

MANAGING THE WELFARE OF INTERNATIONAL STUDENTS UNDER 18

Responsible Officer	Head of Student Experience and Success
Approved by	Board of Directors
Approved	05 December 2019
Commenced	01 January 2020
Review by	December 2021
Relevant Legislation	Child Protection (Working with Children) Act 2012 Children and Young Persons (Care and protection) Act 1998 NSW Child Wellbeing and Safety Act 2005 (Vic) Education Services for Overseas Students Act 2000 (ESOS) Education Services for Overseas Students Regulations 2019 National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (The National Code) National Standards for Foundation Programs Migration Regulations 1994 Ombudsman Act 1974 Victorian Child Safe Standards Working with Children Act 2005 (Vic)
Responsible Organisational Unit	Student Experience and Success

TABLE OF CONTENTS

1. Policy Statement	2
1.1. Authority	2
1.2. Application	2
1.3. Purpose	2
1.4. Principles	2
1.5. Scope	2
1.6. Coverage	2
1.7. Special Conditions or Exceptions	2
2. Procedures	3
2.1. Implementation	3
2.2. Living with a Parent or a Close Relative (Nominated Guardian)	3
2.3. The Guardian	3
2.4. Monitoring Guardian Arrangements	4
2.5. AIM Approved Welfare Arrangements	4
2.6. Accommodation	4
2.7. Assessing the Accommodation (Homestays)	4
2.8. Monitoring the Homestay	4
2.9. Returning Home for the Holidays	5
2.10. Changing the Welfare Arrangements	5
2.11. Failure to Comply	5
2.12. Emergency Contact	5
2.13. Critical Incident	5
2.14. Transfer from Another Provider	6
2.15. Cancelling the Student Enrolment	6
2.16. Internet Access Permission for Students Under 18	6

MANAGING THE WELFARE OF INTERNATIONAL STUDENTS UNDER 18

3. Accountabilities	6
3.1 Responsible Officer	6
3.2 Contact Officer	6
4. Supporting Information	7
4.1 Supporting Documents	7
4.2 Related Documents	7
4.3 Superseded Documents	7
5. Definitions and Acronyms	7
6. Revision History	7
7. Flowchart – Showing Process and Decision Points	9

1. Policy Statement

1.1. Authority

The Australian Institute of Music Limited (AIM), known as ‘the Institute’, is governed by the Board of Directors (BoD) with academic authority delegated to the Academic Board (AB). The BoD and AB share joint responsibility for ensuring that all general and academic policies and procedures follow ‘best practice’ principles for Higher Education and other sectors of educational delivery, in compliance with relevant Australian legislation and current regulatory requirements.

1.2. Application

This policy and procedure applies to Quality Assured (QA) delivery of accredited AIM programs offered at the Sydney and Melbourne campuses. If applicable, this policy and procedure will also apply in future, wherever QA AIM programs are approved for delivery elsewhere in Australia or overseas.

1.3. Purpose

This document outlines the arrangements made to protect the wellbeing of students under 18 years of age, including guardian and homestay arrangements for international students. AIM undertakes to ensure that each international student under 18 years of age is living in suitable accommodation, under the direct care of an approved guardian.

1.4. Principles

- AIM will foster a caring environment, providing support and welfare arrangements to international students under 18.
- AIM will ensure guardianship/welfare arrangements are in place until such time as the student turns 18.
- AIM will monitor guardianship/welfare arrangements to ensure they remain appropriate.

1.5. Scope

This policy and procedure applies to all international students under the age of 18 enrolled at the Australian Institute of Music in either the foundation program or higher education sector.

1.6. Coverage

This policy and procedure applies to all AIM programs offered at the Sydney and Melbourne campuses.

1.7. Special Conditions or Exceptions

Nil

MANAGING THE WELFARE OF INTERNATIONAL STUDENTS UNDER 18

2. Procedures

2.1. Implementation

The Managing the Welfare of International Students Under 18 Policy and Procedure relates to any student who is under the age of 18 and wishes to enrol in an AIM program of study.

**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 as a student visa condition. To maintain welfare, overseas students can either:*

- *stay in Australia with a 'nominated guardian' approved by the Department of Home Affairs (DoHA), 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 overseas student's registered provider. In this case, the registered provider will issue a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter.*

(*Standard 5 of the National Code)

2.2. Living with a Parent or a Close Relative (Nominated Guardian)

When a parent or legal guardian nominates a close family relative to act in the role of guardian and homestay provider, the parent or legal guardian must complete a Confirmation of Appropriate Accommodation and Welfare (CAAW) Declaration and return to the Head of Pathways and Engagement or delegate before the enrolment can be approved.

2.3. The Guardian

Before enrolment can be completed, the Head of Pathways and Engagement (or delegate) must ensure that the student has a nominated guardian and that he/she is at least 21 years of age, understands their obligations and has correctly supplied contact details including an emergency contact number. Before confirming the enrolment, the Head of Pathways and Engagement (or delegate) will ensure that the guardian:

- Has undertaken a satisfactory *Working With Children Check (WWCC)* and is informed of his/her obligations under child protection legislation including *Children and Young Persons (Care and Protection) Act 1998 NSW*, *Child Protection (Working with Children) Act 2012 NSW*, *Victorian Child safety Standards*, *Working with Children Act 2005 (Vic)* and the *Ombudsman Act 1974* (this applies also to any adult members who reside or stay regularly).
- Provides proof that he or she is at least 21 years old.
- Reside at the same address as the listed homestay.
- Agrees to interviews with the Head of Pathways and Engagement (or delegate) every six months.
- Provides for the general welfare of the student including providing at least 2 meals per day; providing a recreational area and recreational activities; providing opportunities for regular social activities; provides an orientation to the accommodation including a tour of the local surrounds and providing information on public transport options, medical facilities and shopping.
- Agrees to contact AIM immediately if they are concerned about the general wellbeing of the student at any time.
- Liaises directly with the parents or legal guardian and keep them updated on the progress of the student.

2.3.1 AIM expects the guardian to be responsible for:

- Attending interviews where requested by AIM.
- Welfare, discipline, academic progress and accommodation.
- Maintaining regular contact with AIM regarding the student's welfare and progress.
- Being the point of contact at all times for AIM.

MANAGING THE WELFARE OF INTERNATIONAL STUDENTS UNDER 18

- Arranging the student's accommodation, activities and travel during school holidays.
- Ensuring the student receives proper medical attention if needed in consultation with parents and AIM where appropriate.
- Maintaining regular contact with the parents regarding the student's welfare and progress.
- Ensuring the student's whereabouts are known at all times.
- Ensuring that the student holds a current passport and visa and will arrange extension or renewal if required.

2.4. Monitoring Guardian Arrangements

AIM will monitor guardian arrangements as follows:

- Meet with the nominated guardian every six months to discuss the progress of the student. This will be completed in person.
- Meet with the student every six months.
- Have informal meetings with the student (when required).
- Review the guardian arrangements each year.
- Record all interactions in Paradigm

Guardians are expected to pass on any concerns to the Head of Pathways and Engagement (or delegate) who will follow these up in a timely manner. This may include counselling the student and making any necessary referrals and/or arrange intervention actions as appropriate.

2.5. AIM Approved Welfare Arrangements

If AIM accepts responsibility for the welfare arrangements of an international student under 18, AIM will create a CAAW at the same time as the electronic Confirmation of Enrolment (eCoE) is created.

The minimum length of the approved accommodation, support and welfare arrangements will be a minimum of the length of the eCoE while the student is under the age of 18.

2.6. Accommodation

AIM does not endorse or recommend any accommodation or homestay providers. For more information visit:

- [Study Sydney](#) (Sydney)
- [Homestay Bay](#) (Melbourne)

2.7. Assessing the Accommodation (Homestays)

Before AIM accepts an enrolment of an international student under 18, the Head of Pathways and Engagement (or delegate) must be satisfied that the accommodation (homestay) is appropriate. The Head of Pathways and Engagement (or delegate) will ensure the appropriateness of the accommodation by inspecting the premises and completing the Homestay Inspection Checklist. During the inspection, the Head of Pathways and Engagement (or delegate) will ensure that:

- All adults residing in the accommodation have satisfactorily completed a Working with Children Check.
- That the accommodation is generally clean and appropriate for student housing, including having suitable bathroom, laundry and kitchen facilities.
- The accommodation has a process for providing 2 meals per day.

2.8. Monitoring the Homestay

The Head of Pathways and Engagement (or delegate) is responsible for ensuring that the approved accommodation remains appropriate at all times and will:

- Visit the homestay every six months.

MANAGING THE WELFARE OF INTERNATIONAL STUDENTS UNDER 18

- Meet with the student every six months and complete the Student Welfare Interview form.
- Have informal meetings with the student (when required).
- Review the homestay arrangements each year.
- Inform parents or legal guardians immediately, if there are any concerns or matters about the ongoing wellbeing or safety of the international student.
- Record all interactions in Paradigm.

2.9. Returning Home for the Holidays

It is the responsibility of the Head of Pathways and Engagement (or delegate) to ensure that living/welfare arrangements are adhered to during the holiday periods. If the student is returning to the home country, confirmation from the parents is required. This can be via email.

2.10. Changing the Welfare Arrangements

It is the responsibility of the Head of Student Experience and Success (or delegate) to inform students who have not attained 18 years of age by the end of their course, that in the case of suspending or cancelling the student's enrolment, the welfare arrangements listed in this policy remain in place until:

- The student is accepted by another registered provider who takes over this responsibility; or
- The student leaves Australia; or
- Other suitable arrangements are made that satisfy the Migration Regulations 1994; or
- AIM reports that it can no longer approve of the arrangements for the student.

2.11. Failure to Comply

If the student does not comply with the rules of their accommodation, the Head of Student Experience and (or delegate) may be contacted by the guardian. The Head of Student Experience and (or delegate) will speak with the student, discuss the problem and reiterate the rules. The Head of Student Experience and (or delegate) will explain that if they breach the rules again they understand that their enrolment may be cancelled and DoHA will be notified of Non-Approval of Accommodation/Welfare Arrangements. The student will be reminded of their expectations as per the Student Code of Conduct.

2.12. Emergency Contact

In the event that the student has an emergency or is seeking assistance in reporting any incident or allegation involving actual or alleged sexual, physical or other abuse, the student should contact the following:

- Head of Pathways and Engagement – Sydney (02 9219 5406 or 0410 553 282)
- Head of Operations – Melbourne (03 8610 4242 or 0439 268 553)
- Head of Student Experience and Success (02 9219 5446)
- Emergency Services (000)

During Orientation, students are provided with the above names and numbers and advised to put the emergency contact details in the contacts section of their phone.

All allegations involving actual or alleged sexual, physical or other abuse will be managed as per the [Child Protection Policy and Procedure](#) and [Critical Incident and Emergency Policy and Procedure](#).

2.13. Critical Incident

In the event of a critical incident, students under the age of 18 will have their welfare arrangements monitored by the Head of Pathways and Engagement (or delegate). The parents/guardian will be contacted, and if necessary, the Head of Pathways and Engagement (or delegate) will organise appropriate changes to welfare arrangements.

MANAGING THE WELFARE OF INTERNATIONAL STUDENTS UNDER 18

In extreme cases, where no other arrangements are possible, AIM will book (hotel) accommodation close to the campus until alternative welfare arrangements can be made. This will require AIM to book 2 rooms (1 for the student and another for the Under 18 Contact Officer (or delegate) to ensure the welfare of the student.

For more information on managing critical incidents see the [Critical Incident and Emergency Policy and Procedure](#).

2.14. Transfer from Another Provider

If AIM as the registered provider enrolls a student under 18 years of age who has welfare arrangements approved by another registered provider, AIM will:

- negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap
- 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

2.15. Cancelling the Student Enrolment

If AIM cancels or suspends the enrolment of the international student, AIM will continue to approve the living arrangement of that student until any of the following applies:

- The student is accepted by another registered provider and that registered provider takes over responsibility for approving the student's accommodation, support and general welfare; or,
- Care of the student by a parent or nominated relative is approved by Department of Home Affairs
- The student leaves Australia; or,
- Other suitable arrangements are made that satisfy the migration regulations; or,
- The registered provider reports to Immigration that it can no longer approve of the arrangements for the student.

2.16. Internet Access Permission for Students Under 18

Federal Government Legislation restricts internet services for individuals under 18 years of age. This legislation prohibits AIM from obtaining full Internet access for students under the age of 18 without written permission by a parent and/or guardian. Details of this legislation are available from the [Australian Communications and Media Authority Website](#).

To obtain Internet access for individuals under 18 years of age, a letter of confirmation must be obtained from the parent and/or legal guardian.

3. Accountabilities

3.1 Responsible Officer

- a. **Head of Student Experience and Success:** policy owner.

3.2 Contact Officer

- a. **Head of Pathways and Engagement:** emergency contact responsible for the welfare of international students under the age of 18. HPEs are made aware of their legislative responsibilities through regular training sessions, and seminars and staff meetings.
- b. **Head of Operations (Melbourne) and Head of Student Experience and Success:** additional emergency contacts.

MANAGING THE WELFARE OF INTERNATIONAL STUDENTS UNDER 18

4. Supporting Information

4.1 Supporting Documents

- *Accommodation Checklist*
- *Confirmation of Appropriate Accommodation and Welfare*
- *Guardian Agreement*
- *Student Welfare Interview Form*
- *Under 18 International Student Contact Information Form*

4.2 Related Documents

- *Student Code of Conduct*

4.3 Superseded Documents

- Nil

5. Definitions and Acronyms

TERM/ACRONYM	DEFINITION
AIM referred to as the 'Institute'	The Australian Institute of Music Limited ABN: 89 003 261 112; PRV: 12050; CRICOS 00665C
Critical Incident	Any situation faced by AIM staff or students that causes them to experience unusually strong emotional reactions which have the potential to interfere with their mental and physical state and their ability to perform either at the scene or later.
International student	A student who is not a domestic student, and who may hold a student visa and is protected by the ESOS legislative framework.

6. Revision History

Version	Date Approved by (Executive) Leadership Group	Date Approval Academic Board	Date Approved by Board of Directors	Sections modified
4.0	CEO (Interim approval granted) 06 March 2018	N/A	15 March 2018	Updated in line with the updates to the National Code 2018; included 24hr contact details for emergencies; updated responsibilities; include section on Internet access for Under 18's
4.1	CEO (Interim approval granted) 08 June 2018	N/A	21 June 2018	Updated: <ul style="list-style-type: none"> • Accommodation information • Responsibilities Included: <ul style="list-style-type: none"> • section from Standard 5 of the National Code • heading 'AIM Approved Welfare Arrangements'

MANAGING THE WELFARE OF INTERNATIONAL STUDENTS UNDER 18

Version	Date Approved by (Executive) Leadership Group	Date Approval Academic Board	Date Approved by Board of Directors	Sections modified
5.0	07/12/2018	N/A	13/12/2018	Updated to include: <ul style="list-style-type: none"> • additional processes for students to seek assistance and/or report any incident or allegation involving actual or alleged sexual, physical or other abuse • Cross referenced to the <i>Critical Incident and Emergency Policy and Procedure</i> and <i>Child Protection Policy and Procedure</i> • The processes for possible disruption to 18-year-old welfare arrangements in an emergency
6.0			05/12/2019	Amendments include: <ul style="list-style-type: none"> • Reference to Foundation Program • Removed reference to SSC • Updated legislation • Included reference to completing a CAAW declarations • Updated responsibilities
6.1	N/A	N/A	N/A	Amendments include: <ul style="list-style-type: none"> • Updated to new format • Addition of flowchart
6.2	N/A	N/A	N/A	Minor format changes

MANAGING THE WELFARE OF INTERNATIONAL STUDENTS UNDER 18

7. Flowchart – Showing Process and Decision Points

