



Evidence analysis – ESOS Framework

ORGANISATION DETAILS

Organisation's legal name	Burleigh Heads Language Centre Pty Ltd
Trading name/s	NA
CRICOS number	02462J
RTO number (if applicable)	NA

REVIEW DETAILS

Type of review	Sanction
Audit number	1009156
Date evidence received	29/01/2016
Date review conducted	01/02/2016

REVIEW TEAM

Manager Regulatory Operations	Jane Connellan
Review officer	Mark Shrubshall

FINDING FOLLOWING EVIDENCE REVIEW

Finding as at 29/02/2016: Compliant

- If non-compliance has been identified, this analysis describes evidence of the non-compliance.

Section 12.1

FINDING: Compliant

Outstanding non-compliance:

- The organisation did not provide evidence of a current lease agreement and evidence that confirms it has public liability insurance for its ELICOS training. Refer to Standard 14.2 for further details

Analysis of evidence:

- 1) AAMI Business Insurance Certificate of Currency Policy Number SMD012488243 –Period of insurance 19 October 2015 to 19 October 2016
- 2) Lease document – Commencement date 5 October 2015 Expiry Date 4 October 2020 – Lease agreement unsigned

- The organisation provided evidence that confirms it has public liability insurance for its ELICOS training.
- The organisation did not originally provide evidence of a current lease agreement. The copy of the lease agreement identifies a commencement date of 5 October 2015 and an Expiry date of 4 October 2020 however has not been signed. The covering letter states that the owner of the school lives in Japan and therefore cannot have a JP witness his signature. It also stated that the owner will be visiting Australia in mid-March and the school will get him to sign the papers then. Based on

- **The organisation has demonstrated compliance with this Clause.**

Standard 2.1

FINDING: Compliant

Outstanding non-compliance:

- The organisation did not demonstrate that prior to accepting a student, or an intending student, for enrolment in a course, the organisation provided in print or through referral to an electronic copy, current and **accurate** information regarding:
 - e) Course related fees including advice that on the potential for fees to change during the students course and applicable refund policies.

Specifically:

- The Student Handbook page 20 item 6 states;

“6. Course related fees are subject to change without notice. Unless a student has paid already (in part or in full) for a course and its related fees, the new price that is current at the time of payment request will be payable by the student. For example, if fees change mid-year and a student has only paid for 24 weeks out of their 52 week course (as per TPS regulations), then the remainder of the course will be billed at the updated prices”.

The statement is contradictory as it identifies firstly that if a student has paid **in part** or in full it is not required to pay the new price. However, in the example if the student has only paid for 24 out of 52 weeks (in part) the remainder of the course is charged at the higher rate. The information is confusing and could lead to a student being disadvantaged.

Analysis of evidence:

1) Student Handbook

- The organisation demonstrated that prior to accepting a student, or an intending student, for enrolment in a course, the organisation provides in print or through referral to an electronic copy, current and **accurate** information regarding:
 - e) Course related fees including advice that on the potential for fees to change during the students course and applicable refund policies.
- **The organisation has demonstrated compliance with this Clause.**

Standard 7.2

FINDING: Compliant

Outstanding non-compliance:

- The organisation did not demonstrate that a transfer request policy and procedure will be available to all staff including part-timer's.

Analysis of evidence:

- 1) A-Z Information Manual for Staff 2016
- 2) Academic Leadership of EILCOS

- The organisation demonstrated that a transfer request policy and procedure will be available to all staff including part-timer's.

- A clarification email sent on the 23/10/2015 requested confirmation that all rectification evidence documents had been sent.
- The organisation responded that two documents had been missed and were attached for P4.3 which consisted of two progress reports for two separate students.
- The evidence submitted does not address the non-compliances identified.

P5.2

- The organisation did not demonstrate it has educational facilities with sufficient equipment and support resources for the number of enrolled students, including:
 - c) self-study areas and equipment organised to facilitate access and independent use by students
- The organisation stated in the covering letter "*Facilities that are no longer available have been updated accordingly on Page 5 of the BHLC Student Handbook*". The amended Student Handbook had the following **removed** :
 - Student computer room with broadband fastest connection and all flat screen computers with most language scripts
 - Student lounge.
- The Student Handbook has the following **included**:
 - Many cafes and restaurants at the school's doorstep where students can catch up before and after classes.
- The evidence provided does not address the requirements of P5.2 c)

P6.1

- The organisation did not demonstrate that it has an academic management system that ensures:
 - a) Clear organisation-wide academic leadership of ELICOS
 - b) A coordinated and effective approach to developing, implementing and reviewing curriculum
 - c) Management of educational resources
 - d) Provision of guidance to teaching staff.
- The document (Academic Leadership of ELICOS) provides brief information on BHLC Academic Management System informing the reader that the "*Manager is available to assist students and teaching staff to ensure the effectiveness of the delivery of the course, the students welfare, and that the students meet their attendance and progress requirement to maintain their Student Visa status*". Other headings in the document consist of:
 - Hiring teaching staff
 - Placement test
 - Placement re-assessment
 - Assessment reports
 - Study plans
 - Attendance
 - Study activities
 - Class transfers
 - Complaints and appeals
- The rectification evidence submitted does not address all the requirements of P6.1 in particular a – d as stated above.

- The organisation demonstrated that it issues a document to each student, on completion (or **partial completion**) of study, that:
 - a) indicates the CRICOS course name, registered ELICOS provider and contact details, dates of study, course duration, **levels of achievement or proficiency**, authorised signature and name of signatory.

P5.2

- 1) Student handbook
 - 2) Covering email stating
 - o *“Classroom 1 will now also function as the Study Centre outside of regular class hours. (Management has been advised that if they plan to offer afternoon classes in future, an alternative solution to this matter will be required)” and*
 - o *“ Classroom 4 will now serve as the student recreation room outside of regular class hours”*
- The organisation demonstrated it has educational facilities with sufficient equipment and support resources **for the number of enrolled students**, including:
 - c) self-study areas and equipment organised to facilitate access and independent use by students

P6.1

- 1) Academic Leadership of ELICOS
 - 2) Professional Development Schedule February to July 2016
- The organisation demonstrated that it has an academic management system that ensures:
 - a) Clear organisation-wide academic leadership of ELICOS
 - b) A coordinated and effective approach to developing, implementing and reviewing curriculum
 - c) Management of educational resources
 - d) Provision of guidance to teaching staff.

P7.3

- 1) Student handbook
 - 2) Covering email stating:
 - “Classroom 1 will now also function as the Study Centre outside of regular class hours. (Management has been advised that if they plan to offer afternoon classes in future, an alternative solution to this matter will be required)” and*
 - “ Classroom 4 will now serve as the student recreation room outside of regular class hours”.*
- It was noted the use of classrooms for recreation areas and private study areas may reduce the operational capacity of the school. Therefore the Manager Regulatory Operations contacted the provider by email requesting information to confirm how this will be managed. On 25/02/2016 the organisation provided a:
 - 1) Revised Timetable
 - 2) BHLC Student Handbook
 - 3) Evacuation Plan
 - Based on consideration of this further evidence the organisation demonstrated that it has designated areas of its premises sufficient in size to support quality delivery of its ELICOS courses for the registered capacity (68), in particular:
 - c) Student recreation areas
 - d) Private study areas or areas for related activities, such as library resource centre and language laboratory.

P8.2

- 1) AAMI Business Insurance Certificate of Currency Policy Number SMD012488243 –Period of