

DISCLOSURE OF STUDENT INFORMATION TO GOVERNMENT POLICY AND PROCEDURE

1. INTRODUCTORY

The purpose of this policy and procedure is to outline the reporting requirements to Government that Equinim College is subject to.

This policy and procedure applies to all staff and students of Equinim College.

2. THE FOUNDATION OF THIS POLICY

2.1 Purpose

Equinim College entered the CRICOS education sector to offer education with integrity. All aspects of Equinim College's operation stem from that principle.

Equinim College's quality management extends from exceptional, caring student service through to government reporting. No aspect of Equinim College's operation is treated any less.

The requirement of a CRICOS provider to report to government serves two fundamental purposes, both of which Equinim College fully observes and is in line with:

- a) Safety of international students
- b) Student visa management

2.2 Safety of international students

It is important for the Australian Government to know the identification and whereabouts of international students, to help protect them. The Australian Government is aware that international rackets exist that target students, and this practice affects students all over the world. Australia is a country that takes care of its international students. Equinim College is exemplary in the level of care taken.

Equinim College considers any abuse of any person, student or otherwise, as despicable, and whether it be physical, emotional, mental or other abuse, or international trafficking, Equinim College is absolutely against anything that may harm anybody.

Equinim College brings its all to the welfare and experience of students studying with our College in Australia.

2.3 Student visa management

It is part of the Australian Government's responsibility to administer a student visa system that relies on CRICOS provider reporting to keep records accurate and up to date. Equinim College plays its part in the national management of international students by providing timely and accurate data to Government, as and when required.

2.4 Use of information by the Government

The following applies:

- a) Equinim College acknowledges that the Commonwealth Government of Australia requires education providers to provide personal information and data to the Government in relation to students who enrol in CRICOS programs with the provider.
- b) The Australian Government uses this information to:
 - a. Maintain the integrity of the visa system;
 - b. Know where a student is, and when and where they are studying, as well as when a student ceases their studies;
 - c. Determine the (ongoing) visa eligibility of students; and
 - d. Protect international students during their stay in Australia.

3. REPORTING OF INFORMATION - STUDENTS

The Australian Government requires Equinim College to provide personal information and data about all CRICOS students to the Government.

3.1 CRICOS Student information/data

Pursuant to the above requirements, Equinim College must provide:

- a) The following personal details about all CRICOS students:
 - a. Full name;
 - b. Gender;
 - c. Date of birth;
 - d. Country of birth;
 - e. Nationality;
 - f. If the student is under 18 years old;
 - g. Current residential address, mobile number and email address of a person other than the provider who has the legal authority to act on the student's behalf;
 - h. The relationship of the person to the student (i.e. parent or guardian);
- b) The CRICOS course code and location;
- c) The agreed starting date;
- d) The date of expected completion;
- e) The dollar amount of tuition fees received by the provider before confirming the student's enrolment using PRISMS;
- f) The start and end dates of the period to which the amount mentioned above relates;

- g) The dollar amount of non-tuition fees that the provider received for the student for the course before confirming the student's enrolment using PRISMS;
- h) The total dollar amount of tuition fees that the student is required to pay to the provider to undertake the full course, in line with the written agreement entered into with the student;
- i) If the student has undertaken an English proficiency test, the name of the test and score;
- j) If the student was in Australia when he or she became an accepted student, the number of the student's passport; and
- k) If the student holds an Australian visa, the number of the visa.

3.2 Accepted students

Equinim College must report to the Australian Government if a student has become an accepted student. An accepted student is a student that a CRICOS provider has accepted into their course and who has or will require a student visa to study the course. The provider must provide:

- a) The student's name;
- b) Course starting date; and
- c) Expected duration of the course.

3.3 Non-commencement of course

Further, Equinim College is obliged to inform the Department of Education, Skills and Employment (DESE) if a student does not commence their studies on the expected commencement date as per the student's agreement with us.

3.4 Consequences of non-commencement

Of very important note for students, as part of a student's student visa approval, students are required to be enrolled in a full time registered course. Further:

- a) If a provider reports that a student has not commenced studies on the appointed date, and the student does not hold any other enrolment, the student will be liable for cancellation of their student visa. (See the Deferral Cancellation and Suspension Policy and Procedure for circumstances in which the commencement date of a course could be deferred without impact on the student visa. That policy must be followed in full.)
- b) If the student has not commenced their study, but holds another enrolment, the Department will view this as a possible indicator that the student holds a student visa for a primary purpose other than study. The student may be liable for cancellation of their visa, as a non-genuine student. The Department of Home Affairs requires providers to play an active role in reporting student data to government, for the purpose of regulating the student visa framework.

3.5 Termination of studies

If a student terminates (cancels) their enrolment before completion of the course, Equinim College must notify the Department. In this case, Equinim College must lodge a Student Course Variation (“**SCV**”) and supply:

- a) The reason for termination
- b) The date the student’s studies are terminated
- c) The last date of the student’s studies
- d) The student’s residential address, phone number and email address

See the Deferral Cancellation and Suspension Policy and Procedure for how an enrolment may be cancelled, and the consequences.

3.6 Early completion

Where students have completed their studies early, Equinim College must lodge a SCV, to reflect that the student is no longer studying that course.

3.7 Other information required for a SCV

A Confirmation of Enrolment (“**CoE**”) cannot be issued for a period longer than the registered length of the course. (See standard 8.2 of the [National Code of Practice 2018](#)). In addition to the information outlined in section 3.5 above, Equinim College must also provide:

- a) The date the change to the course duration takes effect; and
- b) The student’s residential address, phone number and email address.

3.8 SCV is mandatory

Failure to provide a SCV when required is a breach of section 19(1)(e) of the ESOS Act.

3.9 Permitted course extensions

An extension to a registered course can occur if an international student is unable to complete the course in the registered duration, in the following circumstances:

- a) There are compassionate or compelling circumstances, as assessed by Equinim College on the basis of demonstrable evidence. (See the Student Progress Policy and Procedure, and the Deferral Cancellation and Suspension Policy and Procedure);
- b) Equinim College has implemented or is in the process of implementing an intervention strategy for the international student because the student is at risk of not meeting course progress requirements. (See the Student Progress Policy and Procedure); or
- c) An approved deferral or suspension of the international student’s enrolment has occurred under Standard 9 of the [National Code 2018](#). (See the Student

Progress Policy and Procedure, and the Deferral Cancellation and Suspension Policy and Procedure.)

3.10 Extensions: student must contact Department

If a student's course duration is extended in accordance with section 3.9, above, Equinim College must advise the student to contact the Department of Home Affairs, to seek advice on the potential impacts of the extension on their student visa, including any need to obtain a new visa. An SCV must be lodged. (See the Student Progress Policy and Procedure, and the Deferral Cancellation and Suspension Policy and Procedure.)

3.11 Where the student is enrolling in another course

If a student is already accepted for a course by Equinim College but may seek to enrol in another course with Equinim College, Equinim College is required to notify the Australian Government of:

- a) Student information (as per section 3.1 above);
- b) Termination of studies information (as per section 3.5 above); and
- c) Education agent information for accepted students, if applicable (as per section 4 below).

3.12 Unsatisfactory course progress or class attendance

The following applies:

- a) **(Notice to student)** If Equinim College assesses that an international student is not meeting course progress or attendance requirements, Equinim College must notify the student that the College intends to report the student for unsatisfactory course progress or attendance, with reasons for the intention to report. Before any such decision may be made, the extensive intervention strategies as outlined in the Student Progress Policy and Procedure apply.
- b) **(Reporting to PRISMS)** Equinim College may only report unsatisfactory course progress or attendance in PRISMS if the processes outlined in the Student Progress Policy and Procedure have been followed and lead to that outcome.
- c) **(No report)** Equinim College may decide not to report the student for breaching the attendance requirements if the international student is still attending at least 70% of the scheduled course contact hours on campus and, for VET courses, the student is maintaining satisfactory course progress. Further details are set out in the Student Progress Policy and Procedure.

3.13 Deferrals and suspensions

If Equinim College awards an international student a deferral or suspension, Equinim College must provide the following information to the Australian Government:

- a) The start date of the deferral or suspension;
- b) The expected duration;
- c) The student's residential address, phone number and email address; and
- d) The change to the end date of the course (if applicable).

Further, if the CRICOS provider becomes aware of any change to the above information, they must provide updated information to the Australian Government. Note that all students are required to notify Equinim College of any change in their contact details.

See the Deferral Cancellation and Suspension Policy and Procedure for details of how a deferral or suspension may be awarded.

4. DISCLOSURE OF INFORMATION - AGENTS

The Australian Government requires Equinim College to provide information or data about all agents used, through the government system, PRISMS.

If an international student becomes an accepted student via an educational agent, Equinim College must provide the following information through PRISMS:

- a) The agent's name;
- b) Address of the agent's principal place of business;
- c) If the agent is a body corporate, the address of its registered office;
- d) The agent's:
 - a. postal address;
 - b. phone number, email address and website address;
 - c. ABN or ACN (if any);
 - d. Trading name(s);
 - e. Names of body corporate directors, if applicable; and
 - f. If the agent is a registered migration agent, the agent's migration agent's registration number; and
- e) The following information about the agent's employees (if any):
 - a. Employee's name;
 - b. Employee's email address; and
 - c. If the employee is a registered migration agent, the employee's migration agent registration number.

5. REPORTING OBLIGATIONS OF A CRICOS PROVIDER

Equinim College, as a CRICOS provider, is also required to comply with the following.

5.1 If a course does not start when expected

The following applies:

- a) If a course does not start when expected, Equinim College must notify the Australian Government and supply all affected students' residential address, phone number and email address.
- b) If a course does not start due to a failure on the part of the provider (without withdrawal by the international student), this constitutes a default by the provider. In this case, the provider must satisfy all obligations to students and the Government as detailed in the Equinim College Provider Default Policy and Procedure.

5.2 If there is a change to a course

If there is a change to a course, Equinim College must report this to the Australian Government, including:

- a) The date of the change;
- b) Whether the change will take effect on that day or not; and
- c) The students' residential address, phone number and email address.

5.3 If there is a change to course location

If there is a change to course location, Equinim College must notify the Australian Government of:

- a) The date of the change; and
- b) The students' residential address, phone number and email address.

6. PROCEDURE: NOTIFICATION THROUGH PRISMS

Equinim College shall satisfy all required reporting through the Australian Government system PRISMS (or its successor), or otherwise as the Australian Government requires.

In reporting through PRISMS, Equinim College shall comply with the Provider User Guide (https://prisms.education.gov.au/Information/ShowInformation.aspx?Doc=Provider_User_Guide&key=information-provider-user-guide&Heading=)