



Younger Students Policy & Procedure

Introduction

Australian Technical College Western Australia (ATCWA) ensures that there are adequate policies and procedures to ensure the appropriate accommodation, support and general welfare management of younger students enrolled at ATCWA.

Purpose

To ensure that ATCWA has guidelines in place to monitor the accommodation, support, safety and general welfare of all international students who enrol at ATCWA who are under the age of eighteen (18) years. When ATCWA accepts responsibility for the accommodation, support and general welfare of international students under eighteen (18) years of age, it must also have in place guidelines for any reporting to the Department of Home Affairs (DHA) for international student visa breaches associated with these arrangements.

Scope

This policy and procedure applies to all international students at ATCWA who are under the age of eighteen (18) years.

Responsibilities

Student Services, Management, DOO, CEO.

Definitions

International student means international students or intending international students on a student visa under the Migration Act 1958.

CAAW Letter means Confirmation of Accommodation and Welfare Arrangements Letter as issued by PRISMS. A CAAW letter is created concurrently with the Confirmation of Enrolment (CoE) on PRISMS where ATCWA accepts the responsibility for managing the accommodations, support and general welfare arrangements for the underage international student. It must be noted that CAAW responsibility cannot be delegated to any other party and that ATCWA retains the ultimate responsibility for approving and assuring the accommodation and welfare arrangements of any international student that ATCWA accepts this responsibility for.



Alignment

National Code of Practice for Providers of Education and Training to Overseas Students 2018

Part B (Standard)	5.1, 5.2.1, 5.2.2, 5.3.1, 5.3.2, 5.3.3, 5.3.4, 5.3.5, 5.3.6.1, 5.3.6.2, 5.3.7, 5.4, 5.5, 5.6.1, 5.6.2, 5.6.3, 5.6.4, 5.7.1, 5.7.2
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Document Control

Version	Date	Author	Change Description
001	6 June 2019	ATCWA	Creation of policy
002	<Select date>		
003	<Select date>		
004	<Select date>		

Policy Statement

Where ATCWA accepts responsibility for the accommodation, support and general welfare of international students under eighteen (18) years of age, it must also have in place guidelines for the reporting of international students under the age of eighteen (18) years and the processing associated with these arrangements. This policy is developed to be consistent with the following legislative requirements:

1. Australian migration legislation requires international student visa applicants to have suitable arrangements for the accommodation, support and general welfare of international students if they are under eighteen (18) years of age (student visa condition 8532).
2. The Department of Home Affairs (DHA) will not approve a student visa unless one (1) of the following arrangements have been made for the student:
 - a) The international student lives in Australia with their parent or legal custodian. This person must have a valid visa that has a duration of the student visa or until the international student turns eighteen (18) years of age;
 - b) Provide evidence that a parent or legal guardian over the age of twenty-one (21) years will accompany them to Australia on a Student Guardian Visa (subclass 590);
 - c) The student lives in Australia with a relative over twenty-one (21) years of age who is nominated by their parent or legal custodian and is of good character; or
 - d) The student lives in Australia under an accommodation and welfare arrangement approved by ATCWA; or
 - e) Provide evidence of an Acceptance Advice of Secondary Exchange Student (AASES) form the international student is a secondary exchange student.
3. DHA requires an approved relative to be aged over twenty-one (21) years of age, be of good character and be eligible to remain in Australia until the applicant's visa expires or until the international student turns eighteen (18) years of age. Where DHA approves a nominated guardian as per the definition that follows, ATCWA must not issue a CAAW letter on PRISMS. ATCWA is not required to follow up where a nominated guardian has been approved by DHA however, if ATCWA becomes concerned about the international student's welfare, it should contact DHA and report their concerns as soon as practicable. Some state or territory requirements may mean that ATCWA representatives must meet with the nominated guardian (as approved by DHA) prior to, or shortly after the international student's commencement. An approved relative is defined by DHA as:
 - a) A parent, spouse, de facto partner, brother, sister, step-parent, step-brother, step-sister, grandparent, aunt, uncle, niece or nephew, or a step-grandparent, step-aunt, step-uncle, step-niece or step-nephew; and
 - b) Nominated by a parent of the applicant or a person who has custody of the applicant; and
 - c) Aged at least twenty-one (21) years of age; and
 - d) Of good character, and show this by providing a police clearance from the countries in which they have lived for more than twelve (12) months in the past ten (10) years after the age of sixteen (16) years; and
 - e) An Australian citizen, permanent resident or be eligible to remain in Australia until the international student's visa expires or the international student turns eighteen (18) years of age (whichever happens first);

4. The National Code 2018, Part B Standard 5 – Younger students sets the framework for ATCWA where responsibility is accepted for the accommodation, support and general welfare of international students under eighteen (18) years of age.
5. ATCWA is required to:
 - a) Nominate the dates for which responsibility is accepted for approving the international student's accommodation, support and general welfare arrangements and advise DHA who is responsible for administering the migration regulations, of the dates in the form required by that department (for the purposes of this policy, this is usually the Confirmation of Accommodation and Welfare Arrangements (CAAW) form available on PRISMS);
 - b) Ensure that any adults involved in or providing accommodation and welfare arrangements to the international student have achieved a satisfactory clearance for working with children (or equivalent clearances), or other legal requirements related to child protection and appropriate to the jurisdiction(s) where ATCWA operates including, but not limited to:
 - i. Working With Children Checks for staff and accommodation service providers;
 - ii. Criminal Record Checks for staff and accommodation service providers;
 - iii. Regulations around the reporting of child abuse by teachers, counsellors or other support personnel who may have contact with the international student under the age of eighteen (18) years;
 - iv. Any additional state or territory regulatory arrangements, for example, 'Child Safe Standards'; and
 - v. State or Territory requirements regarding schools sector courses, such as the minimum age or year level for enrolment of international students in homestay accommodation.
 - c) Have documented procedures for verifying that the suitability of the international student's accommodation, support and general welfare arrangements is appropriate to their age and needs both prior to the accommodation being approved and every six (6) months after initial approval using the Approved Accommodation and Homestay Audit Checklist. At ATCWA, this monitoring process includes (but may not be limited to):
 - i. A physical site visit using the Accommodation Homestay Provider Audit Checklist;
 - ii. Student interviews;
 - iii. Student surveys; or
 - iv. Any other way that ATCWA deems appropriate for the monitoring of the approved accommodation service provider to confirm that it continues to be suitable for the international student's needs.
 - d) Where ATCWA is unable to make contact with the international student and/or has concerns for the international student's welfare, ATCWA must make all reasonable efforts to locate the international student, including notifying the police and any other relevant Commonwealth, state or territory agencies as soon as practicable;

- e) Advise DHA in the form required (using PRISMS):
- i. As soon as practicable of any change in these living arrangements if the international student is being cared for by a parent or nominated relative approved by DHA and a CAAW is no longer appropriate; and
 - ii. Within twenty-four (24) hours if ATCWA is no longer able to approve the international student's accommodation and welfare arrangements:
 - Where ATCWA is no longer able to approve the accommodation and welfare arrangements of the international student, ATCWA must make all reasonable efforts to ensure that the international student's parents or legal guardians are notified immediately.
- f) ATCWA must continue to accept responsibility for the international student's accommodation, support and general welfare where an international student's enrolment is terminated, suspended, or cancelled until:
- i. The international student is accepted by another provider who takes responsibility for the international student's accommodation, support and general welfare;
 - ii. Care of the international student by a parent or nominated relative is approved by DHA;
 - iii. The student leaves Australia;
 - iv. The provider appropriately reports it can no longer approve the accommodation and welfare arrangements for the international student;
 - v. ATCWA notifies DHA that it has taken the required action after not being able to contact the international student; or
 - vi. Where ATCWA terminates the international student's enrolment on PRISMS, ATCWA must confirm that alternative accommodation and welfare arrangements have formally commenced prior to the termination taking place on PRISMS. At ATCWA, this will take place via email to the DOO Or CEO from Admin Officer or Student Support Officer confirming that the arrangements have formally commenced with the new receiving provider. ATCWA may terminate the accommodation and welfare arrangements if the international student's parent, legal custodian or eligible relative is planning to look after the international student for a short period (for example during a holiday) however this is at the discretion of ATCWA and will be formally documented where this action takes place.
6. The provider nominates the start and end dates of welfare responsibility by completing and signing the Confirmation of Appropriate Accommodation and Welfare (CAAW) letter generated from PRISMS ensuring that there is no gap between the approved accommodation and welfare arrangements of ATCWA and the received CRICOS registered provider. The student visa start and end dates will correspond with the dates in this letter, except if the international student turns eighteen (18) years of age during their studies, when the standard visa end date will apply. The international student cannot arrive in Australia before the nominated start date of the CAAW.
7. Where an international student has a package arrangement of offers with multiple providers, each provider must negotiate and complete the CAAW with nominated start and end dates to ensure that there is no gap. Any gap in welfare arrangements will result in the international student visa only being granted for the period of continuous care arrangements. International students under eighteen (18) cannot remain in Australia unless the international student is able to provide confirmation of acceptable welfare arrangements as stated in Paragraph 2 above.

8. ATCWA must inform the international student of their student visa obligation to maintain their current accommodation and welfare arrangements until the transfer date, or have alternative arrangements approved, or return to the international student's home country until the new approved arrangements for accommodation, support and general welfare take effect.
9. Where an international student turns eighteen (18) years of age during their enrolment, ATCWA is no longer responsible for approving the accommodation and welfare arrangements of the international student and may include a condition of enrolment requiring the international student to continue to reside in ATCWA approved accommodation. Where this condition is placed on the international student's enrolment, it will be included in the written agreement to be signed prior to the Confirmation of Enrolment (CoE) being issued by ATCWA.

Procedure

1. ATCWA will accept responsibility for the accommodation, support and general welfare of international students commencing their programs under the following conditions:
 - a) The international student is at least 17 years of age;
 - b) The international student's parent or legal guardian has agreed in writing to ATCWA accepting responsibility for their son or daughter's accommodation and welfare arrangements by completing and signing the ATCWA International Student Under 18 Agreement;
 - c) The international student must live with a ATCWA approved accommodation service provider until they are eighteen (18) years of age and not change that accommodation service or welfare arrangements unless a written agreement is obtained from the parent or legal guardian and ATCWA;
 - d) The international student must be met on arrival at the airport by the ATCWA representative or the ATCWA approved accommodation service provider;
 - e) The international student must attend the mandatory orientation and meet with Admin Officer or Student Support Officer [or suitable alternative] the first week after their arrival in Australia;
 - f) The international student must meet with Admin Officer or Student Support Officer [or suitable alternative] every two (2) weeks and at the end of term to discuss academic progress;
 - g) The international student will not stay away overnight from the approved accommodation service provider's address without written approval from the international student's parent or legal custodian and ATCWA;
 - h) The international student cannot transfer between accommodation service providers without obtaining a written agreement from the parent or legal guardian;
 - i) The international student must act responsibly and not partake in risk-taking behaviour.



2. Student Support is responsible for the ATCWA accommodation service provider application, vetting and selection process, provision of appropriate documentation and training for providers housing under eighteen (18) students, and advising ATCWA on the arrival details of all under eighteen (18) students. Student Support is the liaison point for all accommodation service providers. Admin Officer or Student Support Officer will ensure that each accommodation service provider who applies to become an approved accommodation service provider for ATCWA is subject to an approval visit that is conducted to determine the suitability of the service for younger students using the Accommodation Homestay Provider Audit Checklist. This audit must be undertaken at the time of application and every six (6) months thereafter. Where the accommodation service provider cannot meet the requirements of this audit, the accommodation service provider will not be approved by ATCWA.
3. An applicant is identified as being under eighteen (18) years of age during the admissions process. An offer of admission will be conditional upon submission of a completed and signed ATCWA International Student Under 18 Agreement signed by the international student and their parent(s) or legal guardian(s).
4. If the applicant and their parent or legal guardian request ATCWA to provide accommodation, support and welfare arrangements for the international student, the applicant must provide ATCWA with evidence of having booked the approved accommodation service until the international student turns eighteen (18) years of age, or finishes their program/s, whichever is the earliest.
5. Upon submission of the completed documentation to ATCWA via Student Support, ATCWA will provide the international student with a signed CAAW letter and Confirmation of Enrolment (CoE) to include with their student visa application.
6. The nominated start date on the CAAW will be fifteen (15) days prior to the start date of teaching for the study period of admission. The end date on the CAAW will be the date the international student turns eighteen (18) years of age, or the end date of the CoE plus seven (7) days, whichever is the earliest.
7. The DOO or CEO of ATCWA will allocate each under eighteen (18) student to Student Support Officer to monitor their general welfare. Student Services will advise Student Support Officer of the accommodation service provider family contact details and international student arrival details. Admin Officer or Student Support Officer will send an introductory letter to the family of the accommodation service.

8. The international student must attend the mandatory orientation session and meet with Admin Officer or Student Support Officer or Operations Manager within one (1) week of arrival and every two (2) weeks thereafter, unless it is deemed that more regular visits are required. The international student must meet with Director of Studies [or suitable alternative] at the end of term to discuss academic progress. The mandatory information must also include (but is not limited to) the following:
- a) Age and culturally appropriate information in accordance with any state and territory requirements on:
 - i. Who to contact in emergency situations, including contact numbers of nominated staff members and service providers (at ATCWA, the nominated staff members are:
 - Student Support Officer: Mr Saroj karki -0426590433
 - Operations Manager: Mr Karun Andotra- 0424876664
 - Director of Operations: Mr Asif Ali -0452345590
 - ii. How to seek assistance and report any incidents involving sexual, physical or other types of abuse;
 - b) Safety information including (but not limited to):
 - i. What to do in an emergency; and
 - ii. How to report incidences to the police, ambulance or other emergency services including for example:
 - Sexual, physical or other abuse.

These visits must occur until:

- The student turns eighteen (18) years of age; or
 - The student leaves Australia; or
 - Another provider accepts responsibility for accommodation, support or welfare; or
 - The student's parent/relative/legal custodian accepts responsibility in accordance with DHA regulations; or
 - ATCWA ceases to approve the accommodation, support and general welfare as advised to DHA.
9. An under eighteen (18) international student seeking to transfer to another CRICOS registered provider must complete the Application for Letter of Release Form and obtain parental/ or legal custodian approval and the approval of the other institution provider if they are taking responsibility for the student's accommodation, welfare and support arrangements. If the student is sponsored, the sponsor must also provide their written approval.
10. Under eighteen (18) international students who wish to stay overnight at an address other than their approved accommodation service provider's address, must submit an Under 18 Overnight Accommodation Consent Form to Admin Officer or Student Support Officer, which has been signed by a representative from their accommodation service provider, and parent or legal guardian approving such accommodation. This form must also be approved by the DOO or CEO of ATCWA.
11. In the event of medical emergencies or extreme behavioural issues, including international students who go missing from their approved accommodation and who cannot be contacted, the Critical Incident Policy & Procedure will be implemented. If, after a reasonable period of time since filing a missing persons report with the police, the international student has not been found, ATCWA must notify police and /or other relevant authorities as well as the DHA via PRISMS using the nominated form (usually a Non-Approval of Appropriate Accommodation/Welfare Arrangements form).

12. If an under eighteen (18) international student advises that they will leave Australia, Admin Officer or Student Support Officer must inform and provide flight details to their parent or legal guardian and accommodation service provider. Admin Officer or Student Support Officer or Operations Manager must ensure that the international student is escorted to the airport by an ATCWA representative, PRISMS is to be updated if required, and through this action, DHA is advised.
13. All reasonable efforts will be made by ATCWA to assist under eighteen (18) international students with difficulties impacting their welfare arrangements.
14. ATCWA approval for accommodation, welfare and support will be withdrawn where ATCWA deems one (1) or more of the following grounds have been met:
 - a) An international student refuses to observe reasonable standards of behaviour as outlined in ATCWA's Code of Conduct, Disciplinary Policy & Procedure and Younger Students Policy;
 - b) The international student refuses to maintain ATCWA approved accommodation arrangements;
 - c) The international student stays overnight at an address other than the approved accommodation service provider's address, without parental or legal guardian's consent and ATCWA's approval; and/or
 - d) The international student's enrolment is cancelled by ATCWA.
15. The international student will be notified in writing of the grounds for the intended withdrawal of ATCWA's supported welfare arrangements by the DOO or CEO. A copy will be forwarded to the international student's parent or legal custodian.
16. The international student has a right to appeal to the DOO or CEO's decision to withdraw ATCWA's approval for accommodation, general welfare and support within ten (10) working days of written notification.
17. A written outcome of the appeal will be forwarded to the international student within ten (10) working days.
18. If the appeal outcome is unsuccessful, or an appeal is not received within the time duration specified in Paragraph 16, the international student's parent or legal custodian will be notified that ATCWA is withdrawing approval for accommodation, support and general welfare arrangements. Alternative welfare arrangements for the international student in accordance with this policy will be requested.
19. Where the grounds for ATCWA's withdrawal of support is due to the international student refusing to maintain ATCWA's accommodation service arrangements, ATCWA will complete the Non-Approval of Appropriate Accommodation/Welfare Arrangements letter on PRISMS. Provision of this letter signifies a breach of Student Visa Condition 8532 and is may result in visa cancellation.
20. Where the parent/legal custodian or alternative provider has provided written confirmation that they will be accepting responsibility for the student, the PRISMS Approval to Change Accommodation/Welfare Arrangements letter will be completed.



Related Documents

- Approved Accommodation and/or Homestay Provider Audit Checklist;
- Client Information Procedure;
- Complaints and Appeals Policy and Procedure (CRICOS);
- Compliance with Legislation Procedure;
- Continuous Improvement of Client Services Procedure;
- Continuous Improvement of Training & Assessment Procedure;
- Critical Incident Policy & Procedure (CRICOS);
- Disciplinary Policy and Procedure;
- International Student Under 18 Agreement;
- Course Acceptance Agreement (CRICOS);
- Management Review Procedure;
- Marketing & Promotion Procedure;
- Monitoring & Review Procedure;
- Records Management Procedure;
- Registration Compliance Policy; and
- Student Engagement Before Enrolment Policy & Procedure (CRICOS).