Monash University Policy

<table>
<thead>
<tr>
<th>Policy Title</th>
<th>ESOS Student Under Age 18 Policy – accommodation, support and general welfare arrangements</th>
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<tbody>
<tr>
<td>Date Effective</td>
<td>01-January-2018</td>
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<tr>
<td>Policy Owner</td>
<td>Director, Student and Education Business Services</td>
</tr>
<tr>
<td>Version Number</td>
<td>3.1</td>
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<tr>
<td>Content Enquiries</td>
<td><a href="mailto:policy-education@monash.edu">policy-education@monash.edu</a></td>
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**Scope**

International students under 18 years of age who hold a student visa
Organisational units and groups with responsibility for provision of support and approval of accommodation and welfare arrangements for students who hold a student visa:

- Admissions
- Campus Community Division
- Monash College

**Purpose**

To ensure that the University fully complies with the *Education Services for Overseas Students Act 2000* and the requirements of Standard 5 of the *National Code of Practice 2018 (NC18)* for checking the suitability of international students’ accommodation, support and general welfare.

**POLICY STATEMENT**

NC18 Standard 5 and Visa condition 8532 requires students under 18 years of age holding a student visa (other than Australia Awards students) to have approved accommodation and welfare arrangements and maintain these arrangements as provided at the time the visa was granted. If a student wishes to change their arrangements, they must seek prior approval from their education provider.

In order for an applicant under the age of 18 to be granted a student visa, they must demonstrate that they have adequate welfare arrangements in place for the length of the student visa or until they turn 18. The Migration Regulations 1994 (Public Interest Criterion (PIC) 4012A) requires that the student reside with one of the following:

- a parent/legal custodian or suitable relative; or
- welfare arrangements approved by their education provider.

Standard 5.1 stipulates that the provider must meet commonwealth, state or territory legislation or any other regulatory requirements relating to child welfare and protection. This includes the Child Safety Standards Framework.

**Acceptable accommodation and welfare arrangements**

Parents/legal custodians must select from two types of arrangements for accommodation and welfare. The approval body for these depend upon the type of arrangement nominated for their child.
1. Acceptable welfare arrangements
   
   Department of Home Affairs approval
   
   Where the parent/legal custodian nominates themselves or an eligible relative as their child’s guardian in Australia and organises accommodation, the Department of Home Affairs is responsible for approving the arrangement (Arrangement 1).

   Monash approval
   
   Where the parent/legal custodian nominates the Monash College U18 Guardianship Service to act as their child’s guardian in Australia and organise acceptable accommodation, Monash is responsible for approving the arrangement (Arrangement 2).

2. Acceptable accommodation arrangements
   
   Unless exceptional circumstances apply, Monash will only approve Monash Residential Services, Homestay Accommodation Services (HAS) or prescribed external accommodation. In support of an application for exceptional circumstances, the applicant must provide a letter from their parent/legal custodian, in English or with a certified translation, supporting the proposed arrangements.

3. Monash approved guardianship
   
   To assist Monash in safeguarding the accommodation and welfare arrangements of international (ESOS) students under the age of 18, where Monash has responsibility for approving arrangements, it will only approve the arrangements if a student has nominated Monash College U18 Guardianship Service (MCGS) as their guardian.

Monitoring arrangements

1. Guardianship
   
   Monash University has a formal agreement with Monash College U18 Guardianship Service (MCGS) outlining minimum service standards. Compliance with these standards is monitored and reviewed annually.

2. Accommodation providers
   
   Monash Residential Services (MRS)
   
   MRS has a documented process to verify the accommodation is appropriate to the student’s needs and age prior to accommodation being approved and every six months.

   Homestay
   
   Homestay Accommodation Services (HAS) conducts an inspection to verify that the homestay is appropriate to the student’s age and needs prior to the accommodation being approved and undertakes a review of the accommodation at least every six months thereafter. This process is documented. Monash University conducts an annual review of HAS.

   External accommodation
   
   Monash University has a documented process to verify the accommodation is appropriate to the student’s needs and age prior to accommodation being approved and is reviewed every six months.

3. Student support and general welfare
   
   Under the auspices of the Under 18 Working Party, Monash monitors processes for student support and general welfare. These processes for general welfare involve approved accommodation and care (guardianship) arrangements and the provision of student support. Processes for student support involve the regularity and types of meeting with students; monitoring feedback from students and MCGS and University organisational units; guidelines and staffing for the provision of support for students and processes for intervention if a serious welfare concern or critical incident arises.
Student transfers

Monash has a mechanism and documented processes for negotiating the welfare and accommodation arrangements for students under the age of 18 transferring to Monash with existing welfare arrangements in place.

<table>
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<tr>
<th>Supporting Procedures</th>
<th>ESOS Student Under Age 18 procedures – approval of accommodation, support and general welfare arrangements</th>
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| Responsibility for implementation | Admissions  
Campus Community Division (International Student Engagement)  
Campus community Division (Monash Residential Services)  
ESOS Advisory Group  
Under 18 Working Party  
Student and Education Business Services (Enrolment Services)  
Monash College |
| Status | Revised |
| Approval Body | Name: Academic Board  
Meeting: 4/2018  
Date: 25-July-2018  
Agenda item: 13.3 |
| Endorsement Body | Name: Coursework and Admission Programs Committee  
Meeting: 4/2018  
Date: 27-June-2018  
Agenda item: 6.3 |
| Definitions | CAAW: Confirmation of Appropriate Accommodation and Welfare form  
CoE: Confirmation of Enrolment.  
Exceptional circumstances: circumstances that are unusual or out of the ordinary which, with parental support, warrant an accommodation arrangement to be approved.  
ESOS: Education Services for Overseas Students Act 2000  
Guardianship: pastoral support guardianship and student care service  
Department of Home Affairs: the Australian government department responsible for approval of guardianship and accommodation under arrangement 1  
HAS: Homestay Accommodation Service  
Homestay: a form of accommodation in which a person lives with a family in their home and gives reimbursement for the homestay service |
**MCGS:** Monash College U18 Guardianship Service; guardianship provided by Monash College to all Monash students under 18 not living with a parent or relative during their studies

**NC18:** National Code of Practice for Providers of Education and Training to Overseas Students 2018

**Prescribed on-campus or off-campus accommodation:** Monash approved accommodation as listed on the Under 18 website

**Student visa:** a visa of a subclass mentioned in the definition of student visa in regulation 1.03 of the *Migration Regulations 1994*, whenever granted, other than:

(a) a visa granted to:
   (i) a Foreign Affairs student (within the meaning of the *Migration Regulations 1994*); or
   (ii) a Defence student (within the meaning of the *Migration Regulations 1994*); or

(b) a visa granted to a person who satisfies the secondary criteria, but not the primary criteria, under the *Migration Regulations 1994* for the grant of the visa; or

(c) a visa granted to a person as a secondary exchange student within the meaning of the *Migration Regulations 1994*; or

(d) a visa granted to a person as an overseas student who has been approved under a scholarship scheme, or an exchange scheme, sponsored by the Commonwealth to undertake a course of study or training in Australia.

### Legislation Mandating Compliance

- *Education Services for Overseas Students Act 2000*
- *National Code of Practice for Providers of Education and Training to Overseas Students 2018*

### Related Policies

- Child Safety Standards Framework

### Related Documents

- Agreement between Monash University and Monash College to provide Accommodation and Welfare Services
- Admissions Manual
- Changing arrangements
- Homestay Accommodation Service
- Living with a parent
- Monash approved arrangements
- Monash Residential Services
- Monash University Guidelines for Selecting, Screening and Monitoring Third Parties Engaged for Accommodation and Welfare
- Monash Residential Services Under 18 Guidelines
- Procedures and Guidelines for Critical Incidents Involving International Students
- Under 18 Student at Monash
- University age entry requirements
- Working with Children Check Procedure
- Monash College Child Protection and Safety Policy
- Monash College Child Protection and Safety Procedure
- Monash College Missing Student Policy
- Monash College Missing Student Procedure