

International Under-18 Students Policy

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Purpose:

This policy is designed to facilitate the admission and enrolment of International Under-18 students, outlining the conditions under which the University will accept responsibility for the welfare of the students and compliance with the ESOS Act 2000 and National Code.

Audience:

Staff, Students

Objectives:

- To facilitate the admission and enrolment of international students under 18 years of age by outlining the conditions under which the University will accept responsibility for the welfare of the student.
- To ensure compliance with the Education Services for Overseas Student Act 2000 (the ESOS Act) and National Code.

Definitions:

Any defined terms below are specific to this document. The definition of common terms appears in the Murdoch University Dictionary of Terms.

- “CAAW” means Confirmation of Appropriate Accommodation and Welfare letter.
- “The ESOS Act” means The Education Services for Overseas Students Act 2000.
- “The National Code” means the legislative instrument of the ESOS Act and applies to providers of education to students on student visas in all sectors. National Code requirements are in addition to the standards for specific sectors.
- “PRISMS” means the Provider Registration and International Students Management System.

Policy Statement:

1. External Legislative Framework

- 1.1 The National Code was established under the Education Services for Overseas Student Act 2000 (the ESOS Act) with the objective of supporting the ESOS framework and establishing Australia's reputation as a high-quality education provider. Within the National Code, several standards have been established to ensure student welfare and support services are nationally consistent. Relevant to this policy is Standard 5: Younger Overseas Students.
- 1.2 Standard 5: Younger Overseas Students clarifies the requirement that "appropriate accommodation, support and general welfare arrangements be in place for the period that the student will be under 18 years old while in Australia. The provider must nominate the dates for which it will be responsible for these arrangements and for monitoring any changes to them."
- 1.3 Prior to a visa being granted the Department of Home Affairs (HoA) must be satisfied that all appropriate welfare arrangements are in place for under-18 students.
 - 1.3.1 A parent, a nominated suitable relative or an education provider must be responsible for the welfare of younger international students while in Australia.
 - 1.3.2 If a parent or suitable nominated relative takes responsibility for the welfare arrangements of the student, Standard 5 does not apply and providers do not need to complete a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter.
 - 1.3.3 Should neither a parent nor a suitable relative be in Australia to directly provide for the welfare of a student, and the education provider accepts the student, the provider must approve suitable accommodation and welfare arrangements.
 - 1.3.4 Where the provider approves the arrangement for under-18 students, it must nominate two dates:
 - 1.3.4.1 when the provider has elected to begin taking responsibility;
 - 1.3.4.2 when the provider will cease to take responsibility for approving the welfare arrangements for that student. Under migration regulations this period must be at least the Confirmation of Enrolment (CoE) plus seven days.
- 1.4 The provider is required to:
 - 1.4.1 Nominate the dates for which responsibility is accepted for approving the student's accommodation, support and general welfare arrangements;
 - 1.4.2 have documented procedures for checking the suitability of the student's accommodation, support and general welfare arrangements;

- 1.4.3 Maintain student records in Calista to reflect current arrangements
- 1.4.4 advise the student appropriately if they wish to change any living arrangements
- 1.4.5 advise HoA of any change in these living arrangements; and
- 1.4.6 continue welfare responsibility where a student's enrolment is terminated, suspended, or cancelled, until
 - 1.4.6.1 the student is accepted by another provider who takes responsibility for the accommodation, support and student welfare,
 - 1.4.6.2 the student leaves Australia,
 - 1.4.6.3 the provider appropriately reports it can no longer approve arrangements for the student, or
 - 1.4.6.4 alternative arrangements are made in accordance with Australian Migration Regulations.
 - 1.4.6.5 Maintain case management notes of all communications with relevant students within the Student Success database.
- 1.5 The provider nominates the start and end dates of welfare responsibility by completing and signing the Confirmation of Appropriate Accommodation/Welfare Arrangements (CAAW) letter generated from PRISMS. The student visa start and end dates will correspond with the dates in this letter, except if the student turns 18 during studies, when the standard visa end date will apply. The student cannot arrive in Australia before the nominated start date of the CAAW.
- 1.6 Where a student has a package arrangement of offers with multiple providers, each provider must complete the CAAW with nominated start and end dates. Any gap in welfare arrangements will result in the student visa only being granted for the period of continuous care arrangements. Students under 18 cannot remain in Australia unless the student is able to provide confirmation of acceptable welfare arrangements as stated in 1.2 above.

2. Conditions under which an admission and enrolment will be approved

- 2.1 Murdoch University will accept the admission and enrolment of an international student under-18 if:
 - 2.1.1 the student does not require an international student visa to study at Murdoch University (for example are residing in Australia as a dependent),
 - 2.1.2 the student will be residing in Australia with, and under the guardianship of, a parent, legal guardian or relative over 21 years of age who is nominated by their parent or legal guardian, or
 - 2.1.3 the student lives in Australia under a welfare arrangement approved by Murdoch University as the education provider.

- 2.2 For 2.1.2 above, HoA requires a relative to be aged over 21 years of age, be of good character and be eligible to remain in Australia until the applicant's visa expires or they turn 18. A relative is defined by HoA as a brother, sister, stepbrother, stepsister, step-parent, grandparent, step-grandparent, aunt, uncle, step-aunt, step-uncle, niece, nephew, step-niece, step-nephew or spouse. Changes to these definitions will be detailed on the HoA website www.immi.gov.au.

3. Welfare Arrangements Approved by Murdoch University

- 3.1 Murdoch University will accept responsibility for the welfare arrangements of an international under-18 students under the following conditions:
- 3.1.1 The student is at least 17 years of age seven days prior to Orientation for their first semester of study at Murdoch University;
 - 3.1.2 The student's parent or legal guardian has agreed in writing to the University accepting responsibility for their child's welfare;
 - 3.1.3 The student must reside in University approved homestay accommodation until 18 years of age and not change that accommodation without written approval from the parent or legal guardian and the University;
 - 3.1.4 The student must be met on arrival by the homestay provider. If the homestay provider is unable to meet the student, then the homestay provider must arrange for a representative of the University or a relative with pre-approved consent of the parent or legal guardian to meet the student;
 - 3.1.5 The student must attend Orientation for the University and their School or have a structured transition program approved by the Student Support Manager;
 - 3.1.6 The student must attend weekly meetings with an approved University Contact nominated by the Student Success Manager or have approved absences;
 - 3.1.7 The student must not stay overnight away from the approved homestay without both written agreement from the parent or legal guardian and homestay host. Any substantial accommodation away from the homestay or any intrastrate, interstate or international travel must also be approved by the University;
 - 3.1.8 The student must act responsibly, comply with Australian laws, the University's student charter and agreed rules of the homestay provider and not partake in risk-taking behaviour.
- 3.2 In approving welfare arrangements, the University accepts that it will:
- 3.2.1 Provide the student, parent or legal guardian and homestay provider with a nominated University staff member (University Contact) as the direct contact during normal business hours for welfare matters regarding the student and scheduled meetings. This staff member will hold a current Working with Children check

and be appropriately trained on matters regarding International Under-18 Students;

- 3.2.2 Organise a weekly meeting with the student at a convenient time and location;
- 3.2.3 Respond in a reasonable timeframe to unscheduled contact from the student, parent or legal guardian or homestay provider;
- 3.2.4 Provide information to the student, parent or legal guardian and homestay provider on the University's critical incident procedure and other relevant policies or procedures;
- 3.2.5 Maintain appropriate case management records of approvals and meetings.

3.3 Approved Accommodation

- 3.3.1 The student must reside in accommodation approved by both the University and the parent or legal guardian. This address must match the recorded address in Calista and PRISMS.
- 3.3.2 This accommodation must be in a homestay arrangement that has been nominated by the parent or legal guardian or from an approved University homestay supplier.
- 3.3.3 The homestay must be assessed by the University prior to approval of welfare arrangements. In doing so, the homestay must:
 - 3.3.3.1 Provide current Working with Children checks for all residents over 18 years of age residing in the accommodation;
 - 3.3.3.2 Allocate appropriate accommodation for the student in a private or shared room that is secure, of reasonable comfort, and appropriately furnished;
 - 3.3.3.3 Have a clear agreement in writing regarding board, rent and other services (ie. internet and phone) agreed with the parent or legal guardian including all charges;
 - 3.3.3.4 Be accessible to the University by walking, public transport or other agreed transport arrangements;
 - 3.3.3.5 Able to provide an orientation to the local area and transport and support available to assist the student with their settling in to the homestay and WA;
 - 3.3.3.6 Undertake to communicate to the University any changes to the homestay relevant to the student and their welfare;
 - 3.3.3.7 Be available for a minimum of two scheduled meetings per semester at the home with the nominated University representative.
- 3.3.4 Accommodation will be approved by the Manager, Student Success or their nominated delegate. Accommodation will be reassessed on a 6 monthly basis to ensure compliance.

- 3.3.5 Approval to change accommodation or to seek non-homestay accommodation (including Murdoch University Village) must be made in writing by the parent or legal guardian to the Manager, Student Success and any approved changes must be updated in Calista and PRISMS.
- 3.4 Travel Arrangements
 - 3.4.1 All travel arrangements for the student must be approved by the parent or legal guardian and communicated to the University contact and homestay provider in a timely manner prior to the travel occurring.
 - 3.4.2 The parent or legal guardian must supply details on the travel arrangements including flight number, departure times and confirm arrangement for the student's transport to and from the terminal.
 - 3.4.3 Following commencement of studies, where the travel is to a location other than the home of the student, the parent or legal guardian must provide the name, contact details (including mobile phone) and relationship of an approved local carer for the student at that location.
 - 3.4.4 Any significant travel relating to the student's course of study will require the approval of the parent or legal guardian and be supported by the homestay provider.
- 3.5 Non-Homestay Overnight Accommodation
 - 3.5.1 All overnight accommodation away from the homestay must be approved by the parent or legal guardian and signed by the homestay host. The approval must include the name of the carer at the location and contact details including address and relevant phone numbers.
 - 3.5.2 Any overnight accommodation relating to the student's course of study will require the approval of the parent or legal guardian and be supported by the homestay provider.
- 3.6 University Study Breaks and Non-Teaching Weeks
 - 3.6.1 All welfare arrangements continue without variation through any University study breaks or non-teaching weeks except for where the nominated welfare period will include a University break of greater than six weeks between the end of the exam period and commencement of the next enrolled study period, the University may require the student to return to their family within seven days of their final exam and discharge all related responsibilities for welfare. This responsibility will resume upon the students return to Australia no earlier than 14 days prior to the commencement of teaching.
- 3.7 Paid and Unpaid Work
 - 3.7.1 Whilst the student is under 18 years of age, the student is not able to undertake paid or unpaid work without approval of the Manager, Student Success. This does not include any required work

integrated learning or placement undertaken as part of the student's studies.

3.7.2 Approval will only be given in exceptional circumstances on written request from the student's parent or legal guardian.

3.7.3 It is the responsibility of the parent or legal guardian to ensure that all tuition, living expenses and other reasonable expenses are providing without requiring the student to seek employment.

3.8 Monitoring

3.8.1 The purposes of the monitoring will be to monitor the welfare and academic progression of the student with a goal of best supporting them to be successful in their studies within the nominated course duration, ensure their wellbeing is maintained and to have a positive experience at Murdoch University and in WA.

3.8.2 The student must attend their agreed weekly meetings with the University's nominated contact and participate in a constructive manner.

3.8.3 These visits must occur until:

3.8.3.1 the student turns 18 years of age, or

3.8.3.2 the student leaves Australia, or

3.8.3.3 another provider accepts responsibility for accommodation, support or welfare, or

3.8.3.3.1 the student's parent/relative/legal custodian accepts responsibility in accordance with DIBP regulations, or

3.8.3.3.2 the University ceases provision of welfare support as advised to DIBP.

3.8.3.4 The University will maintain notes from the meeting, within Right Now, the customer management database, covering any relevant matters raised at the discretion of the University contact or student.

3.8.3.5 The University will maintain all notes and communicate any matters relating to the student in line with the University's Privacy Policy.

3.9 Critical Incidents

3.9.1 The homestay provider will be required to provide information on their critical incident plan, including all contacts, to the parent or legal guardian and the University prior to approval being granted for welfare arrangements.

3.9.2 The University will provide information to the student, the parent or legal guardian and homestay provider of the University's critical incident policy and plan, including all contacts, upon commencement at the University.

- 3.9.3 All incidents must be communicated to the University Contact and documented in Right Now.

3.10 Changes to Welfare Arrangements

- 3.10.1 Where the student, their parent or legal guardian, homestay provider or the University seeks to change the welfare arrangements including accommodation, notice must be given to the other parties in writing at least 20 working days prior to the intended changes taking place. The notice must outline the proposed changes, timelines and any conditions requiring attention.
- 3.10.2 Where urgent changes in welfare arrangements are required to ensure the safety and welfare of the student, changes will be approved with immediate effect only by documented approval of the Manager, Student Success.
- 3.10.3 Where welfare arrangements will continue to require University approval, all relevant procedures and requirements outlined in Section 3 above must be completed.

4. Acceptance and Nominated Welfare Dates

- 4.1 Upon approval of welfare arrangements (as recorded on the Confirmation of Welfare Arrangements form) the University will approve a welfare period starting seven days prior to Orientation until the student turns 18 years of age, or at the end date of the COE plus seven days, whichever is the earliest.
- 4.2 Where the nominated welfare period will include a University break of greater than six weeks between the end of the exam period and commencement of the next enrolled study period, the University may require the student to return to their family within seven days of their final exam and discharge all related responsibilities for welfare. This responsibility will resume upon the students return to Australia no earlier than 14 days prior to the commencement of teaching.
- 4.3 Where the student is transferring providers the University's approved welfare period will commence not earlier than seven days prior to Orientation with the student to remain under the welfare provisions of their previous provider or under the care of a parent, legal guardian or relative for any gaps between approved welfare periods.
- 4.4 Where a student is transferring providers the University's approved welfare period will normally cease no later than seven days after release of results and is to be negotiated with the parent or legal guardian, the University and the future provider.
- 4.5 Variation to the nominated welfare dates can be requested by the parent or legal guardian in writing to the Director, Student and Library Services for review and decision.

5. Packaged Offers

- 5.1 Where a student is eligible to receive a packaged offer of study at Murdoch University and a Business Package Provider (i.e., a preparatory course, secondary school) and will turn 18 years of age prior to enrolling at the University no welfare arrangements are required to be approved by Murdoch University and remain the responsibility of the preparatory provider where relevant.
- 5.2 Where a student is eligible to receive a packaged offer of study at Murdoch University and a Business Package Provider and the student will not turn 18 years of age seven days prior to Orientation at the University, the University must complete a CAAW form as part of the packaged offer.
- 5.3 For the period of study prior to Murdoch University, the other provider is responsible for welfare arrangements and Murdoch University will only assume welfare responsibility from a period no earlier than seven days prior to Orientation.
- 5.4 At least 20 working days prior to commencing Orientation at Murdoch University, the student and/or their parent or legal guardian must supply:
 - details of proposed welfare arrangements and accommodation for the duration of the period the student will be under-18 at the University;
 - confirmation of welfare provision and/or travel arrangements in the period prior to commencement at Murdoch University, if applicable.
- 5.4.1 Murdoch University will assess all proposed welfare arrangements and accommodation and provide approval of welfare arrangements as outlined in Section 5 to the International Admissions team and contact the parents or legal guardian and homestay provider. The International Admissions team will note the approval, update PRISMS with all relevant details and proceed with the processing of an admission.
- 5.4.2 Where details cannot be provided or are assessed as unsatisfactory, Murdoch University will write to the parent or legal guardian including any relevant items for redress at least 10 working days prior to commencing Orientation. The notice will include that if a satisfactory outcome cannot be achieved at least five working days prior to commencing Orientation, the welfare arrangements may be withdrawn and the University will withdraw the offer for study at Murdoch University and cancel any enrolment.

6. Withdrawal of University Approval and Appeals Process

- 6.1 Murdoch University will make all reasonable efforts to support international under-18 students with the welfare arrangements.
- 6.2 University approval for accommodation, welfare and support will be withdrawn where the University deems one or more of the following grounds have been met:

- 6.2.1 The student refuses to observe reasonable standards of behaviour as outlined in the Student Charter, Student Misconduct Policy, and homestay rules;
- 6.2.2 The student refuses to maintain University approved homestay arrangements;
- 6.2.3 The student stays overnight at an address other than the approved homestay address, without parental/legal guardian and University approval;
- 6.2.4 The student undertakes intrastate, interstate or international travel without prior approval;
- 6.2.5 The student fails to participate in scheduled meetings and activities with the approved University Contact or Student Support team;
- 6.2.6 The student's enrolment is cancelled by the University.
- 6.3 The student will be notified in writing of the grounds for intended withdrawal of University supported welfare arrangements by the Director, Student and Library Services. A copy will be forwarded to the student's parent/legal guardian.
- 6.4 The student has a right to appeal to the Director, Student and Library Services the decision to withdraw University approval for accommodation, welfare and support within 10 working days of written notification.
- 6.5 A written outcome of the appeal will be forwarded to the student within 10 working days.
- 6.6 If the appeal outcome is unsuccessful, or an appeal is not received within the time duration specified in 6.4, the student's parent/legal custodian will be notified that the University is withdrawing approval for accommodation, support and welfare arrangements. Alternative welfare arrangements for the student in accordance with 2.1 above will be requested.
- 6.7 Where the grounds for University withdrawal of support is due to the student refusing to maintain University homestay arrangements, the University will complete the Non Approval of Appropriate Accommodation/ Welfare Arrangements letter on PRISMS within 24 hours. Provision of this letter signifies a breach of student visa condition 8532 and is likely to result in visa cancellation.
- 6.8 Where the parent/legal guardian or alternative provider has provided written confirmation that they will accept responsibility for the student, the PRISMS Approval to Change Accommodation/Welfare Arrangements letter will be completed.
- 6.9 Where the student has voluntarily withdrawn from the University, the parent or legal guardian and homestay provider must be notified by the University Contact and a cessation of the homestay agreement and welfare arrangements, including timelines for departure from the country or transfer to another provider, agreed. The University's provision of welfare arrangements will not extend for more than seven days beyond the reported end date of enrolment and the University will complete relevant reporting through PRISMS.

Performance Indicators:

There are no performance indicators.

Related Documents:

[International Under-18 Students Procedure](#)

References:

[Department of Home Affairs](#)

[Education Services for Overseas Students Act 2000 \(the ESOS Act\)](#)

[The National Code](#)

[The National Code Standard 5: Younger Overseas Students](#)

Approval and Implementation:

Approval Authority:	Director Student and Library Services
Responsible Officer(s):	Manager Student Success
Approval Authority for supporting procedures:	Director Student and Library Services
Approval Authority for supporting guidelines:	There are no supporting guidelines.
Approval Authority for supporting standards:	There are no supporting standards
Contact Officer:	Manager Student Success

Revision History:

Approved/ Amended/ Rescinded	Date Approved	Effective Date	Next Review Date	Resolution No. (if applicable)
Administrative amendments	11/08/2020			
Approved	14/06/2019		12/03/2022	
Approved by AC	11/03/2019		12/03/2022	AC/16/2019(ii)
Administrative amendments	06/06/2018			
Approved	17/04/2014		17/04/2015	