

MCOHB Critical Incident Policy and Procedure

1.0 Purpose

1.1 . The purpose of this procedure is to recognise the duty of care owed by the Melbourne College of Hair and Beauty (MCOHB) to its overseas and domestic students and to document the process for managing critical incidents both onshore and offshore if and when they occur.

1.2 . This policy is in accordance with the following legislation and legislative instruments:

- *Education Services for Overseas Students Act 2000 (Amended 2017),*
- *National Code of Practice for Providers of Education and Training to Overseas Students 2018 (CRICOS standards),*
- *National Vocational Education and Training Regulator Act 2011,*
- *Standards for Registered Training Organisations (RTOs) 2015*

2.0 Responsibility

2.1 . The Chief Executive Officer or their delegate is responsible for the implementation of this procedure and to ensure that staff and students are aware of its application and that staff implement its requirements.

3.0 Requirements

3.1 . Critical incidents are not limited to, but may include:

- missing students (absent for 28 days consecutively);
- severe verbal or psychological aggression;
- death, serious injury or any threat of these;
- natural disaster; and
- issues such as domestic violence, sexual assault, drug or alcohol abuse.

3.2 . The *ESOS Act* requires MCOHB to notify the Department of Home Affairs as soon as practical after the incident and in the case of a student's death or other absence affecting the student's attendance, the incident will need to be reported via the Provider Registration and International Student Management System (PRISMS).

3.3. When an international student dies or sustains serious injury, MCOHB may be required to assist the student's family. This may include:

- hiring interpreters
- making arrangements for hospital/funeral/memorial service/repatriation
- obtaining a death certificate
- assisting with personal items and affairs including insurance issues
- assisting with visa issues

3.4. Following a critical incident analysis of MCOHB's response and processes and implementation of improvements where indicated will be conducted.

4.0 Definitions

Accepted Student	Accepted student of a registered provider (Student) means a student (whether within or outside Australia): (a) who is accepted for enrolment, or enrolled, in a course provided by the provider; and (b) who is, or will be, required to hold a student visa to undertake or continue the course.
Authorised representative	Means an authorised representative of the RTO or an authorised Education Agent, who represents the student during their enrolment.
Compulsory Study Period	A period of study in which the student must enrol unless granted a deferment or suspension from enrolment or leave of absence under Standard 9 (Deferring, suspending or cancelling the student's enrolment). A compulsory study period does not include periods in which the student can elect to undertake additional studies.
Course	Full time registered University or vocational education and training courses or ELICOS courses offered by or through RTO and registered on Registered Providers CRICOS scope of registration.
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students.
Education Agent	A person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. In doing so, the education agent may provide education counselling to overseas students as well as marketing and promotion services to education providers. Education agent does not refer to an education institution with whom an Australian provider has an agreement for the provision of education (that is teaching activities).

Enrolment	Enrolment means where the student has been issued with a CoE and Letter of Offer to confirm acceptance by the registered provider and is occupying a place in the CRICOS registered course for which the student was accepted and is progressing towards the completion of the course requirements. The period of enrolment includes scheduled breaks between study periods.
ESOS Act	<i>Education Services for Overseas Students Act 2000</i> revised 2018 of the Commonwealth of Australia.
ESOS Regulations	<i>National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)</i>
Full time study	The amount of study for a particular Course which is approved by the accrediting body for the Course, or in cases where the accrediting body gives no such approval, means minimum of 20 contact hours per week.
Genuine Student	An applicant that intends to obtain a successful educational outcome and has the language, education and material background to have a reasonable chance of achieving this educational outcome
Mode of Study	Attendance including face-to-face in a classroom, supervised study on the registered provider's campus, distance learning, online learning and work-based learning.
National Code	National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students.
Overseas Student	A person (whether within or outside Australia) who holds a student visa as defined by the ESOS Act but does not include students of a kind prescribed in the ESOS Regulations. Where the student is under 18 years of age and the student is required to exercise rights or enter obligations as a legal person, this term may refer to the student's parent or legal guardian.
Principal Course of Study	The principal course of study that refers to the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study where the overseas student arrives in Australia with a student visa that covers multiple courses.

PRISMS	The Provider Registration and International Students Management System (the electronic system that holds CRICOS course and provider registration details and the electronic Confirmation of Enrolment) and reporting changes in course enrolment, particularly where study ceases (non-compliance), or the duration of the study changes. PRISMS also facilitates the monitoring of student compliance with visa conditions, as well as provider compliance with the ESOS Act.
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5.0 Critical Incident management process for onshore critical incidents

- 5.1 . Where danger to life or safety occurs all members of staff are authorised to take the most appropriate action and as soon as practicable contact a senior member of staff and brief them of the incident and status.
- 5.2 . Where a person on campus is aware of a death, an immediate threat to the life of a person or a serious threat to property (such as a fire):
 - call 000 and report the incident to the police department or one of the emergency services.
 - following that, report the incident to MCOHB's student admin department.
 - record the incident.
- 5.3 . Costs incurred as a result of a critical incident will be met by the student and/or the student's family, unless approval to provide ex gratia financial support has been granted by the CEO or unless the Director of Studies has an obligation to provide financial support.
- 5.4 . Any college staff member receiving news or information regarding a critical incident (and after any immediate action that must be taken – e.g. contact emergency services) must contact the CEO or other senior management member in their absence as soon as practicable. If this is not possible then the most senior person available must be contacted and informed.

6.0 Roles and Responsibilities

- 6.1 . The Director of Studies and or their delegate will be advised as soon as possible following the news or observation of any Critical Incident Event affecting or likely to affect the safety or welfare of an enrolled student.

6.2...The following processes will be instigated by a delegate student admin manager/team leader.

6.3. Personal information and health information that is collected in the course of managing the Critical Incident must be managed in compliance with the Information Privacy operational policy.

6.4. The student admin manager/team leader will:

- ascertain a clear understanding of the known facts.
- plan and coordinate an immediate response and ongoing management of the Critical Incident.
- engage internal and external services to assist with the management of the Critical Incident as required, e.g. interpreter services.
- allocate roles and responsibilities for immediate and ongoing tasks to staff members.
- coordinate (HR, Faculty, Counselling, etc.) the provision of support to the family, friends and others affected by the Critical Incident.
- keep records of the incident and decisions and action taken on a daily basis and keep the Director of Studies briefed.
- seek support, guidance and debriefing as appropriate.
- The student admin manager/team leader will liaise with Chaplain Services for arrangements to accommodate any cultural and religious practices and preferences of the student concerned.
- The student admin manager/team leader will coordinate with Faculties and other areas the notification and involvement as appropriate:
- Counselling services will be employed to assist students if they need counselling and mental support.
- the student's family/next of kin with consideration to what is the most appropriate manner of contact. In the case of exchange students, an attempt will be made to contact the student's home country in the first instance to decide on the most appropriate means of contacting next of kin/family.
- Victorian Police Multicultural Liaison Officers.
- sponsor and/or Embassy/Consulate, subject to consultation with the Director of Studies.
- Department of Home Affairs.
- housemates, landlord, rental agency, homestay provider.
- student associations or groups.
- School or Faculty, which will then notify relevant staff and relevant students' employers.
- The student admin manager/team leader will liaise with the Faculty about the impact of the Critical Incident on the student's course progress.

- The student admin manager/team leader will organise admin staff to assist the student's family/next of kin with travel arrangements for the family/next of kin to travel to Australia.

6.5. The student admin manager/team leader may be required to:

- compile a student profile with all details, such as: colour photograph; religion; medical conditions (allergy information, etc.); full name and address; student ID number; copy of passport including number, photo page and visa page; emergency contact telephone list with family/next of kin details; agent or sponsor
- subject to the needs, direction and consent of the student or next of kin assist with the collection of official reports relating to the Critical Incident, e.g. medical reports, police reports, copy of death certificate, post-mortem report.

7.0 Critical incidents involving death

7.1. Following official police or hospital notification to the student's family/next of kin, the student admin manager/team leader will make contact with the family/next of kin. In the case of exchange students, an attempt will be made to contact the student's home country in the first instance to decide on the most appropriate means of contacting the family/next of kin.

7.2. Subject to the needs, direction and consent of the next of kin the student admin manager/team leader will:

- assist the next of kin to liaise with police and legal authorities regarding identification of the body, involvement with an inquest, etc.
- make arrangements for the to send condolences to the family.
- arrange with student admin for a hold to be placed on all college mailings.
- assist the family and/or next of kin with travel arrangements to Australia, meet them on arrival, and arrange for temporary accommodation.

Funeral or Memorial Arrangements

7.3. Funeral and Memorial Arrangements are to be made with the permission of or under the direction of the family/next of kin.

7.4. The student admin manager/team leader will assist with arranging the funeral or memorial service in consultation with the chosen Chaplaincy and will seek out any religious or cultural requirements and practices through funeral directors, professional networks, co-workers, campus or community religious associations, etc. if a funeral is to be held in Australia.

7.5. If the body is to be shipped back to the family's home country, then the Director of Studies will assist the student's family to have the body returned to the family's home country through assistance from funeral directors, professional networks.

7.6. Subject to the needs, direction and consent of the next of kin the student admin manager/team leader may:

- provide funeral details to members of the college community and others
- assist with death notices
- seek representation at the funeral from relevant college staff and outside bodies
- organise a recording of the service to be sent home to the student's family/next of kin (with translation) as necessary
- arrange for an obituary notice to be placed in college student and staff magazines.

8.0 Personal Arrangements

8.1. Subject to the needs, direction and consent of the next of kin the Director of Studies or their delegate will assist with obtaining copies of the death certificate or interim certificate (for closing bank accounts, bond refund, etc.) and will assist with the student's personal affairs as required, including:

- packing and freight or disposal of the student's belongings
- closing of bank accounts
- finalising rental agreements and obtaining bond refunds
- settling medical and legal costs
- finalising insurance matters, Overseas Student Health Cover and ambulance cover.

8.2. The student admin manager/team leader will seek student fee refunds, waivers and write-offs, in accordance with the relevant MCOHB policy relating to student fees and charges, as appropriate.

9.0 Critical incidents involving serious illness or accident

9.1. The Director of Studies and/or their delegate should be aware of any religious or cultural practices related to both illness in general and specific illnesses, as well as cultural attitudes towards hospitalisation.

- subject to the needs, direction and consent of the student or next of kin the student admin manager/team leader may:
- assist the student's family or next of kin to secure accommodation, if needed, and provide ongoing liaison and support to access necessary services
- liaise with hospital staff and develop a coordinating team with key staff
- assist with any repatriation arrangements in consultation with the hospital, Embassy and Consulate, as appropriate.

10.0 Critical incidents involving self-harm or attempted suicide

10.1 The Director of Studies and/or their delegate should be aware of any religious or cultural practices and sensitivities related to suicide.

10.2 The Director of Studies and/or their delegate will consult with the Safer Communities Coordinator and Counselling service to determine and assign the staff member with overall responsibility for coordinating MCOHB's response. Subject to the needs, direction and consent of the student or next of kin the Director of Studies and/or their delegate will:

- assist the family/next of kin to secure accommodation, if needed, and provide ongoing liaison and support to access necessary services
- assist the student and others with access to legal services, as appropriate

10.3 assist with any repatriation arrangements in consultation with counsellors and the Embassy or Consulate. The Counselling service may liaise with local psychiatric services and transcultural psychiatric unit health staff, as appropriate, and develop a coordinated response in consultation with the Director of Studies and/or their delegate

11.0 Missing student

11.1 When a student is reported missing from their place of residence, the appropriate staff member will gather information, make an initial assessment, and report to the Director of Studies. To make an initial assessment, the appropriate staff member will:

- access the student record to verify details and to gather information, including address, email and phone numbers.
- establish whether the student has been attending classes, submitted assignments, used the LMS recently, engaged with supervisor, or had recent contact with classmates, staff, and/or administrators.
- confirm that the student has not applied for leave of absence or cancelled their enrolment.
- confirm if the student has recently accessed buildings and has been active around campus, when relevant.
- determine whether the student is sponsored or on exchange (for international students).
- request International Compliance check whether the student is onshore or offshore (for international students).
- ascertain whether the student has recently accessed services from the Counselling Centre, other Student Life and Wellbeing Centre services and/or the Student Ombudsman.
- contact the student (via MCOHB's and other email address, telephone/SMS) to advise that concerns have been expressed about their personal welfare and that if they do not respond within a reasonable time, the Director of Studies and/or their delegate will notify their emergency contact, and

- summarize information, including the contact details of the person who reported the student as missing, and report actions to the Director of Studies and/or their delegate.
- 11.2 Unless there is a reasonable belief that contact is necessary to prevent or lessen a serious and imminent threat to the life or health of the missing student, in assessing whether or not a student is missing, staff members cannot disclose the student's personal information to any third party, including family or friends.
- 11.3 If the person reporting a student as missing has serious concerns about the student's personal and mental welfare, encourage the person to contact the local police department.
- 11.4 For residential students, if the student reported missing replies within a reasonable time from the initial contact from the staff member, the student will be requested to make an appointment with the Director of Studies and/or their delegate to determine whether or not further support is required.
- 11.5 If the student does not reply to the initial email and phone call within a reasonable time, the Director of Studies and/or their delegate will:
- inform the emergency contact, and
 - request the local police department conduct a welfare check.
- 11.6 In the event that the local police department confirms that the student is missing, or the Director of Studies and/or their delegate is satisfied that the circumstances surrounding the report of the missing student gives rise to a critical incident, they will advise the CEO and college management to call a meeting for the Student Critical Incident Response Team. The Team will take over coordination of MCOHB's response to the incident.

12.0 Repatriation of student's remains and personal property

- 12.1 Subject to the needs, direction and consent of the next of kin if the student's remains and personal property is repatriated, the student admin manager/team leader will assist with the student's personal affairs as required, including:
- packing and freight of the student's belongings
 - closing of bank accounts
 - finalising rental agreements and obtaining bond refunds
 - settling medical and legal costs
 - making travel arrangements
 - arranging insurance matters, Overseas Student Health Cover and ambulance cover.
- 12.2 The student admin manager/team leader will coordinate student fee refunds, waivers and debt write-offs, in accordance with MCOHB's policy on student fees and charges, as appropriate.

13.0 Critical Incident management process for offshore critical incidents

- 13.1 When a student is reported; injured, ill, missing, assisting in emergency support and/or relief work or dead, from their home country, the appropriate staff member will gather information, make an initial assessment, and report to the Director of Studies. To make an initial assessment, the appropriate staff member will:
- a. access the student record to verify details and to gather information, including address, email and phone numbers.
 - b. when and why the student returned to their home country.
 - c. confirm that the student has applied for leave of absence or cancelled their enrolment.
 - d. determine whether the student is sponsored or on exchange (for international students).
 - e. contact the student (via MCOHB's and other email address, telephone/SMS) to advise that concerns have been expressed about their personal welfare and that if they do not respond within a reasonable time, the Director of Studies and/or their delegate will notify their emergency contact, and establish that the student is:
 - injured
 - ill
 - missing
 - assisting in emergency support and/or relief work or
 - is dead
 - summarize information, including the contact details of the person who reported the student as missing, and report actions to the CEO and MCOHB's management team.

14.0 Administration actions upon outcome of critical incident

- 14.1 The following administration actions will be instigated for either onshore or offshore critical incident outcomes.
- 14.2 When the facts of the incident have been ascertained the admin manager/team leader will:
1. raise a student leave application if the student will miss their compulsory study periods for no longer than three (3) weeks.
 2. if the student will miss compulsory study periods for longer than three (3) weeks an application to suspend studies will be raised.
 3. head trainers and the students' trainers will be notified so they can mark the attendance rolls correctly.
 4. if the student elects to cancel/withdraw from their enrolment, a cancellation/withdrawal application form will be raised for the student to sign and approve.

14.3 When an application to suspend or cancel/withdraw from studies is raised the Department of Home Affairs will be notified via PRISMS to record the changes to the student's visa and CoE.

14.4 Notify the student's education agent if applicable.

14.5 The student's file will be closed and all records will be stored in archive for the required period.

In the event a student has died the following admin actions will be completed:

- an application to cancel/withdraw from studies will be raised and will be signed by the student's next of kin.
- the Department of Home Affairs will be notified via PRISMS to record the changes to the student's visa and CoE.
- Notify the student's education agent if applicable.
- the student's file will be closed and all records will be stored in archive for the required period.

15.0 Follow-up

15.1 The Director of Studies and/or their delegate will follow up by:

- ensuring all staff involved are debriefed and encouraging staff to obtain counselling as appropriate
- ensuring contact with the student's friends and classmates 2–6 weeks after the incident on an individual or group basis as appropriate
- reviewing all management of the incident and MCOHB's policy and guidelines, making recommendations for amendments and updates as necessary
- writing and submitting a report on the management of the incident with recommendations for further action as necessary
- obtaining debriefing and appropriate support for themselves.

16.0 Post Incident measures

16.1 Where a Critical Incident has occurred the Director of Studies and/or their delegate will within 5 working days, ensure that the following steps are taken in completing a written report to MCOHB Management.

- Request a written report from team members who were directly involved in the incident or present when it occurred.
- Identify and interview students who may have been involved or present during the Critical incident.
- Identify any emergency service contacts utilized during the critical incident.

- List pastoral or external support personal that were involved during the critical incident.
- Provide a detailed summary of the Critical Incident to MCOHB management

17.0 Management Review

17.1 Following the receipt of a Critical Incident report the Director of Studies and MCOHB management team members will ensure that the report is reviewed at the next management meeting where;

- Documenting improvement items and filing of documentation in Student file.
- Recording of review dates for improvements to be implemented and for additional review within the Annual Internal Audit.

18.0 Prevention Measure/s

18.1 Where a potential Critical Incident can be avoided through Implementing risk identification and producing a report to MCOHB Management.

18.2 Where potential or actual critical incidents are identified they are investigated and the outcomes of the investigation are recorded in the continuous improvement register and rectification measures will implemented.

18.3 The Director of Studies and/or their delegate will:

- a. Identify the risk potential, including the verification of any potential source of danger or threat to Student welfare.
- b. Establish the OHS/WHS, legal parameters and duty of care implications carried by MCOHB in conjunction with the WHS/OSH Consultant/Manager.
- c. Identify students who may be at risk.
- d. Report any potential avoidance actions that may be implemented by MCOHB management.