Welfare Arrangements of International Students Aged Under 18 Policy

Section 1 - Purpose and Scope

(1) The purpose of this Policy is to establish principles and processes for the University's provision of appropriate accommodation, support and general welfare arrangements for international onshore students who are under the age of 18 and who are not cared for in Australia by a parent, guardian or suitable nominated relative.

(2) The Policy ensures compliance with the Education Services for Overseas Students (ESOS) Act 2000 (as amended), Standard 5 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018, and the ELICOS Standards 2018.

(3) This Policy is to be read in conjunction with the relevant Rules Relating to Awards.

Scope

(4) This policy applies to all onshore international students under the age of 18 years old who are studying at the University or at/through a third party provider in Australia.

Section 2 - Definitions

(5) For the purposes of this Policy:

a. Department means the relevant Commonwealth Government department with responsibility for international student matters.
b. Nominated Welfare Period means the period of time during which the University has agreed to assume responsibility for a student under the age of 18.
c. Younger Student means an international student who is, or will be, under the age of 18 years old on the first day of their first teaching period at the University. This includes applicants who are not yet enrolled.
d. Welfare Arrangements means support to the health and wellbeing of the student.

Section 3 - Policy Statement

(6) The University shall consider, on a case by case basis, accepting responsibility for the accommodation, support and general welfare arrangements for Younger Students. If the University accepts responsibility, it will ensure that all staff and third party providers involved with the Younger Student will comply with any relevant Commonwealth, State or Territory legislation in relation to child welfare and protection.

(7) A Younger Student must reside in Australia:

a. with a parent or legal custodian who travels to Australia to provide welfare for the student for the duration of their study as indicated on the student's visa application; or

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b. with a relative over 21 years of age who is approved by the student's parents or legal custodians. This relative must be nominated as the student's guardian to the Department accompanying the application for a student visa. The relative should be:
    i. a grandparent, brother, sister, aunt, uncle, niece or nephew or a step-grandparent, step-brother, step-sister, step-aunt, step-uncle, step-niece or step-nephew; and
    ii. be of good character; or
c. in accommodation approved by the University, where the student's parents have given prior approval and the University has agreed to be responsible for their accommodation, support, and general welfare arrangements.

(8) The University's promotional materials and website will inform prospective students about the Australian Government's mandated accommodation, support and general welfare conditions that apply to Younger Students. This information will be culturally and age appropriate.

(9) If the University wishes to enrol Younger Students that are already in Australia, it shall inform the prospective student during the recruitment phase that they are required to have welfare arrangements in place at the time that they lodge their student visa application.

(10) If a Younger Student is undertaking a package of courses, the University must ensure that they have adequate welfare arrangements in place during any gap period between courses.

Section 4 - Procedures

Application for Accommodation and Welfare Arrangements

(11) A Younger Student who will not be staying with parents, a custodian or other approved relative while in Australia must submit a request in writing to the University for it to accept responsibility for the student's accommodation, support and welfare arrangements until they reach the age of 18. The request must be supported in writing by the student's parents or legal custodian.

(12) Southern Cross Global will review all requests and will notify the student in writing of the outcome.

(13) If the University agrees to accept responsibility for the student's accommodation, support and welfare arrangements, Southern Cross Global will also provide the student as part of their offer package with:

a. a Southern Cross University Guardian Declaration, which the student's parents must complete, sign and return with the acceptance of offer documents;
b. an overview of this policy and the requirements of the student in order to maintain compliance with the Policy; and
c. an overview of the accommodation and support arrangements available to them.

(14) Once the signed and completed Southern Cross University Guardian Declaration has been received by the University and all conditions are met Southern Cross Global will raise a Confirmation of Enrolment (COE) on PRISMS for that student and at the same time a Confirmation of Appropriate Accommodation/Welfare Arrangements (CAAW) letter is created as part of the COE process.

(15) The CAAW will specify the University's role in the student's welfare, support and accommodation arrangements and the nominated dates for which the University accepts responsibility for the student's accommodation, support and general welfare.

(16) The student cannot enter Australia on their student visa until the welfare start date has been reached and this date must be carefully matched to orientation commencement and the time taken to travel from the home country.

The end date of the welfare arrangements will normally be seven days after the end date of the COE, or the student's 18th birthday, whichever is earlier.

(17) If a Younger Student is to be cared for by a parent or nominated relative approved by the Department, and a CAAW is no longer required, the University will advise the Department accordingly.

(18) If the University is no longer able to approve the student's welfare arrangements, it will:

a. advise the Department within 24 hours; and
b. make all reasonable efforts to ensure that the student's parents or legal guardians are notified immediately.

(19) If the University is unable to contact a student and has concerns for the students welfare, the University will:

a. Implement the Student Critical Incident Management Policy;
b. make all reasonable efforts to locate the student, including by contacting all relevant authorities, such as the Department, as soon as practicable.

(20) If the University suspends, terminates or cancels the enrolment of a student it has agreed to accept responsibility for under clause (13), the University will continue to approve welfare arrangements for that student until any of the following applies:

a. the student has alternative welfare arrangements approved by another registered provider;
b. care of the student by a parent or nominated relative is approved by the Department;
c. the student leaves Australia;
d. the University has notified the Department that is it no longer able to approve the welfare arrangements under clause (18); or
e. clause (19) applies.

(21) The University will ensure that all information provided to Younger Students is age appropriate and culturally appropriate and will be provided at pre-arrival, orientation and available during scheduled meetings with University staff. In addition, it will provide Younger Students with information on:

a. who to contact in an emergency situation, including a contact number for a University staff member or a relevant third party provider, such as an education or accommodation partner; and
b. how to seek assistance in relation to, or report an incident or allegation of, actual or alleged sexual, physical or other abuse.

(22) The University will maintain up-to-date records of the student's contact details including the contact details of the student's parents, legal guardian and any adult responsible for the student's welfare, by asking for these details at acceptance of offer stage, during orientation and at scheduled meetings with University staff.

Accommodation

(23) Where the University agrees to accept responsibility for approving a student's welfare arrangements it will require the student to stay in University approved homestay accommodation.

(24) Students will also be required to meet with a staff member from Southern Cross Global at least fortnightly in order to ensure the student's ongoing wellbeing, identify any concerns, and to keep all information such as contact details up to date.

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University Provision

(25) If the University has accepted responsibility for a Younger Student's welfare, support and accommodation arrangements, and it is providing accommodation directly, it will ensure:

a. that any adults involved in or providing accommodation and welfare arrangements to the student have all working with children clearances (or equivalent) appropriate to the relevant jurisdictions and that the good character of the homestay providers is further checked through personal interviews and verifying references; and
b. an appropriate cross-cultural and student welfare focused orientation provided to homestay providers;
c. that the student's accommodation is appropriate to the student's age and needs:
    i. prior to the accommodation being approved; and
    ii. at least every six months thereafter; and
d. the maintenance of processes to monitor and respond to students wellbeing in the homestay placements arranged by the University.

(26) The student must not spend a night away from the approved homestay address, or undertake any travel that would require an overnight absence from the homestay address without first obtaining the relevant University staff member's written approval.

(27) The University will require the student to maintain a high standard of personal and social behaviour throughout the homestay period, to conduct themselves responsibly, to refrain from risk taking behaviour and to devote themselves properly to their studies.

(28) Refusal to obey an instruction from the homestay provider or a University staff member to address deficiencies in the aspects of behaviour and personal conduct referred to in clause (27) will provide grounds for the University to advise the Department that it has withdrawn its support for the accommodation and welfare arrangements. This may have implications for the student's visa.

(29) The University may approve requests from students for alternative accommodation or welfare arrangements other than University approved homestay where:

a. the student's parents or custodian approve in writing of the alternative arrangements;
b. the University is satisfied as to the good character of the adults who are to be assigned guardianship of the student;
c. the accommodation has been inspected by a nominated University staff member and found to be suitable;
d. it is satisfied that the arrangements will provide accommodation and welfare arrangements at least equivalent to what could be obtained through a University approved homestay arrangement; and
e. the arrangement is secure and likely to last until the student completes their course, or turns 18.

Third Party Provision

(30) The University may use a third party provider of accommodation or homestays for Younger Students, provided that the third party provider can demonstrate to the University's satisfaction that it has policies and process in place to meet the same requirements as exist for the University. Specifically, this means that the third party must be able to demonstrate that it can and will ensure:

a. that any adults involved in or providing accommodation and welfare arrangements to the student have all working with children clearances (or equivalent) appropriate to the relevant jurisdictions, and that the good character of the homestay providers is further checked through personal interviews and verifying references; and

b. that the student's accommodation is appropriate to the student's age and needs:
    i. prior to the accommodation being approved; and
    ii. at least every six months thereafter;
c. that an appropriate cross-cultural and student welfare focused orientation is provided to homestay providers by third party staff; and
d. the maintenance of processes to monitor and respond to student wellbeing in the homestay placements arranged.

(31) The Vice-President (Enterprise and Campus Operations) will review and approve the choice of third parties against the above criteria.

(32) Where the University enters into a contract with a third party following the above selection process, the third party provider must at all times be able to demonstrate continued compliance with these conditions.

(33) The University will monitor all third party providers engaged to provide accommodation or homestays for Younger Students through six monthly reports from the third party provider.

Changes to Student Welfare Arrangements Previously Agreed by the University

(34) A student is not permitted to change their agreed accommodation or welfare arrangements unless first approved by the University.

(35) The University will notify the Department when the student changes accommodation and welfare arrangements with the University's approval.

(36) Failure to comply with clause (34) will be considered grounds for the University to notify the Department of its 'withdrawal of approval of accommodation and welfare arrangements' which may have implications for the student's visa.

(37) If a student refuses to maintain University approved care arrangements, the University will notify the Department using the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements Letter' which is likely to result in the cancellation of the student's visa.

Transfer from another registered provider

(38) If the University enrols a Younger Student who has welfare arrangements already approved by another registered provider, the University must:

a. negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap; and
b. 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.

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