



ESOS Compliance Framework

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Policy owner	Principal Executive Officer
Responsible Officer	Head of Quality Assurance
Approving authority	Board of Directors
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Related Documents	Education Services for Overseas Students Act 2000 (ESOS Act), Education Services for Overseas Students Regulations 2001 (ESOS Regulations) National Code of Practice for Providers of Education and Training to Overseas Students (2018) PRISMS User Guide
HESF (Threshold Standards) 2021	7.2.3

1. Purpose

The intent of this Framework is to describe how the Australian Institute of Higher Education Pty Ltd ('the Institute') will comply with the Education Services for Overseas Students Act 2000 (ESOS Act), the Education Services for Overseas Students Regulations 2001 (ESOS Regulations) and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code).

2. Principles

The key principle informing this Framework is to articulate and support the Institute's commitment to complying with the regulatory framework which establishes the minimum requirements for education programs delivered to international students. The ESOS Act regulates the education sector's involvement with international students, thus protecting the interests of international students and ensuring the quality assurance of registered educational institutions in Australia.

3. Context

This Framework has been developed to ensure that all relevant staff are aware of their obligations with respect to the regulatory framework.

4. Scope

This Framework applies to all relevant staff at the Institute, and all enrolled international students.

5. Definitions

See the *AIH Glossary of Terms* for definitions.

6. Policy Details

6.1 Institution Obligations

The Institute is committed to achieving full compliance with ESOS legislative requirements. To support compliance the Institute will:

- inform international students clearly and in a timely manner their rights and responsibilities arising under ESOS;
- ensure staff are aware of the Institute's ESOS obligations and how this affects their roles and their interactions with international students;
- maintain a suite of policies and procedures that clearly explain the rights and responsibilities of international students in the context of the ESOS Compliance Framework;
- ensure that courses offered to international students are taught by qualified lecturers in appropriate facilities according to the lecturing and assessment schedule applicable to international students;
- provide appropriate support services to meet the needs of international students;
- ensure that all relevant information related to international students is entered into PRISMS in a timely manner;
- keep the relevant government agencies up-to-date with any notifiable changes.

The Principal Executive Officer (PEO) is charged with the primary responsibility for coordinating and overseeing ESOS compliance.

6.2 Staff Obligations

All of the Institute's staff have a responsibility to ensure that their activities on behalf of the Institution, and those of their colleagues, comply with the ESOS regulatory framework. All staff are required to:

- comply with all relevant ESOS legislation;
- familiarise themselves with the Institute's policies and procedures relating to international students that affect their workplace and activities;
- report perceived breaches or weaknesses of the Institute's ESOS compliance.

Staff will be reminded of their obligations in relation to international students in professional development sessions and staff meetings, where appropriate. Staff will also be kept up-to-date with any changes in relation to the ESOS regulatory framework which may affect their duties.

Any staff member who perceives a breach or weakness in the Institution's ESOS compliance should contact the PEO.

6.3 Benchmarking and Auditing

The Institute will benchmark with other institutions to ensure that its own processes and procedures are of a standard and are consistent with that of other institutions.

Regular monitoring and follow up audit activity relating to compliance with the ESOS Act are to be undertaken by the Head of Quality of Assurance.

7. Legislation

This Framework complies with the ESOS Act (2000), ESOS Regulations (2001), and the National Code of Practice for Providers of Education and Training to Overseas Students (2018).

It also complies with Higher Education Standards Framework standard 7.2 (Information for Prospective and Current Students), which specifies that:

“3. There are policies and processes that ensure information and advice given to international students holding or applying for an Australian student visa and decisions taken in relation to such students meet statutory requirements.”

8. Version Control

This Framework has been endorsed by the Australian Institute of Higher Education Board of Directors as at July 2024 and is reviewed every 3 years. The Framework is published and available on the Australian Institute of Higher Education website <http://www.aih.nsw.edu.au/> under ‘Policies and Procedures’.

Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
2016-2	Registrar	Updated template	6 July 2016	6 August 2016
2017-1	Ms. McCoy	Revised/edited content	19 April 2017	20 April 2017
2017-2	Registrar	Updated to reflect change in the National Code.	15 December 2017	16 December 2017
2019-1	Principal	Minor update: Updated Titles from Policy owner and Responsible Officer from Executive Dean to Principal, and Contact Officer from Registrar to Head of Academic Support and Student Services.	20 November 2019	21 November 2019
2021.1	Registrar	Minor Update: Title changes	17 February 2021	18 February 2021
2022.1	Registrar	Updated Higher Education Standards Framework [Threshold Standard] 2021	16 June 2022	17 June 2022
2023.1	Registrar	Approving authority amended to be only Board of Directors	22 June 2023	29 June 2023
2024.1	PEO/ Head of Quality Assurance	Updated Responsible Officer; updated titles; minor updates to information for currency.	30 July 2024	31 July 2024