

## 1.0 Purpose

The purpose of this policy is to ensure that the Ultimate Institute of Australia complies with the requirements of Standard 5 of the National Code 2007 if, in future, Ultimate Institute decides to recruit or enrol international students under the age of 18 years into its courses.

## 2.0 Related Standard

Standard 5 (The National Code 2007)

## 3.0 Scope

This policy applies recruitment or enrolment of all international students under the age of 18 years by the Institute.

## 4.0 Responsibility

The CEO and Administration Manager will be responsible for the implementation of this policy and to ensure that the staff are aware of its application and procedures.

## 5.0 Policy

Students who want to study at Ultimate Institute **must be 18 years of age or above** at the time of commencement of the course. Although Ultimate Institute will **not** enrol students under 18 years of age, this policy will be used in the future, if Ultimate Institute decides to take enrolment of students below 18 years of age.

This policy ensures that there are Welfare arrangements in place for any student under the age of 18 years. It requires that these arrangements are confirmed and formalised prior to enrolment and that the Department of Immigration and Border Protection (DIBP) are kept informed of any of these arrangements and changes to the student 's arrangements via PRISMS. It also provides that a start and finish date is applied to the welfare arrangements.

These arrangements must be in place before any Student Visa's will be granted by the Australian Government and support Ultimate Institute's commitment to maximising the safety and well-being of students under 18 years of age at all times.

The responsibility of students under the age of 18 years as far as their accommodation, support and welfare needs are concerned will fall into one of three categories

1. While living in Australia a parent or legal guardian has custody of the student.
2. A nominated 'suitable relative' (as defined by DIBP) has been appointed by the parent or legal guardian for the period while studying in Australia.
3. Ultimate Institute shall nominate an approved guardian for the duration of the program the student is enrolling.

All students that are under the age of 18 years and not in the care of a parent or legal guardian must have 'Welfare Arrangements' in place prior to their acceptance of enrolment. These 'Welfare Arrangements' include:

- a) nominated guardian
- b) suitable accommodation
- c) support and general welfare arrangements

DIBP requires students to have welfare arrangements in place when they apply for a visa.

## 6.0 Procedure

### **1.1. While living in Australia for study a parent or legal guardian has custody of the student**

- Students may bring parent(s) legal Guardian of custodian to Australia on a *Student Guardian visa*.
- This is arranged by the student's parents / guardian and the institute has no involvement in this process other than the offer of enrolment via a CoE.
- Standard 5 - National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 does not apply in these circumstances.

### **1.2. A nominated 'suitable relative' (as defined by DIBP) has been appointed by the parent or legal guardian for the period while the student is studying in Australia.**

- A 'suitable relative' as defined by DIBP as:
  - A grandparent, brother, sister, aunt, niece or nephew, or a step-grandparent, step-brother, step-sister, step-aunt, step-uncle, step niece or step-nephew;
  - Nominated by a parent of the applicant or a person who has custody of the applicant;
  - Aged at least 21; and
  - Of good character.
- Students may bring a suitable relative' to Australia on a *Student Guardian visa*
- Where the parents / legal guardian of a student under the age of 18 years have identified a 'suitable relative' as the nominated guardian, Standard 5 - National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 does not apply.
- Where the guardian is selected by the parents a written agreement of the Guardianship in Australia will need to be gained and kept on file. The agreement between the parents and the guardian will include a clear statement as to whether the guardian will report any

incidents or accidents directly to the parents and Ultimate Institute, or just to the designated Ultimate Institute support officer (Student support officer), who will then make contact with the student's parents.

### **1.3. Where a parent / guardian or 'suitable relative' has not been established for the student.**

- Ultimate Institute **may** choose to assist with homestay etc. or make recommendations but they are **not obliged** to assist under 18 years of age students to locate appropriate accommodation. Where possible, it is preferred that the Guardianship arrangements are organised by the parents and Ultimate Institute will direct them to agencies that offer this type of service.
- Should neither a parent nor a suitable relative be in Australia to directly provide for the welfare of a student the Training Manager shall decide whether Ultimate Institute shall take, and the education provider accepts the student, the provider must approve suitable accommodation, support and welfare arrangements.
  - Before a student is admitted into a program, the designated Ultimate Institute support officer (student support officer) will ensure that the student has been placed in the care of a responsible guardian and that the student's parents have signed an agreement accepting the conditions of the guardianship. Guardians must advise the designated Ultimate Institute support officer of any change in circumstances during the time they are hosting the underage student.
  - If Ultimate Institute selects the guardian, it will ensure that the guardian meets the English Australia Best Practice Guidelines and ESOS requirements. The guardian will be interviewed and the premises will be inspected. (This is undertaken using the proforma available on PRISMS)
  - If Ultimate Institute selects the guardian, the student's parents will be informed of the full details of the guardian including:
    - Guardian's full name, address, date of birth, contact details, occupation, details of any pets and services that they can provide (computer access, swimming pool etc.)
    - Any vacations or activities the guardian may have planned for the student
    - Expectations that the guardian will have of the student
    - "Working with Children" Suitability Card number

The guardian will be expected to liaise closely with Ultimate Institute designated support officer on a regular basis to monitor student's progress so that parents can be kept informed.

- Ultimate Institute is required to nominate dates and indicate initial approval of the arrangements in place, using the 'Confirmation of Appropriate Accommodation/Welfare Arrangements' (CAAW) letter. The nominated dates for which Ultimate Institute will be responsible for approved accommodation arrangements for an under 18 students will be reported through the PRISMS reporting system. (DIBP will be advised in writing of the approval using the DIBP proforma letter available through the PRISMS reporting system.)
  - The minimum length of the approved accommodation, support and welfare arrangements will be a minimum of the length of the CoE plus seven days while the student is under the age of 18. There should be enough time for the student to arrive and depart prior and after the duration of the course.
- Ultimate Institute will be required to advise DIBP through the PRISMS reporting system as soon as possible in the event that the under 18-year-old student has changed his or her living arrangements or the living arrangements for the students are no longer approved by Ultimate Institute.
  - Where Ultimate Institute takes on the role of Guardian regular monitoring of general welfare will occur and be documented to ensure that the arrangements in place continue to provide appropriate accommodation, support and general welfare to the student. This monitoring will take the form of site visits and meetings with guardian and student at least once per semester.
  - Where a student in this situation of having an appointed guardian and is transferring 'in' or 'out' if Ultimate Institute, the changes must be agreed upon to ensure the student has an appointed guardian or education provider to prevent a 'gap' period of the guardianship.
  - Any variances to arrangements must be reported to DIBP. This includes if the arrangements are no longer suitable to maintain the student's support and welfare. This may result in the student visa being cancelled as the last resort.
  - In the event of Ultimate Institute terminating, suspending or cancelling a student's enrolment Ultimate Institute is responsible for the student's welfare until another provider takes over responsibility, the student leaves Australia, other suitable arrangements are made that satisfy the Migration Regulations, or Ultimate Institute reports that it can no longer approve of the arrangements for the student.

## 7.0 Resources and Forms

None

## 8.0 Revision history

Revision	Date	Description of modifications
1 1.0	June 2015	Original document created and approved
2 1.1	August 2016	Updated and approved