



Authority Source: Academic Board

Approval Date: 14/12/2017

Publication Date: 11/04/2018

Review Date: 01/07/2019

Effective Date: 01/01/2018

Custodian: Deputy Vice-Chancellor & Vice-President, Academic

Contact: Scott.Pearsall@canberra.edu.au

Accessibility: Public

Status: Published

In developing this procedure the University had regard to the provisions of section 40B(1)(b) of the Human Rights Act 2004 (ACT).

1. PURPOSE:

Under Commonwealth Migration Regulations an international student under 18 years of age is eligible to be granted a student visa if he or she demonstrates that he or she will live in Australia:

- with a parent or legal custodian;
- with a relative over 21 years of age who is nominated by a parent or legal guardian; or under a welfare arrangement that has been approved by an Australian education provider

1.1. The University of Canberra and the University of Canberra College are subject to the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) under the terms of the Education Services for Overseas Students (ESOS) Act 2000. The National Code 2018 specifies the safeguards a registered provider must have in place if it is to take on responsibility for approving the accommodation, support and general welfare arrangements for an international student who has not turned 18.

1.2. Under the terms of the National Code 2018, the provider is required to:

- nominate the dates for which responsibility is accepted for approving the student's accommodation, support and general welfare arrangements and provide details of these dates on the CAAW form;
- have documented procedures for verifying that the student's accommodation, is appropriate to the student's age and need;
- provide age-and-culturally-appropriate information to under 18 students on contact and support services available provided by the provider;
- maintain up-to-date records of contact details for student, parents, legal guardian or any adult responsible for the student's welfare.
- advise the Department of Immigration and Border Protection (DIBP) of any change in these living arrangements; and

- continue welfare responsibility where a student's enrolment is terminated, suspended, or cancelled, until:
 - the student is accepted by another provider who takes responsibility for the accommodation, support and student welfare
 - Care of the student by a parent or nominated relative is approved by DIBP the student leaves Australia;
 - The provider has notified DIBP that it is no longer able to approve the student's welfare arrangement or required action has been taken after not being able to contact the student.

1.3. In order to meet the obligations of the National Code 2018, the University has engaged a welfare provider to assist in the oversight and provision of the welfare and support for international students under the age of 18 years who are not living with a parent/legal guardian or approved relative. Additionally, the University has engaged a homestay provider to provide suitable accommodation for international students under the age of 18 years. Responsibility for the student's welfare remains with the University.

2. SCOPE:

These procedures apply to all international students under the age of 18 years enrolled at the University of Canberra or the University of Canberra College (UCC).

3. PROCEDURE:

3.1. Admission and Pre-arrival

- The Admissions Office will manage the process of issuing a CoE and CAAW form to students who are under the age of 18. CoE's and CAAW forms will be issued once confirmation of the student's accommodation and welfare arrangements has been received from the providers the University has engaged to deliver these services.
- The International Student Support Service (ISSS) will run regular reports to identify students whose welfare is the responsibility of the University. ISSS will contact the student via their nominated personal email welcoming the student to the University and providing assistance and guidance to:
 - arrange for an airport/bus station pickup through the online booking form; and
 - make an appointment to meet the Manager, ISSS (or delegate) upon arrival in Canberra.

3.2. Arrival and Orientation

- The welfare provider is responsible for providing the student with a local orientation.
- Where ISSS has not been contacted by the welfare provider or the student within one week of the arrival date, ISSS will follow up with the student to arrange a meeting.
- At the first meeting with the student, ISSS will:
 - update the student's contact and address details in both the University and PRISMS systems;
 - Check the contact details of the parents/legal guardian and update if necessary.
 - check that the student has participated in the University's Orientation for International Students Program, as relevant. If an under 18 student has not participated in the relevant orientation program, ISSS will provide them with all key aspects of the program, including information on safety and emergency contacts, support services, consequences of a breach of their student visa and grievance processes; and
 - check that the student has received a local orientation from the welfare provider and is comfortable with the current welfare and accommodation arrangements (and follow-up with the

welfare provider if any problems are found).

3.3. Monitoring of Student During Studies

- ISSS will maintain regularly contact with the welfare provider in relation to the accommodation, support and welfare arrangements of the student.
- Where it is reported that a student is missing meetings with the welfare provider, ISSS will contact the student to arrange a meeting with the Manager, ISSS (or delegate).
- Where it is found that the welfare provider is not maintaining the required contact with the student, the Manager ISSS will report this in writing to the welfare provider's management for investigation and action where required.

3.4. At-risk Students

- When an international student under the age of 18 is found to be "at-risk" of breaching his or her student visa conditions, the student will be required to attend an interview with the International Student Support Service. ISSS may make arrangements to assist the student, depending on the nature of the risk.
- Where a student continues to breach conditions of their student visa or the accommodation, support, and general welfare arrangements of the University of Canberra, the matter will be escalated in accordance with the University's Resilience Management Framework and may result in the cancellation of the CAAW. Where the Director Student Connect considers it appropriate to cancel a student's CAAW, the student and legal guardians will be informed in writing of the decision, in accordance with the University of Canberra's Student Grievance Resolution Policy

3.5. Accommodation

- International students under the age of 18 must maintain their accommodation arrangements as approved by the University.
- The University will ensure that the approved homestay provider has appropriate documented procedures for checking the suitability of accommodation for international students under the age of 18.
- The University will ensure the accommodation and welfare provider have all working with children clearance as required under State and Territory legislation. Students may not at any time or for any period stay anywhere other than the agreed accommodation except with the prior written approval of the University and the parent/legal guardian.
- Students seeking a permanent accommodation change must seek approval from the University and the welfare provider. Accommodation changes cannot be finalized without approval in writing from the student's parents or legal guardian. Once approvals are finalized the '*Approval to Change Accommodation/Welfare Arrangements*' letter will be updated via PRISMS.
- Where the accommodation change is not approved, but the student refuses to maintain the current care arrangements the matter will be referred to Director Student Connect. Failure to resolve the matter may result in the reporting to DIBP of non-approval of the arrangements through the '*Non-Approval of Appropriate Accommodation/Welfare Arrangements*' letter via PRISMS, including cancellation of the student's CAAW and CoE
- Students seeking a brief, temporary accommodation change must first seek approval from the welfare provider who will notify the Manager ISSS. Such requests will be considered on the basis of compelling need and whether the temporary accommodation arrangements are appropriate and will require written authorization from the parent or legal guardian
- Where a student is reported to have stayed at accommodation not approved by the University, the

University may report the student for breach of their welfare arrangements. In particular, if the student has moved permanently to alternative accommodation without the correct approvals. In such instances the matter will be escalated in accordance with the University's Resilience Management Framework to the Director, Student Connect.

3.6. Welfare Issues

- University of Canberra staff with concerns about the health, general welfare, academic performance and/or attendance of an international student under the age of 18 years, should report this to the Manager, ISSS in the first instance.
- Where concerns have been raised by any parties regarding an under 18 international student's welfare, the International Student Support Service will provide support and referral as appropriate.
- Where a student reports to the University that they are having problems with any aspect of the service provided by the welfare provider or the homestay provider, the Manager, ISSS, will liaise with the welfare provider's administration and/or the homestay provider's head office in an attempt to resolve the problems. Serious issues will be reported to the Director, Student Connect.

3.7. Critical Incidents

- Critical incidents and possible critical incidents involving international students under the age of 18 are to be dealt with under the terms of the University's Resilience Management Framework and Business Continuity Plans.
- In considering whether or not an incident involving an international student under the age of 18 should be referred as a potential critical incident, staff should be mindful that incidents involving international students under 18 years of age, whilst not necessarily critical for students of 18 years of age, may be critical purely because of the students under age status.

3.8. Transferring to Another Provider

- Applications for a transfer to another education provider by international students under the age of 18 will be considered under the International Student Transfer Assessment Policy. In processing such applications, however, the International Student Support Service must:
 - verify that the student has welfare arrangements at new institution. This can be done by the new institution providing evidence of the new welfare arrangements directly to the University of Canberra to ensure there is no gap; and
 - arrange for the welfare provider to provide a letter of support from parent or guardian.

3.9. Termination of CAAW and/or Enrolment

- Where the University finds that a student has breached the CAAW, the University may cancel the CAAW and inform DHA (Immigration). Students and their parents or legal guardian will be informed in writing prior to the cancellation of the CAAW. Accordingly, unless acceptable alternative living arrangements can be made (i.e. student will live with a parent or legal guardian or with a relative aged over 21 nominated by the parent or legal guardian) the University will be required to cancel or suspend the student's enrolment and report the matter to DHA (Immigration).
- Where an enrolment is terminated, suspended or cancelled, the University will continue to be responsible for the student's welfare arrangements until:
 - The student presents evidence of a transfer to another education provider *and* that provider submits to the University, evidence of change of course/provider and evidence that that provider has taken responsibility for the accommodation, welfare and support arrangements for the

student; or

- Care of the student by a parent or nominated relative is approved by Immigration.
- The student leaves Australia; or
- The University reports to DHA (Immigration) that it can no longer approve the arrangements for the student.

4. ROLES AND RESPONSIBILITIES:

The University of Canberra will accept responsibility for the accommodation, support and welfare of international students under the age of 18 under the following conditions:

- the student must be at least 17 years of age at the time they commence their course;
- the student's parent/legal guardian must agree in writing to the University accepting responsibility for their son or daughter's accommodation and welfare whilst in Australia;
- the student's parent/legal guardian must agree in writing to the approved welfare provider providing ongoing welfare support to the student until he/she turns 18;
- the student is required to live in University approved homestay accommodation until 18 years of age and not change that accommodation unless written agreement is obtained from the welfare provider, the University and the student's parent or legal guardian;
- the student is required to arrange for an airport/bus station pick-up by the University upon first arrival in Canberra;
- the student is required to attend the University's orientation program (relative to the course that the student is commencing in, eg. ELICOS/Foundation/Diploma/Degree), and meet with an International Student Support Service staff member, - in the first week of their arrival in Australia;
- students who expect to arrive late must seek a late arrival permission letter from the Manager, Admissions. On arrival, the student must make contact with the International Student Support Service;
- the student is required to meet with a staff member from the International Student Support Service every two weeks and at the end of each teaching period to discuss academic progress.

5. GOVERNING POLICY AND LEGISLATION:

This procedure is governed by the:

- [Education Services for Overseas Students ACT 2000](#) (ESOS Act)
- [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (National Code 2018)
- [Welfare Arrangements for Under 18 International Students Policy](#)

In developing this procedure the University had regard to the provisions of section 40B (1) (b) of the Human Rights Act (ACT)

6. SUPPORTING INFORMATION:

- [Admissions \(for Undergraduate and Postgraduate Coursework Courses\) Policy](#)
- [Admissions \(for Undergraduate and Postgraduate Coursework Courses\) Procedure](#)

- [Deferring, Suspending or Cancelling an International Student's Enrolment Procedure](#)
- [International Student Transfer Assessment Policy](#)
- [International Student Transfer Assessment Procedure](#)
- [University of Canberra Resilience Management Framework](#)
- University of Canberra/International Student Alliance–Guardian and Welfare Service Contract