

Under 18 Student Policy

1. Purpose

The policy establishes the framework to ensure appropriate accommodation, support and general welfare arrangements are in place for students at the Institution who are under 18 years of age at any of the following periods, as nominated in the Confirmation of Appropriate Accommodation and Welfare (CAAW) letter:

- Upon arrival in Australia;
- Before course commencement;
- During their studies at the Institution.

This policy also outlines the reporting mechanisms in place in circumstances where there is a reasonable suspicion that a person under the age of 18 years has been subjected to, or is at risk of, significant harm, including physical, sexual, or emotional abuse, and outlines the reporting requirements in relation to complaints of child abuse while undertaking child-related work at or on behalf of the Institution.

2. Scope

The policy applies to all students under 18 years of age at the time they arrived in Australia and before or during their commencement of studies at the Institution, and to staff and approved accommodation and welfare service providers who provide accommodation and welfare support to students under 18 years of age at or for the Institution.

3. Definitions

See *Glossary of Terms*.

4. Policy statement

4.1 The Institution is committed to the safety and wellbeing of students under 18 years of age and applies this policy and associated procedures in response to this commitment and ongoing compliance with Australian legislation. The legislation

requires the Institution to ensure appropriate accommodation, support and welfare arrangements are in place for underage international students before a student visa can be issued. While this legislation does not apply to domestic students, the Institution will afford the same welfare support to underage domestic students and continue to comply with Children and Young Persons (Care & Protection) Act 1998, Children's Guardian Act 2019, Child Protection (Working with Children) Act 2012 and Crimes Act 1900 that applies to all students.

4.2 For the purposes of this policy, an underage student means a student who is under 18 years of age.

Enrolment - all students

4.3 The Institution will only enrol students under 18 years of age under the following conditions:

4.3.1 Students have met admission requirements as per the *Admissions Policy*;

4.3.2 Students must be at least 16 years of age at the time of enrolment;

4.3.3 The acceptance of offer and written agreement has been signed by a parent or legal custodian; and

4.3.4 Suitable accommodation and welfare arrangements are in place as per 4.4.

Enrolment - international students

4.4 Before a student visa is granted, the Department of Home Affairs (DHA) requires one of the following accommodation and welfare arrangements to be in place for international students until they turn 18 years of age or cease to be a student at the Institution:

4.4.1 Live with a parent or legal custodian, as detailed and approved by the DHA;

4.4.2 Live with a nominated relative who must be at least 21 years of age, as detailed and approved by the DHA; or

4.4.3 Have accommodation, support and general welfare arranged and approved by the Institution.

4.5 In conjunction with 4.4.3, the Institution may approve on campus

accommodation, prescribed homestay arrangements and welfare arrangements with Institution nominated accommodation and welfare service providers, which includes the student providing the Institution with a copy of the binding agreement between the student and the accommodation and welfare provider.

4.6 The Institution will issue a COE and CAAW letter only after it is satisfied adequate, Institution approved accommodation and welfare arrangements are in place, as per 4.4.3, and the appropriate form has been completed, signed and returned. The minimum period on the CAAW must be:

4.6.1 The same length as the COE; and

4.6.2 Plus seven days after the end of the course or the day a student turns 18 years of age.

4.7 Underage students are provided with age, culturally and other appropriate information during application and orientation sessions including (but not limited to):

4.7.1 Transportation services (including airport transfer and meeting point);

4.7.2 Accommodation and welfare services including homestay or on campus accommodation;

4.7.3 Living and studying on campus;

4.7.4 Information about O'Week (including orientation schedule);

4.7.5 Campus facilities (including access to phone and free internet to contact parents on arrival);

4.7.6 Who to contact in emergency situations;

4.7.7 Reporting incidents/allegations of sexual, physical and other abuse; and

4.7.8 Information on academic and support services available.

Third party arrangements

4.8 The Institution will undertake the following, as detailed in the *Under 18 Student Procedures* (and contractual agreements if applicable):

4.8.1 Verify and check the suitability of student's accommodation and welfare arrangements with the nominated accommodation service providers are appropriate to a student's age, safety, and wellbeing needs before the accommodation is approved for each student and every six months;

4.8.2 Monitor third parties engaged to organise and assess welfare and accommodation arrangements.

4.9 Accommodation service providers may be requested to facilitate an inspection by the Institution, as advised.

Working with Children Checks

4.10 Working with Children Checks (WWCC) are undertaken for all adults involved in providing accommodation and welfare to underage students at the Institution. Accommodation service providers must ensure all personnel in contact with underage students have a valid WWCC including the homestay family members where applicable, as detailed in the *Under 18 Student Procedures*.

Staff training

4.11 All staff engaged in providing accommodation and welfare to underage students at the Institution are required to complete eLearning modules conducted by [Office of Children's Guardian](#). The courses are:

- Responding to Reportable Allegations (modules 1-6 now available)
- Child Safe eLearning - Keeping children safe in organisations
- SAFESpace eLearning - Keeping children safe in organisations in the disability sector.

On campus accommodation and welfare

4.12 In addition to welfare arrangements organised through an Institution approved welfare service provider, underage students have access to welfare support services on campus with the Student Success Centre including academic progress, coaching, personal welfare, social and emotional issues, financial guidance, general safety and security.

4.13 Underage students living in on campus accommodation must abide by the *Accommodation Rules*.

Changes to arrangements

4.14 Underage students wishing to change their accommodation and welfare arrangements must obtain prior approval from the Institution and complete the appropriate form.

4.15 Where the Institution is approving the welfare arrangements of an international student and the Institution suspends or cancels the student's enrolment, the Institution will continue to approve the arrangements until one of the following applies:

4.15.1 The student has alternative welfare arrangements approved by another registered provider;

4.15.2 Care of the student by a parent or nominated relative is approved by DHA;

4.15.3 The student leaves Australia;

4.15.4 The Institution has notified DHA as per 4.15,4.17 and 4.18; or

4.15.5 The overseas student turns 18 years of age.

4.16 If the Institution enrolls an underage international student who has welfare arrangements approved by another registered provider, the Institution must:

4.16.1 Negotiate the transfer date for welfare arrangements with the releasing provider to ensure there is no gap in arrangements; and

4.16.2 Inform the student of their visa obligation to maintain their current welfare arrangements until the transfer date, or have alternate welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect.

Reporting

4.17 If the Institution is no longer able to approve the accommodation and welfare arrangements of an underage student, the Institution will:

4.17.1 Make reasonable efforts to notify the parents/legal custodians immediately; and

4.17.2 For international students, notify the relevant Australian Government department within 24 hours.

4.18 Institution staff and accommodation and welfare service providers must report critical incidents or risk of significant harm to a student under 18 years of age arising from alleged or suspected sexual, physical, emotional and other abuse involving underage students or persons to the nominated Institution representatives, as per the *Under 18 Student Procedures, Critical Incident Policy, Sexual Harm Policy* and related procedures, and ensure appropriate accommodation and welfare arrangements are maintained if disruptions occur.

4.19 Where the Institution is unable to contact an underage student and is concerned for their welfare, the Institution will make reasonable efforts to locate the student and notify the authorities, including the Police and appropriate government agencies for international students, as detailed in the *Critical Incident Policy*.

Disclaimer

4.20 The Institution is not the legal guardian for the underage student whilst in Australia.

5. Roles and responsibilities

Chief Operations Officer and Associate Vice President (Campus and Operations) are responsible for the implementation of the *Under 18 Student Policy* and the *Under 18 Student Procedures*.

Nominated Institution Representatives are responsible for investigating and reporting instances of alleged or suspected child abuse. They are the Chief Operations Officer and Student Success Centre Manager.

6. Related documents

Accommodation Rules

Admissions Policy

Critical Incident Policy

Terms and Conditions of Enrolment

Under 18 Student Procedures

Approved by	Board of Directors
Approval date	6 October 2021
Relevant legislation	Education Services for Overseas Students Act 2000 National Code of Practice for Providers of Education and Training to Overseas Students 2018 Migration Regulations 1994 Children and Young Persons (Care & Protection) Act 1998 (NSW) Child Protection (Working with Children) Act 2012 Children's Guardian Act 2019 Crimes Act 1900