

# CRITICAL INCIDENTS INVOLVING STUDENTS POLICY AND PROCEDURES 2021

The Joint Venture Board of the University of Sydney Foundation Program Pty Limited (USFP), as the governing authority of the University of Sydney Preparation Programs, by resolution adopts the following policy.

Dated: 30 July 2021

Last amended: N/A

Signature:

Position:

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## **PART 1 - CRITICAL INCIDENTS INVOLVING STUDENTS POLICY**

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### **1 Name of policy**

This is the Critical Incidents Involving Students Policy and Procedures 2021.

### **2 Commencement**

This policy commences the day after the day on which it is registered.

### **3 Policy is binding**

- (1) Except to the extent that a contrary intention is expressed, this policy binds The University of Sydney Foundation Program Pty Limited (CRICOS Provider Code: 00026A), staff, students and affiliates.
- (2) These procedures apply to any critical incident involving an international student in connection with their study at the College:
  - (a) for up to four weeks prior to the commencement of their first term of study; providing the student is travelling to or has arrived in Australia;
  - (b) for the duration of their enrolment, and
  - (c) for students who remain in Australia following the end of their final term of study with the College and are:
    - under the age of 18: from the end of their final term of study until the day before they commence studies at the University of Sydney, or
    - aged 18 or over: for two weeks after the end of their final term of study or until the day before they commence studies at the University of Sydney, whichever occurs first.

### **4 Overview**

This policy (and its procedures) requires the management of critical incidents involving any student enrolled in University of Sydney Preparation Programs (USPPs), including compliance with the requirements set out in Standard 6.8 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018. This policy is intended to manage critical incidents that would affect a student's ability to undertake or complete a USPP, such as incidents that may cause physical or psychological harm.

### **5 Application**

This policy (and its procedures) applies to students of the USPPs delivered on behalf of the University of Sydney by Navitas Australia Pty Limited (CRICOS Provider Code: 01682E), trading as Taylors College Sydney (the College), and to staff of the College. It sets out the steps to be taken in the event of a critical incident involving one or more students.

## 6 Definitions

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| <b>Affiliates</b>  | means consultants and contractors to the College; members of the Board of USFP; members of College committees; and any other persons appointed or engaged by USFP to perform duties or functions on its behalf.  |
| <b>Caregiver</b>   | means a person engaged by a student's parents or legal guardians to provide support and welfare services to the student in Australia, while on a student visa.   |
| <b>Case Manager</b>  | means the delegated staff member within the CIR Group who is responsible for implementing the College's response to a critical incident.   |
| <b>The College</b>   | means Taylors College Sydney, including its staff, affiliates and contractors.   |
| <b>College Director</b>                                    | means the most senior staff member for the College (or their delegate).  |
| <b>CRICOS</b>  | means Commonwealth Register of Institutions and Courses for Overseas Students.   |
| <b>Critical incident</b>                                   | <p>means a traumatic event, or the threat of a traumatic event, either on or off campus or on-line) that causes extreme stress, fear or injury to one or more students, such as significant disruption to the study routine (which might prevent a student from completing or continuing with the course), an emergency management situation, or threat to the safety of students and staff.</p> <p>Critical incidents include but are not limited to:</p> <ul style="list-style-type: none"> <li>• missing students</li> <li>• severe verbal or physical aggression</li> <li>• critical mental health episodes</li> <li>• drug or alcohol abuse</li> <li>• domestic violence</li> <li>• physical, sexual or other abuse or assault</li> <li>• death, serious injury or any threat of these</li> <li>• serious accidents</li> <li>• fire or natural disaster.</li> </ul> |
| <b>Critical Incident Response Coordinating (CIR) group</b> | means a group of senior management team members who convene to gather information, assess further risk, identify the actions that should be taken and ensure those actions are completed.  |

|   |   |
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| <b>Delegate</b>   | means a person authorised to perform a specific responsibility.   |
| <b>Department of Home Affairs (DHA)</b>                 | means the Australian Government department responsible for issuance of student visa and provision of student visa services ( <a href="http://www.homeaffairs.gov.au">www.homeaffairs.gov.au</a> ).  |
| <b>Enrolment</b>  | means confirmed acceptance into a USPP course where a student is progressing towards the completion of the course requirements.   |
| <b>First Responder</b>                                  | means a College staff member who is called to respond to the critical incident or professionals such as paramedics, police officers, fire fighters and other emergency personnel trained to provide assistance in time-critical, often life-threatening situations. It includes individuals who perform those functions in a volunteer capacity, such as first aid/ mental health first aid volunteers. |
| <b>International student/overseas student/student</b>   | means a person (whether physically located within or outside Australia) who holds or needs a visa with rights to study in Australia, and who has the right to enrol at the College.   |
| <b>(The) National Code</b>                              | means the <a href="#">National Code of Practice for Providers of Education and Training to Overseas Students 2018</a> made under subsection 33(1) of the <a href="#">Education Services for Overseas Students (ESOS) Act 2000 (Cth)</a> . It outlines nationally consistent standards for the conduct of registered providers and the registration of their programs.                                   |
| <b>Notifiable critical incident</b>                     | means a critical incident involving a student which is notifiable to SafeWork NSW because it involves: <ul style="list-style-type: none"> <li>• the death of a person</li> <li>• a serious injury or illness of a person</li> <li>• a dangerous incident.</li> </ul>  |
| <b>PRISMS</b>   | means the Provider Registration and International Student Management System (PRISMS) reporting database, which is shared between education providers in conjunction with the Australian Department of Education and the Department of Home Affairs.   |
| <b>Special Consideration in Assessment</b>              | means an adjustment compensating for mitigating circumstances that have impacted on individual student's ability to demonstrate their learning achievements in an assessment.   |
| <b>University of Sydney Preparation Programs (USPP)</b> | means the non-award pathway programs offered by the University of Sydney and delivered by Navitas Australia trading as Taylors College Sydney. They include the University of Sydney Foundation Program and the High Achievers Preparation Program (HAPP).  |



## **7 Records Management**

- (1) Records in association with this policy will be kept in accordance with the Records Management Policy and Procedures. Confidential documents related to the implementation of the policy will be maintained according to relevant privacy requirements.
- (2) This includes provision that the College must maintain a written record of any critical incident and remedial action taken by the College as required by the Records Management Policy and Procedures.

## **PART 2 - CRITICAL INCIDENTS INVOLVING STUDENTS PROCEDURES**

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### **8 Initial response to report**

- (1) The First Responder will take all reasonable steps to secure the immediate safety and welfare of the affected student(s).
- (2) All critical incidents should be reported within the first 24 hours to:

The College Director or delegate

- (3) External emergency services should be called where appropriate, using the 000 service.
- (4) Additional contact details for emergency and ongoing support and assistance for students affected by critical incidents are set out in Appendix A.
- (5) If a report of a critical incident is not made in the first instance to the College Director, First Responders, including College staff, must inform the College Director as soon as practicable after the initial report.
- (6) The College Director or delegate is responsible for co-ordinating the management of the critical incident. Where an incident is notifiable to SafeWork NSW, the College Director or delegate is responsible for:
  - (a) reporting a 'notifiable incident' to SafeWork NSW after becoming aware it has happened. Incidents can be notified 24/7 by calling 13 10 50
  - (b) preserving the incident site pending further direction from SafeWork NSW
  - (c) recording the incident in the critical incident register
  - (d) notifying the College's insurer.
- (7) The College Director or delegate, upon notification and within 24 hours of receipt, will oversee the process of gathering information to:
  - (a) determine the nature of the incident and known facts
  - (b) identify the affected student(s) and determine their current whereabouts
  - (c) arrange medical treatment for the affected student(s), as necessary
  - (d) arrange counselling for the affected student(s), as necessary



- (e) inform any next of kin, as necessary.
- (8) The College Director or delegate will advise relevant personnel within Taylors College Sydney and the University of a critical incident within 48 hours after becoming aware it has happened, or earlier if practicable. Where appropriate, information about the incident or the affected student(s) can be sourced from social media and other public sources.

## **9 Managing the incident**

- (1) Depending on the type of incident, a Critical Incident Response Coordinating Group will be activated. The CIR Group will include the College Director and Senior Management Team and others as relevant.
- (2) The College Director may act as Case Manager, or appoint an appropriate member of the Critical Incident Response Group as a delegate. The delegate will keep the College Director informed of planned response strategies and ongoing developments in the management of the incident.
- (3) The Case Manager will immediately notify the Executive General Manager and/or the CEO of University Partnerships Australasia at Navitas of any critical incident that:
  - (a) is notifiable to SafeWork NSW
  - (b) involves multiple students or staff
  - (c) requires access to emergency funds, or
  - (d) is reported in the media or otherwise attracts a large amount of attention or publicity.

The College Director or delegate will notify the Director, Compliance and Student Affairs, Compliance Unit at the University of Sydney.

- (4) To facilitate the management of a critical incident involving students, the Case Manager is responsible for:
  - (a) liaising with First Responders and witnesses
  - (b) liaising with the assigned SafeWork NSW allocated inspector
  - (c) where appropriate, liaising with:
    - (i) the Director, Compliance & Student Affairs at the University of Sydney and emergency providers, including doctors and hospitals
    - (ii) government agencies, including the Department of Foreign Affairs and Trade, DHA and AusAID
    - (iii) relevant embassies and consulates
    - (iv) chaplains and religious personnel.
  - (d) where appropriate:
    - (i) ensuring that appropriate contact is made with the student's emergency contacts, next of kin or other family



- (ii) assisting the student and their family with travel arrangements to or from Sydney
  - (iii) arranging counselling
  - (iv) seeking other emergency assistance.
- (e) ensuring that:
  - (i) the student's record is updated in the student records management system
  - (ii) where relevant, there is appropriate reporting to DHA via PRISMS
  - (iii) the Critical Incident Register is updated to allow for future reporting and planning of risk mitigation activities.
- (5) The release of any personal information to external parties must comply with the Student Privacy Policy.
- (6) If the NSW Police contacts the College for personal information about any individuals, the Case Manager will ask the NSW Police to provide a written request specifying the personal information required and the purpose of the request. The Case Manager will release only the minimum personal information requested. Where the personal information is about a student, the NSW Police written request and response will be kept with the student's records.

## **10 Managing student fatalities**

- (1) In the event of the death of a student, the Case Manager is responsible for ensuring that appropriate contact is made with the deceased student's next of kin or other family.
- (2) The Case Manager will prepare a letter of condolence to be sent on behalf of the College.

## **11 Student support**

- (1) The student support team is available to provide support to students who are affected by a critical incident, such as:
  - (a) counselling support and appointments
  - (b) a 'quiet space' reflection room
  - (c) a public grief or sorrow book
  - (d) assistance with Special Consideration applications
  - (e) ongoing assistance and recovery
  - (f) links to community agencies.
- (2) The Case Manager will advise the College staff and students of the available support services early in the development of a critical incident response timeline.



## **12 Additional support for international students and their families**

- (1) Where appropriate in the event of a critical incident resulting in serious injury and hospitalisation, the College may consider offering financial assistance to the student's parents, to enable them to meet travel costs and visit the student in hospital.
- (2) Where appropriate in the event of the death of an international student, the College may consider offering financial assistance to the student's parents, to enable them to meet travel costs.
- (3) The College will work with the student's family and any relevant insurance provider to expedite appropriate arrangements for:
  - (a) a funeral and/or cremation in Australia; or
  - (b) repatriation of the student's body to their home country.
- (4) Where appropriate, and depending on the nature of the critical incident, the Case Manager will liaise with the embassy or consulate of the student's country of origin. Discussions may include protocols and arrangements for:
  - (a) greeting and supporting the student's family;
  - (b) transport and accommodation;
  - (c) a funeral or repatriation of the student's body;
  - (d) provision of legal services;
  - (e) responding to inquiries from the NSW Police or State Coroner.

## **13 Critical incidents involving international students under 18 years**

- (1) In the event of a critical incident that disrupts or has the potential to disrupt the welfare arrangements of one or more international students who are under 18 years of age, the College will:
  - (a) assess the current suitability of the student's accommodation, support and welfare arrangements
  - (b) contact any relevant service provider engaged by the College to provide welfare arrangements
  - (c) where necessary, arrange emergency accommodation and organise alternative support and welfare arrangements for the student; and
  - (d) contact the student's parents or legal guardians and Caregiver as soon as possible following the incident.
- (2) The Case Manager will manage notifications of relevant critical incidents involving students under 18 years of age to NSW Police, NSW agencies and other relevant Commonwealth agencies within 24 hours.
- (3) If an international student who is under 18 years of age goes missing from their approved accommodation and cannot be found or contacted, the College will





exhaust all reasonable methods of locating the student including social media before reporting to NSW Police and other relevant Commonwealth and NSW agencies within 24 hours. For information on the accommodation, support and welfare requirements for international students under 18 years of age, see the University of Sydney Under 18 International Students Policy 2016.

- (4) The College will report the student to DHA via PRISMS when it can no longer take responsibility for the student's welfare arrangements. It will also make all reasonable efforts to immediately notify the parents or legal guardians and Caregiver.

## **14 Rescissions and replacements**

This document replaces the following, which are rescinded as from the date of commencement of this document:

- (1) Not applicable

## NOTES

### Critical Incidents Involving Students Policy and Procedures 2021

Date adopted: 30 July 2021

Date registered: 13 August 2021

Date commenced: 13 August 2021

Administrator: Position title of the most senior person responsible for the day to day operation of the policy.

Review date: At least once every 5 years from the date of commencement.

Rescinded documents: Not applicable

Related documents:

- (1) [Children's Guardian Act 2019 \(NSW\)](#)
- (2) [NSW Children and Young Persons \(Care and Protection\) Act 1998](#)
- (3) [Education Services for Overseas Students \(ESOS\) Act 2000 \(Cth\)](#)
- (4) [Education Services for Overseas Students Regulations 2019 \(Cth\)](#)
- (5) [Higher Education Standards Framework \(Threshold Standards\) 2021](#)
- (6) [UNational Code of Practice for Providers of Education and Training to Overseas Students 2018 \(the National Code\)](#)
- (7) [National Standards for Foundation Programs](#)
- (8) [UNSW Work Health and Safety Act 2011](#)
- (9) [NSW Work Health and Safety Regulation 2017](#)
- (10) [Privacy Act 1988 \(Cth\)](#)
- (11) Student Critical Incident Report Form
- (12) Child Protection and Safeguarding Policy and Procedures
- (13) Records Management Policy and Procedures
- (14) Sexual Misconduct Policy and Procedures
- (15) Student Code of Conduct
- (16) Student Enrolment Terms and Conditions
- (17) Student Misconduct Policy and Procedures
- (18) Student Privacy Policy
- (19) University of Sydney Under 18 International Students Policy 2016
- (20) University of Sydney Under 18 International Students Procedures 2016



## **APPENDIX A – CONTACT DETAILS FOR EMERGENCY AND ONGOING SUPPORT AND ASSISTANCE FOR STUDENTS AFFECTED BY CRITICAL INCIDENTS**

### **Emergency contacts**

- (1) In an emergency, students should contact emergency services by dialling triple zero (**000**).
- (2) Students who feel unsafe on campus or are concerned for someone else's safety can email [taylorsstudenthelp@navitas.com](mailto:taylorsstudenthelp@navitas.com)
- (3) Students who have experienced sexual assault can contact:
  - (a) NSW Rape Crisis Service on **1800 424 017**, 24 hours a day
  - (b) **1800 RESPECT** on **1800 737 732** or online via [www.1800respect.org.au](http://www.1800respect.org.au), 24 hours a day
  - (c) Royal Prince Alfred (RPA) Hospital Sexual Assault Service on **02 9515 9040** (Monday to Friday) or **02 9515 6111** (after hours). Counselling and medical services are available for anyone who has been sexually assaulted. Campus Security can arrange transport to RPA.

### **External contacts**

- (1) NSW Police Assistance Line – contact **131 444**, 24 hours a day
- (2) Department of Home Affairs – contact **131 881**, 9am to 5pm, Monday to Friday.