



## Audit report – CRICOS

### Commonwealth Register of Institutions and Courses for Overseas Students (Initial and continuing registration)

#### ORGANISATION DETAILS

Organisation's legal name	International College of Capoeira Pty Ltd
Trading name/s	College of Sports & Fitness
RTO number (if applicable)	91345
CRICOS number (if applicable)	03057C

#### AUDIT TEAM

Lead auditor	Margaret Foran
Assistant/s	Stuart Hicks

#### AUDIT DETAILS

Application number/s	1082940	
Audit number/s	1008550	
Audit reason 1	Change registration - increase capacity	
Audit reason 2	n/a	
Audit reason 3	n/a	
Activity type	Site visit	
Address of site/s visited	Levels 1 and 2, 10-12 Wentworth Avenue, Surry Hills NSW 2010	
Date/s of audit	03/12/2015	
Organisation's contact for audit	Ms Marion Nassim m.nassim@csf.edu.au	Campus Manager 9267 4768
National Code – Part C Registration on CRICOS – sections reviewed	n/a	
National Code – Part D Standards for Registered Providers – standards audited	Selected Standards for Registered Providers 6.6, 9.4, 14.1 and 14.2	



## BACKGROUND

- International College of Capoeira Pty Ltd trading as College of Sports & Fitness delivers qualifications from the SIS10 Sport, Fitness and Recreation Training Package.
- The organisation has campuses in the following locations:
  - Level 3, 16-22 Wentworth Avenue, Surry Hills NSW
  - Levels 1 and 2, 10-12 Wentworth Avenue, Surry Hills NSW
  - Manly NSW, and
  - Perth WA.
- The organisation submitted an application on 13 August 2015 to increase its capacity at Levels 1 and 2, 10-12 Wentworth Avenue, Surry Hills to a capacity of 712.
- The CEO advised at the site audit that it intended to remove the location at Level 3, 16-22 Wentworth Avenue, Surry Hills and the capacity attached to that location.
- The organisation seeks to have a maximum capacity across the three locations of **1287**. The capacities at each location are:
  - College of Sports & Fitness (RTO Operations), Levels 1 and 2, 10-12 Wentworth Avenue, Surry Hills: 712
  - Manly NSW: 500
  - Perth WA: 75

The organisation formalised this request by email following the site audit on 3 December 2015.

- At the site audit, a possible non-compliance was identified with Standard 9.4. Therefore, Standard 9.4 was included as part of the audit.

## CAPACITY

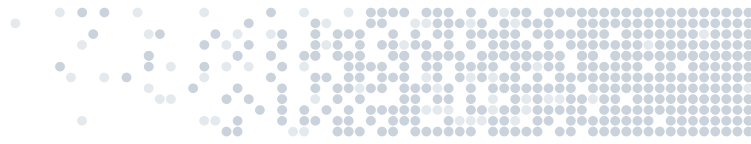
- **Capacity at each location as listed on PRISMS and current enrolments at each location:**

Delivery location (as titled on PRISMS)	Maximum capacity at location as listed on PRISMS	Current enrolments at location
College of Sports & Fitness (RTO Operations)	424	0
College of Sport & Fitness (RTO Operations 2 <sup>nd</sup> site)	424	461
Manly NSW	500	64
Perth WA	75	0

- Current maximum capacity (as listed on PRISMS): **1423**
- Total number of enrolments as at audit date:
 

International	<b>525</b>
Domestic	0
- Requested capacity at each location:

Delivery location (existing or proposed)	Capacity requested at this location
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College of Sports & Fitness (RTO Operations)	712
College of Sport & Fitness (RTO Operations 2 <sup>nd</sup> site)	0
Manly NSW	n/a
Perth WA	n/a

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- Maximum capacity requested: 1287
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- Total number of domestic enrolments as at audit date (if applicable): 0
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## INTERVIEWEES

Name	Position
Ms Marion Nassim	Campus Manager
Mr John Iacono	Managing Director
Elizabeth Biega	Director of Studies

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## ORIGINAL AUDIT FINDING AT TIME OF AUDIT

### Audit finding as at 03/12/2015:

National Code Part C: **Not reviewed**

National Code Part D: **Not compliant**

- If non-compliance has been identified, this audit report describes evidence of the non-compliance.
  - Refer to notification of non-compliance for information on providing further evidence of compliance.
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## AUDIT FINDING FOLLOWING ANALYSIS OF RECTIFICATION EVIDENCE

### Audit finding following analysis of additional evidence provided on 14/01/2016:

National Code Part C: **n/a**

National Code Part D: **Compliant**

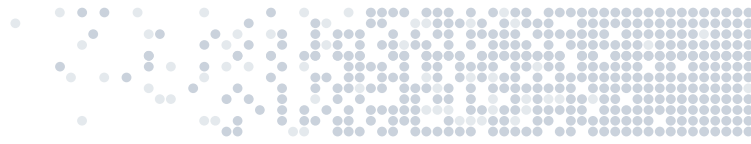
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## AUDIT FINDING BY REQUIREMENT

### National Code Part C Registration on CRICOS

Section	Original finding	Finding following rectification
7.1	Not reviewed	n/a
7.2	Not reviewed	n/a
7.3	Not reviewed	n/a
8.1	Not reviewed	n/a

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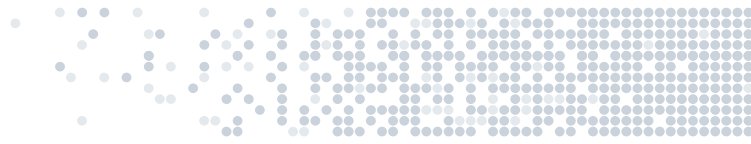
10.2 Not reviewed n/a

12.1 Not reviewed n/a

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**National Code Part D Registration on CRICOS**

1	Not audited	n/a
2	Not audited	n/a
3	Not audited	n/a
4	Not audited	n/a
5	Not audited	n/a
6	Compliant	n/a
7	Not audited	n/a
8	Not audited	n/a
9	Not compliant	Compliant
10	Not audited	n/a
11	Not audited	n/a
12	Not audited	n/a
13	Not audited	n/a
14	Compliant	n/a
15	Not audited	n/a



## NATIONAL CODE OF PRACTICE FOR REGISTRATION AUTHORITIES AND PROVIDERS OF EDUCATION AND TRAINING TO OVERSEAS STUDENTS 2007

### PART C REGISTRATION ON CRICOS

Course/s can only be approved for registration on the *Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS)* where the course meets the following requirements:

#### SECTION 7 Course duration

**7.1** The registration of a course on CRICOS must include the expected duration of the course. The registered duration cannot exceed the time required for completing the course on the basis of the normal amount of full-time study. Only courses which can be undertaken on a full-time basis can be registered on CRICOS. A course will not be registered on CRICOS unless it meets the relevant Australian Qualifications Framework requirements or those of any other appropriate quality or accreditation framework, if an appropriate framework exists.

**Original finding:** Not reviewed

**Following rectification:** n/a

**7.2** For English Language Intensive Courses for Overseas Students (ELICOS), a course duration range may be specified on CRICOS as the study duration will vary according to each student's learning goals which will be reflected in the expected duration of study specified on the students's Confirmation of Enrolment (CoE). ELICOS courses remain subject to the requirement in paragraph 7.1 that only full-time courses can be registered on CRICOS.

**Original finding:** Not reviewed

**Following rectification:** n/a

**7.3** The designated authority must take into account the proposed course structure when determining the appropriate duration for registration on CRICOS (that is, the number of compulsory terms or semesters each academic year). The registered duration of the course must include approved holiday periods and any approved period of work-based training. When the course duration is not specified by the accrediting authority, the designated authority will determine the course duration based on a minimum of 20 scheduled course contact hours per week.

**Original finding:** Not reviewed

**Following rectification:** n/a

#### SECTION 8 Work-based training

**8.1** Work-based training must only be approved by a designated authority as part of a CRICOS-registered course where:

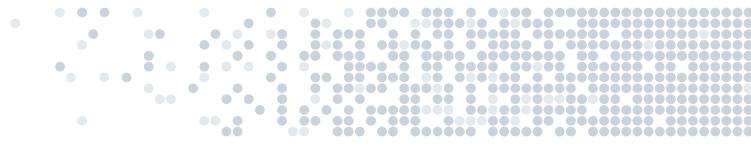
- it must be undertaken to gain the qualification, and
- the registered provider has appropriate arrangements for the supervision and assessment of overseas students in place.

**Original finding:** Not reviewed

**Following rectification:** n/a

#### SECTION 10 Arrangements with other providers

**10.2** The designated authority needs to be advised in writing of all providers to be involved in providing a registered course, the role played by each provider in the delivery of the course and the single provider recommended to be registered for the course. The designated authority will assess the provider's suitability for registration in light of its



**connection with and responsibility for the course.**

**Original finding:** Not reviewed

**Following rectification:** n/a

## SECTION 12 Maximum number of students

**12.1** As part of the registration approval process, the designated authority will decide whether to approve the maximum number of students that a provider can enrol. In making this decision, the designated authority will consider the capacity of the provider in terms of its premises, approved arrangements with other providers, facilities, resources, equipment, materials and ratio of staff to student numbers.

**Original finding:** Not reviewed

**Following rectification:** n/a

## PART D STANDARDS FOR REGISTERED PROVIDERS

### STANDARD 1 Marketing information and practices

Registered providers ensure that marketing of their education and training services is professional, accurate and maintains the integrity and reputation of the industry.

**1.1** The registered provider must ensure the marketing of its education and training services is undertaken in a professional manner and maintains the integrity and reputation of the industry and registered providers.

**Original finding:** Not audited

**Following rectification:** n/a

**1.2** The registered provider must:

- a. clearly identify the registered provider's name and CRICOS number in written marketing and other material for students, including electronic form, and
- b. not give false or misleading information or advice in relation to:
  - i. claims of association between providers
  - ii. the employment outcomes associated with a course
  - iii. automatic acceptance into another course
  - iv. possible migration outcomes, or
  - v. any other claims relating to the registered provider, its course or outcomes associated with the course.

**Original finding:** Not audited

**Following rectification:** n/a

**1.3** The registered provider must not actively recruit a student where this clearly conflicts with its obligations under Standard 7 (Transfer between registered providers).

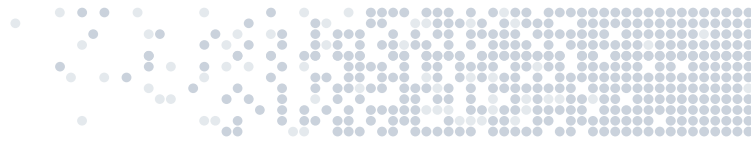
**Original finding:** Not audited

**Following rectification:** n/a

### STANDARD 2 Student engagement before enrolment

Registered providers recruit students in an ethical and responsible manner and provide information that enables students to make informed decisions about studying with the registered provider in Australia. Registered providers ensure students' qualifications, experience and English language proficiency are appropriate for the course for which enrolment is sought.

**2.1** Prior to accepting a student, or an intending student, for enrolment in a course, the registered provider must provide, in print or through referral to an electronic copy, current and accurate information regarding the following:



- a. the requirements for acceptance into a course, including the minimum level of English language proficiency, educational qualifications or work experience required and whether course credit may be applicable
- b. the course content and duration, qualification offered if applicable, modes of study and assessment methods
- c. campus locations and a general description of facilities, equipment, and learning and library resources available to students
- d. details of any arrangements with another registered provider, person or business to provide the course or part of the course
- e. indicative course-related fees including advice on the potential for fees to change during the student's course and applicable refund policies
- f. information about the grounds on which the student's enrolment may be deferred, suspended or cancelled
- g. a description of the ESOS framework made available electronically by DEEWR, and
- h. relevant information on living in Australia, including:
  - i. indicative costs of living
  - ii. accommodation options, and
  - iii. where relevant, schooling obligations and options for school-aged dependants of intending students, including that school fees may be incurred.

**Original finding:** Not audited

**Following rectification:** n/a

- 2.2** The registered provider must have documented procedures in place, and implement these procedures to assess whether the student's qualifications, experience and English language proficiency are appropriate for the course for which enrolment is sought.

**Original finding:** Not audited

**Following rectification:** n/a

### STANDARD 3 Formalisation of enrolment

Written agreements between registered providers and students set out the services to be provided, fees payable and information in relation to refunds of course money.

- 3.1** The registered provider must enter into a written agreement with the student, signed or otherwise accepted by that student (or the student's parent or legal guardian if the student is under 18 years of age), concurrently with or prior to accepting course money from the student. The agreement must:
- a. identify the course or courses in which the student is to be enrolled and any conditions on his or her enrolment
  - b. provide an itemised list of course money payable by the student
  - c. provide information in relation to refunds of course money
  - d. set out the circumstances in which personal information about the student may be shared between the registered provider and the Australian Government and designated authorities and, if relevant, the Tuition Assurance Scheme and the ESOS Assurance Fund Manager. This information includes personal and contact details, course enrolment details and changes, and the circumstance of any suspected breach by the student of a student visa condition, and
  - e. advise the student of his or her obligation to notify the registered provider of a change of address while enrolled in the course.

**Original finding:** Not audited

**Following rectification:** n/a

- 3.2** The registered provider must include in the written agreement the following information, which is to be consistent with the requirements of the ESOS Act, in relation to refunds of



course money in the case of student and provider default:

- a. amounts that may or may not be repaid to the student (including any course money collected by education agents on behalf of the registered provider)
- b. processes for claiming a refund
- c. a plain English explanation of what happens in the event of a course not being delivered, and
- d. a statement that “This agreement, and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia’s consumer protection laws”.

**Original finding:** Not audited

**Following rectification:** n/a

#### STANDARD 4 Education Agents

Registered providers take all reasonable measures to use education agents that have an appropriate knowledge and understanding of the Australian international education industry and do not use education agents who are dishonest or lack integrity.

- 4.1 The registered provider must enter into a written agreement with each education agent it engages to formally represent it. The agreement must specify the responsibilities of the education agent and the registered provider and the need to comply with the requirements in the National Code. The agreement must also include:
- a. processes for monitoring the activities of the education agent, including where corrective action may be required, and
  - b. termination conditions, including providing for termination in the circumstances outlined in Standard 4.4.

**Original finding:** Not audited

**Following rectification:** n/a

- 4.2 The registered provider must ensure that its education agents have access to up-to-date and accurate marketing information as set out in Standard 1 (Marketing information and practices).

**Original finding:** Not audited

**Following rectification:** n/a

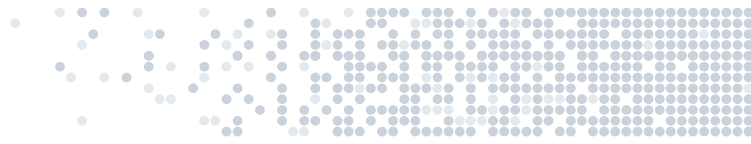
- 4.3 The registered provider must not accept students from an education agent or enter into an agreement with an education agent if it knows or reasonably suspects the education agent to be:
- a. engaged in, or to have previously been engaged in, dishonest practices, including the deliberate attempt to recruit a student where this clearly conflicts with the obligations of registered providers under Standard 7 (Transfer between registered providers).
  - b. facilitating the enrolment of a student who the education agent believes will not comply with the conditions of his or her student visa
  - c. using Provider Registration and International Students Management System (PRISMS) to create Confirmations of Enrolment for other than bona fide a student, or
  - d. providing immigration advice where not authorised under the *Migration Act 1958* to do so.

**Original finding:** Not audited

**Following rectification:** n/a

- 4.4 Where the registered provider has entered into an agreement with an education agent and subsequently becomes aware of, or reasonably suspects, the engagement by that education agent, or an employee or sub-contractor of that agent, of the conduct set out in Standard 4.3, the registered provider must terminate the agreement with the education





agent. This paragraph does not apply where an individual employee or sub-contractor of the education agent was responsible for the conduct set out in Standard 4.3 and the education agent has terminated the relationship with that individual employee or sub-contractor.

**Original finding:** Not audited

**Following rectification:** n/a

**4.5** The registered provider must take immediate corrective and preventative action upon the registered provider becoming aware of an education agent being negligent, careless or incompetent or being engaged in false, misleading or unethical advertising and recruitment practices, including practices that could harm the integrity of Australian education and training.

**Original finding:** Not audited

**Following rectification:** n/a

### **STANDARD 5 Younger students**

Where students under the age of 18 are not being cared for in Australia by a parent or suitable nominated relative, registered providers ensure the arrangements made to protect the personal safety and social well-being of those students are appropriate.

**5.1** Where the registered provider has taken on responsibility under the Migration Regulations for approving the accommodation, support and general welfare arrangements for a student who has not turned 18, the registered provider must:

- a. nominate the dates for which the registered provider accepts responsibility for approving the student's accommodation, support and general welfare arrangements using the DIAC pro forma letter available through PRISMS
- b. advise DIAC in writing of the approval using the DIAC pro forma letter available through PRISMS
- c. have documented procedures for checking the suitability of the student's accommodation, support and general welfare arrangements, and
- d. advise DIAC as soon as possible in the event that the under 18 year old student has changed his or her living arrangements or the registered provider no longer approves of the arrangements for the student using the DIAC pro forma letter available through PRISMS.

**Original finding:** Not audited

**Following rectification:** n/a

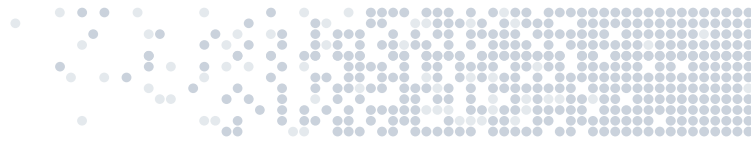
**5.2** Where Standard 5.1 applies and the student is under 18 with a student visa that covers multiple courses, the registered provider with whom the student is currently enrolled is responsible for approving arrangements for the student's accommodation, support and general welfare during that nominated period.

**Original finding:** Not audited

**Following rectification:** n/a

**5.3** Where Standard 5.1 applies and the registered provider suspends or cancels the enrolment of the student, the registered provider must continue to check the suitability of arrangements for that student until:

- a. the student is accepted by another registered provider and that registered provider takes over responsibility for approving the student's accommodation, support and general welfare arrangements
- b. the student leaves Australia
- c. other suitable arrangements are made that satisfy the Migration Regulations, or
- d. the registered provider reports under Standard 5.1.d that it can no longer approve of



**the arrangements for the student.**

**Original finding:** Not audited

**Following rectification:** n/a

**STANDARD 6 Student support services**

**Registered providers support students to adjust to study and life in Australia, to achieve their learning goals and to achieve satisfactory progress towards meeting the learning outcomes of the course.**

- 6.1 The registered provider must assist students to adjust to study and life in Australia, including through the provision of an age and culturally appropriate orientation programme that includes information about:**
- a. student support services available to students in the transition to life and study in a new environment**
  - b. legal services**
  - c. emergency and health services**
  - d. facilities and resources**
  - e. complaints and appeals processes, and**
  - f. any student visa condition relating to course progress and/or attendance as appropriate.**

**Original finding:** Not audited

**Following rectification:** n/a

- 6.2 The registered provider must provide the opportunity for students to participate in services or provide access to services designed to assist students in meeting course requirements and maintaining their attendance.**

**Original finding:** Not audited

**Following rectification:** n/a

- 6.3 The registered provider must provide the opportunity for students to access welfare-related support services to assist with issues that may arise during their study, including course progress and attendance requirements and accommodation issues. These services must be provided at no additional cost to the student. If the registered provider refers the student to external support services, the registered provider must not charge for the referral.**

**Original finding:** Not audited

**Following rectification:** n/a

- 6.4 The registered provider must have a documented critical incident policy together with procedures that covers the action to be taken in the event of a critical incident, required follow-up to the incident, and records of the incident and action taken.**

**Original finding:** Not audited

**Following rectification:** n/a

- 6.5 The registered provider must designate a member of staff or members of staff to be the official point of contact for students. The student contact officer or officers must have access to up-to-date details of the registered provider's support services.**

**Original finding:** Not audited

**Following rectification:** n/a

- 6.6 The registered provider must have sufficient student support personnel to meet the needs of the students enrolled with the registered provider.**



**Original finding:** Compliant

**Following rectification:** n/a

**6.7** The registered provider must ensure that its staff members who interact directly with students are aware of the registered provider's obligations under the ESOS framework and the potential implications for students arising from the exercise of these obligations.

**Original finding:** Not audited

**Following rectification:** n/a

#### **STANDARD 7 Transfer between registered providers**

Registered providers assess requests from students for a transfer between registered providers prior to the student completing six months of the principal course of study in accordance with their documented procedures.

**7.1** The receiving registered provider must not knowingly enrol the student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course of study except where:

- the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
- the original registered provider has provided a written letter of release
- the original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course, or
- any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.

**Original finding:** Not audited

**Following rectification:** n/a

**7.2** The registered provider must have and implement its documented student transfer request assessment policy and procedure, which is available to staff and students. The policy must specify:

- the circumstances in which a transfer will be granted
- the circumstances the registered provider considers as providing reasonable grounds for refusing the student's request, including when a transfer can be considered detrimental to the student, and
- a reasonable timeframe for assessing and replying to the student's transfer request having regard to the restricted period.

**Original finding:** Not audited

**Following rectification:** n/a

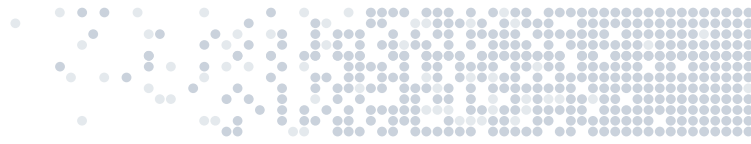
**7.3** The registered provider must grant a letter of release only where the student has:

- provided a letter from another registered provider confirming that a valid enrolment offer has been made, and
- where the student is under 18;
  - the registered provider has written confirmation that the student's parent or legal guardian supports the transfer, and
  - where the student is not being cared for in Australia by a parent or suitable nominated relative, the valid enrolment offer also confirms that the registered provider will accept that responsibility for approving the student's accommodation, support and general welfare arrangements as per Standard 5 (Younger students).

**Original finding:** Not audited

**Following rectification:** n/a

**7.4** A letter of release, if granted, must be issued at no cost to the student and must advise the student of the need to contact DIAC to seek advice on whether a new student visa is



**required.**

**Original finding:** Not audited

**Following rectification:** n/a

**7.5** Where the registered provider does not grant a letter of release, the student must be provided with written reasons for refusing the request and must be informed of his or her right to appeal the registered provider's decision in accordance with Standard 8 (Complaints and appeals).

**Original finding:** Not audited

**Following rectification:** n/a

**7.6** The registered provider must maintain records of all requests from students for a letter of release and the assessment of, and decision regarding, the request on the student's file.

**Original finding:** Not audited

**Following rectification:** n/a

#### **STANDARD 8 Complaints and appeals**

**Registered providers' complaints and appeals processes are independent, easily and immediately accessible and inexpensive for the parties involved.**

**8.1** The registered provider must have an appropriate internal complaints handling and appeals process that satisfies the following requirements, or can use its existing internal complaints and appeals processes as long as it meets these requirements:

- a. a process is in place for lodging a formal complaint or appeal if the matter cannot be resolved informally, which requires a written record of the complaint or appeal to be kept
- b. each complainant or appellant has an opportunity to formally present his or her case at minimal or no cost to him or herself
- c. each party may be accompanied and assisted by a support person at any relevant meetings
- d. the complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome, and
- e. the process commences within 10 working days of the formal lodgement of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.

**Original finding:** Not audited

**Following rectification:** n/a

**8.2** The registered provider must have arrangements in place for a person or body independent of and external to the registered provider to hear complaints or appeals arising from the registered provider's internal complaints and appeals process or refer students to an existing body where that body is appropriate for the complaint or appeal.

**Original finding:** Not audited

**Following rectification:** n/a

**8.3** If the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, the registered provider must advise the student of his or her right to access the external appeals process at minimal or no cost.

**Original finding:** Not audited

**Following rectification:** n/a

**8.4** If the student chooses to access the registered provider's complaints and appeals processes as per this standard, the registered provider must maintain the student's enrolment while the complaints and appeals process is ongoing.



**Original finding:** Not audited

**Following rectification:** n/a

**8.5** If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

**Original finding:** Not audited

**Following rectification:** n/a

**STANDARD 9 Completion within the expected duration of study**

Registered providers monitor the enrolment load of students to ensure they complete the course within the duration specified in their CoE and do not exceed the allowable portion of online or distance learning. Registered providers only enable students to extend the expected duration of study for the course through the issuing of a new CoE in limited circumstances.

**9.1** The registered provider must have and implement documented policies and procedures for monitoring the progress of each student to ensure that at all times the student is in a position to complete the course within the expected duration as specified on the student's CoE. In monitoring this enrolment load, the registered provider must ensure that in each compulsory study period for a course, the student is studying at least one unit that is not by distance or online learning.

**Original finding:** Not audited

**Following rectification:** n/a

**9.2** The registered provider may only extend the duration of the student's study where it is clear that the student will not complete the course within the expected duration, as specified on the student's CoE, as the result of:

- compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student was unable to attend classes or where the registered provider was unable to offer a pre-requisite unit)
- the registered provider implementing its intervention strategy for students who were at risk of not meeting satisfactory course progress, or
- an approved deferment or suspension of study has been granted under Standard 13.

**Original finding:** Not audited

**Following rectification:** n/a

**9.3** Where there is a variation in the student's enrolment load which may affect the student's expected duration of study in accordance with 9.2, the registered provider is to record this variation and the reasons for it on the student file. The registered provider must correctly report the student via PRISMS and/or issue a new CoE when the student can only account for the variation/s by extending his or her expected duration of study.

**Original finding:** Not audited

**Following rectification:** n/a

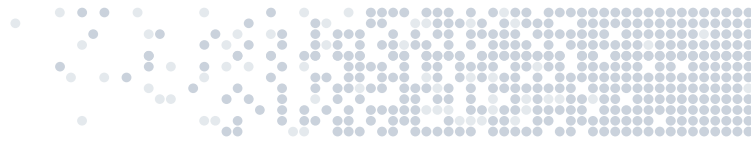
**9.4** The registered provider may allow the student to undertake no more than 25 per cent of the student's total course by distance and/or online learning. However, the registered provider must not enrol the student exclusively in distance or online learning units in any compulsory study period.

**Original finding:** Not compliant

**Following rectification:** Compliant

*Reasons for finding of non-compliance:*

- The provider does not meet the requirement that students undertake no more than 25 per cent of the student's total course by distance and/or online learning.



The information contained in the Explanatory Guide to Part C of the National Code provided by the Department of Education and Training states:

**“Providers must monitor each student’s enrolment to ensure they:**

- a) take no more than 25 per cent of their course online or by distance education; and**
- b) are enrolled in at least one face-to-face subject in each compulsory teaching period.**

**Where courses are delivered through:**

- **equivalently weighted, or directly comparable subjects or units, 25 per cent can be calculated on the basis of the number of subjects/units; and**
- **subjects, units or competencies that are difficult to compare, 25 per cent will be calculated on the scheduled contact hours”**

**Whether a subject, unit or competency is being delivered in online, distance or face-to-face modes will be assessed on the basis of the dominant mode of delivery.**

**A designated authority will determine whether a subject, unit or competency is being delivered online or by distance through consideration of the dominant delivery mode.”**

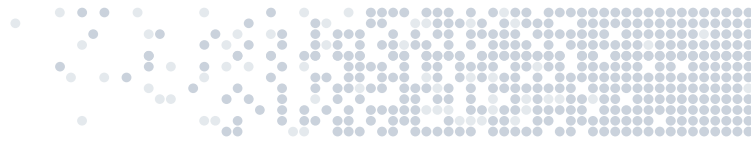
Refer to:

<https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/nationalcodepartc/Pages/ExplanatoryguideC9.aspx>

For the **SIS30313 Certificate III in Fitness** qualification, the structure of the course as listed in the training and assessment strategy is as follows:

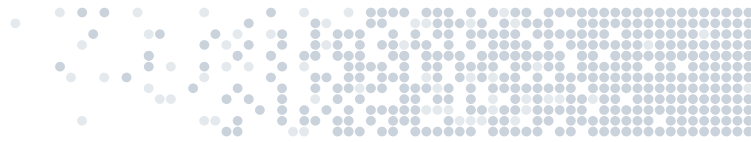
**SIS30313 Certificate III in Fitness (C3 in Fitness CBD V3 TAS.pdf)**

Subject Title				face-to-face	E-learning	Self-directed	Assessment Prep
Term 1 (10 weeks)	Risk Management	1	SISXRSK301A Undertake risk analysis of activities	20		20	20
		2	SISXFAC207 Maintain sport, fitness and recreation equipment for activities	12		15	15



		3	SISXOHS101 A	Follow occupational health and safety policies	20		20	20
	Health Assessment	4	SISFFIT301A	Provide fitness orientation and health screening	16		20	20
		5	SISFFIT307A	Undertake client health assessment	24		20	20
		6	SISFFIT313A	Plan and deliver exercise to apparently healthy children and adolescents	24		20	20
	First Aid	7	HLTAID003	Provide first aid	4	80	20	10
Term 2 (10 Weeks)	Support Fitness Clients	1	SISFFIT305A	Apply anatomy and physiology principles in a fitness context	20		25	25
		2	SISFFIT306A	Provide healthy eating information to clients in accordance with recommended guidelines	20		25	20



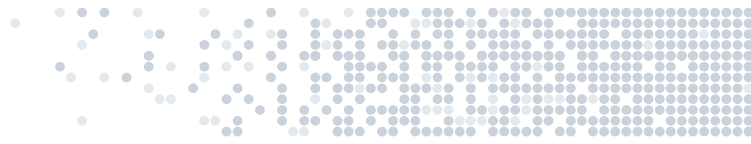


Fitness Instruction	3	SISFFIT303A	Develop and apply an awareness of specific populations to exercise delivery	14	15	10		
	4	SISFFIT304A	Instruct and monitor fitness programs	22	25	25		
	5	SISXIND101A	Work effectively in sport and recreation environments	10	10	10		
	6	SISFFIT308A	Plan and deliver gym programs	24	25	25		
	7	SISXCAI306A	Facilitate groups	10	20	20		
Fitness Industry	8	SISFFIT302A	Provide quality service in the fitness industry	80	20	20		
				240	160	300	280	980

Based on the the total of “Face to face” and “E-learning” hours:

Percentage of Term 1 delivered by E-learning (hours)	67%
Percentage of Term 2 delivered by E-learning (hours)	67%
Percentage of Course delivered by E-learning (hours)	67%
Percentage of units of competency of entire course delivered via E-learning	13%





The above table shows that the E-learning units for each of the two terms are not equivalently weighted when compared with the other units within each term. As the units contain a large amount of hours, this results in the student undertaking 67 per cent of each term (and therefore the entire course) by E-learning.

Also, while the hours listed against each unit under the “self-directed” and “assessment prep” columns have not been used by the provider in the calculation of the minimum scheduled contact hours (20 hours) as defined by the National Code, it is unclear why they are included in the training and assessment strategy. In other words, it is unclear if they are included as part of the *actual* course or not:

- If they **are not** part of the course, then they should not be included as part of the total course hours as listed in the training and assessment strategy.
- If they **are** part of the course, then they should be included in the calculation of the of the 25 per cent of the student’s total course by distance and/or online learning. This would result in a significantly larger amount of distance and/or online learning in the course.

Similarly, for the **SIS50512 Diploma of Sports Coaching** qualification, the structure of the course as listed in the training and assessment strategy is as follows:

**SIS50512 Diploma of Sports Coaching** (Dip of Sport Coaching CBD V5 TAS.pdf)

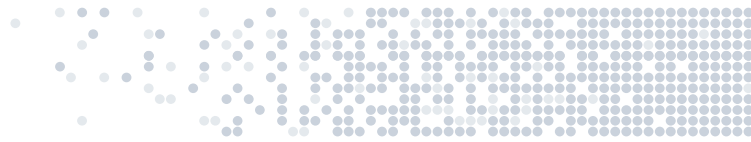
				face-to-face	E-learning	Self-directed	Assessment Prep	
Term 1 (10 Weeks)	Unit Set A	1	SISXCCS403A	Determine needs of client populations	20		20	10
		2	SISXIND406A	Manage projects	40		30	20
		3	BSBINN502	Build and sustain an innovative work environment	20		10	10
		4	SISSMAR503 A	Teach the high performance skills of martial	40		40	10



			arts			
	E-Learning	5	SITXFIN402	Manage finances within a budget	80	30 15
Term 2 (10 Weeks)	Unit Set B	1	SISFFIT419A	Apply exercise science principles to planning exercise	30	20 15
		2	SISSCO512	Assist athletes to prevent and manage injury and illness	30	30 20
		3	SISXRSK502A	Manage organisational risks	20	20 10
		4	SISSMAR503 A	Teach the high performance skills of martial arts	40	40 10
	E-Learning	5	SITXFIN402	Manage finances within a budget	80	30 15
Term 3 (10 Weeks)	Unit Set C	1	SISXCAI305A	Conduct individualised long-term training programs	50	50 25
		2	BSBADM502	Manage meetings	30	20 10
		3	SISSMAR503 A	Teach the high performance skills of martial arts	40	40 10



	E-Learning	4	BSBCMM401	Make a presentation	80	30	15
Term 4 (10 Weeks)	Units Set D	1	SISSSTC301A	Instruct strength and conditioning techniques	80	50	25
		2	SISSMAR503 A	Teach the high performance skills of martial arts	40	40	10
	E-Learning	3	FNSACC503	Manage budgets and forecasts	80	30	15
Term 5 (10 Weeks)	Unit Set E	1	SISSSTC402A	Develop strength and conditioning programs	64	35	25
		2	SISSCO305	Implement selection policies	16	10	10
		3	SISSMAR503 A	Teach the high performance skills of martial arts	40	40	10
	E-Learning	4	TAEDEL404A	Mentor in the workplace	80	30	15
Term 6 (10 Weeks)	Unit Set F	1	SISSCO513	Plan and implement high performance training and recovery programs	60	20	15



		2	SISXIND404A	Promote compliance with laws and legal principles	20		20	15	
		3	SISSMAR503 A	Teach the high performance skills of martial arts	40		40	10	
	E-Learning	4	SITXHRM402	Lead and manage people	80		30	15	
					720	480	755	360	2315

Based on the the total of “Face to face” and “E-learning” hours:

Percentage of Term 1 delivered by E-learning (hours)	67%
Percentage of Term 2 delivered by E-learning (hours)	67%
Percentage of Term 3 delivered by E-learning (hours)	67%
Percentage of Term 4 delivered by E-learning (hours)	67%
Percentage of Term 5 delivered by E-learning (hours)	67%
Percentage of Term 6 delivered by E-learning (hours)	67%
Percentage of Course delivered by E-learning (hours)	67%
Percentage of units of competency of entire course delivered via E-learning	24%

Again, the above table shows that the E-learning units for each of the two terms are not equivalently weighted when compared with the other units within each term. As the units contain a large amount of hours, this results in the student undertaking 67 per cent of each term (and therefore the entire course) by E-learning.

And, while the hours listed against each unit under the “self-directed” and “assessment prep” columns have not been used by the provider in the calculation of the minimum scheduled contact hours (20 hours) as defined by the National Code, it is unclear why they are included in the training and assessment strategy. In other words, it is unclear if they are included as part of the actual course or not:

- If they **are not** part of the course, then they should not be included as part of the total course hours as listed in the training and assessment strategy.
- If they **are** part of the course, then they should be included in the calculation of the of the 25 per cent of the student’s total course by distance and/or online learning. This would result in a significantly larger amount of distance and/or online learning in the course.



Furthermore, it is unclear how the Provider is ensuring all students are completing the following units of competency from the **SIS50512 Diploma of Sports Coaching** qualification:

- SISSSCO304 Customise coaching for athletes with specific needs
- SISSSCO410 Implement a talent identification program
- SISXIND408 Select and use technology for sport, fitness and recreation
- SISXIND410 Coordinate sport, fitness or recreation work teams or groups

Specifically, the training and assessment strategy states that the hours for the above four units are “completed in Cert IV Sport Coaching”. However, the training and assessment strategy does not state that the Certificate IV in Sport Coaching is a pre-requisite for entry into the qualification.

In summary, as the provider’s units of competency delivered via E-learning are **not** equivalently weighted or directly comparable subjects, and the 25 per cent has not been calculated on the scheduled contact hours, the provider has not demonstrated how it ensures that students undertake no more than 25 per cent of the student’s total course by distance and/or online learning.

*In order to become compliant, the organisation is required to:*

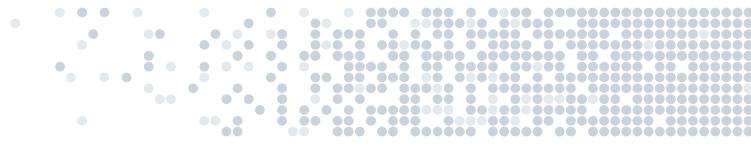
- Provide evidence to demonstrate that the provider allows students to undertake no more than 25 per cent of the student’s total course by distance and/or online learning.

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*Analysis of rectification evidence:*

- The provider submitted the following evidence:
  - Provider’s response
  - Training and assessment strategies for the following qualifications:
    - SIS30313 Certificate III in Fitness
    - SIS40210 Certificate IV in Fitness
    - SIS30713 Certificate III in Sport Coaching
    - SIS40512 Certificate IV in Sport Coaching
    - SIS50512 Diploma of Sport Coaching
    - SIS40612 Certificate IV in Sport Development
    - SIS50612 Diploma of Sport Development, and
    - SIS40412 Certificate IV in Sport and Recreation.
- The provider submitted revised training and assessment strategies for the sampled qualifications that reflect required course delivery requirements as per the standard in terms of students undertaking no more than 25% of their total course by distance and/or online learning which will take effect from Term 1 2016 for CBD and Manly campuses.
- The revised training and assessment strategies do not include the ‘self-directed learning’ and ‘assessment preparation’ in the calculation of the scheduled contact hours for students and have been removed from the course structure table.
- The entry requirements for SIS50512 Diploma of Sport Coaching have been amended to include the following:

*“Entry to SIS50512 Diploma of Sport Coaching is a current SIS40512 Certificate IV in Sport Coaching qualification”*
- It is noted that the provider intended, but had not implemented, the training and assessment strategies that were submitted for the application at the CBD campus.



- The provider submitted evidence to demonstrate that it meets the requirement that students undertake no more than 25 per cent of the student's total course by distance and/or online learning.
- The provider is compliant with Standard 9.4.

**9.5 Except in the circumstances specified in 9.2, the expected duration of study specified in the student's CoE must not exceed the CRICOS registered course duration.**

**Original finding:** Not audited

**Following rectification:** n/a

**STANDARD 10 Monitoring course progress**

**Registered providers systematically monitor students' course progress. Registered providers are proactive in notifying and counselling students who are at risk of failing to meet course progress requirements. Registered providers report students, under section 19 of the ESOS Act, who have breached the course progress requirements.**

**10.1 The registered provider must monitor, record and assess the course progress of each student for each unit of the course for which the student is enrolled in accordance with the registered provider's documented course progress policies and procedures.**

**Original finding:** Not audited

**Following rectification:** n/a

**10.2 The registered provider must have and implement appropriate documented course progress policies and procedures for each course, which must be provided to staff and students, that specify the:**

- requirements for achieving satisfactory course progress**
- process for assessing satisfactory course progress**
- procedure for intervention for students at risk of failing to achieve satisfactory course progress**
- process for determining the point at which the student has failed to meet satisfactory course progress, and**
- procedure for notifying students that they have failed to meet satisfactory course progress requirements.**

**Original finding:** Not audited

**Following rectification:** n/a

**10.3 The registered provider must assess the course progress of the student in accordance with the registered provider's course progress policies and procedures at the end point of every study period.**

**Original finding:** Not audited

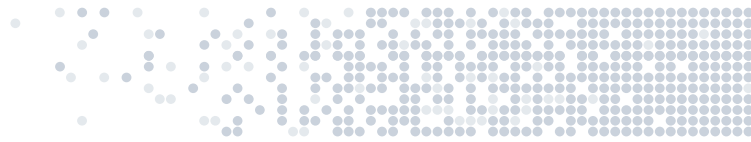
**Following rectification:** n/a

**10.4 The registered provider must have a documented intervention strategy, which must be made available to staff and students, that specifies the procedures for identifying and assisting students at risk of not meeting the course progress requirements. The strategy must specify:**

- procedures for contacting and counselling identified students**
- strategies to assist identified students to achieve satisfactory course progress, and**
- the process by which the intervention strategy is activated.**

**Original finding:** Not audited

**Following rectification:** n/a



**10.5** The registered provider must implement the intervention strategy for any student who is at risk of not meeting satisfactory course progress requirements. At a minimum, the intervention strategy must be activated where the student has failed or is deemed not yet competent in 50% or more of the units attempted in any study period.

**Original finding:** Not audited

**Following rectification:** n/a

**10.6** Where the registered provider has assessed the student as not achieving satisfactory course progress, the registered provider must notify the student in writing of its intention to report the student for not achieving satisfactory course progress. The written notice must inform the student that he or she is able to access the registered provider's complaints and appeals process as per Standard 8 (Complaints and appeals) and that the student has 20 working days in which to do so.

**Original finding:** Not audited

**Following rectification:** n/a

**10.7** Where the student has chosen not to access the complaints and appeals processes within the 20 working day period, withdraws from the process, or the process is completed and results in a decision supporting the registered provider, the registered provider must notify the Secretary of DEEWR through PRISMS of the student not achieving satisfactory course progress as soon as practicable.

**Original finding:** Not audited

**Following rectification:** n/a

#### **STANDARD 11 Monitoring attendance**

Registered providers systematically monitor students' compliance with student visa conditions relating to attendance. Registered providers are proactive in notifying and counselling students who are at risk of failing to meet attendance requirements. Registered providers report students, under section 19 of the ESOS Act, who have breached the attendance requirements.

**11.1** The registered provider must record the attendance of each student for the scheduled course contact hours for each CRICOS registered course in which the student is enrolled which is:

- a. an accredited vocational education and training course (unless Standard 11.2 applies)
- b. an accredited school course
- c. an accredited or non-award ELICOS course, or
- d. another non-award course.

**Original finding:** Not audited

**Following rectification:** n/a

**11.2** Where the registered provider implements the DEEWR and DIAC approved course progress policy and procedures for its vocational education and training courses, Standard 11 does not apply.

**Original finding:** Not audited

**Following rectification:** n/a

**11.3** For the courses identified in 11.1, the registered provider must have and implement appropriate documented attendance policies and procedures for each course which must be provided to staff and students that specify the:

- a. requirements for achieving satisfactory attendance, which at a minimum, requires overseas students to attend at least 80 per cent of the scheduled course contact hours
- b. manner in which attendance and absences are recorded and calculated



- c. process for assessing satisfactory attendance
- d. process for determining the point at which the student has failed to meet satisfactory attendance, and
- e. procedure for notifying students that they have failed to meet satisfactory attendance requirements.

**Original finding:** Not audited

**Following rectification:** n/a

- 11.4** For the courses identified in 11.1, the registered provider's attendance policies and procedures must identify the process for contacting and counselling students who have been absent for more than five consecutive days without approval or where the student is at risk of not attending for at least 80 per cent of the scheduled course contact hours for the course in which he or she is enrolled (i.e. before the student's attendance drops below 80 per cent).

**Original finding:** Not audited

**Following rectification:** n/a

- 11.5** For the courses identified in 11.1, the registered provider must regularly assess the attendance of the student in accordance with the registered provider's attendance policies and procedures.

**Original finding:** Not audited

**Following rectification:** n/a

- 11.6** Where the registered provider has assessed the student as not achieving satisfactory attendance for the courses identified in 11.1, the registered provider must notify the student in writing of its intention to report the student for not achieving satisfactory attendance. The written notice must inform the student that he or she is able to access the registered provider's complaints and appeals process as per Standard 8 (Complaints and appeals) and that the student has 20 working days in which to do so.

**Original finding:** Not audited

**Following rectification:** n/a

- 11.7** Where the student has chosen not to access the complaints and appeals processes within the 20 working day period, withdraws from the process, or the process is completed and results in a decision supporting the registered provider, the registered provider must notify the Secretary of DEEWR through PRISMS that the student is not achieving satisfactory attendance as soon as practicable.

**Original finding:** Not audited

**Following rectification:** n/a

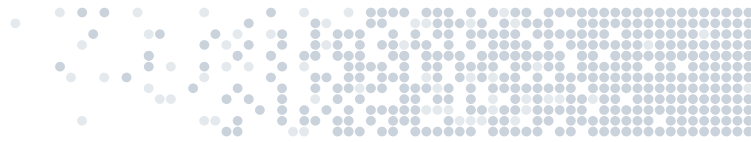
- 11.8** For the vocational education and training and non-award courses identified in 11.1.a and 11.1.d, the registered provider may only decide not to report the student for breaching the 80 per cent attendance requirement where:
- a. that decision is consistent with its documented attendance policies and procedures, and
  - b. the student records clearly indicate that the student is maintaining satisfactory course progress, and
  - c. the registered provider confirms that the student is attending at least 70 per cent of the scheduled course contact hours for the course in which he or she is enrolled.

**Original finding:** Not audited

**Following rectification:** n/a

- 11.9** For the ELICOS and school courses identified in 11.1, the registered provider may only





decide not to report a student for breaching the 80 per cent attendance requirement where:

- a. the student produces documentary evidence clearly demonstrating that compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes) apply, and
- b. that decision is consistent with its documented attendance policies and procedures, and
- c. the registered provider confirms that the student is attending at least 70 per cent of the scheduled course contact hours for the course in which he or she is enrolled.

**Original finding:** Not audited

**Following rectification:** n/a

#### **STANDARD 12 Course credit**

**Registered providers appropriately recognise course credit within the ESOS framework**

**12.1 Where the registered provider grants course credit, the registered provider must:**

- a. have documented procedures for the granting and recording of course credit, and
- b. provide a record of the course credit to the student, which must be signed or otherwise accepted by the student, and place it on the student's file.

**Original finding:** Not audited

**Following rectification:** n/a

**12.2 If the registered provider grants the student course credit which leads to a shortening of the student's course, the registered provider must:**

- a. if the course credit is granted before the student visa grant, indicate the actual net course duration (as reduced by course credit) in the confirmation of enrolment issued for that student for that course, or
- b. if the course credit is granted after the student visa grant, report the change of course duration via PRISMS under section 19 of the ESOS Act.

**Original finding:** Not audited

**Following rectification:** n/a

#### **STANDARD 13 Deferring, suspending or cancelling the students' enrolment**

**Registered providers may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.**

**13.1 The registered provider must have in place documented procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student's file of the assessment of the application.**

**Original finding:** Not audited

**Following rectification:** n/a

**13.2 The registered provider can only defer or temporarily suspend the enrolment of the student on the grounds of:**

- a. compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes), or
- b. misbehaviour by the student.

**Original finding:** Not audited

**Following rectification:** n/a

**13.3 The registered provider must:**

- a. inform the student that deferring, suspending or cancelling his or her enrolment may affect his or her student visa, and
- b. notify the Secretary of DEEWR via PRISMS as required under section 19 of the ESOS



**Act where the student's enrolment is deferred, temporarily suspended or cancelled.**

**Original finding:** Not audited

**Following rectification:** n/a

**13.4** The registered provider must inform the student of its intention to suspend or cancel the student's enrolment where the suspension or cancellation is not initiated by the student and notify the student that he or she has 20 working days to access the registered provider's internal complaints and appeals process as per Standard 8.1. If the student accesses the registered provider's internal complaints and appeals process, the suspension or cancellation of the student's enrolment under this standard can not take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.

**Original finding:** Not audited

**Following rectification:** n/a

**STANDARD 14 Staff capability, educational resources and premises**

The staff of registered providers are suitably qualified or experienced in relation to the functions they perform for students. The educational resources of registered providers support the delivery of courses to students. The premises of registered providers, including the floor space available for each student, support students to achieve their course outcomes.

**14.1** The registered provider must have and implement policies and procedures to ensure its staffing resources are adequate and have the capabilities as required by the quality assurance framework applying to the course. Where the course provided by the registered provider is not subject to an appropriate quality assurance framework, the registered provider must have and implement appropriate documented policies and processes for the recruitment, induction, performance assessment and ongoing development of members of staff involved with the recruitment or delivery of education or client services to students.

**Original finding:** Compliant

**Following rectification:** n/a

**14.2** The registered provider must have adequate education resources, including facilities, equipment, learning and library resources and premises as required by the quality assurance framework applying to the course. Where the course provided by the registered provider is not subject to an appropriate quality assurance framework, the registered provider must ensure it has adequate education resources, including facilities, equipment, learning and library resources, and premises, including ownership or tenancy arrangements for the premises, as are needed to deliver the registered course to the students enrolled with the registered provider.

**Original finding:** Compliant

**Following rectification:** n/a

**14.3** The registered provider must notify the designated authority and the students enrolled with the registered provider of any intention to relocate premises (including the head office and campus locations) at least 20 working days before the relocation.

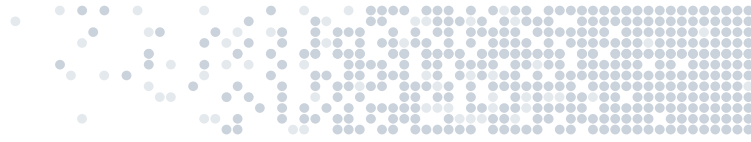
**Original finding:** Not audited

**Following rectification:** n/a

**STANDARD 15 Changes to registered providers' ownership or management**

Registered providers proactively inform the designated authority of prospective ownership and/or management changes.

**15.1** The registered provider must advise the designated authority in writing of:  
a. any prospective changes to the ownership of the registered provider as soon as



practicable prior to the change taking effect, and  
b. any prospective or actual change to the high managerial agents (as defined in section 5 of the ESOS Act) of the registered provider 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.

**Original finding:** Not audited

**Following rectification:** n/a

**15.2** The registered provider must provide the designated authority with information on the new owner or high managerial agent for the purpose of making an assessment under section 9(6) of the ESOS Act.

**Original finding:** Not audited

**Following rectification:** n/a