for unintended negative impacts of regulatory activities on regulated entities or affected supplier industries and supply chains.	1.2.1 Conduct workshops with providers that give information on legislative requirements and opportunities for feedback from the sector on regulatory impacts. 1.2.2 Apply a risk based scaled approach to non-compliance issues as appropriate to minimise potential for unintended negative impacts of regulatory activities.	• Deliver workshops across all States and Territories every 2 years • Record feedback and address all issues identified • Look at providing workshop component online for providers in regional areas to access • Regularly examine approaches taken to identify and ensure rectification of non-compliance issues
1.3 ESOS Regulator (for Schools) implements continuous improvement strategies to reduce the costs of compliance for those they regulate.	1.3.1 Implement streamlined registration processes, application forms and reporting requirements. 1.3.2 Use feedback processes to identify and implement new areas for improvement.	• Report on system/process improvements and reductions in time and costs for providers

KPI 2 – COMMUNICATION WITH REGULATED ENTITIES IS CLEAR, TARGETED AND EFFECTIVE		
Measure	**Output/activity-based evidence**	**Self-assessment methodology (evidence to be collected)**

2.1 ESOS Regulator (for Schools) provides guidance and information that is up to date, clear, accessible and concise through media appropriate to the target audience.	2.1.1 Guidance material and information is accessible to providers through a number of mechanisms including: website, mailbox, induction manual, national code compliance FAQs.
	
	2.1.2 Seek feedback from stakeholders on guidance and advice provided.
		• Seek feedback about information, guidance and advice given to the providers via
		  - help desks (and Call Centre),
		  - workshops,
		  - internationaleducation.gov.au website, and
		  - other educational materials on ESOS or CRICOS prepared by the ESOS Regulator (for Schools)

2.2 ESOS Regulator (for Schools) considers the impact on regulated entities and engages with industry groups and representatives of the affected stakeholders before changing policies, practices or service standards.	2.2.1 Consult peak bodies / providers about proposed changes to legislation, the National Code and reporting processes.	• Record consultation activities and outcomes
2.3 ESOS Regulator (for Schools)'s decisions and advice are provided in a timely manner, clearly articulating expectations and the underlying reasons for decisions.	2.3.1 Finalise registration and renewal processes in a timely manner. 2.3.2 Provide detailed explanations for rejections.	• Complete registration/renewal process within an average timeframe of 3 weeks • Notify providers when a recommendation from a DSA is received by the department and provide detailed explanations for rejections
2.4 ESOS Regulators' (for Schools) advice is consistent and supports predictable outcomes.	2.4.1 Staff interacting with providers only use approved procedures	• Review and update Call Centre scripts and templates in a timely manner • All compliance case managers apply relevant procedures and templates consistently and correctly.

KPI 3 – ACTIONS UNDERTAKEN BY REGULATORS ARE PROPORTIONATE TO THE REGULATORY RISK BEING MANAGED		
Measure	**Output/activity-based evidence**	**Self-assessment methodology (evidence to be collected)**
3.1 ESOS Regulator (for Schools) applies a risk-based, proportionate approach to compliance obligations, engagement and regulatory enforcement actions.	3.1.1 Implement internal procedures for selecting providers for desktop audits and visits based on risk assessments.	• Release bulk uploading functions in the past year and reduce costs as a result
3.2 ESOS Regulator (for Schools)'s preferred approach to regulatory risk is regularly reassessed. Strategies, activities and enforcement actions are amended to reflect changing priorities that result from new and evolving regulatory threats, without diminishing regulatory certainty or impact.	3.2.1 Regularly review and update the PRISMS Risk Matrix.	• Annually review of risk data (risk matrix). • Review internal process on a biannually.
3.3 ESOS Regulator (for Schools) recognises the compliance record of CRICOS-registered schools, including using earned autonomy where this is appropriate. All available and relevant data on compliance, including evidence of relevant external verification is considered.	3.3.1 Recognise the compliance record of providers and consider all available data/evidence when assessing risks.	• Compare risk factors for a provider over a specified historical period • Exchange information with State/Territory DSAs regularly re providers of concern and providers with best practice

KPI 4 – COMPLIANCE AND MONITORING APPROACHES ARE STREAMLINED AND COORDINATED		
Measure	**Output/activity-based evidence**	**Self-assessment methodology (evidence to be collected)**
4.1 ESOS Regulator (for Schools)'s information requests are tailored, and only made when necessary to secure regulatory objectives, and only in a way that minimises impact**.**	4.1.1 Tailor requests for information and only make requests when necessary. 4.1.2 Improve support to providers' compliance through education and discussion of identified issues	• Only request for information in relation to high risk factors, and focus on providers with serious compliance issues • Share quarterly PRISMS Risk Matrix information with relevant regulators (i.e. DSAs) when it becomes available
4.2 ESOS Regulator (for Schools)'s frequency of information collection is minimised and coordinated with similar processes including those of other regulators so that, as far as possible, similar information is only requested once.	4.2.1 Conduct its compliance monitoring visits in conjunction with State DSAs, and also invite ASQA and/or TEQSA if the regulated entity is a dual or multi sector provider.	• Have meetings/teleconferences with DSAs and ASQA (and/or TEQSA for multi-sector providers) before any monitoring visits to ensure a streamlined approach • Share relevant information with Home Affairs where possible
4.3 ESOS Regulator (for Schools) base monitoring and inspection approaches on risk and, where possible, take into account the circumstance and operational needs of the regulated entity.	4.4.1 Only visit or desk top audit providers identified as having serious (or large number or proportion of) non-compliance issues; or in response to referrals received from other relevant regulators.	• Liaise with State/Territory DSAs and peak bodies on a regular basis • Have a multi-sector working group meeting at least once a year – to review multi-sector providers' compliance and monitoring approaches.

KPI 5 – REGULATORS ARE OPEN AND TRANSPARENT IN THEIR DEALINGS WITH REGULATED ENTITIES		
Measure	**Output/activity-based evidence**	**Self-assessment methodology (evidence to be collected)**
5.1 ESOS Regulator (for Schools)'s risk-based framework is publicly available in a format which is current, clear and accessible.	5.1.1 Publish the risk-based framework on the Internet by 1 July 2015	• Make the information available on the internationaleducation.gov.au website • Update the information in a timely manner to reflect legislative or administrative changes • Develop a streamlined information webpage relating to CRICOS registration, renewal, fees and compliance for schools
5.2 ESOS Regulators' (for Schools) performance measurement results are published in a timely manner to ensure accountability to the public.	5.2.1 Relevant measurement results against the KPIs for each financial year would be made publicly available as soon as practicable after each financial year	• Publish the performance results on the internationaleducation.gov.au website annually and in a timely manner

PI 6 – REGULATORS ACTIVELY CONTRIBUTE TO THE CONTINUOUS IMPROVEMENT OF REGULATORY FRAMEWORKS		
Measure	**Output/activity-based evidence**	**Self-assessment methodology (evidence to be collected)**
6.1 ESOS Regulator (for Schools) establishes cooperative and collaborative relationships with stakeholders to promote trust and improve the efficiency and effectiveness of the regulatory framework.	6.1.1 Have an open, friendly and professional relationship and liaise with all relevant regulators on a regular basis. 6.1.2 Create a growth of awareness among providers regarding compliance with the ESOS legislative framework	• Have meetings/teleconferences with all relevant regulators prior to any visits • Increase the number of joint visits • The majority of schools have decreased risk scores compared to the previous year • Release relevant information on the Internet • Have joint workshops on ESOS compliance as planned
6.2 ESOS Regulator (for Schools) engages stakeholders in the development of options to reduce compliance costs (which could include industry self-regulation, changes to the overarching regulatory framework, or other strategies to streamline monitoring and compliance approaches).	6.2.1 Liaise with stakeholders to avoid duplication of RFIs (requests for information) and coordinate joint visits/workshops	• Visit all States and/or provide workshop presentations in all States within 2 years • Receive positive feedback from providers about the consultations and the compliance approaches • Aim to have a multi-sector regulators working group face-to-face meeting at least once a year
6.3 ESOS Regulator (for Schools) regularly shares feedback from stakeholders about consultations, legislative requirements and regulators' performance with policy departments to improve the operation of the regulatory framework and administrative processes.	6.3.1 Liaise regularly with the ESOS policy and legislation section of the department and provide feedback.	• Liaise with policy area on a regular basis regarding feedback from providers.

Appendix 2 Summary of deliverables against the *ESOS Regulator (Schools) RPF Metrics*

KPI 1 – REGULATORS DO NOT UNNECESSARILY IMPEDE THE EFFICIENT OPERATION OF REGULATED ENTITIES

#	Planned	Actual
1	Maintain and update providers' profiles annually	Fully Actioned
2	Undertake regular environmental scanning at least annually by staff (including review of international best practice.)	Fully Actioned
3	Regularly meet with State/Territory DAs (before or after compliance monitoring visits)	Fully Actioned
4	Share info with all relevant stakeholders where possible (including meetings with the multi-sector working group)	Partially Actioned
5	Deliver workshops across all States and Territories every 2 years	Partially Actioned
6	Record feedback and address all issues identified	Fully Actioned
7	Look at providing workshop component online for providers in regional areas to access	Fully Actioned
8	Regularly examine approaches taken to identify and ensure rectification of non-compliance issues	Fully Actioned
9	Report on system/process improvements and reductions in time and costs for providers	Fully Actioned

KPI 2 – COMMUNICATION WITH REGULATED ENTITIES IS CLEAR, TARGETED AND EFFECTIVE

#	Planned	Actual
1	Seek feedback about info, guidance & advice given to providers via helpdesks, workshops, website & educational materials	Fully Actioned
2	Record consultation activities and outcomes	Fully Actioned
3	Complete registration/renewal process within an average timeframe of 3 weeks	Fully Actioned
4	Notify providers when State DAs' recommendations are received; and provide detailed explanations for rejections	Fully Actioned
5	Review and update Call Centre scripts and templates in a timely manner	Fully Actioned
6	All compliance case managers apply relevant procedures and templates consistently and correctly	Fully Actioned

KPI 3 – ACTIONS UNDERTAKEN BY REGULATORS ARE PROPORTIONATE TO THE REGULATORY RISK BEING MANAGED

#	Planned	Actual
1	Release bulk uploading functions in the past year and reduce costs as a result	Fully Actioned
2	Annually review of risk data (risk matrix)	Fully Actioned
3	Review internal process biannually	Fully Actioned
4	Compare risk factors for a provider over a specified historical period	Fully Actioned
5	Exchange info with State DAs regularly re providers of concern and providers with best practice	Fully Actioned
6		
7		
8		
9		

KPI 4 – COMPLIANCE AND MONITORING APPROACHES ARE STREAMLINED AND COORDINATED

#	Planned	Actual
1	Only request for info in relation to high risk factors, and focus on providers with serious compliance issues	Fully Actioned
2	Share quarterly PRISMS Risk Matrix info with relevant regulators (i.e. State DAs) when it becomes available	Partially Actioned
3	Have meetings/teleconferences with DAs or ESOS Agencies before any monitoring visits to ensure a streamlined approach	Fully Actioned
4	Share relevant info with DIBP where possible	Fully Actioned
5	Liaise with State DAs and peak bodies on a regular basis	Partially Actioned
6	Have a multi-sector working group meeting at least once a year – to review multi-sector compliance monitoring approaches	Not yet Actioned

KPI 5 – REGULATORS ARE OPEN AND TRANSPARENT IN THEIR DEALINGS WITH REGULATED ENTITIES

#	Planned	Actual
1	Make the info about CRICOS and ESOS available on the internationaleducation.gov.au website	Fully Actioned
2	Update the info about CRICOS and ESOS in a timely manner to reflect legislative or administrative changes	Fully Actioned
3	Develop a streamlined info webpage relating to CRICOS registration, renewal, fees and compliance for schools	Fully Actioned
4	Publish performance results on the internationaleducation.gov.au website annually and in a timely manner	Fully Actioned

KPI 6 – REGULATORS ACTIVELY CONTRIBUTE TO THE CONTINUOUS IMPROVEMENT OF REGULATORY FRAMEWORKS

#	Planned	Actual
1	Liaise with policy area on a regular basis regarding feedback from providers	Fully Actioned
2	Have joint workshops on ESOS compliance as planned	Partially Actioned
3	Visit all States within 2 years	Fully Actioned
4	Receive positive feedback from providers about the consultations and the compliance approaches	Fully Actioned
5	Increase the number of joint visits	Partially Actioned
6	The majority of schools have decreased risk scores compared to the previous year	Partially Actioned

LEGEND	
✔	Fully Actioned
(orange tick)	Partially Actioned
✖	Not yet Actioned