

Written Agreement Policy and Procedure

1. Purpose

The purpose of this policy is to ensure that ALG:

- formalises enrolment through a compliant written agreement
- provides clear information about the course, fees and conditions of enrolment
- meets legislative requirements under the **ESOS Act 2000** and **National Code 2018**
- ensures students understand their rights and responsibilities before they are formally enrolled.

2. Scope

This policy applies to:

- all overseas students and intending overseas students
- all ALG staff involved in admissions, enrolment or student administration
- the development, issuance, acceptance and storage of written agreements.

3. Definitions

Overseas student: A person who holds a student visa and is enrolled in a CRICOS-registered course.

Intending overseas student: A person, whether inside or outside Australia, who intends to become an overseas student or who has taken steps towards enrolling in a course with the provider.

Written agreement: A formal agreement between ALG and an overseas student outlining the terms and conditions of enrolment.

Tuition fees: Fees received for the delivery of education or training.

Non-tuition fees: Fees not directly related to tuition, such as enrolment fees or administrative charges.

Student default: Occurs when a student fails to start or continue their course as agreed.

Provider default: Occurs when ALG is unable to deliver the course as agreed.

Tuition Protection Service (TPS): The Australian Government service that protects international students if their provider cannot deliver their course.

4. Responsibilities

Chief Executive Officer / Executive Management

- Ensure ALG complies with the ESOS Act 2000 and National Code 2018 requirements relating to written agreements

- Approve policies and procedures governing written agreements and enrolment processes
- Ensure adequate systems and resources are in place to manage written agreements and student records.

Quality Assurance Manager

- Monitor compliance with legislative requirements relating to written agreements.
- Review written agreement templates to ensure they remain consistent with the **ESOS Act** and **National Code**.
- Ensure written agreements align with related ALG policies including fees, refunds and complaints processes.
- Oversee periodic review of this policy as part of ALG's quality assurance processes.

Admissions and Enrolment Staff

- Assess student eligibility for entry into courses in accordance with the Admissions Policy and Procedure.
- Prepare and issue the Letter of Offer/ Written Agreement to intending students.
- Ensure written agreements are accepted by the student prior to accepting any tuition or non-tuition fees.
- Ensure agreements include all required information including course details, fees and refund conditions.

Finance Staff

- Ensure payments are not accepted from students until the written agreement has been accepted.
- Maintain accurate records of payments made under written agreements.

Student Administration Staff

- Maintain accurate records of written agreements and payment receipts. Ensure written agreements are stored securely and retained for the required period.

Students

- Read and accept the written agreement before enrolment.
- Keep a copy of the written agreement and payment receipts.
- Provide accurate contact information and notify ALG of changes within **7 days**.

5. Policy

Australian Learning Group Pty Limited (ALG) formalises the enrolment of overseas students through a written agreement in accordance with the *Education Services for Overseas Students Act 2000* (ESOS Act) and Standard 3 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (National Code).

The written agreement sets out the conditions of enrolment, course details, and the fees and refund arrangements that apply to the student.

ALG ensures that written agreements with overseas students are clear, transparent and written in plain English. Written agreements are designed to clearly outline the rights and obligations of both the student and ALG and to ensure students understand the terms and conditions of their enrolment before accepting the agreement.

The written agreement forms a legally binding contract between ALG and the overseas student which sets out the terms and conditions of enrolment, including course details, fees, refund arrangements and the responsibilities of both parties.

5.1 Formalisation of Enrolment

ALG enters into a written agreement with each overseas student or intending overseas student **before, or at the same time as, accepting payment of any tuition or non-tuition fees.**

At ALG, the written agreement is the Letter of Offer (LoO) issued to the student and accepted through signature or electronic confirmation.

Where a student is under 18 years of age, the written agreement must be accepted by the student's parent or legal guardian.

5.2 Written Agreement Requirements

Written agreements are provided in plain English and include the information required under the **National Code Standard 3**, including:

- the course or courses in which the student will be enrolled
- expected course start date
- course duration and study periods
- campus location(s) where the course will be delivered
- modes of study including online delivery, work-based training or placements where applicable
- entry requirements including English language requirements
- any conditions applied to the student's enrolment
- all tuition fees payable for the course and the period to which those fees relate
- payment options available to the student, including the option to pay more than 50% of tuition fees prior to course commencement where permitted under the ESOS Act
- details of any non-tuition fees that may apply
- circumstances in which personal information may be disclosed to government agencies including the Commonwealth and the Tuition Protection Service (TPS)
- ALG's complaints and appeals processes including referral options to the Commonwealth Ombudsman.
- a statement that the student must keep a copy of the written agreement and payment receipts.

ALG only uses links in written agreements to provide supplementary information only, for example, information about student support services or living cost guides.

Students are encouraged to read the written agreement carefully before accepting it. Students are also instructed to keep a copy of their agreement and receipts for any payments made under their agreement.

Written agreements must also comply with the principles of fairness and transparency under Australian Consumer Law. ALG ensures that written agreement terms are fair, reasonable and clearly communicated so that students understand their rights and obligations before enrolment.

5.3 Fees and Refund Information

Written agreements include information about refunds in the case of student default or provider default consistent with the ESOS Act and ALG's **Fees and Refunds Policy and Procedure**.

This information includes:

- the process for requesting a refund
- amounts that may or may not be refunded
- any person nominated to receive a refund on behalf of the student
- an explanation of what happens if a course cannot be delivered, including the role of the **Tuition Protection Service (TPS)**.

Refund arrangements set out in the written agreement are designed to be fair and reasonable and must reflect the provider's legitimate interests while avoiding unreasonable financial disadvantage to the student.

5.4 Australian Consumer Law provision

ALG's written agreements include the statement: *"This written agreement, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies."*

5.5 Student Contact Details

The written agreement requires students studying in Australia with ALG to notify ALG of their contact details including:

- residential address
- mobile phone number (where available)
- email address
- emergency contact details.

Students must notify ALG of any change to these details within 7 days.

5.6 Record Retention

ALG retains records of:

- written agreements
- payment receipts associated with written agreements

for at least two (2) years after the student ceases to be an accepted student, in accordance with the ESOS Act.

Students are responsible for keeping their own copy of the written agreement and payment receipts.

5.7 Continuous Improvement

ALG reviews written agreements periodically as part of its quality assurance and compliance monitoring processes to ensure alignment with legislative requirements.

Updates may be made to written agreement templates where regulatory or operational changes occur.

6. Procedure

Step	Key Actions	Responsibility	Supporting Documents
1. Pre-Enrolment Information	Provide course information, entry requirements, course delivery details and indicative fees to intending students before enrolment.	Admissions / Marketing	Recruitment Policy and Procedure
2. Entry Assessment	Assess the student's eligibility for entry to the course including English language requirements, educational qualifications and any other prerequisites.	Admissions staff	Admissions Policy and Procedure
3. Issuing the Written Agreement	Prepare and issue the Letter of Offer/ Written Agreement outlining course details, fees, conditions of enrolment and refund information. Provide student with reasonable time to review the written agreement before acceptance	Admissions staff	Letter of Offer/ Written Agreement
4. Acceptance of Written Agreement	Ensure the student signs or electronically accepts the written agreement. If the student is under 18 years of age, ensure the agreement is accepted by a parent or legal guardian.	Admissions staff	Letter of Offer/ Written Agreement
5. Verification Prior to Fee Acceptance	Confirm the written agreement has been accepted before accepting any tuition or non-tuition fees from the student.	Admissions / Finance	ESOS Act requirements
6. Recording the Agreement	Record the accepted written agreement and upload or store it in the student management system.	Admissions / Student Administration	Student Management System
7. Confirmation of Enrolment	Issue the Confirmation of Enrolment (CoE) once the written agreement has been accepted and enrolment requirements have been met.	Admissions	PRISMS
8. Record Retention	Retain written agreements and payment records for at least two years after the student ceases to be an accepted student.	Student Administration	Record Retention Policy
9. Quality Assurance and Review	Review written agreement templates periodically to ensure ongoing compliance with the ESOS Act and National Code requirements.	Quality Assurance Team	Calendar of Compliance

7. Related Documents

Recruitment Policy and Procedure

- Admissions Policy and Procedure
- Fees and Refunds Policy and Procedure
- Complaints and Appeals Policy and Procedure
- Deferral, Suspension and Cancellation Policy and Procedure
- Transfer Between Registered Providers Policy and Procedure
- Privacy Policy
- Record Retention Policy
- Calendar of Compliance

8. Document Information and Review

Document Information		
Document ID	FUT-03	
Policy Category	FUT – Future Students	
Responsible officer	Joe Lynch	
Key Stakeholder(s)	Students, ALG Staff	
Approval by	CEO	
Endorsed by	Academic Director and Head of Quality Assurance	
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Version	Date	Amendment(s)
3.0	12 March 2026	- Some recommendations from Ombudsman factsheet included - Procedures section defined further