

STUDENTS UNDER 18 POLICY AND PROCEDURE

Responsible Officer	Head of Student Experience and Success
Approved by	Board of Directors
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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 Higher Education Support Act 2003 Higher Education Standards Framework 2021 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 Education Services for Overseas Students (Foundation Program Standards) Instrument 2021 Migration Regulations 1994 Ombudsman Act 1974 Victorian Child Safe Standards Working with Children Act 2005 (Vic)
Responsible Organisational Unit	Student Experience and Success

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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 policy provides for the care and management of students enrolled at AIM who are underage of 18 years. The policy has two parts:

- The Management of International Students who are Under 18 (Section 2)
- The Management of Domestic Students who are Under 18 (Section 3)

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.
- AIM will take reasonable steps to continually monitor the wellbeing of any student under 18.

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1.5. Scope and Coverage

This policy applies to all students under the age of 18 enrolled or wishes to enrol at the Australian Institute of Music in either the foundation program or higher education sector at the Sydney and Melbourne campuses.

This policy informs and guides staff and international students under 18 years of age on AIM's legislative requirements and processes.

1.6. Special Conditions or Exceptions

Nil

2. The Management of International students who are under 18

2.1. Implementation

*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 through the Department of Home Affairs, AIM does not issue a CAAW Letter.

2.3. The Guardian (Homestay or Third Party Accommodation Provider)

Before enrolment can be completed, The Head of Student Experience and Success (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 Student Experience and Success (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 they are at least 21 years old.
- Resides at the same address as the listed homestay.
- Agrees to interviews with the Student Wellbeing Manager (or delegate) every six months.
- Provides for the general welfare of the student including:
 - providing at least 2 meals per day;
 - providing a permanent recreational area and regular recreational activities;
 - providing opportunities for regular social activities;
- provides an orientation to the accommodation including a tour of the local surrounds, providing information on public transport options, medical facilities, and shopping.
- Provides a designated, quiet study area in the home

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- 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 when 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.
- 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 and Student Arrangements

AIM will monitor guardian arrangements as follows:

- The Head of Student Experience and Success (or delegate) will conduct a formal interview with the nominated guardian every six months to discuss the progress of the student. This will be completed in person.
- The Head of Student Experience and Success (or delegate) will meet with the student every six months.
- The Head of Student Experience and Success (or delegate) to have informal meetings with the student (when required).
- The Head of Student Experience and Success (or delegate) will review the guardian arrangements each year.
- The Student Wellbeing Manager will record all interactions in RIO.

Guardians are expected to pass on any concerns to The Head of Student Experience and Success (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 whilst the student is under the age of 18.

2.6 Obligations for Under 18 on an AIM issued CAAW

The student must:

- Not arrive prior to the commencement dates listed on the CAAW. Students arriving earlier than these dates will be in breach of their student visa conditions and this may result in a visa cancellation by DoAH.
- Advise AIM Admissions team travel details in Melbourne/Sydney.
- Use AIM approved transport from the airport to approved accommodation
- Remain in AIM approved accommodation and welfare arrangements until they turn 18 years old.

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- Keep all contact details up to date by informing the Head of Student Experience of any proposed changes including emergency contacts, parents and/or legal guardians.
- Comply with applicable AIM policies and procedures as well as all other regulatory, legislative and AIM standards.
- Comply with all applicable policies and procedures of applicable third-party accommodation and welfare providers.
- Attend appropriate orientation activities including any relating to accommodation and welfare services.
- Not change their accommodation and welfare arrangements without approval from the Student Wellbeing Manager.
- Ensure all fees relating to welfare and accommodation services are paid on time.
- Comply with curfew requirements
- Not stay overnight outside their approved accommodation without prior approval from the Head of Student experience and Success or nominee.

2.7. Accommodation

- AIM will only approve the accommodation and welfare arrangement for students under 18 years of age if the student and their parent/legal guardian agree to enter into an arrangement with an AIM approved Accommodation and Welfare Provider and these arrangements are completed prior to the students arrival.
- All under 18 students require a welfare guardian allocated by a nominated Welfare Guardian Provider

2.8. Assessing the Accommodation

Before AIM accepts an enrolment of an international student under 18, The Head of Student Experience and Success and Success (or delegate) must be satisfied that the accommodation is appropriate. This must include:

- inspecting the premises and completing the Homestay Inspection Checklist.
- Confirming that all adults residing in the accommodation have satisfactorily completed a Working with Children Check.
- Ensuring that the homestay is generally clean and appropriate for student housing, including having suitable bathroom, laundry and kitchen facilities.
- The under 18 student is provided with own bedroom including a bed, study desk, lamp and wardrobe.
- The accommodation has a process for providing at least 2 meals per day.

2.9. Monitoring the Accommodation

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

- Visit the homestay every six months.
- Every 6 months the Homestay Provider/Welfare Guardian will provide date stamped photographs of accommodation areas including living area, student bedroom, bathroom and laundry areas.
- Store the photographs in dedicated folders in One Drive or appropriate data base.
- 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 RIO.

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2.10 Returning Home for the Holidays

It is the responsibility of The Head of Student Experience and Success (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.

2.11 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.

2.12 Failure to Comply

If the student does not comply with the rules of their accommodation, The Head of Student Experience and Success and (or delegate) may be contacted by the guardian. The Head of Student Experience and Success and (or delegate) will speak with the student, discuss the problem and reiterate the rules. The Head of Student Experience and Success 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.

2.13 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:

- Student Wellbeing Manager – Sydney (0450 759 964)
- Head of Melbourne – Melbourne (03 8610 4242)
- 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.

2.14 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 Student Experience and Success (or delegate). The parents/guardian will be contacted, and if necessary, The Head of Student Experience and Success (or delegate) will organise appropriate changes to welfare arrangements.

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.

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2.15 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

2.16 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.

3. The Management of Domestic Students who are Under 18

The Australian Institute of Music does not assume the rights, responsibilities and authority that parents/guardians have in relation to a child, and does not act in the place of parents/guardians in relation to students who are under 18 years of age.

Parents or guardians act as guarantor and honor all obligations with AIM that the student enters into upon enrolment in an AIM program of study, including bespoke programs and short courses

The Australian Institute of Music may place restrictions on the admission and progression of students under the age of 18 in order to:

- a) Maintain the academic and professional rigor of any program of study
- b) To ensure the safety and wellbeing of any students, including considerations around mental health
- c) To ensure compliance with relevant state and federal legislations
- d) To ensure the capacity and suitability of staff who engage with vulnerable students
- e) To ensure the required standards of student behavior and conduct at AIM are maintained

Where practicable, AIM will ensure that any student under 18 receives an appropriate level of advice and counselling around their choice of program of study, including advice and guidance on workload, career prospects, and the academic and professional rigor of their intended program of study.

4. 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.

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5. Accountabilities

5.1 Responsible Officer

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

5.2 Contact Officer

- a. **Student Wellbeing Manager:** emergency contact responsible for the welfare of international students under the age of 18. SWM is made aware of the legislative responsibilities through regular training sessions, and seminars and staff meetings.
- b. **Head of Melbourne (Melbourne) and Head of Student Experience and Success (Sydney):** additional emergency contacts.

6. Supporting Information

6.1 Supporting Documents

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

6.2 Related Documents

- *Student Code of Conduct*

6.3 Superseded Documents

- *Managing the Welfare of International Students Under 18 Policy and Procedure*

7. 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
CAAW	Confirmation of Appropriate Accommodation and Welfare and is the Department of Education's pro-forma letter downloadable through PRISMS.
CoE	Confirmation of Enrolment issued through the Australian Department of Education's PRISMS system and authorised by AIM Staff. The CoE is required under Commonwealth Legislation for the purposes of applying for a Student Visa.
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.
Legal Guardian	A parent, step-parent, adoptive parent, or any other person who has legal responsibility for an International Student.
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.
PRISMS	Provider Registration and International Student management System

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Working With Children Check	A legislated requirement under the Child Protection (Working With Children) Act 2012 and managed by the NSW Office of the Children’s Guardian.
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8. Revision History

Version	Date Approved by Board of Directors	Sections modified
1.0	02 November 2023	New Policy – combining the management of both International and Domestic Students Under 18. (removed the Managing the Welfare of International Students Under 18 Policy and Procedure)