



THE UNIVERSITY  
*of* ADELAIDE  
COLLEGE

# Management and Monitoring of Under 18 Students Policy

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## Scope

This policy applies to all current and future overseas students of the University of Adelaide College (referred to as “the College”) if under the age of 18 whilst studying at UoAC, except where otherwise stated. This policy (and associated procedure) meet the requirements of the National Code 2018 (<https://www.legislation.gov.au/Details/F2017L01182>) and the ESOS Act 2000 (<https://www.legislation.gov.au/Details/C2017C00292>).

University of Adelaide Under 18 students’ welfare is managed and monitored by The University of Adelaide College under agreement between the providers. University of Adelaide Under 18 students are bound by this policy.

## Purpose

The College is committed to appropriately managing overseas students under the age of 18 in accordance with the Education Services for Overseas Students (ESOS) Act 2000, the Education Services for Overseas Students (ESOS) Regulations 2001, the National Code 2018 and relevant State and Territory Child Safety legislation.

The policy outlines the welfare and accommodation arrangements required for overseas students who are under the age of 18 and aims to ensure the personal and social wellbeing of these students.

## Policy Statements

The College will meet the following requirements for overseas students under the age of 18 ensuring compliance with the ESOS legislation and the National Code 2018.

- All overseas students under the age of 18 must attend an age and culturally appropriate orientation program.
- The College must provide students under the age of 18 with information on who to contact in emergency situations, including contact numbers of nominated staff and information on seeking assistance and reporting any incident or allegation involving actual or alleged sexual assault, physical or other abuse (<https://college.adelaide.edu.au/about/policies-and-procedures/>).
- Implement the Critical Incident Policy (<https://college.adelaide.edu.au/about/policies-and-procedures/>) and/or Mandatory reporting, when required.
- All employees, including contractors must have a current and valid Working with Children Check (WWCC) or the state equivalent as well as any additional state or territory regulatory requirements, irrespective if they have access to under the age of 18 students or not.
- All contracted homestay providers are required to have a current and valid WWCC or the State equivalent and will be subject to ongoing monitoring and review.

- The appropriate accommodation, support and general welfare arrangements are provided for the duration of their enrolment, or until another provider accepts responsibility or the student leaves the country or turns 18.
- Implement 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.
- Ensure continuous welfare arrangements are in place where the student is enrolled in two or more courses with more than one provider.
- If no longer able to approve the welfare arrangements of a student, the College must make all reasonable efforts to ensure the student's parents/legal guardians are notified immediately.
- Advise the Department of Home Affairs (HA) (*via PRISMS*) as soon as practicable if the student will be cared for by a parent/legal guardian or a nominated relative approved by HA. In this instance a CAAW letter will no longer be required.
- Advise within 24 hours the HA if the College is no longer able to approve the student's welfare arrangements.
- Make all reasonable efforts to inform student's parents/legal guardian if no longer able to approve welfare arrangements of a student.
- Maintain up-to-date records of the student's contact details, including the contact details of the student's parents, legal guardian or any adult responsible for the student's welfare.
- If unable to contact students and have concerns of their welfare, the College must make all reasonable efforts to locate the student, including notifying the police and any Commonwealth, state or territory agencies as soon as practicable. (refer to the Critical Incident Policy <https://college.adelaide.edu.au/about/policies-and-procedures/> )
- If the College suspends or cancels the enrolment of an overseas student under the age of 18, the College must continue to approve the welfare arrangements for that student as follows:
  - until the student has alternative welfare arrangements approved by another registered provider;
  - until care for the student by a parent/legal guardian is approved by HA;
  - the student leaves Australia;
  - the College has notified HA that it is no longer able to approve the student's welfare arrangements or it has taken the required actions after not being able to contact the student.
- Provide students with access to welfare-related support services, as required.
- If the College enrolls a student under the age of 18 who has welfare arrangements approved with another registered provider, the College must:
  - negotiate the transfer date for welfare arrangements ensuring there is no gap
  - inform the student of their visa obligation to maintain their current welfare arrangements until the transfer date or have alternative welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect.
- Provide students with access to services designed to assist them in meeting their course requirements.

## Legislative Requirements

If a student is intending to come to Australia to study and they are under the age of 18 years, adequate welfare arrangements must be in place in Australia up until they turn 18. To be able to apply they must be doing one of the following:

- Nominate a parent/legal guardian or a relative over the age of 21 years as the “student guardian”. This person must have a visa to remain in Australia for the duration of the student’s visa or until the student turns 18 and may be a parent, spouse, de-facto partner, brother or sister, grandparent, aunt or uncle of the student applying.
- Provide evidence that a parent/legal guardian or relative over the age of 21 years will accompany them as a student guardian visa holder.
- Organise for their education provider to approve their welfare arrangements. Under this option, a Confirmation of Appropriate Accommodation and Welfare (CAAW) letter is issued to the Department of Home Affairs (HA) which informs HA when the welfare arrangements start and end.

**Note:** If a student’s welfare arrangements are approved by the College, the minimum period stated on the CAAW letter must be the period of the CoE plus seven days at the end of the CoE or the date the student turns 18.

It is recommended that the College takes responsibility for a student’s welfare at least a week before the student’s course commences. This is not a compulsory fixed time period, the student cannot enter the country without approved arrangements in place, as such the time period should be agreed upon with the student’s parent/legal guardian and the College.

## Supporting Procedures

The College believes that its students under the age of 18 are best served by the following:

- provide all staff with training on how to manage students under the age of 18;
- all staff, contractors, homestay providers are holding a current and valid Working with Children Check (WWCC) and/or a Criminal Record Check;
- all students under the age of 18 must attend an age and culturally appropriate Orientation session, including information on Critical Incidents, managing emergency procedures and contact details of staff responsible;
- maintain up-to-date records of student’s contact details including current residential address, mobile number, email address and who to contact in emergency situations.
- students under the age of 18 years must have welfare arrangements in place for the duration of their enrolment as shown in their Confirmation of Enrolment (CoE);
- conduct ongoing monitoring of the welfare accommodation (every six months);
- students need written permission from parents/legal guardians to access the Internet, to participate in excursions and other activities organised outside the College;
- regular monitoring sessions to be held with all students under the age of 18 years – (these sessions may include discussions around their welfare, accommodation, reporting incidents, course requirements and challenges they may have to complete assignments, life on campus and in Australia, finding a job, etc) – always record findings from discussions on the student’s file unless it is sensitive and confidential information and requires attention of staff at managerial level.
- conduct surveys of students on their overall experience as a student at the College.

## Relevant Legislation and Policies

As a registered provider, the University of Adelaide College operates under strict laws and regulations. Policies and procedures are in place to ensure compliance with such laws.

Below, please find the most relevant legislations, policies and procedures which apply to the “Management and Monitoring of under 18 Students Policy”:

Education Services for Overseas Students Act 2000 (ESOS Act 2000)

<https://www.legislation.gov.au/Details/C2017C00292>

Education Services for Overseas Students Regulations 2001

<https://www.legislation.gov.au/Details/F2016C00681>

National Code of Practice for Providers of Education and Training to Overseas Students 2018

<https://www.legislation.gov.au/Details/F2017L01182>

Standard 5 of the National Code 2018 Factsheet

<https://internationaleducation.gov.au/Regulatory-Information/Documents/National%20Code%202018%20Factsheets/Standard%205.pdf>

Other College policies associated with the “Management and Monitoring of under 18 Students Policy” (to be found at following link <https://college.adelaide.edu.au/about/policies-and-procedures/>)

- Admissions Policy
- Critical Incident Policy
- Bullying and Harassment Policy
- Transferring between Providers Policy
- Deferral, Suspension or Cancellation of Enrolment

## Amendments

The College reserves the right to amend this policy at its discretion. All changes and amendments to our public policies are published on the College’s website at following link:

<https://college.adelaide.edu.au/about/policies-and-procedures/>

## Questions

For any questions or comments about this policy, please contact Student Services or Reception. In the absence of any questions the College presumes that you understand and are aware of the rules and guidelines in this policy and you will adhere to them at all times.

## Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and Responsible Officers to ensure compliance with this policy.

<b>Policy Category</b>	Legal			
<b>Responsible Officers</b>	General Counsel and Executive Director People and Culture			
<b>Implementation Officer</b>	College Director, The University of Adelaide College			
<b>Review Date</b>	March 2020			
<b>Approved by:</b>				
Joint Strategic Board				
<b>Version</b>	<b>Authored by</b>	<b>Brief Description of the changes</b>	<b>Date Approved</b>	<b>Effective Date</b>
3.0	Kaplan Australia Quality, Regulations and Standards Team and UoAC Student Services Team.	<p>Reviewed and updated policy to meet criteria of ESOS framework and National Code 2018.</p> <p>Added reference to legislation and relevant policies.</p> <p>Added the "Version Control" section to provide ongoing information on updates and reviews of the policy for continuous improvement purposes.</p>		



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