

International Students Under 18 Policy

Document

Document Name	International Students Under 18 Policy
Brief Description	This policy provides framework for management of accommodation and welfare arrangements of under 18 international students by the Sydney Institute of Business and Technology (SIBT).
Responsibility	Senior Management Team
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Version Control

Date/Approval	Version No.	Summary of Changes	Reviewer Name and Department/Office
13/05/2010	1	Formatted to new template	Senior Management Team
15/11/2013	2	Updated Reference from DIAC to DIBP	Senior Management Team
10/03/2016	3	Updated. Endorsed and approved by SMT.	Senior Management Team
10/02/2017	4	Updated to allow for packaged offers	Senior Management Team
20/4/2017	5	Updated to allow for WSU policy and packaged students	Senior Management Team
1/6/2018	6	Updated and reviewed	Senior Management Team
20/04/2023	7	Transferred to the new template, minor editorial amendments, better aligned with the Standard 5 of the National Code, names of the roles/positions amended, sections 5.1 c), 5.4 b), 5.4 c), 7, and 8 e) added, required documents added in sections 5.2 and 5.3.	Senior Management Team

Related Documents

Name	Location
Student Complaints and Appeals Policy	SIBT Website
Admissions Policy	SIBT Website
Transfer of Provider Policy	SIBT Website
Refund Policy	SIBT Website
Critical Incident Policy	SIBT Website

Name	Location
Confirmation of Appropriate Accommodation and Welfare (CAAW) letter	
Approval to Change Accommodation/Welfare Arrangements letter	
Non-Approval of Appropriate Accommodation/Welfare Arrangements letter	
Guardianship Form for Students Under 18	SIBT Website
Education Services for Overseas Students Act 2000	https://www.legislation.gov.au/
National Code of Practice for Providers of Education and Training to Overseas Students 2018	https://www.legislation.gov.au/
Migration Regulations 1994	https://www.legislation.gov.au/
Immigration Guidelines - Welfare Arrangements for Students Under 18.	https://immi.homeaffairs.gov.au/



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1. Purpose

- a) The International Students Under 18 Policy outlines the assessment and approval of welfare and accommodation arrangements for international students under the age of 18 who are studying at Sydney Institute of Business and Technology (SIBT).
- b) The International Students Under 18 Policy should be read and understood in conjunction with SIBT policies and forms, including but not limited to the documents listed in the 'Related Documents' section of this Policy.

2. Definitions

Term	Meaning
DHA	Department of Home Affairs
Package Offer	An offer which includes more than one program.
CAAW	Confirmation of Appropriate Accommodation and Welfare Arrangements – is a signed document generated in PRISMS and issued by SIBT which approves a student's accommodation and welfare arrangements while they are under 18 years of age and enrolled at SIBT.
PRISMS	Provider Registration and International Student Management System
Nominated Guardian	Nominated guardian can be the international student's parent, person who has legal custody, or an eligible relative who is aged over 21 and is of good character, and who is approved by Department of Home Affairs (DHA).
Approved Homestay Provider	Approved Homestay Provider means a provider approved by SIBT and that SIBT has a current agreement with, to provide accommodation services to international students who are under 18 years of age.
Host Profile	Description of the family with the Approved Homestay Provider

3. Application

- a) The International Students Under 18 Policy applies to all international students undertaking Foundation or Diploma level studies at SIBT who are under 18 years of age.
- b) The International Students Under 18 Policy does not apply to domestic students.
- c) The policy comes into effect in Australia 14 days before the commencement of the SIBT program and remains in effect until the student turns 18 years of age or for seven (7) days after the end date of the electronic Confirmation of Enrolment (eCoE), whichever is earliest.

4. Policy Statement

- a) The Sydney Institute of Business and Technology (SIBT) will:
 - i. Ensure compliance with Standard 5 of the Education Services for Overseas Students (ESOS) National Code 2018, the regulations of the Department of Home Affairs (DHA), and State child protection laws in relation to students under 18 years of age; and
 - ii. Provide all international students with age and culturally appropriate information including, but not limited to, the information of procedures and support channels in case of emergency such as:

- Incidents or allegation of sexual, physical, or other incidents or/an assaults;
 - Severe verbal or psychological abuse or aggression;
 - Disruption in the student's welfare and accommodation arrangements;
 - Domestic violence.
- b) The approved minimum entry age for students commencing their studies at SIBT is 17 years. SIBT may admit an international student who will be under 18 years of age when they commence their program and who intends to study on a student visa, where the student will live in Australia until they turn 18 either with:
- i. A nominated guardian approved by the Department of Home Affairs (DHA); or
 - iii. An Approved Homestay Provider who has a written agreement with SIBT.
- c) DHA defines '**nominated guardian**' as a person who is:
- i. A parent, spouse, de facto partner, brother, sister, step-parent, step-brother, step-sister, grandparent, aunt, uncle, niece or nephew, or a step-grandparent, step-aunt, step-uncle, step-niece or step-nephew; and
 - ii. Nominated by a parent of the applicant or a person who has custody of the applicant; and
 - iii. Aged at least 21; and
 - iv. Of good character, and show this by providing a police clearance from the countries in which they have lived for more than 12 months in the past 10 years after the age of 16; and
 - v. An Australian citizen, permanent resident or be eligible to remain in Australia until the international student's visa expires or the international student turns 18 years of age (whichever happens first).
- d) Where students under the age of 18 are not being cared for in Australia by a parent(s) or a suitable nominated relative, SIBT ensures the arrangements are made to protect the personal safety and social well-being of students are appropriate. Students who meet these criteria, are required to stay in accommodation approved by SIBT.
- e) SIBT accepts the responsibility for approving the accommodation, support, and general welfare arrangements for students under 18 as long as they will be 17 years of age when they proceed to the University for which they accepted the package offer.
- f) The student visa condition 8532 imposes an obligation on all international students under 18 to maintain accommodation, support, and general welfare arrangements approved by DHA or SIBT for the duration of their studies with SIBT or until they turn 18 years of age.

5. SIBT Approved Care Arrangements

5.1 Accommodation

- a) At the time of application, all international students are required to indicate to SIBT that they will be living in appropriate accommodation arrangements.

Age at Commencement	Accommodation
Less than 17 years of age	<ul style="list-style-type: none"> • A nominated guardian approved by the Department of Home Affairs (DHA).
17 – 18 years of age	<ul style="list-style-type: none"> • A nominated guardian approved by the Department of Home Affairs (DHA); or • An Approved Homestay Provider who has an agreement with SIBT.

- b) SIBT will issue Confirmation of Appropriate Accommodation and Welfare Arrangements (CAAW) letter only to students who nominate they will stay in a SIBT Approved Homestay Provider.
- c) SIBT may consider other Homestay Providers where a student already has a stable homestay arrangement in place.

5.2 Living with a Nominated Guardian

- a) If the student plans on living with a nominated guardian approved by DHA, the following documents are required by SIBT:
- A completed 'Guardianship Form for Students Under 18' form signed by the parent or custodian;
 - A certified copy of the student's passport;
 - A certified copy of parent /nominated guardian's identification containing both a photo and signature (e.g. passport, driver's licence or official ID card).
- b) The student's parent or legal custodian can apply to nominate a guardian directly to DHA. DHA will assess the nominated arrangements and, if approved, the parent, legal custodian or eligible relative will be the international student's 'nominated guardian'. SIBT is not involved in this assessment and will not issue a Confirmation of Appropriate Accommodation and Welfare Arrangements (CAAW) letter.

5.3 Living with an Approved Homestay Provider

- a) Where a student chooses to live with a SIBT Approved Homestay Provider, the student is required to provide the following documents to SIBT:
- A completed 'Guardianship Form for Students Under 18' form signed by the parent or custodian;
 - A copy of homestay arrangement confirmation and a host family profile;
 - A certified copy of the student's passport;
 - A certified copy of parent /nominated guardian's identification containing both a photo and signature (e.g. passport, driver's licence or official ID card).
- b) SIBT recognises the following organisations as providing appropriate accommodation, support, and general welfare to students:
- Homestay Network;
 - Auzzie Families; and

- iii. Global Experience.
- c) All Homestay Providers that SIBT have a written agreement with, ensure all host families undergo appropriate working with children checks and are of good character, monitor the currency of working with children checks throughout the arrangement, and carry out regular six (6) monthly inspections of the accommodation, reports from which are provided to SIBT.
- d) SIBT will nominate the start and end dates of welfare responsibility and complete and sign the Confirmation of Appropriate Accommodation and Welfare Arrangements (CAAW) letter and provide a copy to the student. Students are not permitted to arrive in Australia before the nominated start date of the Confirmation of Appropriate Accommodation and Welfare Arrangements (CAAW) letter.
- e) SIBT will ensure the student's parent/legal custodian has agreed in writing to the accommodation arrangements.
- f) The student is in their approved homestay as soon as they arrive in Australia, which must be no later than the Monday of week one (1).
- g) The student must live in SIBT Approved Homestay Provider until 18 years of age or for seven (7) days after the end date of the student's CoE, whichever is earliest.

5.4 Changes to Living Arrangements

- a) If a current SIBT student in homestay wishes to change their living arrangements (other than to another homestay provider) after the Student Visa has been granted, they must apply to DHA for approval. Students will be required to refer to DHA and complete the necessary documentation for nomination of a student guardian.
- b) If a current SIBT student wishes to transfer to another Approved Homestay Provider, the parent(s)/legal custodian must enter into an agreement with the new Homestay Provider and provide a copy of the agreement to Student Learning and Welfare Support Team in order to issue a new Confirmation of Appropriate Accommodation and Welfare Arrangements (CAAW) letter.
- c) Students must stay with their approved homestay provider until changes are approved.

6. Monitoring and Terminating Arrangements

6.1 Support and Monitoring Arrangements

- a) SIBT ensures the welfare of underage international students, who are under CAAW, is maintained at all times, and will:
 - i. Ensure that any adult involved in providing international student accommodation or welfare arrangements have Working with Children Checks (WWCC); and
 - ii. Obtain host profiles from the Approved Homestay Provider; and
 - iii. Obtain recent inspection reports verifying the appropriateness of the accommodation during the admission process and then at least every six (6) months to verify that international student accommodation is appropriate to the student's age and physical needs; and
 - iv. Notify the police and any other relevant agencies as soon as practicable if unable to contact an international student and there are concerns for their safety and welfare; and

- v. Report to DHA through PRISMS if SIBT is no longer able to take responsibility for the international student's welfare; and
 - vi. Make all efforts to contact an underage international student's parent or legal custodian immediately if they can no longer approve the international student's welfare.
- b) All international students under 18 years of age with a CAAW are required to sign the Under 18 Support Plan and attend an appointment with the Under 18 Coordinator at least five (5) times per study period, or as requested, so that their welfare and academic progress can be adequately monitored. The appointments allow students to identify and discuss problems they may be experiencing with their living arrangements, studies, health, or any other personal issues.
 - c) The student needs a written approval from the student's parents or legal custodian, and SIBT in order to stay overnight at an address other than the address of the homestay family. Permission is granted at the discretion of SIBT.
 - d) Any changes to the student's current enrolment and study plan will be considered and will require a written permission from the parent or legal custodian.
 - e) In some cases, classes and assessment may be scheduled at night. In cases where a student under 18 feels they may be vulnerable to a degree of risk by having to attend an evening class or assessment activity, they should contact a Student Advisor to make alternative arrangements.
 - f) Students returning home must provide evidence to SIBT of issue flight tickets to their home country. Students must have written approval from SIBT and in some cases from the parent/legal custodian to travel to and from the airport.
 - g) SIBT will liaise with parent/legal custodian, or homestay families regarding any issues that may be affecting the wellbeing of students with a CAAW in place.
 - h) If SIBT suspends or cancels the enrolment of a student, SIBT will continue to check suitability of care arrangements until:
 - i. The international student has alternative welfare arrangements approved by another registered provider; or
 - ii. The international student has a nominated guardian approved by DHA; or
 - iii. The international student leaves Australia; or
 - iv. The registered provider has notified DHA through Provider Registration and International Student Management System (PRISMS) that it is no longer able to approve the international student's welfare arrangements; or
 - v. The international student turns 18 years of age.

6.2 Terminating Welfare Arrangements

- a) SIBT's responsibility for welfare arrangements can only be terminated in the following circumstances:
 - i. Alternative welfare arrangements have been put in place. In this circumstance, SIBT will confirm that the new welfare arrangements are formally in place before terminating the CAAW letter (Please refer to section 5.4).
 - ii. SIBT can no longer take responsibility for the international student due to following reasons:
 - An international student has refused their accommodation or left their accommodation without notice, even after SIBT has exhausted all possible avenues of assisting the international student to maintain appropriate arrangements;

- The homestay/accommodation provider had become unable to maintain the arrangements and other homestay arrangements cannot be made;
 - An international student's enrolment has been suspended or cancelled;
 - An international student has gone missing from their accommodation and cannot be found or contacted, even after the SIBT has implemented its Critical Incident Policy.
- b) SIBT will report the international student to DHA within 24 hours using the 'Non-Approval of Appropriate Accommodation/Welfare Arrangements' letter through PRISMS, if any of the events outlined in section 6.2 a) ii occur. This may lead to cancellation of the international student's visa.
- c) SIBT endeavours to ensure the international student's parents or legal custodians are notified immediately if SIBT can no longer take responsibility for the international student's welfare.
- d) SIBT's responsibility for accommodation and welfare arrangements of an international student will cease when the international student turns 18. The requirements of Standard 5 of the National Code will no longer apply at this point.

7. Transferring between Education Providers

- a) If an international student who is under 18 years of age and who has CAAW arrangements approved by SIBT, wishes to transfer to another education provider while their CAAW is active, then:
- i. The parent(s)/legal custodian will arrange suitable accommodation and welfare support in consultation with the new education provider, and inform the Under 18 Coordinator;
 - ii. SIBT will ensure that:
 - The other education provider has obtained written confirmation that the student's parent(s)/legal custodian supports the transfer; and
 - The other education provider has established welfare arrangements for the student; and
 - DHA has been notified of the change in the approving institution for the student's accommodation and welfare arrangements.
- b) Upon admission of an international student who is under 18 years of age and who has CAAW arrangements, SIBT will:
- i. Negotiate the transfer date for welfare and accommodation arrangements with the releasing education provider to ensure there is no gap;
 - ii. Contact the previous provider to verify and ensure that the student always has appropriate welfare and accommodation arrangements in place;
 - iii. Issue the new CAAW letter, which will cover the transition from one welfare and accommodation arrangement to another, if applicable;
 - iv. Communicate to the student that they must:
 - Maintain their current welfare and accommodation arrangements until the transfer date; or
 - Have alternate welfare and accommodation arrangements approved; or
 - Return to their home country until the new approved welfare and accommodation arrangements take effect.



8. Students with a Package Offer

- a) International students under 18 years of age will only be accepted if the partner institution accepts international students under 18 years of age.
- b) The SIBT Admissions Team is responsible for determining whether an international student will turn 18 by the completion of the SIBT program. In cases where a student will not have turned 18, SIBT will inform the parents in writing of the partner institution policy prior to accepting the student.
- c) SIBT will not take responsibility for the student's welfare and accommodation arrangements beyond the end date specified on the CAAW letter.
- d) SIBT will cancel international student's CAAW, if the student returns to their home country in between the packaged programs.