



## International Students Policy-Under 18's

### Source of Obligation

Standard 5.1 of the National Code requires that where the School enrolls an international student who is under 18 years of age, it must meet the Commonwealth, state, or territory legislation or other regulatory requirements relating to child welfare and protection appropriate to the jurisdiction(s) in which it operates.

### Korowa's Policy

It is the School's policy to ensure continuous compliance with Commonwealth and state or territory legislation and regulatory requirements, and common law requirements relating to child welfare, child protection and student duty of care requirements as they apply to our international students, regardless of their age.

The School meets our legal and regulatory child protection obligations through the policies and procedures in our Child Protection Program.

### Age-and-Culturally Appropriate Information

Under Standard 5.2 of the National Code, the School must ensure that international students under 18 years of age are given age-and-culturally appropriate information on:

- who to contact in emergency situations, including contact numbers of a nominated staff member and/or service provider to the School
- seeking assistance and reporting any incident or allegation involving actual or alleged sexual, physical or other abuse.

In the event of an emergency, the School ensures that all international students enrolled at the School are provided with emergency contact numbers for:

- the International Student Coordinator
- the School.

This emergency contact information, as well as information on how to seek assistance and report any incident or allegation involving actual or alleged sexual, physical or other abuse, is provided to our international students in an age and culturally appropriate way in our:

- international student handbook
- induction processes
- student safety card
- regular face to face meetings with the International Student Coordinator

### Accommodation, Support and General Welfare Arrangements

Under Standard 5.3, where the School takes on responsibility under the Migration Regulations for approving the accommodation, support and general welfare arrangements for a student who is under 18 years of age, the School:

- nominates the dates for which the School accepts responsibility for approving the student's accommodation, support and general welfare arrangements and advises the Department of Home Affairs of the dates in the form required.
- ensures any adults involved in, or providing, accommodation and welfare arrangements to the student have appropriate working with children clearances in accordance with the School's Child Protection Program
- implements documented processes for verifying that the student's accommodation is appropriate to the student's age and needs, in accordance with our Homestay Policy
- includes, as part of the School's International Students Critical Incidents Response Policy under Standard 6 (Overseas Student Support Services), a process for managing emergency situations and when welfare arrangements are disrupted
- maintains up-to-date records of the student's contact details outlined in Standard 3.5, including the contact details of the parent(s), guardian(s) or any adult responsible for the student's welfare
- advises the Department of Home Affairs, in the form required by the department:
  - as soon as practicable if the student will be cared for by a parent or nominated relative approved by the Department of Home Affairs and a Confirmation of Appropriate Accommodation and Welfare (CAAW) is no longer required
  - within 24 hours if the School is no longer able to approve the student's welfare arrangements
- has documented policies and processes for selecting, screening and monitoring any third parties engaged by the School to organise and assess welfare and accommodation arrangements. Refer to our Welfare and Accommodation Selecting, Screening and Monitoring Policy.

### Working with Children Checks

It is the School's policy that all adults, including parents and guardians, who provide international student accommodation or welfare arrangements, must hold a current Working with Children Check clearance. This requirement applies even if a person is not required by Working with Children Check legislation to obtain a Working With Children Check.

### The School No Longer Provides Welfare Arrangements

Under Standard 5.4, if the School is no longer able to approve the welfare arrangements of an international student, the School must make all reasonable efforts to ensure that the student's parents/guardians are notified immediately.

The School will notify the parents/guardians of the international student via email and phone if the School can no longer approve the welfare arrangements of an international student.

### Missing Younger International Students

Standard 5.5 requires that, if the School is unable to contact a student and has concerns for the student's welfare, the School must make all reasonable efforts to locate the student, including notifying the Police and any other relevant Commonwealth, state or territory agencies as soon as practicable.

Refer to our Missing International Students Policy.

### Welfare Arrangements After Suspension or Cancellation

Standard 5.6 requires that, where the School suspends or cancels the enrolment of the international student, the School must continue to approve the welfare arrangements for that student until:

- the student has alternative welfare arrangements in place approved by another school
- care of the student by a parent or nominated relative is approved by the Department of Home Affairs
- the student leaves Australia
- the School has notified the Department of Home Affairs under Standard 5.3.6 that it is no longer able to approve the student's welfare arrangements, or under Standard 5.5 that it has taken the required action after not being able to contact the student.

Refer to our International Students Deferral, Suspension and Cancellation of Enrolment Policy for more information about the suspension and cancellation of enrolment processes.

Before terminating the CAAW for the student, the School must ensure the student has new welfare arrangements formally in place. The student must provide a letter from another registered provider, or their parents/ guardians/eligible relatives confirming that they will take the responsibilities for the international student's welfare arrangements and the date from which the new arrangements will commence.

Where an international student's parent/guardian or eligible relative is planning to look after the international student for a short period of time, such as a holiday, the School may decide to continue their CAAW arrangements, rather than terminate the CAAW.

The School may decide to terminate a CAAW where it can no longer take responsibility for the international student due to events, such as:

- the international student refuses their accommodation or leaves their accommodation without notice
- after the School has exhausted all possible avenues of assisting the international student to maintain appropriate arrangements
- the accommodation provider becomes unable to maintain arrangements
- the international student's enrolment is suspended or cancelled
- the international student goes missing from their accommodation and cannot be found or contacted, even after the School has implemented our International Students Critical Incident Response Policy.

In the situations listed above, the School must report the international student within 24 hours using the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements' letter in PRISMS. This may lead to cancellation of the international student's visa by the Department of Home Affairs for breaching visa condition 8532.

### If the Younger International Student Turns 18

If the international student turns 18 while enrolled at the School, the School's CAAW responsibility will cease.

Additionally, the requirements under Standard 5 of the National Code and this policy will no longer apply to the student.

If an international student turns 18 while still enrolled at Korowa the School applies a condition on enrolment in the course, requiring the student to continue to reside in the approved accommodation until the completion of the course. This forms part of the enrolment contract signed by the parent/guardian.

### Approval of Welfare Arrangements

Under Standard 5.7, if the School enrolls a student under 18 years of age who has welfare arrangements approved by another registered provider, the School must:

- negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap
- inform the student of their visa obligations to maintain their current welfare arrangements are approved or return to their home country until the new approved welfare arrangements take effect.

### Welfare Arrangements Approved by the Department of Home Affairs

If an international student enrolled at the School is under the age of 18, a parent/guardian, or eligible relative can be nominated to take responsibility for the international student's accommodation and welfare arrangements.

The parent/guardian, or eligible relative must have an appropriate visa or have applied for a Student Guardian visa (subclass 590).

An eligible relative can be:

- a parent, spouse, de facto partner, brother, sister, step-parent, stepbrother, stepsister, grandparent, aunt, uncle, niece or nephew, or step-grandparent, step-aunt, step-uncle, step-niece or step-nephew; and
- nominated by the parent of the applicant or a person who has custody of the applicant, and must be:
  - aged at least 21; and
  - of good character, and shows this by providing Police clearance from the countries in which they have lived for more than 12 months in the past 10 years after the age of 16; and
  - an Australian citizen, permanent resident or is eligible to remain in Australia until the overseas student's visa expires or the overseas student turns 18 years of age (whichever happens first).

The School is not obliged to follow up where a nominated guardian has been approved by the Department of Home Affairs. However, the School will contact the Department of Home Affairs and the VRQA if they become aware that the overseas student is not being appropriately cared for.

### Arrangements Accepted by the School

The School accepts responsibility of the welfare arrangement of all international students who are under the age of 18. International students that the School takes responsibility for must only stay in accommodation approved by the School.

The School will not approve an overseas student's parent, guardian or eligible relative as an appropriate welfare arrangement in a CAAW – they must be approved by the Department of Home Affairs.

If the parent, guardian or eligible relative wants to care for an international student on a CAAW, they should apply to be the international student's nominated guardian through the Department of Home Affairs. They must be granted a Student Guardian visa through the Department of Home Affairs.

The School can approve a person who is not an Australian citizen or permanent resident (including a family friend or family member that does not meet the definition of eligible relative) to care for the overseas student on a CAAW. The School must ensure that the person is:

- at least 21-years-old; and
- of good character; and
- has an appropriate visa to remain in Australia until the visa expires or the overseas student turns 18.

### Monitoring Welfare Arrangements

The School will monitor the welfare arrangements of international students, including the welfare arrangements where the student is living with an eligible relative under a Student Guardian visa, by conducting regular:

- student interviews
- physical site inspections where the student resides in a Homestay arrangement. See our Homestay Policy

- Welfare arrangements monitoring is conducted by the International Student Coordinator and/or another delegated staff member.

Refer to our International Students Homestay Policy

#### Disruption of Welfare Arrangements

The School must activate our critical incident policy in emergency situations which may disrupt welfare arrangements without warning. Refer to our International Students Critical Incidents Response Policy.