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MEETING THE CONDITIONS OF REGISTRATION POLICY & PROCEDURE

Introduction

The Kings Own International College (KOIC) is committed to maintaining compliance with the National Vocational Education and Training Regulator Act 2011 (NVR Act), the Education Services for Overseas Students (ESOS) Act 2000, and associated standards, including the Standards for Registered Training Organisations (RTOs) 2025, the ESOS National Code 2018, and the ELICOS Standards 2018.

Purpose

As a Registered Training Organisation (RTO) and CRICOS provider, KOIC must operate within a complex legislative and regulatory environment, including the National Vocational Education and Training Regulator Act 2011, ESOS Act 2000, Standards for RTOs 2025, National Code 2018, and ELICOS Standards 2018.

KOIC's commitment to legislative and regulatory compliance ensures:

- The rights, safety, and wellbeing of students are protected.
- Qualifications issued are valid, consistent with the AQF, and nationally portable.
- Regulatory and legal obligations are met proactively and transparently.
- Risk is managed through structured governance, quality assurance, and self-assurance.
- Continuous improvement is embedded in all operational, teaching, and support functions.

This policy ensures the Kings Own International College (KOIC) complies with all applicable Commonwealth, State and Territory legislation, standards, and regulatory obligations. It establishes clear responsibilities for compliance and embeds a system of continuous review and improvement to maintain registration and deliver high-quality, student-centred education and training services.

Scope

This policy applies to all KOIC staff, students, contractors and stakeholders involved in governance, training delivery, student services and operational processes. It includes all programs under KOIC's RTO scope, CRICOS registration and ELICOS provision.

Policy Statement

KOIC integrates legislative compliance as a core feature of its governance and quality assurance frameworks. All staff, contractors, and third-party providers are expected to understand and adhere to their legal responsibilities and participate in KOIC's compliance monitoring processes.

KOIC maintains compliance by:

- Operating under a current Legislation and Regulation Register.
- Systematically monitoring regulatory updates and adapting processes accordingly.
- Aligning internal policies, procedures, and systems with legislative requirements.
- Conducting regular training, communication, and assurance checks across all functional areas.
- Ensuring Fit and Proper Person requirements are applied to all key personnel, trainers, and assessors.

The rationale for this compliance requirement is grounded in the need to:

- Protect students by ensuring their safety, equitable treatment, and access to quality education that meets nationally recognised standards.

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- Safeguard the integrity of qualifications issued under the Australian Qualifications Framework (AQF), ensuring that outcomes are valid, reliable, and nationally portable.
- Demonstrate accountability through the RTO's capacity to meet legal obligations under Commonwealth and state legislation, including but not limited to the
    - National Vocational Education and Training Regulator Act 2011 (NVR Act),
    - Compliance Standards and the Fit and Proper Person Requirements made under the National Vocational Education and Training Regulator Act 201
    - Disability Standards for Education 2005, made under the Disability Discrimination Act 1992 (Cth).
    - Student Identifiers Act 2014
    - Education Services for Overseas Students Act 2000 (ESOS Act), as applicable
    - National Code of Practice for Providers of Education and Training to Overseas Students 2018, as applicable
    - Work Health and Safety (WHS) legislation, and privacy and anti-discrimination laws.
- Enable self-assurance by embedding systems and controls that proactively identify and rectify non-compliances, ensuring continuous improvement in the delivery of training and assessment services.
- Maintain public confidence in the RTO sector by ensuring that providers act with integrity, transparency, and due diligence in all operational and governance matters.

Non-compliance not only undermines the quality of education but may result in serious regulatory consequences including sanctions, suspension, or cancellation of registration. Therefore, compliance is not a reactive or episodic obligation but a core, continuous function of effective RTO governance and risk management.

Definitions

Legislative Compliance	Adhering to legislative and regulatory obligation applicable to RTO operations.
Continuous Improvement	Ongoing efforts to enhance processes, policies and outcomes to achieve better performance.
Governance	Structures and processes for decision-making, accountability and compliance in organisational management.
Monitoring and Review	Regular evaluation of practices to ensure compliance and effectiveness.
Fit and Proper Person	A requirement under the NVR Act for key personnel to meet integrity and suitability standards.
Quality Assurance	Systematic process to monitor, evaluate and improve the quality of services and operations.
Regulatory Change	Any amendment or introduction of a legal obligation impacting RTO governance, delivery, assessment or administration.
Risk Management	The identification, analysis and mitigation of risks to ensure operational effectiveness.
Stakeholders	Individuals or groups with an interest in KOIC's operations, including students, staff, industry partners and regulatory bodies.
VET Quality Framework	A framework aimed at ensuring national consistency in RTO registration.

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Regulatory and Legislative Requirements

KOIC complies with, and monitors changes to, the following key legislative and regulatory instruments:

National VET and RTO Framework

- *National Vocational Education and Training Regulator Act 2011 (NVR Act)*
- Standards for RTOs 2025 - Quality Area 4: Governance, Outcome Standard 4.2
- Credential Policy
- Compliance Standards
- Data Provision Requirements
- *Fit and Proper Person Requirements Instrument 2025*

CRICOS and ELICOS Regulation

- *Education Services for Overseas Students (ESOS) Act 2000*
- *National Code of Practice for Providers of Education and Training to Overseas Students 2018*
- *ELICOS Standards 2018*
- *NEAS Quality Assurance Framework*

Privacy and Student Identification

- *Privacy Act 1988* and the *Australian Privacy Principles (APPs)*
- *Student Identifiers Act 2014*

Employment and Industrial Relations

- *Fair Work Act 2009* and relevant *state-based industrial relations frameworks*

Health, Safety and Discrimination Law

- *Work Health and Safety (WHS) Acts* (Commonwealth, State and Territory)
- *Equal Opportunity and Anti-Discrimination Acts* (State and Territory)

Consumer Protection

- *Australian Consumer Law* (particularly regarding marketing and enrolment practices)

Meeting the Conditions of Registration Procedure

KOIC applies an integrated compliance monitoring and assurance approach that incorporates legal subscriptions, operational reviews, and governance-led quality oversight across all functions.

1. **Regulatory Subscriptions and Legislative Monitoring**

The CEO (or delegate) maintains subscriptions to relevant regulatory bodies and information sources, including:

- Australian Skills Quality Authority (ASQA)
- Safe Work Australia and relevant state-based WHS regulators
- Australian Competition and Consumer Commission (ACCC)
- Fair Work Ombudsman
- Office of the Australian Information Commissioner (OAIC)
- Australian Human Rights Commission
- A 6-monthly review is conducted to ensure alignment with national and jurisdiction-specific laws.

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- Changes are recorded in the Compliance Register

Responsible: CEO / Compliance Officer
Timeframe: Ongoing / 6-monthly

2. **Evaluation and Implementation of Regulatory Changes**

All identified changes are evaluated for operational impact. The CEO may consult external legal or compliance advisors as required. Where change is required, a Continuous Improvement Report is raised and reviewed at the next management meeting. Actions are implemented through a delegated task plan and monitored for completion.

Responsible: CEO / Compliance Officer
Timeframe: As required

3. **Communication and Training**

Changes affecting internal processes or compliance obligations are communicated to staff via email, briefings, or PD sessions. Where student-facing changes are required, the Student Handbook and related materials are updated. Staff and trainers are supported through ongoing compliance education and access to policy resources.

Responsible: CEO / Compliance Officer / Directors of Studies
Timeframe: Within ten (10) business days of change notification

4. **Third-Party Compliance Monitoring**

All third-party partners are reviewed regularly for compliance against contractual and regulatory obligations. Relevant regulatory updates are communicated in writing and reflected in updated agreements. Where applicable, third-party audits or self-assessments are conducted and documented.

Responsible: Compliance Officer
Timeframe: Ongoing / Within ten (10) business days of identified changes

5. **Governance and Fit and Proper Person Requirements**

The CEO and Compliance Officer ensure that all executive and high managerial agents, as well as trainers/assessors, meet Fit and Proper Person Requirements.
Governance practices are reviewed quarterly to maintain compliance with the Standards for RTOs, ESOS, and ELICOS frameworks.

Responsible: CEO / Compliance Officer
Timeframe: Quarterly / On appointment

6. **Training and Assessment Compliance**

Training and assessment strategies are designed to align with:

- AQF requirements (VET)
- ELICOS Standards (ELICOS programs)
- Validation and moderation activities are scheduled regularly to assure quality and alignment with industry standards.

Responsible: Directors of Studies (VET/ELICOS)
Timeframe: Per academic calendar and validation schedule

7. Student Support and Academic Monitoring

Tailored academic and non-academic support services are implemented.
Student progression is monitored, and intervention strategies activated for at-risk learners.

Responsible: Student Services / Directors of Studies
Timeframe: Ongoing / As required

8. Facilities and Resources

Facilities are safe, clean, appropriately sized, and comply with health and safety regulations.
Classrooms and learning resources meet enrolment capacity and learning requirements.

Responsible: CEO / Compliance Officer
Timeframe: Ongoing / Per compliance audit

9. Data and Records Management

AVETMISS-compliant student management systems are maintained.
Data Provision Requirements are met and records retained in line with legislation.

Responsible: Student Services Officer / Compliance Officer
Timeframe: Ongoing / Per reporting cycle

10. Risk Management

Regular risk assessments are conducted to identify compliance and operational risks.
Mitigation strategies are implemented, including contingency planning for disruptions.

Responsible: Compliance Officer / CEO
Timeframe: Bi-annually or when risks are identified

11. Notification of Material Changes

ASQA is notified of any material changes within ten (10) business days. This includes:

- Changes to key personnel
- Changes in legal or ownership status
- Changes in scope or delivery location

Notifications are submitted via ASQAnet.

Responsible: Compliance Officer / CEO
Timeframe: Within ten (10) business days

12. Financial Viability

Regular financial reviews and audits are conducted to ensure the RTO meets Financial Viability Risk Assessment Requirements.
Financial integrity is maintained as part of governance reporting.

Responsible: CEO / Finance Manager

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Timeframe: Annually or as required

Procedure Summary Table

Procedure Step	Action	Responsible	Timeframe
1	Subscribe to regulatory update sources (e.g.. ASQA)	CEO / Delegate	Ongoing
2	Monitor and log legislative and regulatory changes in the Compliance Register	Compliance Officer	6-monthly
3	Evaluate relevance and impact of legislative changes	CEO	Upon notification
4	Raise Continuous Improvement Report and plan any required updates or responses	CEO / Managers	As required
5	Communicate changes to staff and students through briefings or email	CEO / Compliance Officer / Student Services Officer	Within 10 working days
6	Update student-facing documents, (e.g., Student Handbook) where required	Compliance Officer	Within 10 working days
7	Notify third-party contractors (where applicable) of changes and update agreements if needed	Compliance Officer	Within 10 working days
8	Notify ASQA of material changes (e.g., to personnel, scope, legal status)	CEO / Compliance Officer	Within 10 working days
9	Update records and registers. Compliance risks identified through regulatory changes will be recorded in the Quality Assurance and Risk Register	Compliance Officer	Ongoing
10	Review and update policies and procedures based on changes or review cycle	CEO / Compliance Officer	Annually or as triggered

Roles and Responsibilities

Role	Responsibility
CEO	Holds ultimate accountability for ensuring KOIC complies with all legislative and regulatory obligations, including: • National Vocational Education and Training Regulator Act 2011 • Compliance Standards for NVR Registered Training Organisations and Fit and Proper Person Requirements Instrument 2025 • Outcome Standards, Credential Policy, and Data Provision Requirements • ESOS Act 2000, National Code 2018, and ELICOS Standards 2018 • Privacy Act 1988, Student Identifiers Act 2014, and other sector-specific legislation • State and Territory-specific WHS, fair trading, and anti-discrimination laws The CEO oversees the development and implementation of compliant policies, the monitoring of systems, and the fulfilment of external reporting requirements.

Compliance Officer	Manages the Legislation and Regulation Register, coordinates updates, monitors third-party compliance obligations, and supports integration of changes into operations. Maintains due diligence procedures to ensure governing persons continue to meet Fit and Proper Person Requirements, including declaration processes where needed.
Directors of Studies (VET & ELICOS)	Ensure compliance of training and assessment with relevant standards. Coordinate validation, moderation, and academic integrity initiatives. .
Student Services Officer (SSO)	Provides accurate and current advice to students. Supports compliance through recordkeeping, reporting, and monitoring of student progression and support. .
Trainers and Assessors / ELICOS Teachers	Deliver training in accordance with standards and policies. Participate in validation, PD, and continuous improvement.
All Staff	Must be aware of and act in accordance with relevant legislation. Participate in training and raise any potential compliance issues promptly

Policy Implementation

This policy is made available via the staff portal, student handbook, and website. Induction sessions and staff development programs include a component on legislative and regulatory compliance.

Monitoring and Review

This policy forms part of KOIC's broader self-assurance framework and is reviewed annually or upon significant regulatory change. The Compliance Officer maintains oversight of implementation, monitors its effectiveness, and reports on risks and improvements to the CEO and Advisory Board.

KOIC reviews the Meeting Conditions of Registration Policy and Procedure every two years or as necessary to ensure compliance and alignment with legislative and regulatory changes and stakeholder feedback.

Version Control

Version	Date	Description	Approved by	Approval date	Author	Review date
V1.0	Jan 2025	New policy for KOIC.	CEO	10 Feb 2025	Compliance Officer	Jan 2026
V2.0	Jun 2025	Updated in line with the new Standards for RTOs 2025	CEO	20 June 2025	Compliance Officer	Jun 2027
V2.1	Apr 2026	Re-brand of policy to KOIC	CEO	1 Apr 2026	Compliance Officer	Apr 2028

Policy and Document Information

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