

LATROBE COLLEGE OF ART AND DESIGN

POLICY

ESOS National Code of Practice 2018

ENC Standard 5 YOUNGER OVERSEAS STUDENTS

POLICY

- 5.1 Where LCAD enrolls students under 18, it will meet all relevant Commonwealth, state or territory legislation or other regulatory requirements relating to child welfare and protection.
- LCAD will make its Overseas Student Information document available to all students, including younger overseas visa students, during the application process, covering many of the ESOS National Code of Practice 2018, Standard 5 Younger Overseas Student requirements.
- 5.2 LCAD will ensure students under 18 years of age are given age and culturally appropriate information on:
- 5.2.1 Who to contact in emergency situations, including contact numbers of a nominated staff member and/or service provider to LCAD, which is detailed in the Overseas Student Information.
 - 5.2.2 Seeking assistance and reporting any incident or allegation involving actual or alleged sexual, physical or other abuse, which is detailed in the Overseas Student Information.
- 5.3 When the coordinator or student support services officer completes an ENC 5 CAAW Form for an under-18 overseas visa student, LCAD will accept responsibility for approving the accommodation, support and general welfare of that under-18 student. The form will specify the course start date (which includes sufficient time for the student to arrive and prepare to study, usually one week before the course begins), and an end date covering a period up to the day that the student turns 18 or the length of the COE plus seven days.

LCAD will:

- 5.3.1 Advise the DHA through the students details under PRISMS <https://prisms.education.gov.au/Logon/Logon.aspx> The details added to PRISMS must reflect those in the students ENC 5 CAAW Form.
- 5.3.2 Ensure any adults involved in or providing accommodation and welfare arrangements to the student have all working with children certificates (or equivalent) which is checked through ENC 5 CAAW Form.
- 5.3.3 Have and implement documented processes for verifying that the student's accommodation is appropriate to the student's age and needs, which is checked using this policy and procedures and the ENC 5 CAAW Form.
 - 5.3.3.1 Before the accommodation is approved. This is completed within the ENC 5 CAAW form.
 - 5.3.3.2 At least every six months thereafter. The college ensures that this is being monitored using the Checklist for Younger Overseas Students. This requirement is also added to the Staff Handbook and the ENC 6 Overseas Student Support policy
- 5.3.4 LCAD has a Critical Incident policy and check register that supports Standard 6 Overseas Student Support and has a process for managing emergency situations that may affect students under 18.
- 5.3.5 Maintain up-to-date records of the student's contact details, including the contact details of the student's parent(s), legal guardian or any adult responsible for the student's welfare.

5.3.6 LCAD will advise DHA via the student's details in PRISMS:

5.3.6.1 As soon as practicable, if the student will be cared for by a parent or nominated relative approved by DHA and a Confirmation of Appropriate Accommodation and Welfare (CAAW) is no longer required.

5.3.6.2 Within 24 hours, if LCAD can no longer approve the student's welfare arrangements.

5.3.7 LCAD will screen, monitor and assess welfare and accommodation arrangements and any third parties using the ENC 5 CAAW Form.

5.4 If LCAD can no longer approve a student's welfare arrangements, the college will make all reasonable efforts to notify the student's parents or legal guardians as soon as possible.

5.5 If LCAD cannot contact a student and has concerns for the student's welfare, the college will make all reasonable efforts to locate the student, including notifying the police and any other relevant Commonwealth, state or territory agencies as soon as practicable.

5.6 Where Standard 5.3 applies and LCAD suspends or cancels the enrolment of the overseas student, the college will continue to approve the welfare arrangements for that student until any of the following applies:

5.6.1 The student has alternative welfare arrangements approved by another registered provider.

5.6.2 DHA approves care of the student by a parent or nominated relative.

5.6.3 The student leaves Australia.

5.6.4 LCAD has notified DHA that it can no longer approve the student's welfare arrangements or that it has taken the required action after being unable to contact the student.

5.7 If LCAD enrolls a student under 18 years of age who has welfare arrangements approved by another registered provider, LCAD will:

5.7.1 Negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap.

5.7.2 Inform the student of their visa obligation to maintain their current welfare arrangements until the transfer date, or have alternate welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect.

PROCEDURES

The student support services officer, delegate, or third parties must have a Working with Children Check card before dealing with younger overseas visa students.

LCAD's student support services officer or delegate must complete the ENC 5 CAAW Form to approve the student's accommodation and welfare arrangements and update this information in the student's details on PRISMS.

The officer must monitor the student regularly and report any changes to their parent or legal guardian's contact or address details, which LCAD has approved as part of the student's accommodation and welfare arrangements.

At each 6-month period, the Student Support Services Officer or their delegate must reconfirm and approve the student's accommodation and welfare arrangements.

The student must reside in an LCAD-approved homestay accommodation until the age of 18 and not change that accommodation or the accommodation provider without obtaining a written agreement from both the parent/legal guardian and LCAD.

The student will be met upon arrival at the Melbourne airport by an LCAD-approved representative, an LCAD-approved homestay or accommodation provider, or an educational agent representing the student and their family or legal guardian.

The student will not stay overnight from the approved homestay accommodation address without written approval from the student's parent or legal custodian and LCAD.

Nominated guardianship companies can liaise with LCAD or homestay families on behalf of the student. However, any significant issues involving the student remain the responsibility of LCAD and the homestay family.

Underage students are not permitted to make travel arrangements or stay with individuals whom LCAD does not or has not yet approved.

LCAD will consider changes to care arrangements in the following circumstances:

- Failure on the part of the caregiver or accommodation provider to provide appropriate services to the student.
- A parent arriving in Melbourne on a guardianship visa to resume care arrangements.

LCAD may insist on a change to care or accommodation arrangements in the following circumstances:

- Failure by the caregiver or accommodation provider to provide appropriate services to the student.
- Dishonest or inappropriate behaviour by the caregiver or accommodation provider.
- LCAD will withdraw the Confirmation of Accommodation and Welfare (CAAW) for the student if the student does not maintain the arrangements agreed upon in the Younger Overseas Student Approval Form.
- The student must contact LCAD within 5 days of arriving in Australia to confirm their arrival.

MONITORING

The college checks and monitors the welfare and accommodation of younger students using the Checklist Younger Overseas Student Monitoring.