

# SIENA COLLEGE CAMBERWELL INTERNATIONAL STUDENT RECORDS MANAGEMENT AND RETENTION POLICY



SIENA  
COLLEGE  
CAMBERWELL

## POLICY TITLE: INTERNATIONAL STUDENT RECORDS MANAGEMENT AND RETENTION POLICY

### DEVELOPED / REVIEWED BY

Policy Committee  
Director of Business Services and Advancement  
Head of Admissions  
Risk and Compliance Manager  
Human Resources Manager

### REVIEW SUMMARY

Policy to be presented to the Policy Committee for the first time at the May 2024 meeting. Policy to be reviewed in the first twelve months to ensure accuracy to current legislative components.

### DOCUMENT DEVELOPMENT PROCESS

This document was first developed by Director of Business Services and Advancement and the Head of Admissions in 2024.

### RATIONALE

The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) imposes record keeping obligations on the College. Certain National Code Standards expressly require records to be maintained.

Section 21 of the Education Services for Overseas Students (ESOS) Act 2000 (Cth) (ESOS Act) prescribes that certain records are to be kept and regularly updated.

Section 13 of the ESOS Regulations supplements section 21 of the ESOS Act with additional record keeping requirements.

### DEFINITIONS

<b>ESOS Act</b>	Education Services for Overseas Students (ESOS) Act (2000)
<b>National Code</b>	National Code of Practice for Providers of Education and Training for Overseas Students (2018)
<b>PRISMS</b>	Provider Registration and International Student Management System

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## PRINCIPLES / GUIDING PRINCIPLES

It is the College's policy to comply with all record keeping obligations prescribed by the ESOS Framework and set out in this Policy. It is our policy to ensure that records of evidence of our compliance with the National Code Standards are maintained, regardless of whether record keeping is prescribed by each Standard.

## PROCEDURES

### **Recruitment of Students**

Section 21 of the ESOS Act requires the College to keep records of each accepted student who is enrolled or who has paid any tuition fees for a course provided by the College.

Standard 2.4 of the National Code requires that if the College grants an international student Recognition of Prior Learning for course credit, the College must maintain a written record of acceptance by the student for two years after the international student ceases to be an accepted student.

### **Student Written Agreements**

Standard 3.6 of the National Code requires the College to retain records of all written agreements as well as receipts of payments made by students under the written agreement for at least two years after the person ceases to be an accepted student.

### **Student Contact Details**

Standard 5.3.5 of the National Code and section 21(2) of the ESOS Act require the College to maintain up-to-date contact details for all accepted international students, including:

- the student's current residential address
- the student's mobile phone number (if any)
- the student's email address (if any)
- who to contact in emergency situations.

International students are required to notify the College of any changes to these details within seven days of the change.

The College records the students details in PRISMS as required.

### **Critical Incidents**

Standard 6.8 requires that if a critical incident occurs at the College that affects an international student, the College must maintain a record of the incident and any remedial action taken by the College for at least two years after the student ceases to be an accepted student.

### **Transfer Requests**

Standard 7.7 requires the College to maintain records of all requests from international students for a release and the assessment of, and decision regarding, the request for two years after the international student ceases to be an accepted student.

### **Deferring, Suspending or Cancelling International Student Enrolment**

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Standard 9.1 requires the College to maintain a record of any decision made to approve a deferment of the commencement of study or suspension of study requested by an international student.

### **Complaints and Appeals**

Standard 10.2.7 requires the College to keep a written record of a complaint or appeal from an international student, including a statement of the outcome and reasons for the outcome.

### **Student Payment Details**

Section 13 of the ESOS Regulations requires the College to maintain a record of each enrolled international student or any international student who has paid any tuition fees for a course provided by the College with the following details:

- the total of the tuition fees paid for the student for the course
- for each amount of tuition fees paid for the student for the course:
  - whether the amount was paid for the full course or part of the course; and
  - if the amount was paid for the full course — the duration of the course; and
  - if the amount was paid for part of the course — the duration of that part of the course
- the total of the non-tuition fees paid for the student for the course
- the total of the tuition fees and non-tuition fees paid for the student for the course
- any tuition fees or non-tuition fees for the student for the course that:
  - have become payable; and
  - have not been paid
- copies of written agreements to which the College and the student are parties
- the amount that the student will be charged to access their records.

The amount of a fee for a student to access a record must not exceed the cost incurred by the College in providing access to that record.

Where an agent of the College facilitated, or is facilitating, the student's enrolment, the College is also required to include the following details in the student's record:

- the agent's name
- the address of the agent's principal place of business
- if the agent is a body corporate — the address of the body corporate's registered office
- the agent's postal address (if it is different from the address mentioned above)
- the agent's phone number, email address and website address (if any)
- the agent's Australian Business Number or Australian Company Number (if any)
- the agent's trading name or names (if any)
- if the agent is a body corporate — the names of the body corporate's directors
- if the agent is a registered migration agent — the agent's Migration Agents Registration Number
- the following details about each of the agent's employees (if any) who were or are involved in the agent facilitating the enrolment:
  - the employee's name
  - the employee's email address
  - if the employee is a registered migration agent — the employee's Migration Agents Registration Number.

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### **Student Assessment Details**

Section 21(2B) of the ESOS Act requires the College to record the outcome of an accepted international student's assessment if:

- they complete a unit of study of their course at the College; and
- their progress in that unit is assessed.

Under section 21(2C) of the ESOS Act, the assessment record must be kept up-to-date.

### **PRISMS**

The College must notify the Commonwealth Department of Education, through PRISMS, in relation to various events including student course progress, attendance, transfers and deferment. The College follows the steps and processes outlined in the PRISMS – Provider User Guide on the Australian Government Department of Education website.

The College ensures that records of PRISMS notifications and related actions taken by the College (such as notifying an international student that they are at risk of not meeting course progress requirements) are maintained in accordance with this policy.

### **How We Manage Records**

The College is committed to ensuring that all records are managed in an efficient, systematic and transparent manner.

We ensure that our records:

- are kept up-to-date
- are indexed and stored in a logical manner that allows easy access, retrieval and association of related information
- are preserved and stored in a suitable physical or digital environment that ensures records are not subject to degradation, loss, alteration or corruption
- are subject to confidentiality and security measures so that access is controlled to protect the privacy of individuals and minimise any risk of a breach of privacy
- meet our obligation under the Privacy Act 1988 (Cth) and are compliant with our Privacy Program.

### **Records Management at the College**

Sienna College has a record management system for the management of records. This includes:

- digital/electronic storage facilities for electronic records
- physical storage facilities for paper/print records.

All digitally/electronically stored records are backed-up securely.

### **Review of Student Contact Records**

The College maintains up-to-date student contact details including:

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- current residential address
- mobile number
- email address
- who to contact in an emergency.

It is the responsibility of the International Student Coordinator and/or their delegate to ensure that every six months, while a student remains an accepted student of the College, the accuracy of the above information is confirmed with the student verbally / in writing.

#### **Destruction and Archiving of Records**

The College balances its requirements to retain documents in accordance with applicable legal requirements and archives or destroys them when they are no longer required for any legal or legitimate business purpose in accordance with our Privacy Program.

## RESPONSIBILITY

#### **Record Keeping Responsibility**

It is the responsibility of the Principal Executive Officer and/or their delegate to ensure that all record keeping procedures required by this policy are implemented effectively and reviewed for improvement regularly.

It is also the responsibility of the Principal Executive Officer and/or their delegate and/or their delegate to ensure that all staff who have responsibility for international students at the College are trained on their record keeping obligations under the ESOS Framework.

All staff at the College who have responsibility for international students are required to maintain appropriate records, as set out in this policy and other policies in our International Students Program.

## RELATED LEGISLATION

- Section 13 and 21 of the ESOS Act
  - National Code of Practice for Providers of Education and Training to Overseas Students 2018
  - Education Services for Overseas Students Act 2000 (Cth)
  - Migration Regulations 1994
  - Education Services for Overseas Students Regulations 2001 (Cth)
  - Migration Act 1958 (Cth)

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## RISK

In the Committee's deliberations it is important to consider the College's main strategic processes and the identification of associated risks. Some sample questions are included for referral.

Answers are to be documented as part of the policy.

1. **Faith and Catholic Identity.** Identify any risks to Catholic Identity or Dominican charism of the school. How will this policy harm or enhance either?
2. **Reputation.** Identify if there are any reputational risks to the College. How will this policy impact Siena and wider communities?
3. **Financial.** Identify any financial risks to the College. How will this policy impact the financial stability of the College?
4. **Contemporary Learning and Teaching.** Identify any risks to learning and teaching. How will this policy impact the academic performance of the College?
5. **Wellbeing.** Identify any risks to safety and wellbeing. How will this policy impact the mental and physical wellbeing of the College community?
6. **Community Engagement.** Identify any risks to building community engagement. How will this policy impact community relationships?
7. **Governance and Leadership.** Identify any risks to governance and leadership in the College. How will this policy affect the strategic direction of the College?

Do any risks identified above warrant changes to the proposed policy? If so the policy should be referred back to the developer/s.

## NEXT REVIEW

May 2025

## POLICY LOCATION

<https://sienacentral.siena.vic.edu.au/homepage/3452>  
[www.siena.vic.edu.au](http://www.siena.vic.edu.au)

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