



INTERNATIONAL STUDENTS UNDER 18 YEARS OF AGE

Reference:

National Code Standard 5 Younger Overseas Students

VERSION HISTORY

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1. Policy Overview

This policy ensures Skyline International College (SIC) has appropriate systems in place for managing, monitoring and supporting students who are under 18 years of age (minors), as well as general welfare and risk prevention guidelines.

1.1 This policy aligns with requirements set out in the:

- Education Services for Overseas (ESOS) Act 2000 and the National Code 2018
- National quality assurance frameworks including ASQA and RTO Standards

1.2 This policy ensures SIC students are managed responsibly and in accordance with the requirements of the ESOS Act 2000, specifically Standard 5 of the National Code.

1.3 The Department of Home Affairs student visa regulations requiring international students under the age of 18 to have approved accommodation and welfare arrangements while they undertake study in Australia.

1.4 This policy provides the operational guidelines for accommodation, support, monitoring of welfare and risk prevention for students under 18 years of age.

2. Definitions

Definitions specific to this policy:

2.1 CAAW - Confirmation of Appropriate Accommodation and Welfare arrangements is a statement generated on PRISMS. It is sent to applicants to accompany their CoE and application for a student visa to study in Australia.

2.2 Local Carer – A person over the age of 21, with valid National Police Certificate (Clearance) who is nominated by the parents of the under aged student. A person who is prepared to accommodate and undertake the duties of a carer and who holds a visa or residency status valid until the under aged student turns 18.

2.3 Minor - In Australia, this is any person under the age of 18 years.

2.4 National Police Certificate (NPC) - A statement issued by the Australian Federal Police to attest that someone has no criminal record.

2.5 Working with Children Clearance (WWC) - is a national criminal history record check required by people who work with children and young people in certain categories of “child-related” work in NSW Australia. This clearance aims to protect children from harm.

3. Policy Principles

It is SIC's policy to ensure that all international students who are Minors must have accommodation arrangements which meet the College's criteria for approval and/or are deemed appropriate by the Department of Home Affairs (DHA).

Non-related accommodation providers, sourced through Homestay Network and all staff at the College who work with students during their duties are required to obtain a Working with Children Clearance (WWC) and/or a National Police Certificate (NPC).

Under Australian Law, SIC may release details of an under 18 student's study progress, fees and any other course or welfare-related information to their parents or legal guardians at their request. Upon the parent/guardian's request, this may be extended to the 'Education Agent'.

SIC therefore has in place procedures to ensure the College is compliant with ESOS Legislation, the National Code, RTO Standards and the required welfare support for International Students under 18 years of age.

To this effect, the College ensures:

- Screening students wishing to enrol at the College to ensure they are capable of studying in an adult-learning environment
- Monitoring of student attendance and course progress
- Procedures to report students where they are deemed to be in breach of their visa conditions;
- International students under 18 years are placed in appropriate accommodation and care arrangements;
- Sufficient staffing and specifically trained staff to support the under 18 years students
- All employees working with students under 18 years have submitted a current Working With Children Check or National Police Certificate, as required.

4. Policy Implementation

4.1 International Students Under 18 Years

The welfare arrangements of international students studying in Australia is legislated under the ESOS Act 2000. The granting of a student visa for international students under 18 years of age is dependent on a number of conditions being met by the student's homestay family, local carer, or legal guardian and the student and the education provider.

International students under 18 years of age must demonstrate to DHA that they have a parent or legal custodian's approval to reside in Australia for the duration of the course/programme in which they are enrolled, or until they turn 18 years of age. This may occur when the student is:

- Living with a parent or legal custodian (person who has legal custody of); or
- Living in suitable, approved Homestay accommodation arranged by or approved by SIC;
- Living with a relative who is over 21 years old, nominated by parents and approved by DHA;
- Living with a local carer nominated by parents (to be approved by the College)
- A 'suitable relative' to be nominated as a carer means a brother, sister, step-parent, step-brother, step-sister, grandparent, or any other family member recognised by the College, who is at least 21 years of age *and* is considered to be of good character.

- A 'suitable local carer or guardian' is someone who is deemed suitable by the College and must be over 21 years of age. Local Carers/Guardians will be required to submit a National Police Certificate (NPC) and/or Working With Children Check (WWC) and a signed 'Carer Duty Statement' before approved.

4.2 SIC Staff Working with International students under 18 Years

All College staff (academic, administration and marketing) that have contact with Underage Students have a role in ensuring the welfare of the students is protected. These responsibilities are:

- All staff who have contact with students under 18 years in the normal course of their duties are required to obtain a Working with Children Check through NSW Office of the Children's Guardian or a National Police Certificate as required.
- Any staff with cause to believe a student may be at risk must flag their concern to their immediate supervisor as soon as practically possible. Intervention strategies may include actions such as well-being support, increased monitoring of attendance and course progress, welfare advice, counselling by internal or external college counselling networks, additional academic support or formal verbal and written warnings.
- Senior Academic Staff and Student Support Staff are responsible for the following duties relating to International Students under 18 Years:
 - Implement documented processes for verifying the suitability of the student's accommodation prior to the accommodation being approved and at least every six months thereafter
 - Exercise duty of care with regards to student arrangements – liaise with, and notify students if their arrangements contravene details on CAAW.
 - Ensure International Students under 18 Years are given age-and-culturally appropriate information on who to contact in emergency situations (including contact numbers of nominated staff and/or service providers)
 - Maintain up-to-date records of the student's contact details including the student's parent(s), legal guardian or adult nominated as responsible for the student's welfare.
 - Liaise with carers and relatives regarding the care and wellbeing of the students and immediately notify parents/legal guardians if the College is no longer able to approve the CAAW arrangements
 - Ensure International Students under 18 Years are given age-and-culturally appropriate information on seeking assistance and reporting any incident or allegation involving actual or alleged sexual, physical or other abuse
 - Monitor International Students under 18 Years to ensure their welfare is supported at regular meetings and through sustained telephone contact until the student turns 18.
 - Monitor student attendance, academic progress and welfare arrangements
 - Offer intervention strategies to students at risk to facilitate progress and improvements to a student's situation
 - Alert Senior Management to any potential or actual critical incidents involving International Students under 18 Years
 - Alert Senior Management with respect to the need to report to DHA students who are in breach of their visa conditions.
 - Advise DHA:
 - o As soon as practicable of any student who will be cared for by a parent or nominated relative approved by DHA and no longer requires a CAAW
 - o Within 24 hours if SIC is no longer able to approve the CAAW.

4.3 Changes to Living Arrangements

International Students under 18 Years must keep the College informed with respect to changes to accommodation arrangements. Students should discuss any proposed changes with the Student Support Officer prior to moving residence. The Student Support Officer may determine the appropriateness of the new/proposed changes and may refer the student to counselling services if required.

The College will advise DHA as soon as possible in the event that the International Students under 18 Years has changed their living arrangements or no longer approves the arrangements for the Underage Student using PRISMS.

4.4 International Student Complaints regarding unsuitable Accommodation/Welfare Arrangements

International Students under 18 Years who are experiencing problems or have concerns about the suitability of their accommodation/welfare arrangements should inform the College's Student Support Officer of their concerns. The Student Support Officer will liaise with relevant parties as required and intervene as appropriate, as soon as practicable.

4.5 Approving arrangements for Study Period breaks

International Students under 18 Years who are residing in Australia in any of the above situations may be allowed to temporarily change their accommodation arrangements (other than returning home) during a Study Period or Study Period break, provided the following conditions are met:

- Students must notify the Student Support in writing at least four weeks prior to the end of the Study Period;
 - Parents or legal custodian of the student must approve the temporary arrangements.
- SIC will consider each case individually however, SIC requires students to be accommodated by a suitable relative or local carer who has submitted a National Police Certificate and duty statement.
- SIC reserves the right to refuse an application where it feels the student's welfare may be put at risk. International students who change their accommodation arrangements without the necessary approvals will be regarded as breaching their student visa conditions and may be reported to DHA.

4.6 Period of Responsibility for Accommodation and Welfare Arrangements – SIC

For international students with 'single course offers' (only studying a course at SIC), who will stay with a local carer either nominated or approved by parents, a Confirmation of Appropriate Accommodation / Welfare Arrangements letter will be issued to nominate the dates for which SIC accepts responsibility for approving CAAW.

- The nominated period of responsibility will be at least 7 days beyond the CoE date.
- For students with 'packaged offers' which involve other providers, SIC's responsibilities under this policy commence one week prior to orientation and cease when the student turns 18, withdraws from the course, is reported for breach of visa conditions, transfers to another provider or enters the packaged course with next provider – (whichever is sooner and provided the new provider has accepted responsibility for the student).

Where a student does not commence study with Pathway Provider, their parents need to inform SIC of their intentions. Under circumstances deemed appropriate by SIC, the college may continue taking on this responsibility by extending it for a set period of time – depending on the circumstances.

4.7 Reporting International Students under 18 Years who fail to maintain approved accommodation arrangements

Where SIC can no longer approve the accommodation and welfare arrangements for a student and all other attempts to assist the student to maintain appropriate arrangements have been exhausted, the student may be reported to DHA using the *'Non- approval of Appropriate Accommodation/Welfare Arrangements'* form on PRISMS. Prior to reporting, the student will be sent an *Intention to Report to DHA* letter giving them 20 working days in which to appeal the decision.

If a student is regarded as missing from the approved accommodation and cannot be contacted, this will result in SIC implementing its documented *Critical Incident Policy*.

- Under such circumstances SIC reserves the right to disclose limited personal information about a student to the necessary authorities (including but not limited to the police, DHA and any other relevant government agency) where it is considered to be in the best interests of the student.
- Actions may include contacting the student's parents and/or DHA and filing a Missing Persons Report with the police and/or children's services agencies.
- If, after a reasonable period, the student has not been found or has been located as living in circumstances that have not been approved by the college, SIC will report the student's breach of visa condition in PRISMS.

4.8 Homestay Provider Responsibilities

Homestay providers will be informed of their responsibilities with regards to placement of International Students under 18 Years. Homestay Providers will be requested to assure SIC that they understand their duties and responsibilities in this regard and can demonstrate that they meet all compliance conditions required by SIC - *refer to Homestay Provider contracts*.

5. Administrative Procedures

International Students under 18 Years will be informed about this policy at time of course enquiry or at the point of an offer letter being issued. They will also be informed about this policy at the Orientation Session which takes place at course commencement.

College Staff will be informed about this policy at time of induction where it is related to their duty statement. Any changes to this policy and related procedures will be communicated to staff via email and/or disseminated during regular staff meetings.

This policy is accessible via the College's website.