

YOUNGER STUDENTS POLICY

Approving authority	Governing Board
Purpose	This policy has been designed to ensure that when enrolling overseas students under the age of 18 years, the Institute meets the relevant Commonwealth, state or territory legislation or other regulatory requirements relating to child welfare and protection appropriate to the jurisdiction in which the Institute operates.
Responsible Officer	Academic Dean and Head of Marketing and Student Experience
Next scheduled review	September 2026
Document Location	http://www.ozford.edu.au/higher-education/policies-and-procedures/
Associated documents	<p>Younger Student Procedure</p> <p>Academic Staff Professional Development Policy and Procedure</p> <p>Admissions Policy and Procedure</p> <p>Child Safe Risk Management Policy and Procedure</p> <p>Child Safety Policy and Procedure</p> <p>Critical Incident Policy and Procedure</p> <p>Deferring, Suspending or Cancelling a Student’s Enrolment Policy and Procedure</p> <p>Human Resources Policy and Procedure (Manual)</p> <p>Professional Staff Professional Development Policy and Procedure</p> <p>Records Management Policy and Procedure</p> <p>Student Code of Conduct Policy and Procedure</p> <p>Student Support and Services Policy and Procedure</p> <p>Transfer between Registered Providers Policy and Procedure</p>

1. PRINCIPLES

When the Ozford Institute of Higher Education (hereafter referred to as the “Institute”) enrolls overseas students under the age of 18 years (younger students), the Institute must meet certain obligations including:

- meet Commonwealth, state or territory legal requirements relating to child welfare and protection; and,
- give younger overseas students important age and culturally appropriate safety information, including what to do and who to contact in an emergency, and how to report any incident or allegation of sexual, physical or other abuse,
- assess, assign and monitor accommodation and welfare arrangement for under 18 international students when accepting the responsibility by signing the Confirmation of Appropriate Accommodation and Welfare (CAAW) letters.

As a student visa condition, if an overseas student is under the age of 18, the student’s welfare must be maintained for the duration of their stay in Australia. To maintain welfare, overseas students can either:

- stay in Australia with a ‘**nominated guardian**’ approved by the Department of Home Affairs, who can be the overseas student’s parent, person who has legal custody, or an eligible relative who is aged over 21 and is of good character; **or**
- stay in accommodation, support and general welfare arrangements that have been approved by the Institute. In this case, the Institute will issue a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter.

The ***Younger Students Policy and Procedure*** outlines the Institute's commitment to ensuring that there is appropriate welfare, accommodation and support for underage students and the conditions under which the Institute will accept responsibility for approving the CAAW arrangements, and the succeeding monitoring and reporting processes associated with the arrangements.

2. SCOPE

This policy applies to:

- All staff, contractors, carers and other persons involved in the provision of accommodation and support services to younger students.
- Younger students;
- Students that are living in a homestay arrangement with a younger student and are over the age of 18 years.

3. DEFINITIONS

Confirmation of Enrolment (CoE)

The Confirmation of Enrolment (also called a CoE) is an official statement from the Institute via PRISMS that lists the student's details, course and the start and end dates of the course.

The Confirmation of Enrolment (COE) is an official document issued to international students by universities and other education providers in Australia. It confirms that the student has accepted a place in a course and has paid required tuition fees and Overseas Student Health Cover (OSHC). The COE is required by the Department of Home Affairs for the purpose of issuing a student visa.

Confirmation of Appropriate Accommodation and Welfare (CAAW)

A Confirmation of Appropriate Accommodation and Welfare (CAAW) is issued via PRISMS to confirm that appropriate arrangements have been made for the student's accommodation, support and general welfare. The period nominated must be at least the length of the student's Confirmation of Enrolment (CoE) plus 7 days at the end of the CoE or until the student turns 18.

Compassionate or Compelling Circumstances

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:

- serious illness or injury where a medical certificate states that the student is unable to attend class;
- bereavement for the death of close family members such as parents or grandparents (documented evidence must be provided);
- serious illness, accident or family incident which requires immediate travel which has impacted the student to studies;
- the inability to begin study on the course commencement date stated on the CoE due to delay in receiving a student visa if relevant;
- major political upheaval or natural disaster in the home country requiring their immediate travel and this has impacted on the student's studies;
- a traumatic experience supported by police or psychologist's reports which could include but is not limited to:
 - involvement in or witnessing of an accident; or

- a crime committed against the student; or
- the student being a witness to a crime and this has impacted on the student.
- where the Institute was unable to offer a pre-requisite unit.

Notes:

- *misreading the examination timetable, examination anxiety or returning home will not be accepted as Compassionate and Compelling circumstances;*
- *religious or faith-based issues are not in themselves grounds for special consideration. However, they may be used in support of an application that meets the Compassionate and Compelling circumstances set out above.*

Critical Incident

A critical incident is defined as ‘a traumatic event, or the threat of such (within or outside Australia), which causes extreme stress, fear or injury’. It includes but not limited to incidents that may cause physical or psychological harm. Non-life threatening events can be classed as critical incidents.

Critical incidents are not limited to, but could include:

- Critical illness/serious injuries/medical emergencies involving a student or staff;
- unexpected Student/staff death;
- missing students;
- termination of welfare arrangement where the Institute can no longer take responsibility for the overseas underage student due to student refusing their approved accommodation or leaving their accommodation without notice, even after the Institute has exhausted all possible avenues of assisting the student to maintain appropriate arrangement;
- severe oral, written or psychological aggression;
- Traumatic events/threat/allegation that affect students;
 - Sexual assault
 - Physical and/or sexual abuse
 - Domestic violence
 - A child safe incident
 - Mental Health Crisis
 - Drug/alcohol abuse
 - A child safe incident
- natural disaster
- riot; fire/explosion with injuries or significant damage on campus;
- campus disturbance / riot

Homestay hosts

Provide homestay accommodation to younger students as set out in the ***Younger Students Policy and Procedure***.

Homestay service

A homestay service assists the Institute to source suitable homestay accommodation.

ISA Membership

International Student Alliance (ISA) provides student advocates that support younger students to ensure that they have a positive experience. The student advocates are multilingual, act as additional support providing updates in the parent’s/legal guardian’s native language.

Nominated Guardian

A nominated guardian' is approved by the Department of Home Affairs. A parent, legal custodian or eligible relative can apply to be a 'nominated guardian' by lodging an application to the Department of Home Affairs. The Department of Affairs will assess the nominated arrangements according to the *Migration Regulations 1994*. The Institute is not involved and will not issue a CAAW letter under such arrangement.

Off-Campus Students

Students who are studying online or externally.

Younger student

A younger student is a student who is under 18 years of age.

Provider Registration and International Student Management System (PRISMS)

Means the Provider Registration and International Students Management System (the electronic system that holds CRICOS and the electronic confirmation of enrolment).

4. POLICY

- 4.1 All younger students and their parent(s)/legal guardian(s) are made aware of the ***Younger Student Policy and Procedure*** prior to enrolment.

Admission and Enrolment

- 4.2 The Institute's ***Admissions Policy and Procedure*** details the criteria for admission. In general, applicants are expected to be a minimum of 18 years of age prior to commencing a course at the Institute. Applicants who will be aged 17 years at commencement of study may apply for admission which will be considered on a case-by-case basis. Applicants must satisfy ***Younger Student Policy and Procedure*** requirements before admission can be considered.
- 4.3 It is an Institute requirement that all younger students have an ISA Membership which provides for the engagement of a student advocate.
- 4.4 As part of the enrolment process to meet Younger Student welfare arrangement conditions and to meet student visa welfare requirements, applicants and their parents/legal guardians must agree that during the enrolment period and before students turn 18 years of age, students:
- stay in Australia with a 'nominated guardian' approved by the Department of Home Affairs, who can be the overseas student's parent or person who has legal custody (Option 1); or
 - stay in Australia with a 'nominated guardian' approved by the Department of Home Affairs, who can be an eligible relative who is aged over 21 and is of good character (Option 2); or
 - stay in Australia in accommodation, support and general welfare arrangements that have been approved by the Institute. (Option 3).
- 4.5 Applicants who nominate Options 1 or 2 live in Australia with a '**nominated guardian**'. The Institute is not involved with arranging the younger student's welfare or accommodation and does not issue a CAAW letter under such arrangement.
- 4.6 When creating CAAW letters, the Institute accepts responsibility for ensuring the student has suitable welfare and accommodation. The Institute is not taking on legal responsibility for the student. **The parent or legal guardian is at all times legally responsible for the student.**

- 4.7 Applicants who nominate Option 3 require the Institute to accept the responsibility of welfare arrangement, the younger student and their parents/legal guardian must agree to the condition that the younger student, upon arrival in Australia, will reside and remain in Institute's approved homestay accommodation and not move out without approval until the age of 18. In this case, the Institute will
- issue a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter.
 - nominate the dates for which the Institute accepts responsibility for approving the younger student's accommodation, support and general welfare arrangements ie. the period of the CoE plus 7 days before and after the CoE date.
- 4.8 If the younger student wishes to arrive in Australia earlier than their CAAW commencement date, the younger student must be accompanied by a nominated guardian approved by the Department of Home Affairs.
- 4.9 If the younger student is unaccompanied, the younger student must seek agreement from the Institute to extend its approved care arrangements to cover the overseas student from the date of their arrival. This is required by Visa condition 8532 which prevents younger students from entering Australia without appropriate welfare arrangements being in place. The Institute will only approve such extensions on compassionate or compelling grounds.

Selection of third parties to organise and assess welfare and accommodation arrangements

- 4.10 The Institute will source suitable third parties to provide access to and assist staff to organise and assess welfare and accommodation arrangements for younger students ie. Homestay services and student advocate services (ISA memberships).
- 4.11 The Institute will ensure that the homestay services staff and the ISA student advocates are appropriately child safe screened and trained in their National Code and child safe obligations on appointment and on an ongoing basis.
- 4.12 The CAAW responsibility the Institute undertakes **cannot be delegated to any other party** such. The Institute retains the ultimate responsibility for approving and assuring welfare arrangements until:
- the overseas student turns 18
 - the student has a nominated guardian approved by the Department of Home Affairs; or
 - the overseas student leaves Australia; or
 - the student has alternative welfare arrangements approved by another registered provider;

Homestay Accommodation Selection and Ongoing Monitoring and Review of Arrangement

- 4.13 The Institute will select, inspect, assess and only approve and assign to the student, homestay accommodation that is safe, appropriate and adequate to meet their needs. To approve homestay accommodation, the Institute will check:
- All adults involved in providing overseas student homestay accommodation or welfare arrangements meet child safe screening and induction process, including that
 - pre-employment screening practices include interviewing, referee checks and review of personal identification.

- all persons over the age of 18 residing in the household provide a current Working with Children Checks (WWCC).
- the Working with Children Check is valid.

4.14 While the Institute has CAAW responsibility, it will ensure the younger student's welfare and accommodation arrangements are suitable by monitoring and reviewing the appropriateness and adequacy of the homestay accommodation arrangement and welfare support provided to younger students for child safety at least every six months, regardless of their study circumstances. The CAAW responsibility ceases when the overseas student turns 18 years of age.

Additional Support for Younger Students

4.15 Upon admission, the Institute will provide younger students with an age and culturally orientation and support including information. This younger student orientation is conducted in addition to the General Orientation as set out in the ***Student Support and Services Policy and Procedure***.

4.16 The Institute will maintain up-to-date records of the younger student's contact details will be maintained in the Institute's student management system and in PRISMS including:

- the contact details of the student's parent(s), legal guardian
- the contact details of any adult responsible for the student's welfare ie. The nominated guardian
- For younger student's under CAAW, the contact details of the homestay provider and ISA student advocate.

Work Integrated Learning

4.17 No younger students will be involved in Work Integrated Learning before they turn 18 years of age.

Change of Student Enrolment

4.18 The Institute will take all practical steps to ensure welfare is maintained at all times, regardless of the overseas student's study circumstances.

4.19 If an underage student on a CAAW is transferring to the Institute from another provider, the Institute must ensure there is no gap in welfare arrangements.

Disruption and Cancellation of Welfare Arrangement

4.20 The Institute will activate its ***Critical Incident Policy and Procedure*** in any emergency situations which disrupts welfare arrangements. If a younger student goes missing or the Institute has concerns about the student's welfare, the following measures will be taken:

- The Institute will pursue all possible avenues to place the younger student in an appropriate homestay arrangement.
- The Institute will make all reasonable efforts to inform students' parents or legal guardian.
- The Institute will make contact with the Department of Home Affairs and other local agencies if it becomes aware the any younger student is not being well looked after by his/her 'nominated guardian'.

- The Institute will notify the police and any other relevant agencies as soon as practicable if the Institute staff is unable to contact a younger student and there are concerns for the student's welfare.
- 4.21 The Institute's responsibility for welfare arrangements can only be terminated in the following circumstances:
- The younger student will be cared for by a parent or nominated relative approved by Immigration and a Confirmation of Appropriate Accommodation and Welfare (CAAW) is no longer required;
 - The younger student returns to their home country,
 - The Institute can no longer take CAAW responsibility for the overseas student due to:
 - the younger student refuses to live in the approved homestay accommodation or leaves the approved homestay accommodation without notice and the Institute has exhausted all possible avenues of assisting the overseas student to maintain appropriate homestay arrangements;
 - the homestay accommodation provider is unable to maintain arrangements and alternative homestay accommodation cannot be sourced;
 - the younger student's enrolment is suspended or cancelled as set out in the ***Deferring, Suspending or Cancelling a Student's Enrolment Policy and Procedure***;
 - the younger student goes missing from their accommodation and cannot be found or contacted, even after the Institute has implemented the ***Critical Incident Policy and Procedure***.
- 4.22 In the above situations, the Institute will report the younger student within 24 hours using the "Non-approval of Appropriate Accommodation/Welfare Arrangements" letter through PRISMS.
- 4.23 Where the Institute suspends or cancels the enrolment of an overseas student on a CAAW, the Institute will continue to check the suitability of care arrangements until one of the following occurs:
- the younger student supplies evidence that the student has alternative welfare arrangements approved by another registered provider; or
 - care of the student by a parent or nominated relative is approved by the Department of Home Affairs; or
 - the younger student leaves Australia; or
 - the Institute has notified the Department of Home Affairs through PRISMS that it is no longer able to approve the younger student's welfare arrangements; or
 - the Institute has taken the required action under Standard 5.5 after not being able to contact the younger student; or
 - the younger student turns 18 years of age.
- 4.24 All staff who interact directly with overseas students must be made aware of the Institute's obligations under the ESOS framework, the Victorian Child Safe Standards and the potential implications for overseas students arising from these obligations as set out in the:
- ***Academic Staff Professional Development Policy and Procedure***
 - ***Professional Staff Professional Development Policy and Procedure***

5. QUALITY ASSURANCE

To ensure that this policy is fit for purpose and meets the requirements of the HES Threshold Standards the policy will be;

- 5.1 internally endorsed by the Executive Management Team on development or review, prior to approval by Governing Board, or the Academic Board or other delegated authority;
- 5.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board;
- 5.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier).
- 5.4 referenced to the applicable HES threshold Standard and/or other legislation/regulations.

6. FEEDBACK

Feedback or comments on this policy is welcomed by the listed Responsible officers of the Institute.

7. ACKNOWLEDGEMENT

This policy was developed with reference to the following:

- Deakin University, Underage Student Management Policy, 2023 ([Underage Student Management policy / Document / Deakin Policy Library](#))
- University of NSW, International Students Under the Age of 18 years – Welfare, Support & Accommodation Arrangements Procedure, 2020 ([International Students Under the Age of 18 years – Welfare, Support & Accommodation Arrangements Procedure \(unsw.edu.au\)](#))
- Victoria University, Safety and Welfare of Children and Young People Procedure, 2021 ([Safety and Welfare of Children and Young People Procedure / Document / Victoria University Policy Library \(vu.edu.au\)](#))
- Ozford College, Younger Student Policy and Procedures, (see Ozford website)
- Australian Government Department of Education, Standard 5: Younger Overseas Students ([Education Fact Sheet Title \(internationaleducation.gov.au\)](#))

8. VERSION CONTROL

Version	Date approved	Description	Approved by
1.0	August 2018	Initial issue	AB
1.1	December 2020	Internal review	AB
2.0	June 2023	Internal review	AB
2.1	September 2023	Internal review – minor formatting changes, alignment of definitions and add external referencing	EMT
Related legislation/ regulation/standard	Tertiary Education Quality and Standards Act 2011 Education Services for Overseas Students Act (ESOS) 2000 Education Services for Overseas Students Regulations 2019 The National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standards 5, 6, 7 and 9 Higher Education Standards Framework (Threshold Standards) 2021 Child Wellbeing and Safety Act 2005		

	Children, Youth and Families Act 2005 Child Safe Standards 2022 (Vic)
--	--

Notes:

AB = Academic Board

GB = Governing Board

EMT = Executive Management team