La Trobe College Australia

Care of International Students under the Age of 18 Policy

1. Purpose

La Trobe College Australia is committed to enhancing the personal safety and social wellbeing of its international students who are under the age of 18 and who are not being cared for by a parent or a suitable relative in Australia. This policy provides guidance on the procedure for the arrangement and approval of the accommodation, support and general welfare arrangements for these students.

This policy is consistent with:

- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (the National Code 2018)
- Child Safety and Wellbeing Act 2005 (Vic)
- Working with Children Act 2005 (Vic.)
- Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015

2. Scope

This policy applies to all international students under the age of 18 who are not being cared for by a parent or a suitable relative in Australia and whom LTCA has elected to take responsibility for. This policy does not apply to international students under the age of 18 who are being cared for by a parent or a suitable relative in Australia, approved by the Department of Home Affairs.

The Director, Student Services is responsible for the implementation of this policy. However, all staff at LTCA dealing with U18 students are required to have Working with Children Check and Criminal Record Check. The Child Safe Standards Policy of LTCA provides guidelines regarding regulation and reporting of child abuse.

3. Definitions

Key Term or Acronym	Definition
CAAW	Confirmation of Appropriate Accommodation and Welfare letter.
CoE	Confirmation of Enrolment. A document registered with Department of Education and DHA to confirm an overseas student's acceptance into a course for a specified duration.
DHA	Department of Home Affairs. The Australian Federal Government's division on all immigration and visa matters.
ESOS Act 2000	The Education Services for Overseas Students Act. This Act regulates the delivery of education services to overseas students.
LTCA	Navitas Bundoora Pty Ltd, trading as **La Trobe College Australia**
National Code 2018	Nationally consistent standards and procedures for providers who deliver international educational services.
PRISMS	Provider Registration and International Student Management System. A database developed jointly by Department of Education and Immigration for the purposes of administering the ESOS Act.

Suitable Relative	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, over the age of 21.

4. Policy Statement

4.1 Acceptance of an International Student under the Age of 18

4.1.1 Prior to the acceptance by La Trobe College Australia (LTCA) of an international student under the age of 18, the parents or the legal guardian of the student must complete LTCA's "Nomination of Carer and Accommodation Form" advising whether the student will be residing with a parent or a legal guardian in Australia, with a suitable relative (Option 2) or, for all other instances, LTCA will be required to accept full responsibility for the accommodation, support and general welfare arrangements of the student (Option 1).

4.1.2 Suitable relatives include 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. The suitable relative will be required to be over the age of 21 years and provide the Department of Home Affairs (DHA) with evidence that they are of good character.

4.1.3 In the absence of a parent, a legal guardian or a suitable relative, LTCA will be required to assume full responsibility for the accommodation, support and general welfare arrangements of the student under the age of 18. Parents or the legal guardian must provide LTCA with full details of the health status of the student, health restrictions, disabilities, medication and allergies, prior to LTCA agreeing to accept responsibility. To provide accommodation for students under the age of 18, LTCA has engaged the services of Australian Homestay Network (AHN) for homestay placements. All staff and homestay providers are required to have Working with Children Check (WWCC). Prior to a student's placement and every 6 months thereafter, the LTCA Accommodation Coordinator inspects homes chosen by AHN for placement of U18 students. At this point every adult in the home needs to have a WWCC.

4.1.4 Where LTCA agrees to accept full responsibility for the accommodation, support and general welfare arrangements, the nominated dates will be reported through the Provider Registration and International Student Management System (PRISMS) using the Confirmation of Appropriate Accommodation and Welfare (CAAW) letter.

4.1.5 Where LTCA has elected to assume full responsibility for the student under the age of 18, LTCA is not obliged to continue this responsibility once the student turns 18.

4.2 International Students

4.2.1 Where 4.1.3 applies LTCA's accepted responsibility will commence 7 days prior to the commencement of their course at LTCA and end 7 days after the completion of their course (CoE course date plus 7 days), or when the student turns 18, whichever is earlier. The nominated dates will be specified in the CAAW letter. For students' visas packaged with La Trobe University, LTCA continues to provide care of U18 students until their University course commences unless they are returning home in the gap from study. In that case, they are under the care of their parents.

4.2.2 Students are advised not to arrive in Australia before the nominated period of responsibility unless accompanied by a family member or a close relative. Students should notify LTCA of their arrival date.

4.3 Support and Monitoring

Where 4.1.3 applies, under-18 international students for whom LTCA has assumed full responsibility, will be required to attend a fortnightly meeting with the Student Counsellor, to monitor their academic progress, living arrangements, health or any other personal matters. In these meetings age and culturally appropriate information is given to students U18 years of age. Contact numbers for emergency and nominated staff as well as AHN are provided to the students U18 years of age. Attention is drawn to the Child Safe Standards which outline how to seek assistance and report sexual, physical or other abuse. In such an event, LTCA's Critical Incident Policy is invoked.

Where an U18 student not under the care of LTCA the Student Counsellor attempts to meet with the nominated guardian shortly after the course commences. If such a student reports abuse or not being taken care of properly, the Student Counsellor may investigate this further and attempt to follow up with the parents, agents or the police as appropriate.

In the case of student absence from class, if the student is under 18 years of age, the teacher concerned has to inform the Student Counsellor immediately that the minor is missing. If the student has not already notified LTCA of their absence, then the Student Counsellor contacts the student to confirm their whereabouts and welfare.

4.5 Changes to Accommodation, Support and Welfare Arrangements

4.5.1 Where 4.1.3 applies, LTCA will advise the Australian Government of any changes to living arrangements which LTCA approves, using the 'Approval to Change Accommodation/Welfare Arrangements' letter in PRISMS.

4.5.2 Where 4.1.3 applies, LTCA will review any request for changes to the student's accommodation and welfare arrangements before any approval (if any) will be made in writing. This may require inspection of the premises by the Accommodation Coordinator, and if applicable, police checks/WWCC (Working with Children Check).

4.5.3 Where a student refuses to maintain accommodation, support and welfare arrangements which LTCA has approved, and where all other attempts for resolution have been exhausted, LTCA will be obliged to report this non-approval on PRISMS using the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements' letter. This could result in cancellation of the student's visa. Parents/legal guardian are informed immediately by the Student Counsellor.

4.6 Cancellation or Suspension of Enrolment

4.6.1 Where an Under 18 student's enrolment is cancelled or suspended, LTCA will continue to check and approve the suitability of arrangements for the student until:

i. the student is accepted by another provider and that provider takes over responsibility for approving the student's accommodation, support and general welfare arrangements;

ii. the student leaves Australia;

iii. other suitable arrangements are made that satisfy the Migration Regulations; or

iv. LTCA reports on PRISMS that it can no longer approve the arrangements for the student using the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements' letter.

4.6.2 Where 4.1.3 applies, if a student has gone missing from LTCA or the approved accommodation and cannot be found after 24 hours, despite implementation of its critical incident procedures, LTCA will report this to DHA through its Integrity Unit, and put this

information on PRISMS through the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements' letter. LTCA will also inform Victoria Police, and the parents and/or the agent, where the parents cannot be contacted or do not speak English.

4.6.3 Upon turning 18, the student is provided with their rights and responsibilities in the State of Victoria and Australia.

Policy Title	Care of International Students under the Age of 18 Policy		
Policy Owners	Director, Student Services; Student Counsellor		
Key Stakeholders	Parents, Legal Guardians, Agents		
Approval Body	LTM Management Committee		**Date approved** January 12 2012
	LTM Executive Committee		November 26 2014
	LTM Executive Committee		May 25 2017
	LTCA Senior Management Team		October 31 2018
Relevant Legislation	Education Services for Overseas Students Act 2000 (ESOS Act), National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) Child Safety and Wellbeing Act 2005 (Vic) Child Wellbeing and Safety Amendment (Child Safe Standards) Act 2015		
Related Guidelines	Attendance Policies Critical Incident Policy		
File information	**File number**		**Version number** 1.7
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AMENDMENT HISTORY			
Revision Date	**Version**		**Summary of changes**
19/05/2017	1.6		Title of Director position changed. 4.2.2 Arrival information. 4.3 Student attendance Related guidelines.
13/08/2018	1.7		Updates according to National Code 2018 and College name change to LTCA.