



# Students Under 18 Policy

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## 1. Purpose

This Policy seeks to ensure that the accommodation, support and welfare arrangements provided to overseas students who are under 18 years of age, complies with Education Services for Overseas Students (ECOS) Act and National Code Standard 5. Methodist Ladies' College ('MLC' or 'the College') is also required to comply with Victorian Registrations and Qualifications Authority (VRQA) guidelines.

## 2. Scope

This policy applies to the accommodation, support and welfare of International Student who are currently enrolled at MLC.

"International Student" has the same meaning as "overseas student" in Section 1.1.3 of the Education and Training Reform Act 2006 (Vic).

## 3. Policy Principles

### 3.1 Age and culturally appropriate information

The College will ensure that 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 relevant staff members
- how to seek assistance and report incidents or allegations of actual or alleged sexual, physical or other abuse.

Students are provided with emergency contact numbers for the MLC International Student Coordinator and the College.

Emergency information, as well as information on how to report any incident or allegation of sexual, physical or other abuse is provided to students in an age and culturally appropriate way in the:

- International Students Handbook
- Induction process
- Student safety card
- Student Safety site on the Student Hub (SharePoint)
- Regular face to face meetings with the International Student Coordinator.

### 3.2 Child Safety

MLC complies with the Victorian Child Safety Standards and *Ministerial Order 1359 – Implementing the Child Safe Standards – Managing the risk of child abuse in schools and boarding premises*, through the policies and procedures in the College's Child Safe Program.

MLC will ensure that any adults involved in, or providing, accommodation and welfare arrangements to International Students have appropriate Working with Children clearances in accordance with the College's Child Safe Program.

### 3.3 Accommodation Options

If an International 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 meet welfare requirements, MLC International Students can either:

- Stay in Australia with a 'nominated guardian' approved by the Department of Home Affairs. This can be the overseas student's parent, person who has legal custody, or an eligible relative who is over the age of 21 and is of good character (see <https://www.homeaffairs.gov.au/>). MLC does not provide a welfare letter Confirmation of Appropriate Accommodation and Welfare (CAAW) in this situation.
- Stay in MLC's Tiddeman Boarding House where a CAAW letter has been completed by MLC at the time of completing the Overseas Student Enrolment Agreement and Confirmation of Enrolment (CoE).

All overseas students on a CAAW, regardless of age, must have accommodation arrangements approved by the College. MLC will not approve an International Student's parent, legal custodian or eligible relative as the welfare arrangement on a CAAW. If an International Student's parent wishes to care for them in Australia, they should apply to be the student's nominated guardian through the Department of Home Affairs.

International Students (including those over 18 years) are not permitted to live alone or only with other students.

No students will be accepted into MLC on an exclusively homestay arrangement. Short-term Homestay is only available to students on a CAAW letter who reside in the Tiddeman Boarding House, in the event of illness or if a student is unable to either return home to parents or stay with parents in Australia for term break periods (maximum 3 weeks). Homestay hosts require MLC prior verification and approval. As part of their agreed responsibilities, Local Support Persons are expected to provide Short-Stay Homestay accommodation if ever required.

Upon confirming enrolment and creating the CAAW letter, the College does not take over legal responsibility for overseas students. The parent or person who has legal custody of the overseas student is at all times legally responsible for the student.

MLC must maintain up-to-date records of the student's contact details, including the contact details of the student's parents/guardians and Local Support Persons (LSP).

### 3.3 Where MLC takes responsibility for Accommodation, Support and General Welfare Arrangements

For International Students that reside in the Tiddeman Boarding House, the College is responsible for the provision of accommodation, support and general welfare of the student and issues a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter as part of the visa process. These arrangements are required to be in place for the period that the individual is enrolled as a student at MLC. The dates for which the College accepts responsibility for approving the student's accommodation, support and general welfare arrangements are nominated in the required Department of Home Affairs form.

The CAAW letter is created at the same time as a Confirmation of Enrolment (CoE). CAAW date will commence the day before the course commences to align with the Boarding House opening date. The nominated end date of the CAAW must cover the length of the CoE plus seven days at the end. MLC advises students who are issued with a CAAW that they must not travel to Australia before the nominated welfare start date, unless accompanied by a nominated guardian approved by the Department of Home Affairs.

MLC acknowledges that the CAAW responsibility undertaken cannot be delegated to another party. The College retains the ultimate responsibility for approving and assuring welfare arrangements until the International Student:

- is outside Australia; or
- turns 18; or
- transfers to another providers CAAW
- or enters the care of a nominated guardian approved by the Department of Home Affairs.

#### Verifying suitable accommodation

Where MLC has issued a CAAW, the College has an obligation to ensure that their living arrangements are safe and adequately meet their needs (Standard 5.3.3).

The International Student Coordinator works with the Head of Boarding to regularly verify that accommodation in the Tiddeman Boarding House is appropriate to the overseas student's age and physical needs.

The Tiddeman Boarding House is a registered boarding premises under the Victorian Registration & Qualifications Authority (VRQA) Minimum Standards and Requirements for School Boarding Premises Registration. To meet these requirements, the College has developed policies, procedures and practices in accordance with these guidelines and also to ensure compliance with Ministerial Order 1359 regarding the implementation of the Victorian Child Safe Standards.

In the event that a student must be accommodated in a short-stay homestay (illness or term breaks), the College has a policy and processes in place to ensure that:

- the minimum age of any homestay arrangement is 13 years of age
- any adults involved in providing short-stay accommodation and welfare arrangements have Working with Children Checks and undertake Child Safety induction and training
- accommodation is verified, in person, by visiting the premises to ensure that the any short-stay accommodation is appropriate to the student's age and needs, prior to the accommodation being approved and at least every 6 months (if required).

MLC has a process in place for managing emergency situations where welfare arrangements are disrupted or when students are missing. This process is outlined in the *MLC International Student – Critical Incidents Policy*. When a student is unable to be contacted and there are concerns for their welfare, the College must make all reasonable efforts to locate them, including notifying the police and any other relevant Commonwealth or state agencies as soon as practicable.

#### Where the College No Longer Approves Welfare Arrangements

Where MLC is no longer able to approve the welfare arrangements of an International Student, the College must make all reasonable efforts to ensure that the student's parents/guardians are notified immediately (Standard 5.4). The College will notify the parents/guardians of the International Student via email and phone. The Department of Home Affairs must be notified within 24 hours if MLC is no longer able to approve the student's welfare arrangements.

#### Welfare Arrangements after suspension or cancellation of enrolment

Where the College suspends or cancels the enrolment of an International student, the College must continue to approve the welfare arrangements for that student until:

- the student has alternative welfare arrangements in place approved by another school
- care of the student by a parent or nominated relative is approved by the Department of Home Affairs
- the student leaves Australia
- the College has notified the Department of Home Affairs under Standard 5.3.6 that it is no longer able to approve the student's welfare arrangements, or under Standard 5.5 that the required action has been taken after not being able to contact the student.

Before a CAAW is terminated for the student, the College must ensure the student has new welfare arrangements formally in place. The student must provide a letter from another registered provider,

or their parents/ guardians/eligible relatives confirming that they will take the responsibilities for the international student's welfare arrangements and the date from which the new arrangements will commence.

The College may decide to terminate a CAAW where it can no longer take responsibility for the international student due to events, such as:

- the International Student refuses their accommodation or leaves their accommodation without notice
- after the College has exhausted all possible avenues of assisting the International Student to maintain appropriate arrangements
- the International Student's enrolment is suspended or cancelled
- the International Student goes missing from their accommodation and cannot be found or contacted, even after the College has implemented our *International Student - Critical Incident Policy*.

In the situations listed above, the College must report the International Student within 24 hours using the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements' letter in PRISMS. This may lead to cancellation of the international student's visa by the Department of Home Affairs for breaching visa condition 8532.

### **3.4 Transferring between registered providers**

If an International Student who is under the age of 18 on a CAAW is transferring to another registered provider, the receiving registered provider must ensure that there is no gap in welfare arrangements. In accepting the International Student, the receiving registered provider must liaise with the first registered provider to ensure the International Student has appropriate welfare in place at all times and issue a CAAW letter covering the transition from one accommodation provide to another.

The College will inform the student of their visa obligations to maintain their current welfare arrangements until the new arrangements are approved or return to their home country until the new approved welfare arrangements take effect.

### **3.5 Where an International Student turns 18**

If an International Student turns 18 whilst enrolled at the College, the CAAW responsibility will cease and the requirements of Standard 5 of the National Code will no longer apply.

As a condition of enrolment, International Students over the age of 18 (who were previously on a CAAW) must continue to reside in the Tiddeman Boarding House until the completion of their final year.

### **3.6 International Student Safety Card**

All International Students enrolled at MLC will be issued with a Student Safety Card by the International Student Coordinator.

The card will be issued at the time of commencement and for the full duration of their enrolment. The student must carry this card with them at all times. This helps to ensure that students can contact designated responsible persons in the event of an emergency.

Students and all relevant staff are briefed on the purpose of the card and the information contained within the card. All parties must understand what to do in the event of an emergency and that the College should always be contacted first in the event of an emergency.

If any information on the card needs to change, the students will be provided with a new card immediately.

The Student Safety Card includes:

- The 24-hour contact number of the International Student Coordinator
- The Boarding House telephone number and emergency contact number (Boarders only)
- MLC's general phone number and 24/7 contact number
- Details of emergency agencies in Victoria
- A statement that 'MLC is regulated by the Victorian Registrations and Qualifications Authority (VRQA). Students can contact VRQA at: [www.vrqa.vic.gov.au](http://www.vrqa.vic.gov.au)

Students are also assisted by the International Student Coordinator and Boarding House Staff to save emergency contact details in their mobile devices.

### 3.7 Record Keeping

The College maintains evidence of compliance with this policy by maintaining records of activities undertaken by the College in accordance with this policy, any written agreements entered into by the College and copies of all CAAW letters. Records will be maintained in accordance with our *International Students - Records Management Policy*.

## 4 Governance

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