

Welfare of younger students

1 PURPOSE

To provide a documented policy and procedure for the management of the welfare of overseas students who are under 18 years of age at the time of commencement.

1.1 COPYRIGHT ACKNOWLEDGEMENT

Study Group Australia – University Partnerships (SGA-UP) acknowledges that copyright of the National Code 2018 Explanatory Guide is owned by the Commonwealth of Australia and its Department of Education (DOE). SGA-UP has incorporated text from the related documentation provided to ensure compliance within its operations, and acknowledges the assistance provided by DOE.

2 POLICY

SGA-UP is committed to providing safe and friendly learning environments that ensure our students' wellbeing and protection from harm. As part of its Human Resources Policies and Procedures, it maintains a policy that requires all employees, contractors (including accommodation providers) and volunteers who work within SGA-UP's educational institutions to be screened for their suitability to come into contact with underage students.

This policy supports Standard 5 of The National Code 2018, which requires that arrangements are made to protect the personal safety and social well-being of international students under the age of 18. Should neither a parent nor a suitable relative be in Australia to directly provide for the welfare of an under-18 student, and SGA accepts the student's enrolment, it will ensure that appropriate accommodation, support and general welfare arrangements are provided until another provider accepts responsibility or the student leaves the country or turns 18.

SGA-UP will use the standard letters available from the Provider Registration and International Student Management System (PRISMS) for confirming welfare arrangements and providing advice to Department of Home Affairs (DHA), confirming that for a nominated period appropriate arrangements have been made for the student's accommodation, support and general welfare.

During the nominated time period, the under-18 student will be required to gain the College's approval PRIOR to changing these care arrangements, including the type of accommodation. SGA-UP will notify DHA via PRISMS of any changes to the care arrangements, if a student refuses to maintain SGA-UP approved accommodation, welfare and care arrangements.

The responsibilities accepted by SGA for welfare arrangements of students under-18 are:

- approving the appropriateness of living arrangements of students by implementing SGA's procedures for organising and reviewing the accommodation for younger students prior to the students commencement and every six months thereafter.
- ensuring that homestay hosts/care-providers engaged by SGA-UP take responsibility for the care, personal safety and welfare of these students and hold a valid Working with children check record.
- providing assistance, guidance, information, and warnings to students as appropriate
- actively helping students with their study by mentoring, encouragement, the provision of additional assistance, career guidance etc.
- ensuring the personal safety and welfare of students whilst attending classes or studying at SGA
- discussing with students the measures they should take to ensure their personal safety and welfare whilst not at the homestay or at the SGA campus.

- Maintaining p-to-date information on students contact and address details complying with Standard 3.5 of the National Code 2018.
- Information on who to contact in emergency situations, including contact numbers of a nominated staff member and/ or service provider to SGA
- Seek assistance from counselling staff at SGA and reporting any incident or allegation involving actual or alleged sexual, physical or other abuse.

3 PROCEDURE

3.1 INITIAL APPLICATION

The Department of Home Affairs (DHA) must be satisfied that appropriate accommodation, support and general welfare arrangements are in place for any under-18 student before a visa will be granted. A parent, a nominated suitable relative or an education provider must be responsible for the welfare of younger international students whilst in Australia.

If an under-18 student is not residing with a parent or legal custodian, the student can reside with a suitable relative nominated by the parent/legal custodian who is:

- a grandparent, brother, sister, aunt, uncle, niece or nephew, or a step-grandparent, step-brother, step-sister, step-aunt, step-uncle, step-niece or step-nephew; and
- nominated by a parent of the applicant or a person who has custody of the applicant;
- be aged at least 21;
- have the right to remain in Australia until the student's visa expires or the student turns 18 years of age (whichever happens first);
- able to show that they are of good character, by providing evidence of a police clearance in the country or countries in which they have lived for more than 5 years in the past 10 years after the age of 16.

For more information please see the DHA webpage: www.border.gov.au/Trav/Visa-1/573-

Should neither a parent/legal custodian nor a suitable relative be in Australia to directly provide for the welfare of an under-18 student, and SGA-UP accepts the student's enrolment, it must approve suitable accommodation and welfare arrangements. It must also nominate the date on which SGA-UP will begin taking responsibility for the welfare of the under-18 student; and the date it will cease to take responsibility for approving the welfare arrangements for that student.

Once SGA-UP has nominated dates for which it will approve care arrangements for an under-18 year old student, the responsibility to approve arrangements continues throughout that period. SGA's arrangements with the accommodation provider must include a requirement that the provider notify SGA-UP in the case of unapproved absence. Absences can be approved by the recommended caregiver, parent/legal custodian, nominated suitable relative or family friend with whom the student is residing, or SGA-UP.

If a parent/legal custodian or suitable nominated relative who has visa subclass 590 takes responsibility for the welfare arrangements of the student, SGA-UP does not need to complete the Confirmation of Appropriate Accommodation and Welfare (CAAW) letter generated by PRISMS unless the nominated person is a family friend.

3.1.1 Time Period

If an eCoE is created for a student who will be under-18 at the Proposed Course Start Date, PRISMS will automatically require the SGA-UP representative generating the eCoE to indicate if SGA-UP will be accepting the responsibility for approving the welfare arrangements for the student. Under Migration Regulations, SGA-UP must nominate a period of at least the Confirmation of Enrolment (CoE) plus at

least seven days prior to commencement in order to satisfy DHA provisions for appropriate welfare arrangements.

3.2 PACKAGE OF COURSES

If an under-18 student is undertaking a package of courses with different providers, SGA will ensure that appropriate accommodation, support and general welfare arrangements are provided until another provider accepts responsibility or the student leaves the country or turns 18.

Each of the providers will nominate the period for which it will undertake to approve welfare arrangements.

Where a student under 18 years is moving from another provider to SGA or from SGA to another provider a Student Services Officer will contact the other provider with the purpose of ensuring a smooth transition for the student.

3.3 SELECTION OF ACCOMMODATION FOR UNDER-18 STUDENT

Where possible, the under-18 student will be placed within one of SGA's managed accommodation venues. If this is not possible, the student will be placed within an approved Homestay Provider, with due consideration to the student's preferences in relation to pets, dietary considerations, facilities, etc.

3.4 HOLIDAY ARRANGEMENTS

During holiday periods, students will:

- remain in their existing accommodation.
- provide evidence that they are returning home for the holiday period and written confirmation from the parents/legal custodian to confirm that the student will be in their care during the period.
- provide evidence that they will be staying with a nominated relative or family friend (refer to section 3.1). Contact details must be provided in this case.

3.5 APPROVAL PROCESS OF SERVICE PROVIDERS

3.5.1 Accommodation Providers

SGA will provide accommodation either in a residential centre, or within Homestay arrangements. Both will be assessed for suitability in advance of their services, and only used if they meet SGA's requirements in relation to the standard of the accommodation offered, support services available, location.

Accommodation providers are required to have a current valid Working with Children Check or a National Criminal History Record Check. Persons who provide a WWCC must download and complete a "change of notification" form so that SGA-UP is advised of any reasons to reassess their suitability as accommodation providers.

All persons over the age of 18 except for other international students are required to have a current valid Working with Children Check or a National Criminal History Record Check.

3.5.2 Screening

As part of its Human Resources Policies and Procedures, SGA-UP requires all employees, contractors and volunteers who work within SGA's educational institutions to have been screened for their suitability to come into contact with underage students. This applies to all accommodation providers, welfare service providers, and staff in charge of residential accommodation.

The screening process varies from state to state, but will be conducted by the applicable statutory authority. A successful outcome is mandatory for continued employment or use of that service provider.

3.5.3 Ongoing Review

All approved and contracted caregiver and homestay service providers will be subject to ongoing review, and any issues of concern will be addressed in accordance with the Complaints and Appeals Policy and Procedure, and Child Protection Risk Management Policy.

3.6 NOTIFICATIONS TO DHA

SGA will use the DHA pro-forma letter in PRISMS to inform DHA of welfare arrangements and any changes to them, i.e. to:

- nominate dates and indicate initial approval, use the 'Confirmation of Appropriate Accommodation/Welfare Arrangements' (CAAW) letter;
- advise DHA of a change in arrangements which the provider supports/approves, use the 'Approval to Change Accommodation/Welfare Arrangements' letter; and
- advise DHA of non-approval of arrangements, use the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements' letter. (This report is likely to result in cancellation of the student's visa. This reporting mechanism should only be used when a student is refusing to maintain care arrangements which SGA is able to approve.)

3.7 SUSPENSION OR CANCELLATION OF AN ENROLMENT

Where SGA-UP suspends or cancels the enrolment of an under-18 student, it must continue to check suitability of care arrangements until:

- the student is accepted by another registered provider and that registered provider takes over responsibility for approving the student's accommodation, support and general welfare arrangements; or
- the student leaves Australia; or
- other suitable arrangements are made that satisfy migration regulations (for example, parent or other suitable relative takes ongoing responsibility for the student's accommodation and welfare); or
- it has advised DHA that it can no longer approve of the accommodation and welfare arrangements for the student.

If the student will not maintain arrangements that SGA-UP is prepared to approve, SGA will report that it can no longer approve the arrangements for the student once all other attempts to assist the student to maintain appropriate arrangements have been exhausted. By notifying DHA using the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements' letter, SGA is reporting a breach of student visa condition 8532. This report is likely to result in cancellation of the student's visa. This reporting mechanism will only be used when a student is refusing to maintain care arrangements which SGA-UP is able to approve.

If a student has gone missing from the approved accommodation and cannot be contacted, this will result in SGA implementing its documented SGA Critical Incident Policy. This policy includes contacting the student's parents, 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, the provider should report the student's breach of visa condition 8532 to DHA by submitting the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements' letter.

3.8 HOW TO VIEW A LIST OF WELFARE ARRANGEMENTS ON PRISMS

For users with CoE (Administrator) access, it is possible to view a listing of all current CoEs where the provider has indicated in PRISMS that they have accepted responsibility for approving the welfare arrangements for the student. Details of arrangements can be obtained by:

- logging into PRISMS; on the Home page, check just under the 'News' icon for any 'Alert' tabs. When there are welfare arrangements in place for a student with a current CoE, there will be a tab labelled 'Welfare Arrangements' and this tab will also have a number in brackets. This number indicates the total number of current CoEs where SGA has taken on the responsibility for approving the welfare arrangements.
- To obtain a detail listing, click on the tab and then click on the 'Welfare Arrangements Export' link.
- This will display an EXCEL spreadsheet of data that contains details of the students and CoEs where SGA has accepted responsibility for approving welfare arrangements. The list also indicates those current CoEs where SGA has indicated that they no longer approve of the welfare arrangements for that particular student.

Approval and Review

Welfare of younger students	
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Policy owner	Head of Compliance
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Approval Authority 2	Head of Compliance
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