



Students Under 18 Years Policy

1. Purpose

- 1.1 This policy ensures the effective provision for and management of the wellbeing, support, age-appropriate accommodation and welfare of all students under 18 years of age enrolled at Western Sydney University International College (WSUIC).
- 1.2 These services are in addition to those provided to all students studying at WSUIC.
- 1.3 This policy meets the requirements set out in the:
 - 1.3.1 Education Services for Overseas (ESOS) Act 2000 and the National Code 2018, particularly Standard 5
 - 1.3.2 National quality assurance frameworks including TEQSA's Higher Education Standards Framework (Threshold Standards) 2015
- 1.4 The Department of Home Affairs (Immigration) student visa regulations requires students under the age of 18 to have approved accommodation and welfare arrangements while they undertake study in Australia.

2. Scope

This policy applies to all prospective and current students if under the age of 18 while studying at WSUIC, except where otherwise stated.

3. Definitions

"Approved Homestay Provider"

A provider that WSUIC or WSU approves to provide accommodation services to international students who are under 18 years of age.

"CAAW"

Confirmation of Appropriate Accommodation and Welfare arrangements is a statement generated on PRISMS and uploaded with student data by WSUIC. It is sent to applicants to accompany their CoE and application for a student visa to study in Australia.

"CoE"

Confirmation of Enrolment is a document registered with Immigration to confirm a student's acceptance into a particular course for a specified duration.



“Critical Incident”

A Critical incident means a traumatic event or the threat of such (within or outside Australia) as defined in the [ESOS National Code](#).

“Immigration”

Refers to the *Department of Home Affairs*; the Australian government agency responsible for issuing students with visas.

“National Code”

A legislative instrument established under the *Education Services for Overseas Students (ESOS) Act 2000*. WSUIC is legally obliged to adhere to the requirements of the National Code. These can be found at:

- <https://www.education.gov.au/esos-framework/national-code-practice-providers-education-and-training-overseas-students-2018>
- <https://www.legislation.gov.au/Details/F2017L01182>

“Package Offer”

An offer which includes more than one course – generally inclusive of a Bachelor course

“PRISMS”

The Provider Registration and International Student Management System – a dedicated computer system administered by the Department of Education in association with the Immigration to enable education institutions on CRICOS to manage their student enrolments and comply with ESOS requirements.

“WSU”

Refers to Western Sydney University

4. Policy Statement

- 4.1 WSUIC will ensure that a potential student who is under the age of 18 will have equitable access to study at WSUIC and as nominated in the ESOS Act 2000, that the student meets legislative and other regulatory requirements relating to child welfare and protection before they are accepted as a student of WSUIC.
- 4.2 WSUIC will:
- 4.2.1 Nominate the dates by which WSUIC will accept responsibility for approving the student’s accommodation, support and general welfare arrangements
 - 4.2.2 Advise Immigration of the approval



- 4.2.3 Have documented procedures for checking the suitability of the student's accommodation, support and general welfare arrangements
- 4.2.4 Advise Immigration as soon as possible in the event that the under eighteen (18) year old student has changed their living arrangements or WSUIC no longer approves of the arrangement. This advice will use the Immigration pro-forma letter available through PRISMS.
- 4.3 Students under the age of 18 enrolled at WSUIC will have access to the Accommodation, Welfare and Crisis Management services and resources provided by WSU in order to meet legislative and regulatory compliance requirements for younger students.
- 4.4 WSUIC will regularly monitor the quality and efficiency of the above services provided by WSU to its students under the age of 18 to ensure compliance with the requirements of the Services Agreement. Feedback will include consultation with its students under 18 years along with their parents/guardians and other relevant stakeholders.
- 5. Policy Principles**
 - 5.1 In accordance with the ESOS Act 2000 and as established by Immigration, WSUIC will ensure that any enrolled student under the age of 18 will be living with:
 - 5.1.1 A parent
 - 5.1.2 A 'suitable relative' (as defined below) or
 - 5.1.3 An approved guardian.
 - 5.2 Immigration defines a 'suitable relative' as a person who is:
 - 5.2.1 A grandparent, brother, sister, aunt, uncle, niece or nephew, or a step-grandparent, step-brother, step-sister, step-aunt, step-uncle, step-niece or step-nephew
 - 5.2.2 Nominated by a parent of the applicant or a person who has custody of the applicant
 - 5.2.3 Aged at least 21 and
 - 5.2.4 Of good character.
 - 5.3 WSUIC requires all students under the age of 18, who are not being cared for in Australia by a parent or a suitable relative to live with a guardian.
 - 5.4 WSU Student Welfare Services will monitor the care arrangements for students under 18 in accordance with the [WSU Admissions and Welfare procedures for International Students under 18](#).
 - 5.5 Student visa condition 8532 imposes an obligation on all international students under 18 to maintain accommodation, support and general welfare arrangements approved by Immigration for the duration of their studies or until they turn 18.



5.6 This Policy authorises WSUIC to report students to Immigration via PRISMS who fail to comply with these conditions.

6. Communication with Immigration

6.1 Where applicable, WSUIC will complete the appropriate Immigration pro forma documents in PRISMS to inform Immigration of the confirmed welfare arrangements and any subsequent changes to them. These documents include:

6.1.1 Confirmation of Appropriate Accommodation and Welfare (CAAW) letter

6.1.2 Approval to Change Accommodation/Welfare Arrangements letter

6.1.3 Non – Approval of Appropriate Accommodation/Welfare Arrangements letter.

7. Accommodation Options

7.1 Students under the age of 18 must reside in one of the following three forms of accommodation:

7.1.1 Student resides with a parent or a 'suitable relative'

7.1.1.1 The parent or 'suitable relative' with whom the student will reside until they turn 18 must complete WSUIC's Guardianship Form and provide:

- i. A copy of their visa/passport (as proof of age and ability to reside in Australia)
- ii. A copy of the student's birth certificate and
- iii. Evidence of familial relationship.

7.1.2 Student resides in a WSUIC/WSU approved Homestay

7.1.2.1 WSUIC requires all students under 18, who will not reside with either a parent or a 'suitable relative', to live in a homestay provider that has been approved by WSUIC. The homestay parent will then assume guardianship until the student turns 18.

7.1.2.2 The student's parents are responsible for the organisation of the Homestay accommodation and for the completion of the **WSUIC Guardianship Form**.

7.1.3 Student resides with a person of choice

7.1.3.1 Where a student wishes to reside with a person other than those mentioned in the above categories the person must be:

- i. Over the age of 21
- ii. Eligible to reside in Australia for the duration of the student's program and be of good character.



- 7.1.3.2 The student's parent must submit the **WSUIC Guardianship Form** and provide the following:
- i. A letter granting their approval for the accommodation
 - ii. A copy of the person's visa/passport
 - iii. A copy of the person's birth certificate and
 - iv. A Police Name Check certificate.

8. Students on a Package Offer

- 8.1 Students under 18 years of age will only be accepted if WSU accepts students Under 18.
- 8.2 As a university pathway provider, WSUIC will accept students from age 17 provided they turn 18 by the commencement date of their bachelor program with WSU.
- 8.3 The WSUIC Admissions Team is responsible for determining whether a student will turn 18 by the completion of the WSUIC program. In cases where a student will not have turned 18, WSUIC will inform the parents in writing of both the WSUIC and WSU policies.
- 8.4 WSUIC will not take responsibility for the student beyond the end date specified on the WSUIC Confirmation of Enrolment (CoE).

9. Monitoring Accommodation and Welfare Arrangements

- 9.1 WSUIC's Admissions Team approves the Welfare arrangements for any under 18 student enrolling with WSUIC. WSU Student Welfare Services will monitor the accommodation and welfare arrangements of students under the age of 18 in accordance with the WSU Admissions and Welfare Procedures for International Students Under 18 Years.
- 9.2 WSUIC will monitor the quality and effectiveness of the service provided by WSU Student Welfare Services and report to the Academic Board or Board of Directors, as appropriate, at a minimum of once per year.
- 9.3 Under the provision of the WSU Policies and Procedures for the Admissions and Welfare International Students Under 18, the WSU Student Welfare Services will:
- 9.3.1 Arrange face to face meetings with the student at least fortnightly to discuss any welfare, accommodation or study related matters for which the student may require assistance



- 9.3.2 Arrange electronic or face to face meetings more frequently if it is in the student's welfare or academic interest
 - 9.3.3 Direct the student to access other WSU Support Welfare Services provides or medical, legal or other services provided outside WSU, where necessary and
 - 9.3.4 Maintain regular contact with the homestay provider to ensure the student's needs are being met.
- 9.4 WSUIC will ensure that WSU Student Welfare Services is advised of any matters raised within their team or with a member of the WSUIC teaching staff that affects the student's accommodation or welfare arrangements and that action to address the matters raised is undertaken as a priority.
- 9.5 WSU will provide regular feedback to WSUIC Student Welfare Services and the Academic Director (for dissemination to relevant teaching staff) of any issues or concerns raised by a student under the age of 18 so that appropriate actions can be put in place to support the student as appropriate.
- 9.6 Where a student resides with a suitable relative as approved by Immigration, WSU is not obliged to monitor the arrangements, but will contact Immigration if they become aware the student is not being looked after appropriately.

10. Changes to Living Arrangements

- 10.1 If a student and their parents/guardian wish to put in place accommodation and welfare arrangements that are different from those approved by WSU Student Welfare Service), the parents/guardian must make the request through the WSUIC Student Services Manager who will, in turn, consult with WSU Student Welfare Services to review and, when justified, approve the proposed changes.
- 10.2 It is the responsibility of the student's parents/guardian to provide evidence that the arrangements will satisfy the requirements of the ESOS National Code for students under 18 years of age.
- 10.3 WSUIC will advise Immigration as soon as possible in the event that a student under the age of 18 has changed his or her living arrangements or if WSUIC no longer approves the arrangements for the student using the Immigration PRISMS database.
- 10.4 This policy provides WSUIC the right to refuse an application where it feels the student's welfare will be put at risk. Students who change their accommodation arrangements without the necessary approvals will be regarded as breaching their student visa conditions and may be reported to Immigration.



11. Period of WSUIC Responsibility for Accommodation and Welfare Arrangements for Students under the Age of 18.

- 11.1 The parents/guardians of a student under the age of 18 are required to enter into an Accommodation and Welfare Agreement with WSUIC. This agreement will be effective from the commencement date shown on the student's Confirmation of Enrolment; and remain in place:
- 11.1.1 For the duration of the student's enrolment plus seven days or
 - 11.1.2 Until the student turns 18 years of age whichever occurs sooner.
- 11.2 For students who will stay with a local carer/relative either nominated or approved by parents, a CAAW letter will be issued by WSUIC to specify the dates for which WSUIC accepts responsibility for that student.

12. Changes to Enrolment

- 12.1 If a student under the age of 18 transfers to another education provider before the end of the date on the CAAW letter:
- 12.1.1 WSUIC will continue to monitor the suitability of arrangements for the student and will report to Immigration under the ESOS National Code Standard 5.1 if it can no longer approve the student's accommodation and welfare arrangements
 - 12.1.2 The parents/guardians will arrange suitable accommodation and welfare support in relation to the course at the new education provider, and inform WSUIC and
 - 12.1.3 WSUIC will cancel the student's CAAW letter if the new arrangements satisfy visa requirements for students under the age of 18.
- 12.2 If WSUIC cancels or suspends a student's enrolment, WSU Student Welfare Services, will continue to check the suitability of the student's accommodation and welfare arrangements on behalf of WSUIC until one of the following occurs:
- 12.2.1 The student is accepted by another registered education provider who is willing to take on responsibility for approving the accommodation and welfare arrangements
 - 12.2.2 The student leaves Australia
 - 12.2.3 The parent/guardian makes other suitable arrangements
 - 12.2.4 The student turns 18 years or
 - 12.2.5 Events have occurred that make it impossible for WSUIC Student Services to continue to check the arrangements for the student.
- 12.3 If the student appeals his/her cancellation or suspension of enrolment by WSUIC, the terms and conditions of the CAAW letter will remain in place until such time as all internal and external appeals have been exhausted, other suitable arrangements are made that satisfy Immigration, or WSUIC reports to Immigration that it can no longer approve the student's accommodation and welfare arrangements.



13. Reporting Students Who Fail to Maintain Approved Accommodation Arrangements

- 13.1 Where WSUIC can no longer approve the accommodation and welfare arrangements for a student and all other attempts to assist the student to maintain appropriate arrangements have been exhausted, the student may be reported to Immigration via PRISMS.
- 13.2 If a student under the age of 18 is regarded as missing from the approved accommodation and cannot be contacted, this will result in WSUIC implementing its **Critical Incident Policy** and reporting the incident to the Board of Directors.
- 13.2.1 Under such circumstances WSUIC reserves the right to disclose limited personal information about a student to the necessary authorities (including but not limited to the police, Immigration and any other relevant government agencies) where it is considered to be in the best interests of the student.
- 13.2.2 Actions may include contacting the student's parents and/or Immigration and filing a Missing Person Report with the police and/or children's services agencies.
- 13.2.3 If, after a reasonable period, the student has not been found or has been located as living in circumstances that have not been approved by WSUIC, Student Services will report the student's breach of their visa conditions in PRISMS.

14. Quality and Compliance

- 14.1 This policy is reviewed periodically (at a minimum every two years) to ensure regulatory compliance, operational currency, the identification of continuous improvement opportunities and risk identification and mitigation. This review is reflected in WSUIC's Quality Management Framework and Risk Management Framework.
- 14.2 This policy will be available on the WSUIC website for students and the WSUIC SharePoint site for staff access.
- 14.3 Emails will be issued to all staff to inform and update them on any changes to the policy and/or procedures and guidelines.
- 14.4 New staff will receive policy information during the induction process where it relates to their position.



15. Related Forms and Documents

- WSUIC Accommodation and Welfare Agreement
- WSUIC Guardianship Form
- Confirmation of Appropriate Accommodation and Welfare (CAAW)
- Confirmation of Enrolment (CoE)
- Immigration pro forma letters

16. Related Policies, Procedures, Guidelines and Legislation

- ESOS Act 2000 National Code 2018 Standard 5
- [WSU Admissions and Welfare \(International Students Under 18 Years\) Procedures](#)
- [TEQSA Guidance Note: Wellbeing and Safety](#)
- POL 11 WSUIC Critical Incident Policy
- [WSU Admissions and Welfare \(International Students Under 18 Years\) Policy and Procedure](#)

Approval and Amendment History

Approval Authority:	Western University International College Academic Board
Policy Owner:	Student Services
Approval Date:	26 February 2019
Date for Next Review:	22 February 2025

Amendments		
Revision Date	Version	Summary of changes
20/10/2016	1.0	New Policy Developed and Implemented
23/1/2017	1.1	Add reference and link to new WSU Admissions and Welfare (International Students Under 18 Years) Procedures implemented on 20/12/2-16



Amendments		
Revision Date	Version	Summary of changes
23/03/2018	2.0	<p>Replacement of Western Sydney University International College with WSUIC throughout document and addition to Definitions Clause 3.5</p> <p>Clause 1 – Update of 1.1 addition of 1.2, 1.3, and 1.4</p> <p>Clause 2 – rewording of statement for clarity</p> <p>Clause 3 – relisting of definitions into alphabetical order. Addition of Definitions for Critical Incident, Working with Children Checks; WSU and WSUIC; Amend 3.4 from DIBP to Immigration and update of agency. Inclusion of this reference throughout the document to provide ease for updating of references when Department name is amended</p> <p>Clause 4 – Total re-write of Policy Statement</p> <p>Clause 5 - 5.1 add reference to ESOS Act; 5.4 relocation to Clause 11; 5.5 –add “(as per the Services Agreement between WSU and WSUIC)” and rewording of clause to expand on the role of WSU and include ref to WSU Admission and Welfare (International Students Under 18) Procedures</p> <p>Change reference to Third Party Agreement to Services Agreement throughout document</p> <p>Clause 7 – remove International to describe students; removal of clause 7.1.1.2 listing requirement to of WSUIC to complete CAAW as this is done by WS Welfare</p> <p>Clause 9, 10 and 12 re-write of entire clauses Relocation of Clause 11 from previous 5.4</p> <p>Clause 9.2 – should refer to Academic Board or the Board as appropriate</p> <p>Removal of Clause 11 (previous version) as it relates to Procedures. This to be replicated in separate procedure document</p> <p>Clauses 12 and 13 (new) Update to reflect ESOS Act current legislation</p> <p>Clause 13.2 – Need to report to Board if there is an incident involving students</p> <p>Clause 15 – addition of Clauses 9.2, 9.3 and 9.4</p> <p>Clause 10 – new clause</p> <p>Update of Forms, Procedures and Legislation and addition of reference to TEQSA Guidance Note</p> <p>Update Appendix A to address requirements of new ESOS National Code 2018</p> <p>Various grammatical changes throughout the document not affecting the intent of the content</p>
26/02/2019	2.1	<p>Minor changes: formatting changes throughout; removed reference to Third Party Agreement and Services Agreement; removed Appendix A; removed ‘working with children check’ from definition list as this terminology isn’t referenced in the policy. Reviewed as part of the Foundation Studies application.</p>
08/02/2021	2.1	<p>Minor changes</p>
22/02/2023	2.2	<p>Clarity provided around WSU/WSUIC homestay responsibilities</p>