

Student Placements and Internships Policy

1. Overview

Internships and vocational placements offer AFTRS students and graduates invaluable on-the-job experience, insights, connections and opportunities for career progression in the screen and broadcast industries. AFTRS encourages and facilitates both paid and unpaid internship opportunities, and placements associated with a range of industry organisations, broadcasters and production companies. The internships and placements may be competitive, sourced by the student or sourced by a staff member.

Internship opportunities may become available to AFTRS students and recent graduates in a range of ways. These include:

- Existing AFTRS relationships with broadcasters, film festivals, government departments or production companies;
- New or one-off opportunities, including on specific productions;
- Student-sourced internships or attachments; or
- Opportunities for a specific cohort of students, e.g. Indigenous students, students living with a disability, etc.

In all of these cases, the opportunity should be raised at the earliest opportunity with the AFTRS Internship Manager who can assess whether AFTRS support and insurance cover will apply.

The applicability and conditions of such support are determined by the Internship Manager, in line with this policy.

2. Purpose

This policy outlines the mechanisms by which students can undertake placements and internships that are facilitated by AFTRS. It provides parameters for staff to respond to requests from students and/or from those offering a placement or internship. It also clarifies what arrangements are not facilitated by AFTRS and what arrangements students may make independently of AFTRS.

This policy complies with the *Fair Work Act 2009* (**Fair Work Act**) and is consistent with the Fair Work Ombudsman's Fact Sheets and other information on unpaid work.

This policy also ensures that AFTRS meets the following related higher education legislation:

- Higher Education Support Act (HESA) 2003 – Section 169-20(2)
- TEQSA Higher Education Standards Framework (Threshold Standards) 2015
- Education Services for Overseas Students (ESOS) Act 2000
- National Code of Practice for Providers of Education and Training to Overseas Students (The National Code) 2017

3. Scope

This policy applies to AFTRS employees and students.

4. Policy Statement

AFTRS supports the following three mechanisms for students undertaking placements and internships that are facilitated by AFTRS:

- Vocational Placement as defined in the Fair Work Act;
- Paid Student Internships (lawful paid work); and
- Unpaid Student Internships (lawful unpaid work).

All vocational placements and student internships facilitated by AFTRS must be approved by AFTRS and have a defined educational objective and/or offer industry-relevant experience to the student.

AFTRS is often approached by companies requesting students to fill internship positions. On many occasions, these are legitimate offers that students would gain value and educational benefit from. These will either be **Unpaid Student Internships** (see 5.3) or **Paid Student Internships** (see 5.2).

In some situations, requests are received for students to fill unpaid positions that appear to have little educational benefit, and could be taken by a paid employee. In such situations, AFTRS will make it clear it does not facilitate the opportunity or offer any insurance cover. In these circumstances, AFTRS recommends that students seek independent legal advice and refer to the Student Handbook section 3.1.1 (see 5.4 **Unfacilitated Unpaid Student Internships**).

5.1 Vocational Placements

AFTRS facilitates vocational placements that meet the definition in the Fair Work Act.

The key criteria from the Act are that:

1. The vocational placement is undertaken as a requirement of an AFTRS course; and
2. the student is not entitled to be paid (for example under a contract).

To meet the first criteria, the following are mandatory:

- The requirement for a vocational placement is structured within the relevant course/subject;
- The learning outcomes and assessment tasks are approved; and
- The placement is endorsed by Head of Discipline/Course Leader and approved by Director of Curriculum & Registrar.

Students on vocational placement will be covered by the School's insurance.

The decision of whether a vocational placement subject, as part of a higher education award course, can charge tuition fees to students must be determined in line with 'work experience in industry' eligibility as part of *Higher Education Support Act (HESA) 2003* legislative compliance.

5.2 Paid Student Internships

If a vocational placement is not required as part of award or non-award coursework, AFTRS may facilitate a student undertaking paid work via a student internship provided that:

1. The student is paid at least a minimum wage and the contract is compliant with the National Employment Standards and the terms of any applicable award or enterprise agreement; and
2. The student is provided with an opportunity to develop their skills and gain experience towards their career goals

The staff member recommending the internship should consult with the Internships Manager to ensure that the arrangement is compliant with minimum wage, the National Employment Standards and the terms of any applicable award or enterprise agreement.

Students undertaking a paid student internship that is approved by AFTRS should be covered by the employee's insurance.

5.3 Unpaid Student Internships

If a vocational placement is not required as part of award or non-award coursework, AFTRS may facilitate a student undertaking unpaid work via a student internship provided that:

3. The arrangement is lawful; and
4. The student is provided with an opportunity to develop their skills and gain experience towards their career goals.

Whether the first criterion is met, depends on whether an employment relationship exists between the student and the organisation offering the internship. This is determined on a case by case basis, after considering a number of factors.

As this is an important determination, the staff member recommending the internship should consult with the Internships Manager to ensure that the arrangement is lawful and does not constitute an employment relationship. If there is doubt in making the determination, legal advice should be sought.

Students undertaking an unpaid student internship that is approved by AFTRS can be covered by the School's insurance.

5.4. Unfacilitated Unpaid Student Internships

When requests are made for students to fill unpaid positions that appear to have little educational benefit, and could be taken by a paid employee, AFTRS will not consider this to be a genuine internship opportunity for the purposes of this policy.

Staff receiving such requests need to communicate this view to the organisation making the offer, and let them know that AFTRS adheres to the requirements of the Fair Work Act in relation to internships.

Students considering such requests are recommended to seek independent legal advice should they still wish to pursue it. Students can refer to Section 3.1.1 of the Student Handbook that outlines the circumstances under which students can apply for leave for industry experience.

The School's insurance will not cover unfacilitated unpaid student internships.

6. Indigenous Placements and Internship Protocols

Before a student of Aboriginal and Torres Strait Islander descent is offered a placement or internship, the staff member recommending the internship will need to consult with the Head of Indigenous to make sure that all appropriate support measures are in place for the student.

For more information refer to the:

Fair Work Ombudsman website

<https://www.fairwork.gov.au/>

Fair Work Fact Sheet: Vocational Placements

<https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/unpaid-work/student-placements>

Fair Work Fact Sheet: Unpaid Work

<https://www.fairwork.gov.au/how-we-will-help/templates-and-guides/fact-sheets/unpaid-work/unpaid-work>

Definitions

Fair Work Act	<i>Fair Work Act 2009</i>
Vocational placement	means a placement that is: (a) undertaken with an employer for which a person is not entitled to be paid any remuneration; and (b) undertaken as a requirement of an education or training course; and (c) authorised under a law or an administrative arrangement of the Commonwealth, a State or a Territory (Fair Work Act 2009 s.12).
Unpaid student internship	Lawful unpaid work that is determined not to constitute an employment relationship.
Work Experience in Industry	A defined term, as specified in the Higher Education Support Act 2003, meaning work that is done as part of, or in connection with, a course of study where student learning and performance is not directed by the provider.

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