

International Student Critical Incidents Policy

1.0 Purpose

This policy ensures that any critical incident that occurs is documented and reported and that appropriate action is taken by Bendigo Kangan Institute (BKI) as required under the Education Services for Overseas Students Act 2000 (ESOS Act.) This policy supports BKI staff, contractors, service providers and international students in their response to a critical incident.

The purpose of the policy is to ensure that BKI meets its obligations in relation to its duty of care as a registered provider of educational services to overseas students.

2.0 Scope

This policy applies to all current and prospective International Students of Bendigo Kangan Institute (BKI), to employees of BKI including teaching staff, customer service staff and Student Services at BKI who deal with International Students. (Including international students under the age of 18)

BKI has obligations under the ESOS Act, which regulates the delivery of education and training courses to students who come to Australia to study on a student visa. One of the aims of the ESOS Act and its related legislation is to protect the interests of overseas students as well as protect and enhance Australia's reputation for quality education, provide tuition protection and support the integrity of the student visa program.

A critical incident is defined in the National Code as "any traumatic event or threat of such (within or outside Australia) which has the potential to harm life or well-being, and causes extreme stress, fear or injury to the person experiencing or witnessing the event."

Critical incidents are not limited to, but could include the following circumstances;

- Where a student is missing
- Where a student experiences severe verbal, psychological or physical aggression
- Death, serious injury or the threat of these
- Natural disaster
- Where a student experiences or is threatened with domestic violence, physical, sexual or other abuse.
- Other non- life threatening events that have an impact on a student.
- drug or alcohol abuse;
- student arrested or detained; and/or
- other serious events

3.0 References

ESOS Act 2000

National Code 2018

ESOS Regulations

Standards for RTO's

Occupational Health and Safety Act 2004

Working With Children Act 2005

Victorian Child Safe Standards

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National Principals for Child Safe Organisations

4.0 Policy Statement

BKI will take all reasonable steps to provide a safe environment on campus and advise overseas students and staff on actions they can take to enhance their personal security and safety. BKI will provide information to all international students on how to seek assistance and support in relation to a critical incident or any incident that significantly impacts on their wellbeing. Furthermore, BKI will refer or provide international students to general information on safety and general awareness relevant to life in Australia. BKI's international Student Handbook outlines the programs and resources available at BKI for international students such as dedicated international student liaison officers who are able to assist international students with a variety of needs, including how to report an incident which has affected or impacted on their learning.

4.1 Assessment and Responding to a Critical Incident

BKI has a Critical Incident Management Procedure in place that addresses the proper management by staff of a critical incident which has impacted on an international student.

The procedure includes how an incident must be responded to as well as containing follow up actions required after an incident. Debriefing following an incident allows BKI to learn from the incident and maintain best practice in how BKI responds to future incidents.

The assessment of incidents assists BKI in preventing similar occurrences in future. It also serves as a record of the incident itself that is able to be maintained and kept according to regulatory requirements. After an incident the debriefing of staff and documentation of support services offered to staff, witnesses, student and student's family also serve as a point of reference for improvement of processes and actions taken by BKI following an incident.

In the immediate occurrence of a critical incident a Designated Officer is any BKI staff member who if not a witness to the incident, is the first person to be informed of the incident or potential incident. It is the responsibility of the designated officer to ensure that the correct actions are undertaken in relation to responding to the critical incident whether that be to contact Campus Security or the External authorities depending on the immediate needs and circumstances.

4.2 International Students under 18 years of Age.

Where an international student under the age of 18 is enrolled by BKI Commonwealth and State legislation relating to child welfare and protection also needs to be adhered to aside from the requirements of the ESOS Act 2000.

BKI ensures that international students under the age of 18 are given appropriate information as to who to contact in the event of an emergency situation such as a critical incident. BKI must ensure that adults involved in caring or providing accommodation to international students under 18 have a current working with children check relevant to where the course is being offered. As a Child Safe Organisation BKI ensures that all staff, including non-teaching staff and volunteers hold a current Working with Children Check in keeping with the Victorian Child Safe Standards and the National Child Safe Principles.

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Where an international student under the age of 18 has their accommodation or welfare arrangements disrupted or BKI is no longer able to approve the students existing arrangements BKI will take all reasonable steps to ensure the student's parents or legal guardians are notified immediately.

If BKI is unable to contact an international student under the age of 18 and there are concerns for the students welfare, BKI must make all reasonable efforts to locate the student including but not limited to;

- Notifying the police
- Notifying other relevant Commonwealth Government Agencies
- Notifying parents or legal guardians.

BKI retains responsibility for the welfare of an international student under the age of 18 until such time as is stipulated in the nominated dates set under Migration Regulations and the student's enrolment.

If an international student under the age of 18 has their enrolment suspended or cancelled by BKI, the organisation will continue to be responsible for the welfare of the student until such time that any of the events listed below take place;

- Alternative welfare arrangements are approved by another registered provider.

The care of the student by a parent or nominated guardian is approved by immigration or the student leaves Australia with an approved guardians consent.

- Where BKI has notified immigration that it is no longer able to approve a student's welfare arrangements and it has taken all the required actions after not being able to contact the student.
- When BKI is receiving a student who has had welfare arrangements approved by another registered provider it must negotiate the transfer date with the other provider in order to ensure there is no gap to the students welfare provision, if the transfer is not able to be completed without a gap, BKI is responsible for informing the student they need to maintain their welfare obligations as a condition of their visa.

4.3 Reporting an Incident

Where an international student has been involved in a critical incident it is important for both BKI and the student that the incident is reported and handled appropriately. Where there is a threat/incident that requires immediate rectification or control it is appropriate to contact BKI Security Services and Emergency Control Organisation for assistance on x 55 from any campus phone. Emergency Services such as police, ambulance or fire brigade should be called if the threat or harm to life or safety is imminent. If a report is made to a student wellbeing officer or teacher after an incident has occurred they must ensure that the correct process is followed in keeping with the BKI Critical Incident Management Procedure.

BKI must maintain a written record of any critical incident and any remedial action taken for at least two years after the international student ceases to be an accepted student.

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In accordance with the ESOS Act, BKI must notify the Department of Education and /or Department of Home Affairs as soon as practicable after the incident. In the event of a student's death or other major incident affecting the student's attendance, the incident must be reported via the Provider Registration and International Student Management System. (PRISMS)

4.4 Communications Following a Critical Incident

In the aftermath of a critical incident it is crucial that BKI staff follow correct processes in relation to communicating with media representatives. Any communications made after an incident will be made via the Corporate Affairs Team and with the approval of the Group Manager Stakeholder relations and communications Department or CEO as required.

BKI will provide counselling and support to staff who were involved in supporting students in responding to critical incidents. Line managers will debrief with those members of staff and assist them to access support services available through Employee Assist Programs where relevant.

5.0 Roles and Responsibilities

Role	Responsibilities
Occupational Health and Safety and Campus Security Management Team	Responsible for arranging the preparation, documentation and publication of emergency procedures according to the individual campus.
Designated Officer	If not a witness to the incident- first person to be informed of the incident or potential incident The designated officers responsibilities include; Taking temporary control until OHS are able to be informed Completing any required forms or documentation in relation to the incident and management of incident records
International Student Engagement and Liaison Officer	Sharing details of Critical Incident Policy with commencing students at orientation
Manager Academic Governance and Quality	Responsible for the updating and review of policies and procedures in relation to all students enrolled at BKI
Child Safety and Welfare Officer	Responsible for maintaining BKI documents regarding child safety and being a point of reporting for any concerns regarding the wellbeing of children and young people.
Group Manager Stakeholder relations and Communications	Responsible for organising BKI communications in the aftermath of a critical incident

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6.0 Definitions

Word/Term	Definition
Critical Incident Management	Process whereby critical incidents are managed and best practice adopted which will lead to the best outcomes for staff, students and all stakeholders involved in the incident.
CAAW Letter:	a Confirmation of Appropriate Accommodation and Welfare letter
CoE:	Confirmation of Enrolment, a document issued by BKI to intending International Students and which must accompany their application for student visa. It confirms the International Student's eligibility to enrol in the particular Course at BKI
ESOS Act:	The <i>Educational Services for Overseas Students Act 2000 (Cth)</i>
International Student:	student who holds a student visa and has a valid CoE issued by BKI
Missing Student:	Student who cannot be contacted and has been absent from class and/or where there are substantial concerns for their welfare and safety. This includes Under 18 Students who have been issued a CAAW Letter and who have failed to return to or reside in their approved accommodation
National Code of Practice:	National Code of Practice for Providers of Education and Training to Overseas Students 2018 established under the ESOS Act. The code is made pursuant to the Education Services for Overseas Students Act 2000 and comprises 11 Standards that aim to ensure nationally consistent standards and procedures for CRICOS registered providers.
International Student under 18.	International Student who is under 18 years of age. The United Nations Convention on the rights of the Child was ratified by Australia in 1990. Under the convention a child is defined as every human being under the age of 18. The Convention as well as the National Code recognise that children have the right to special protection because of their vulnerability to exploitation and/or abuse.
Victorian Child Safe Standards	Standards set by the Victorian Government that apply to all organisations that have children as their clients or students. There are 7 Standards that organisations must adhere to in order to create and maintain a child safe environment.
National Principles for Child Safe Organisations	The principles are drawn from the National Framework for Protecting Australia's Children and were written by the Australian Human Rights Commission following the Australian Governments Royal Commission into institutional responses into Child Sexual Abuse.

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7.0 Supporting Procedures

Doc ID	Procedure name
	Emergency Procedures Manual Occupational Health and Safety Policy Critical Incident Policy and Procedures Emergency Response Procedure For Off Campus Activities Procedure

8.0 Version Control and Change History

Ver.	Approved By	Approval Date	Issue Date	Description of Change	Next Scheduled Review Date	Document Owner
1.0	Board of Studies	31/7/19	31/7/19	Initial policy	30/6/2021	Chief Academic Officer

9.0 KI Policy and Procedure Portal / BT BMS Requirements

Category	Key Words
International Students	Critical Incident, emergency