



Government of **Western Australia**  
Department of **Training**  
and **Workforce Development**



## **CARE OF INTERNATIONAL STUDENTS UNDER THE AGE OF 18**

EFFECTIVE: 18 DECEMBER 2019

VERSION: 1.6

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## 1. POLICY STATEMENT

This policy outlines the provision of accommodation, support and general welfare arrangements for international students who are under the age of 18 in compliance with requirements as specified in:

- Standard 5 and 6 of the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (National Code 2018)*, specifically Standard 5 *Younger Overseas Students* and Standard 6 *Overseas Student Support Services*:
  - The registered provider of overseas students aged under 18 must meet legislative or other regulatory requirements relating to child welfare and protection.
  - The registered provider must assist overseas students to adjust to study and life in Australia and have appropriate orientation programs that help overseas students to access the information and services they require.
- *Standards for Registered Training Organisations 2015 (SRTOs 2015)*, specifically Clause 1.7 Support Learners:
  - The registered training organisation (RTO) determines the support needs of individual learners and provides access to the educational and support services necessary for the individual learner to meet the requirements of the training product as specified in training packages or VET accredited courses.

## 2. SCOPE

This policy applies to onshore international students who are under the age of 18 and enrolled at one of the TAFE colleges or a public school in Western Australia. The purpose of this policy is to outline the steps that must be taken to ensure that the accommodation, support services and welfare arrangements in place for this cohort are appropriate. Students participating in International Secondary Student Exchange Programs (ISSEP) are outside the scope of this policy.

## 3. BACKGROUND

TAFE International Western Australia (TIWA) acknowledges that as a registered provider enrolling students 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.

#### 4. DEFINITIONS AND ACRONYMS

|                        |  |
|------------------------|--|
| AHN                    | Australian Homestay Network  |
| Airport Pickup Service | meeting students on arrival in Perth and driving them to their accommodation.          |
| CAAW                   | Confirmation of Approved Accommodation and Welfare                                     |
| Home Affairs           | Department of Home Affairs   |
| National Code 2018     | <i>National Code of Practice for Registration Authorities and Providers 2018</i>       |
| Homestay               | Where students live with an approved home stay provider for the duration of their visa |
| PRISMS                 | Provider Registration and International Student Management System                      |
| RTO                    | Registered training organisation   |
| SRTOs 2015             | <i>Standards for Registered Training Organisations 2015</i>                            |
| WWCC                   | Working With Children Clearances   |

#### 5. POLICY

##### 5.1 Legislative Requirements for Welfare Approval

- 5.1.1. Students enrolling into a public primary school must be accompanied by a parent for the duration of their studies. Home Affairs will issue welfare approval for these students.
- 5.1.2. Secondary school students or TAFE students under the age of 18 must choose one of the following options:
- Option 1: Students enrolling into a public secondary school or TAFE college can nominate a blood relative over the age of 21 to be their guardian for the duration of their student visa. Home Affairs will issue welfare approval for these students.
  - Option 2: Students aged 13 and over can request that TIWA arrange an approved Home Stay placement through TIWA's nominated Home Stay contractor. TIWA will issue the Confirmation of Approved Accommodation and Welfare (CAAW) letter for the student.

##### 5.2 Welfare Arrangements Approved by TIWA

- 5.2.1. Where TAFE International accepts responsibility for approving accommodation, support and general welfare arrangements for a student who is under 18 years of age, TIWA is responsible for:
- nominating the period of welfare arrangements and notifying Home Affairs through the Provider Registration and International Students Management System (PRISMS);
  - ensuring that any adults involved in providing accommodation and welfare arrangements to the student have working with children clearances (WWCC) in line with the *Working with Children (Criminal Record Checking) Act 2004*;
  - implementing documented processes for verifying that the student's accommodation is appropriate to the student's age and needs:
    - prior to the accommodation being approved; and
    - at least every six months thereafter.

- advising Home Affairs via PRISMS within 24 hours in the event that:
    - the student has changed his or her living arrangements.
    - the student will be cared for by a parent or nominated relative approved by Home Affairs and a Confirmation of Appropriate Accommodation and Welfare (CAAW) is no longer required.
    - TIWA as registered provider is no longer able to approve the student's welfare arrangements.
  - ensuring students under 18 years of age are given age-and culturally appropriate information on:
    - who to contact in an emergency situation including contact numbers of a nominated staff member and/or service provider; and
    - seeking assistance and reporting any incident or allegation involving actual alleged sexual, physical or other abuse.
- 5.2.2. Where TIWA has issued a CAAW, the student must comply with under 18 welfare guidelines issued by the Homestay Provider for the duration of their visa.
- 5.2.3. If the student does not comply with the guidelines, the Manager Student Services and the Welfare Officer will work with the student, the school/TAFE college and the relevant support services such as the school psychologist or the Chaplain to address the issues.
- 5.2.4. In the event that TIWA is unable to contact a student and has concerns for the student's welfare, TIWA will 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 in line with the International Student Critical Incident Management Policy.
- 5.2.5. If a student is deemed to be an ongoing risk, the student's enrolment may be terminated and they will be required to return to their home country.
- 5.2.6. TIWA will continue to be responsible for the welfare arrangements for a student until any of the following applies:
- the student has alternative welfare arrangements approved by another registered provider;
  - care of the student by a parent or nominated relative is approved by Home Affairs;
  - the student leaves Australia; or
  - TIWA has notified Home Affairs that that it is no longer prepared to approve the student's welfare arrangements.
- 5.2.7. Where TIWA enrolls a student under 18 years of age who has welfare arrangements approved by another registered provider, TIWA will:
- negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap; and
  - inform the student of their visa obligation to maintain their current welfare arrangements until the transfer date, have alternative welfare arrangements

approved or return to their home country until the new approved welfare arrangements take effect.

### **5.3 Accommodation and Airport Pickup Services**

5.3.1 TIWA has appointed a contractor, via tender, to manage and provide home stay placements for metropolitan and regional students and airport pickup services for metropolitan students who elect the homestay option. The current Home Stay and Airport Pickup Contractor is Australian Homestay Network (AHN).

5.3.2 AHN is required to provide international students with a range of Home Stay accommodation options appropriate to the age of the student including, where required, temporary accommodation and short term home stays (approximately 4 weeks). If required, AHN also has access to a range of emergency accommodation options.

5.3.3 Accommodation and airport pickup services are provided on a year round basis that is, 52 weeks; overnight, weekends and on public holidays.

### **5.4. Responsibilities of the Home Stay and Airport Pickup Contractor**

5.4.1 The Home Stay and Airport Pickup contractor is responsible for ensuring:

- home stay arrangements and airport pickups are facilitated as required;
- home stay providers have an adequate and current home insurance policy that includes public liability cover;
- evidence of the screening process used by the contractor is made available to TIWA on request;
- prior to approving accommodation, documented processes are implemented for verifying that:
  - any adults providing accommodation or residing in the home:
    - have the appropriate and current police clearances and Working with Children Checks;
    - speak fluent English; and
    - hold permanent residency visas.
  - the student's accommodation is appropriate to the student's age;
  - the home stay location is not more than 45 minutes total travel time by public transport (Bus or Rail) to the TAFE college or school;
- home inspections of the home stay providers are conducted (at minimum once a year) to ensure the requirements of the accommodation and access to public transport are met;
- records of home inspections are provided to TIWA upon request;
- a register of all its subcontractors (including home stay providers and airport pickup services providers, if applicable) is maintained and forwarded to TIWA on a yearly basis or upon request. The register must contain names and addresses of all its subcontractors with current police clearances, Working with Children Checks and dates of audit inspections and insurances;
- proper receipting for home stay placement and or airport pickup fees payable by an international student; and copies made available to TIWA upon request;

- dispute resolution procedures are conducted in a timely and effective manner to achieve suitable outcomes for both parties; and
- provide immediate feedback on any disputes, the process undertaken and the outcomes for both the student and the home stay provider.

#### 5.4.2 **Responsibilities of the Contracting Authority (TIWA)**

As the contracting authority, TIWA is responsible for:

- managing the home stay and airport pickup contract;
- conducting quarterly meetings with the provider's CEO to discuss contract and compliance issues;
- implementing documented processes for selecting, screening and monitoring any third parties engaged by the registered provider to organise and assess welfare and accommodation arrangements;
- conducting audits to verify WWCC clearances are current;
- maintaining up-to-date records of the student's contact details including the contact details of the student's parent(s), legal guardian or any adult responsible for the student's welfare;
- liaising with the home stay and airport pickup contractor in relation to welfare and accommodation issues as they arise;
- monitoring work arrangements entered into by international students who are under the age of 18 including parental approval;
- monitoring and recording students' holiday arrangements;
- implementing a documented policy and process for managing emergency situations and when welfare arrangements are disrupted for students under 18 years of age;
- conducting home inspections (at a minimum of one a year) to ensure requirements of minors are being met;
- managing and recording all welfare incidents; and
- managing and recording changes of homestay within the welfare period.

### 5.5 **Support Services**

#### 5.5.1 **Student Welfare Officer**

- TIWA has allocated a Welfare Officer to support all international students with a particular focus on students under the age of 18. The Welfare Officer:
  - ensures arrangements for students are appropriate;
  - meets with students each semester;
  - monitors variations to welfare arrangements such as holiday plans; and
  - seeks parental approval for the student to undertake part time employment;
  - maintains compliance records in the International Admissions data base;
  - generates monthly reports on outstanding compliance issues; and
  - liaises with AHN, public schools and TAFE colleges to monitor student welfare concerns and manages issues on a case by case basis as they arise.

### 5.5.2 Orientation

TIWA works with government schools and TAFE colleges to ensure international students participate in an age and culturally appropriate orientation program that provides information about:

- services, facilities and resources available at their school or college to assist them to adjust to study and life in Australia;
- support services to assist with general or personal circumstances that may adversely affect their education in Australia;
- names and contact details of TIWA and school or TAFE college staff who serve as the official contact points for international students;
- English language and study assistance programs support available at their school or college; and
- personal security and safety.

### 5.5.3 Ongoing support

TIWA works with government schools and TAFE colleges to ensure that:

- overseas students under the age of 18 are offered and receive reasonable support to enable them to achieve expected learning outcomes regardless of the overseas student's place or mode of study at no additional cost to the student; and
- support services are consistent with the requirements of the course, mode of study and learning needs of overseas student cohorts including documented processes for supporting and maintaining contact with overseas students undertaking online or distance units of study.

## 5.6 Complaints and appeals

Students and homestay providers can make a complaint or appeal a decision made by the homestay and airport pick up contractor.

- The complaint or appeal must be submitted in writing to the General Manager TIWA.
- Acknowledgement of receipt of the complaint or appeal will be provided within 2 business days.
- When a complaint or appeal is received, the General Manager TIWA will review the information. The review process will consider documentation and information provided, and may also consider additional information relevant to the issue.
- The review will consider the following matters:
  - the issue has been dealt with in good faith;
  - the decision(s) made were based on supporting evidence;
  - an opportunity to submit additional information and/or evidence was provided before the decision was made;
  - adequate weight was given to matters of importance and matters of less importance were weighted accordingly;
  - the overall merits of the issue were given proper consideration; and
  - the decision was reasonable and the outcome was based on reasonable grounds.



- The recommended outcome of the review will be documented by the General Manager TIWA and approved by the Executive Director Service Delivery.
- Once approved, the outcome of the complaint or appeal will be provided, in writing.
- The review will be completed within 28 days of receipt of the complaint or appeal.

## **6. RELATED POLICIES AND OTHER RELEVANT DOCUMENTS**

- *International Students Admissions and Enrolment Policy*
- *International Students Transfer Between Registered Providers Policy*
- *Duty of Care Policy for Minors attending TAFE Colleges Western Australia Department of Training and Workforce Development*
- *International Student Critical Incident Management Policy*
- Confirmation of Approved Accommodation and Welfare (CAAW)
- Homestay provider Tender and contract documents

## **7. RELEVANT LEGISLATION**

- *National Vocational Education and Training Regulator Act 2011*
- *Standards for Registered Training Organisations 2015*
- *Vocational Education and Training Act 1996*
- *Vocational Education and Training (General) Regulations 2009*
- *Education Services for Overseas Students Act 2000*
- *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018*

## 8. REVIEW DATE - 18 DECEMBER 2020

|                         |                            |                        |  |
|-------------------------|----------------------------|------------------------|--|
| <b>Development Date</b> |                            | May 2014               |  |
| <b>Revision History</b> |                            |                        |  |
| <b>Review Date</b>      | <b>Reviewer Name</b>       | <b>Review Reason</b>   | <b>Outcome &amp; Changes</b>   |
| May 2014<br>V1.0        | Director Academic Strategy | Continuous improvement | This policy combines previous RTO Policies 16, 17 and 18.  |
| Feb 2015<br>V1.1        | Director Academic Strategy | Continuous improvement | Updated in line with tender documentation.   |
| April 2015<br>V1.2      | Director Academic Strategy | Continuous improvement | Updated to reflect introduction of <i>Standards for Registered Training Organisations 2015</i> .   |
| August 2016<br>V1.3     | Director Academic Strategy | Sectoral Changes       | Updated to reflect change from ETI to TIWA and STPs to TAFE colleges.<br>Name changed to <i>Care of International Students under the age of 18</i> .<br>Amendment of section on TIWA's responsibilities. |
| July 2017<br>V1.4       | Manager Education Programs | Continuous improvement | Updated to include care for and services to students (Standard 6 National Code).   |
| May 2019<br>V1.5        | Manager Education          | Annual review          | Re-structured for clarity and updated to include a complaints and appeals policy for students and homestay providers.  |

## 9. CONTACT INFORMATION

TAFE International Western Australia, Service Delivery Directorate