

CODE OF ETHICS POLICY

Approved	Academic Board
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Responsible Officer	Academic Registrar
Author / Role	L Gainer (Academic Registrar)
Related Documents (explicitly cross-referenced)	
Higher Education Standards (2021)	7.3
National Code (2018) (if directly relevant)	2.3, 6, 7.1, 8.1, 8.3, 8.4

The College (Sydney College of Divinity) is required to comply with the *ESOS Act 2000* and *The National Code* (as amended 2018). The structure of the College is such that an overseas student will be enrolled through a Member Institution of the College. The Member Institutions will submit the student for formal enrolment to the relevant College committee. To ensure compliance the College shall operate under the following procedures which contain requirements for both the College and the Member Institutions.

The Office of the Director of Finance and Compliance shall ensure that the College:

- 1) Pays as appropriate:
 - a) the Initial Registration Charge;
 - b) the Annual Registration Charge;
 - c) the ESOS Assurance Fund annual levy;
 - d) any other fees or charges as may be required from time to time.

- 2) Uses the Provider Registration and International Students Management System (PRISMS) to:
 - a) generate through a Member Institution a Confirmation of Enrolment (CoE) for intending overseas students;
 - b) notify the Department of Immigration and Border Protection (DIBP) of student non-compliance relating to
 - i) visa conditions relating to course progress;
 - ii) visa conditions relating to academic performance;
 - iii) changes to a student's enrolment.

- 3) Tuition Protection Service complies with all requirements of the ESOS Act 2000.

- 4) Member Institutions keep adequate records of:
 - a) course progress;
 - b) academic performance;
 - c) residential address;
 - d) details of monies payable and paid;
 - e) any written agreements with students.

- 5) Sends to students, through the Member Institutions, notices of breach of visa conditions concerning attendance and academic performance.

- 6) Member Institutions advertise or promote courses to overseas students in such a way that:
 - a) all written materials identify the registered provider and provider number;
 - b) there are no deceptive, false or misleading statements;
 - c) all information about courses is clear, unambiguous and accurate and includes:
 - i) an accurate description of the course;
 - ii) an itemised list of all fees payable;

- iii) accurate information on the environment and location of the campus and some indication of living costs;
 - iv) a statement on the policy regarding refunds;
 - v) a statement on the minimum level of English proficiency and educational qualifications required for the course the student is seeking to undertake and how that level of English proficiency might be obtained;
 - vi) advice on the requirement that any school-aged children the student may have will be required to pay full fees if they are enrolled in school in Australia.
- 7) Enrols overseas students on the basis that they:
- a) may only enrol in full-time courses;
 - b) must maintain adequate course progress to complete the award within the duration listed on the CoE;
 - c) cannot exceed the allowable limit (33½% of the overall program) of distance or online learning;
 - d) must study at least one unit not by distance or online learning per semester;
 - e) must achieve a satisfactory academic result;
 - f) may defer their current studies if they encounter exceptional circumstances during their course.
 - g) may study part-time under particular circumstances such as where compassionate or compelling circumstances exist, or as part of an intervention strategy (see 'Monitoring course progress and reporting breaches for overseas students' policy).
- 8) The College shall advise the designated authority - Tertiary Education Quality and Standards Agency (TEQSA) in writing of any prospective changes to the ownership of the College itself or of any of its Member Institutions as soon as practicable prior to the change taking effect and any prospective or actual changes to the high managerial agents of the College as soon as practicable prior to the change taking effect or within 10 working days of the change taking effect where the change cannot be determined until it takes effect.
- 9) The College shall advise in writing the designated authority (TEQSA) and the enrolled students any intention of relocating premises including head office and campus locations at least 20 working days before the relocation. The students will be kept up-to-date with the intended changes by student meetings and or opportunities for individual student discussion with college personnel.
- 10) The College shall maintain adequate resources and facilities by ensuring that:
- a) the Coursework Committee of the College maintains the faculty of the College at a level of qualifications and experience appropriate for the delivery and assessment of the CRICOS-registered courses;
 - b) the Professional Development Committee of the College provides appropriate induction and professional development opportunities for the members of the faculty of the College who will teach CRICOS-registered courses;
 - c) the Member Institutions maintain an appropriate learning environment;
 - d) where a Member Institution advises the intention to relocate, TEQSA is advised at least 21 days before the relocation occurs;
 - e) the facilities of the Member Institutions are adequate for the delivery of CRICOS-registered courses.
- 11) As concerns the marketing of CRICOS-registered courses the College shall ensure that:
- a) all marketing of education and training services by Member Institutions is carried out with integrity and accuracy, which means:
 - i) there shall be no false or misleading comparisons with other providers and their courses;
 - ii) there shall be no inaccurate claims of association with other organisations;
 - iii) no inaccurate advice will be given as to acceptance into another course;
 - b) associated institutions only advertise the provision of a course with the express permission of the College and identify the College as the provider;
 - c) an overseas student or intending overseas student is not accepted until the requirements of sections 21.1, 21.2, 21.3 and 21.4 of *The National Code* have been satisfied;

- d) no payment of fees for a course for an overseas student or intending overseas student is accepted until the requirements of ss28(1) of the *ESOS Act 2000* are met;
 - e) an overseas student or intending overseas student is not accepted until:
 - i) given an accurate representation of the local environment of the Member Institution, including location of campus and cost of living;
 - ii) advised that school-aged dependants will be required to pay full fees upon enrolment in either a government or private school.
- 12) As concerns student recruitment and placement the College shall ensure that:
- a) the recruitment process is conducted in an ethical and responsible manner ensuring that the student's qualifications and abilities are appropriate for the course;
 - b) information on required English language skills (where appropriate) or necessary bridging courses is provided with any offer of course placement;
 - c) the required assessment of evidence of proficiency in English that meets Migration Regulations has been carried out (i.e. IELTS or equivalent);
 - d) intending overseas students are informed accurately of the requirements of the course, especially on the requirements to study and attend class;
 - e) overseas students are enrolled only in a full-time course.
- 13) As concerns prior learning/current competence the College shall ensure that:
- a) the Student Support and Administration Committee adheres to its processes for conducting and recording RPL;
 - b) where RPL is granted and leads to a shortening of the course:
 - i) the CoE will indicate the actual net course duration when the RPL is granted before the visa;
 - ii) the College will report the change of course duration via PRISMS when the RPL is granted after the visa;
 - iii) the College will advise the student that it is a condition of their visa to be enrolled in full-time study;
 - c) when a student completes a course early the student is advised that he/she must either enrol in another full-time CRICOS-registered course or leave Australia unless he/she has Department of Immigration and Border Protection (DIBP) authorisation to remain.
- 14) As concerns student records the College shall ensure that the Member Institution where the student is enrolled:
- a) keeps adequate records of each student to monitor course progress;
 - b) keeps adequate records of each student's academic performance;
 - c) does not permit activities by overseas students or others that could falsify academic records;
 - d) does not permit overseas students to defer commencement of or suspend studies except on the grounds of medically attested illness or exceptional compassionate circumstances beyond the student's control;
 - e) advises the non-compliance to DIBP via PRISMS if a student defers or suspends studies on non-permissible grounds;
 - f) in the keeping of academic records shall:
 - i) operate systematically;
 - ii) monitor course progress and academic performance;
 - iii) adopt procedures for contacting and counselling students to assist students to achieve satisfactory course progress and recording such contacts;
 - iv) advise DIBP via PRISMS of any change to a student's enrolment;
 - v) advise DIBP via PRISMS of a student's failure to meet visa conditions with regard to course progress and academic performance and notify the student of their non-compliance.
- 15) The Member Institution of the College where the student is studying shall advise students in writing at the beginning of their course of their duty to advise the College of any change in contact details immediately.

- 16) The Member Institutions of the College will enter into a written agreement on refunds with a student which shall be in accord with the College's refund policy.
- 17) The College has in place a number of support services and these must be advised to intending overseas students. These support services include:
 - a) appropriate arrangements for independent grievance handling/dispute resolution in accordance with the college's Grievance Policies
 - b) access to information or counselling on:
 - i) orientation;
 - ii) academic progress;
 - iii) accommodation;
 - iv) health services;
 - v) further study;
 - c) suitably qualified persons as contact officers responsible for the provision of support services.
- 18) All members of the College faculty shall be advised of their responsibilities under *The National Code 2018* towards overseas students.
- 19) The College shall ensure that:
 - a) overseas students are aware that personal information may be made available to:
 - i) Commonwealth and State agencies;
 - ii) the Fund Manager of the ESOS Assurance Fund;
 - iii) the Tuition Protection Service
 - b) the Department is advised of:
 - i) changes to student enrolment;
 - ii) student breaches of visa conditions relating to course progress and academic performance.