

# Safety and Welfare of Children and Young People - International Student Welfare Procedure

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## Purpose

This procedure establishes and outlines the University's processes for ensuring it meets compliance obligations with the ESOS Act, Standard 5 of the National Code 2018 regarding the welfare and care of international students on a student visa who are under 18 years of age while enrolled and studying onshore at Federation University.

## Scope

This procedure applies to:

- a. All international students aged under 18 years of age at studying at Federation University.
- b. All staff who are working with these students. This includes those staff teaching and supporting international students enrolled in any course at Federation University.

## Legislative Context

- [Education Services for Overseas Students Act 2000](#)
- National Code of Practice for Providers of Education and Training for Overseas Students 2018
- The Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)
- Higher Education Standards Framework (Threshold Standards) 2021
- [Child Safe Standards \(Vic\) \(Updated 1 July 2022\)](#)
- The National Vocational Education and Training Regulator Act 2011
- Standards for Registered Training Organisations (RTOs) 2015
- [Migration Regulations 1994](#)

## Definitions

Note: definitions throughout this Procedure can be accessed via the Policy Glossary.

A further list of definitions **specifically** relevant to this procedure is included below:

Term	Definition
Confirmation of Appropriate Accommodation and Welfare letter (CAAW Letter)	A document provided electronically, which is issued by the University of intending onshore international students under the age of 18. It confirms the international student's accommodation and welfare arrangements of which the University will be responsible for maintaining.
Confirmation of Enrolment (CoE).	A document provided electronically, which is issued by the University to intending onshore international students and which must accompany their application for a student visa. It confirms the international student's eligibility to enrol in the University's courses/qualifications.
Supplier	An organisation which or a person who supplies the University with goods or services, and includes their officers, directors, contractors and their subcontractors. Suppliers includes third party providers, their agents, related entities and consultants.

## Actions

	Activity	Responsibility	Steps
A	Organising welfare and accommodation while in Australia with a Nominated Guardian	Students parent or legal custodian	1. Before a visa can be issued to an international student under the age of 18, the Australian Government requires that there be appropriate accommodation and welfare arrangements made for the time the student is in Australia. All students must register their accommodation and welfare arrangements with the university before they accept their offer of a place.

			<p>2. Students may arrange welfare and accommodation while in Australia either with:</p> <ol style="list-style-type: none"> <li>a. A “Nominated Guardian” approved by the Department of Home Affairs (DHA). Nominated Guardians must be:             <ol style="list-style-type: none"> <li>i. A parent, spouse, de facto partner, legal custodian or nominated suitable relative.</li> <li>ii. Nominated by a parent of the applicant or a person who has custody of the applicant; and</li> <li>iii. Aged at least 21; and</li> <li>iv. Of good character, evidenced by providing a police clearance from the countries in which they have lived in for more than 12 months in the past 10 years after the age of 16; and</li> <li>v. An Australian citizen, permanent resident or be eligible to remain in Australia until the overseas student turns 18 years of age or until the overseas student’s visa expires (whichever happens first).</li> </ol> </li> <li>b. A parent, legal guardian or eligible relative, who must have an appropriate visa or have applied for a Student Guardian visa (subclass TU-590). Students with a Nominated Guardian do not require a Confirmation of Appropriate Accommodation and Welfare (CAAW), but are required to complete a <a href="#">Student Guardianship Arrangements (Form 157N)</a>. A copy of the completed form should also be attached to the students</li> </ol>
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			<p>application to study at Federation University.</p> <p>c. If a student requires Federation University to arrange a Confirmation of Appropriate Accommodation and Welfare (CAAW), they must have an agreement with our approved caregiver/welfare services and our approved accommodation provider as detailed below:</p> <ul style="list-style-type: none"> <li>i. ISA Student Advocates (ISA) (for welfare);</li> <li>ii. Australian Homestay Network (AHN) (for accommodation).</li> </ul> <p>3. Where the student's parent or legal custodian nominates accommodation, support and welfare arrangements approved by Federation University, a copy of both signed agreements must be included with their application to study. Federation University is then responsible for approving these arrangements. and issuing a CAAW letter.</p> <p>4. These welfare arrangements must be maintained until the student reaches 18 years of age. During this period (including periods of non-enrolment), any changes to accommodation and/or welfare arrangements must be approved by Federation University.</p>
B	Welfare and Accommodation for International Students Under 18 approved by Federation University	Student/Student Parent or Legal Custodian	<p>1. International students under the age of 18, and without an appropriate guardian in Australia will need to make welfare supervision arrangements via the ISA Student Advocates (ISA) and access to accommodation via the Australian Homestay Network (AHN).</p>

			<p>2. The student or their family must enter into an agreement with the Federation University approved third-party provider to:</p> <ol style="list-style-type: none"> <li>a. Provide welfare and accommodation services for the student while they are in Australia, however the ultimate responsibility for approving and assuring welfare arrangements sits with Federation University.</li> </ol> <p>3. ISA appoints a Welfare Supervisor to assist and monitor each student under 18. The Welfare Supervisors are vetted, suitable people who:</p> <ol style="list-style-type: none"> <li>a. Are at least 21 years of age.</li> <li>b. Have a valid and up to date Working with Children Check and valid police clearance.</li> <li>c. Agree to maintain a valid Working with Children Check (ensuring that they undergo the check every five years as required by the Laws of the State of Victoria).</li> </ol> <p>4. ISA is contracted by the University to provide a range of supports to international students under 18 years of age including:</p> <ol style="list-style-type: none"> <li>i. Assisting the student to settle into Australia and into the University.</li> <li>ii. Regular and ongoing contact with the student whilst they are enrolled at Federation University and are under 18 years of age. (Contact will be weekly upon arrival and then minimum of fortnightly).</li> <li>iii. Provide support to the student with any personal matters.</li> <li>iv. Make contact with the accommodation provider to</li> </ol>
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			<p>check on the student's welfare.</p> <p>v. Provide regular monitoring of student accommodation arrangements of international students under the age of 18. This will include ensuring that the Welfare Supervisor is available for any student issue relating to accommodation.</p> <p>5. If the student accommodation is provided through the Australian Homestay Network (AHN), AHN will ensure that the Homestay Host is of good character and suitability and holds the relevant and required personal clearances and meet the required standards of a homestay accommodation.</p> <p>6. Federation University may discontinue its agreements with third party providers if the provider does not adhere to its agreement with Federation University or where discontinuation of the agreement is in the best interests of Federation University or its students.</p> <p>7. Federation University will ensure that suitable alternative arrangements are in place for students before terminating third party provider arrangements.</p>
C	Issuing an Offer to an International Student aged under 18 years of age.	International Admissions/ International Student Compliance	<p>1. Prior to issuing a Conditional Letter of Offer to a prospective International Student, Admissions Staff will ensure the following:</p> <p>a. Student will be seventeen (17) years old when they start their Course at Federation University.</p> <p>b. Student has the maturity and capacity to engage with the academic content.</p>

			<ul style="list-style-type: none"> <li>c. Consider any possible disadvantages for the student studying under the age of 18.</li> <li>d. Capability and capacity of staff to be engaged with vulnerable students.</li> <li>e. Ensure that all relevant copies of submitted documentation for a student under 18 years of age are stored appropriately on the student's file.</li> </ul> <ol style="list-style-type: none"> <li>2. The Conditional offer will be changed to an unconditional offer only when a copy of the completed 157 N form is attached to the student's application to study at Federation University or copies of the signed Accommodation Agreement with Federation's approved Homestay Provider and Under 18 Student Welfare Provider are attached to the application.</li> <li>3. Where the applicant submits a signed copy of an Accommodation Agreement with an Approved Homestay Provider, the University has a documented process to verify that the arrangements are appropriate to the student's needs and age prior to the accommodation being approved. Arrangements are reviewed at least every six months.</li> <li>4. If the application is approved, and course fee payments are received, a Confirmation of Enrolment (CoE) and Confirmation of Appropriate Accommodation and Welfare (CAAW) letter will be issued by the International Student Compliance team. In the CAAW, Federation University will nominate the start and end dates of when they accept</li> </ol>
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			<p>welfare responsibility for the student. The minimum length of welfare responsibility is the term of the CoE plus seven days, or until the student turns 18 plus seven days.</p> <p>5. All students under the age of 18 will be invited to a compulsory Under 18's induction session as part of their compulsory orientation, and be provided with information on what to do and who to contact in an emergency, and how to report an incident or allegation of sexual, physical or other abuse.</p>
D	Monitoring Welfare and Accommodation Arrangements and Student Supports	Third Party Provider (ISA)/ Federation University International Student Advisory Team	<p>1. All accommodation used by students aged under 18 where Federation University has issued a CAAW will be monitored by the ISA Student Advocates (ISA) in accordance with the contract of service.</p> <p>2. This monitoring will include:</p> <ul style="list-style-type: none"> <li>i. Written check-ins with the student and accommodation provider.</li> <li>ii. An accommodation inspection prior to accommodation being approved, and at least every six months thereafter.</li> <li>iii. Working with Children Check audits for any adult involved in the provision of accommodation and welfare for students under the age of 18.</li> <li>iv. Phone check-ins with the student and accommodation provider.</li> </ul> <p>3. Federation University International Student Advisory will conduct additional spot checks to ensure compliance with the above. Spot-checks will include:</p>



			<ul style="list-style-type: none"> <li>i. Phone check-ins with the student</li> <li>ii. Written check-ins with the student</li> <li>iii. Accommodation spot checks.</li> </ul> <ol style="list-style-type: none"> <li>4. International Student Advisory will meet with all under 18 years of age international students in their first week of studies. The International Student Advisory team will explain the students obligations as an international student under 18 years of age, conduct an age and culturally appropriate induction and orientation and ensure the student has important contact and university support details.</li> <li>5. If there is a disruption to welfare arrangements or accommodation becomes unsuitable, or in an emergency, the students parent/guardian must seek and register a new suitable residency as soon as possible with AHN. A new CAAW will be issued once a new agreement is signed and received.</li> <li>6. If alternative accommodation is not sought by the parent/guardian when current accommodation has been assessed as unsuitable, Federation University will suspend the students enrolment until such time that the matter has been rectified.</li> <li>7. If contracts with third party providers are ceased or expire, Federation University may take on responsibility for approving arrangements for the student's welfare and accommodation until the student turns 18 for a time period of sufficient length to cover arrangements for the student to leave Australia or make other appropriate arrangements. All changes will</li> </ol>
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			require approval from the student's parent or legal custodian. With approval Federation University will issue a CAAW within 2 business days.
E	Suspension, Cancellation or Termination of Enrolment	Federation University International Student Advisory, International Student Compliance, ISA Student Advocates	<p>1. When an international student under the age of 18 has their enrolment suspended or cancelled, Federation University via the ISA Student Advocates (ISA) will continue to monitor the suitability of the students accommodation until such time that:</p> <ol style="list-style-type: none"> <li>i. The student leaves Australia; or</li> <li>ii. The student is accepted by an alternative registered provider and that provider takes over responsibility for welfare and accommodation; or</li> <li>iii. Other suitable arrangements are made to satisfy the Department of Home Affairs (DHA) regulations.</li> </ol> <p>2. International Student Compliance team will notify the Department of Home Affairs (DHA) that Federation University is no longer able to approve the students welfare. The student's CAAW and CoE will be cancelled. This will be a breach of the student's visa conditions and the student's visa may be cancelled.</p>

## Supporting Documents

- Child Safe Procedure

## Forms

- [Student Guardianship Arrangements Form](#)

## Responsibility

- Chief Learner Experience Officer (as the Approval Authority) is responsible for monitoring the implementation, outcomes and scheduled review of this procedure.
- Director Student Services and Registrar (as the Document Owner) is responsible for maintaining the content of this procedure as delegated by the Chief Learner Experience Officer.
- Manager, International Regulatory Services (Policy Editor).

## Promulgation

The Safety and Welfare of Children and Young People - International Student Welfare Procedure will be communicated throughout the University community via:

1. A FedNews announcement and on the 'Recently Approved Documents' page on the University's Policy Central website.
2. Distribution of e-mails to Head of Institute/ University staff.
3. Notification to Institutes.

## Implementation

The Safety and Welfare of Children and Young People - International Student Welfare Procedure will be implemented throughout the University via:

1. A FedNews announcement and on the 'Recently Approved Documents' page on the University's Policy Central website.
2. Staff induction sessions.
3. Training sessions.

## Records Management

Document title	Location	Responsible officer	Minimum retention period
<i>International Student Application &amp; Associated Documents</i>	StudyLink Application	Nominated Officer	Successful Applicants:  Seven Years from date of course completion or withdrawal.  Unsuccessful Applicants:  One year from date of decision
<i>Letter of Offer/Rejection</i>	StudyLink Application	Nominated Officer	Successful Applicants:  Seven Years from date of course completion or withdrawal.  Unsuccessful Applicants:  One year from date of decision
<i>Federation University International</i>	StudyLink Application	Nominated Officer	Successful Applicants:

<i>Student Offer and Acceptance Agreement</i>			Seven Years from date of course completion or withdrawal.
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