

INTERNATIONAL STUDENTS UNDER 18 PROCEDURE

This procedure will come into effect for teaching periods starting on or after 1 January 2020. For the version currently in effect please refer to [ESOS Student Under Age 18 Procedures – approval of accommodation, support and general welfare arrangements \(version 2.0\)](#).

SCOPE

This procedure applies to international students who are subject to the Education for Overseas Students (ESOS) requirements (including students enrolled at Monash College) enrolled in all courses and units.

This procedure excludes executive and continuing education programs.

PROCEDURE STATEMENT

1. Accommodation and welfare arrangements requirements

- 1.1 The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018), Standard 5, and visa condition 8532 require students under 18 years of age, and to whom this visa condition applies, to have approved accommodation and welfare arrangements and maintain these arrangements for the duration of their student visa. If a student wishes to change their arrangements, they must seek prior approval from Monash University.
- 1.2 Applicants under the age of 18 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) require that the student:
 - reside with a parent, legal custodian or suitable relative; or
 - have welfare arrangements approved by their education provider.
- 1.3 National Code 2018, 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 Victorian State Government [Child Safe Standards](#) and the [Child Wellbeing and Safety Act 2005](#). Monash University's (the University) agreed processes align with the [Child Safety Standards Framework](#).

2. Acceptable accommodation and welfare arrangements

Department of Home Affairs approval (arrangement type 1)

- 2.1 Where the parent or legal custodian nominates themselves or an eligible relative as the child's guardian in Australia and organises accommodation, the Department of Home Affairs is responsible for approving the arrangement. A relative eligible to be nominated as a carer must be a brother, sister, step-parent, step-brother, step-sister, grandparent, aunt, uncle, niece or nephew, step-grandparent, step-aunt, step-uncle, step-niece or step-nephew.

Monash University approval (arrangement type 2)

- 2.2 Where the parent or legal custodian nominates the Monash College U18 Guardianship Service (MCGS) to act as the child's guardian in Australia and organise acceptable accommodation, the University is responsible for approving the arrangement.

Acceptable accommodation for Monash University approved arrangements

- 2.3 The University approves Monash Residential Services, Homestay Accommodation Services (HAS) and prescribed external accommodation. Other accommodation will only be approved in exceptional circumstances. Where exceptional circumstances apply, the applicant must provide a letter from their parent or legal custodian, in English or with a certified translation, supporting the proposed arrangements.

3. Student transfers

- 3.1 The University has documented processes for negotiating the welfare and accommodation arrangements for students under 18 transferring from another provider to the University where existing welfare arrangements are in place.

4. Initial approval of accommodation, support and welfare arrangements

Applying

- 4.1 The parent or legal custodian nominates the type of arrangement required for accommodation, support and welfare, referring to the information for [international students under 18 website](#).
- 4.2 For arrangements with **Department of Home Affairs approval (type 1)**, the parent or legal custodian completes the appropriate Monash University forms and returns them to the Admissions Unit.
- 4.3 For arrangements with **Monash University approval (type 2)**, where the MCGS acts as the guardian in Australia, the parent or legal custodian must make appropriate arrangements with the service, complete the relevant Monash University forms and return them to the Admissions Unit. The parent or legal custodian must also nominate acceptable accommodation arrangements as set out in section 2.3.
- 4.4 The parent or legal custodian must personally sign the Monash University form for nominating the type of arrangement. This cannot be delegated to a third party.

Assessing the application

- 4.5 For arrangement type 1, the Admissions Unit will:
- enter the application information into the student management system and upload all relevant documents; and
 - obtain information about the proposed guardian who will be responsible for the Department of Home Affairs approved arrangement.
- 4.6 For arrangement type 2, the Admissions Unit will:
- assess the application and make a decision in accordance with this procedure;
 - if the application is approved, issue Confirmation of Enrolment (CoE) and Confirmation of Appropriate Accommodation and Welfare (CAAW) forms within 48 hours of the decision; or
 - if the application is rejected, advise the student of the outcome including any alternative arrangement available; and
 - enter the application information into the student management system and upload all relevant documents.
- 4.7 Where a student is transferring from another provider to the University and has existing welfare arrangements in place, the Admissions Unit will assess the application and negotiate a date to transfer the welfare responsibility to the University.

5. Change of approved accommodation, support and welfare arrangements

Applying

- 5.1 Students who are considering changing their accommodation or welfare arrangements must discuss the proposed change with International Student Engagement or Monash College and follow the steps outlined on the [changing your caregiver and accommodation arrangements webpage](#).

Assessing the application

- 5.2 For applications to change from arrangement type 2 to arrangement type 1, International Student Engagement or Monash College will:
- confirm the student's current accommodation and welfare arrangements and check that they match the original arrangements approved by the Admissions Unit;
 - determine the nature of the proposed welfare arrangements; and
 - assess whether the proposed change is acceptable, record the decision in the student management system and upload the relevant documents.
- 5.2.1 If the application is approved:
- International Student Engagement or Monash College will advise the student that they must complete the Department of Home Affairs 157N form;
 - the student must notify International Student Engagement or Monash College if or when the change of welfare arrangements is approved by the Department of Home Affairs, and

- International Student Engagement or Monash College will cancel the CAAW within 48 hours of receiving notification of the decision.
- 5.2.2 If the application is not approved, International Student Engagement or Monash College will:
- inform the student of their obligation to remain in their current arrangements; and
 - advise the student that if the University becomes aware that they have changed their arrangements without approval, this may lead to cancellation of the CAAW and their visa.
- 5.3 For applications to change from arrangement type 1 to arrangement type 2, International Student Engagement or Monash College will:
- confirm the nature of the proposed welfare arrangements;
 - assess whether the proposed change is acceptable;
 - consider any exceptional circumstances that may apply in relation to accommodation arrangements (see section 2.3); and
 - record the decision in the student management system and upload the relevant documents.
- 5.3.1 If the application is approved, International Student Engagement or Monash College will:
- advise the student of the decision; and
 - issue the CAAW within 48 hours of the decision.
- 5.3.2 If the application is not approved, International Student Engagement or Monash College will:
- advise the student of the decision; and
 - inform the student of their obligation to remain in their current arrangements.
- 5.4 For applications to change accommodation within arrangement type 2, International Student Engagement or Monash College will:
- confirm the nature of the proposed accommodation arrangement;
 - assess whether the proposed change is acceptable;
 - consider any exceptional circumstances that may apply in relation to accommodation arrangements (see section 2.3); and
 - record the decision in the student management system and upload the relevant documents.
- 5.4.1 If the application is approved, International Student Engagement or Monash College will:
- advise the student of the decision; and
 - amend the CAAW to reflect new accommodation arrangements.
- 5.4.2 If the application is not approved, International Student Engagement or Monash College will:
- advise the student of the decision; and
 - inform the student of their obligation to remain in their current arrangements.

Withdrawing approval of welfare arrangements

- 5.5 In certain situations, the University can consider withdrawing the approval of welfare arrangements. In these situations, International Student Engagement or Monash College will:
- ensure that the student has been warned about any welfare concerns before acting, which can include placing the student on a behaviour plan;
 - consider any exceptional circumstances that apply; and
 - determine whether the University approval should be withdrawn.
- 5.5.1 If approval is withdrawn, International Student Engagement or Monash College will:
- advise the student of the decision;
 - advise the parent or legal custodian of the decision;
 - advise the Department of Home Affairs within 24 hours of the decision; and
 - record the decision in the student management system and upload the relevant documents.

6. Monitoring arrangements

Monitoring Monash College U18 Guardianship Service (MCGS)

- 6.1 The University has a formal agreement with MCGS outlining minimum service standards. Compliance with these standards is monitored and reviewed annually.
- 6.2 The University monitors the MCGS by:
- conducting regular meetings with MCGS, undertaking annual reviews and seeking feedback from students;

- reviewing and reconciling reports of Monash University students in the care of MCGS;
- checking MCGS compliance with the obligation to contact homestay hosts at the commencement of the placement and as required thereafter; and
- requiring MCGS to provide annual evidence that all employees involved in providing welfare arrangements for Monash University students have a Working with Children Check that is valid for the duration of the agreement.

Monitoring accommodation arrangements

- 6.3 HAS conducts inspections 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.
- 6.4 The University monitors the HAS arrangements by:
- undertaking an annual review of HAS;
 - checking evidence that MCGS has contacted the homestay host by phone at least once per study period to discuss and access feedback on the arrangement;
 - receiving and compiling reports from students and taking any appropriate follow up action;
 - undertaking occasional home visits to check on the wellbeing and safety of students; and
 - requiring HAS to provide an annual report with evidence that all employees involved in providing welfare arrangements for Monash University students have a Working with Children Check that is valid for the duration of the agreement.
- 6.5 In the case of external accommodation, the University has a documented process to verify that the accommodation is appropriate to the student's needs and age prior to the accommodation being approved and is reviewed every six months. Monash College monitors the external accommodation providers through an annual review, feedback from students and by following up with the providers regarding concerns or incidents as they arise.
- 6.6 Monash Residential Services has a documented process to verify that the accommodation is appropriate to the student's needs and age prior to accommodation being approved and monitoring every six months thereafter.
- 6.7 Monash University keeps records of its accommodation monitoring activities.

Monitoring student support and general welfare

- 6.8 The University's Under 18 Working Party monitors processes for student support and general welfare, including approved accommodation and care arrangements and the provision of student support. The Under 18 Working Party monitors:
- the regularity and types of meeting with students;
 - feedback from students, MCGS and University organisational units;
 - guidelines and staffing for the provision of support for students; and
 - processes for intervention in case of a serious welfare concern or critical incident.

Monitoring students

- 6.9 The University monitors students by:
- monitoring feedback from MCGS concerning student contact and concerns;
 - following up reports and information received from MCGS, accommodation providers, HAS, homestay hosts, Monash staff, parents, friends and relatives;
 - having contact with and receiving feedback from students; and
 - meeting with students.
- 6.10 The University keeps records of its student-monitoring activities, in accordance with the [Recordkeeping Policy](#).

DEFINITIONS

Confirmation of Enrolment (CoE)	A document, provided electronically, which is issued by the registered provider to intending overseas students and which must accompany their application for a student visa. It confirms the overseas student's eligibility to enrol in the particular course of the registered provider.
Department of Home Affairs	The Australian government department responsible for approval of guardianship and accommodation under arrangement type 1.
ESOS requirements	The requirements stemming from the Education Services for Overseas Students (ESOS) legislative framework .
Homestay	A form of accommodation in which a person lives with a family in their home and gives reimbursement for the homestay service.

International student	A student who is not a domestic student.
Monash College U18 Guardianship Service (MCGS)	Guardianship service provided by Monash College to all Monash students under 18 not living with a parent or relative during their studies.
Prescribed on-campus or off-campus accommodation	Monash approved accommodation as listed on the under 18 website .
Student	<p>A person who:</p> <ol style="list-style-type: none"> is admitted to a course of study at the University; is enrolled at the University in a non-award study or one or more units of study on an assessed or non-assessed basis and without admission to a course of study; is pursuing a course of study or unit of study at the University through an exchange or study program or other arrangement between the University and another educational institution; is engaged in a student mobility program involving the University, whether or not the program is credited towards a course of study or unit of study; has completed a course of study but on or to whom the relevant degree or award has not been conferred or awarded; has deferred, or has intermitted, or has been suspended from, a course of study; is enrolled in a course of study or one or more units of study offered by the University through another educational institution; or has consented in writing to be bound as a student by the University statutes and University regulations. <p>The following terms are used to identify groups of students that are subject to different requirements (as defined below)</p> <ul style="list-style-type: none"> domestic student; international student; and international student subject to Education and Services for Overseas Students (ESOS) regulations.

GOVERNANCE

Parent policy	Enrolment and Timetabling Policy
Supporting schedules	N/A
Associated procedures	Enrolment procedure
Legislation mandating compliance	Child Wellbeing and Safety Act 2005 (Vic) Education Services for Overseas Students (ESOS) Act 2000 (Cth) Migration Regulations 1994 (Public Interest Criterion (PIC) 4012A) National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standard 5 Victorian State Government Child Safe Standards
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