

## OVERSEAS STUDENT POLICY

### 1. Introduction

Fintona Girls' School (**the School**) is committed to meeting Standard 5 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 and the Victorian Registration & Qualifications Authority Guidelines for the Enrolment of Overseas Students Aged Under 18 (**VRQA Guidelines**) to ensure that appropriate welfare and accommodation arrangements are in place for our overseas students under the age of 18.

The School will ensure that:

- its arrangements, facilities and operations for any mixed-age overseas student cohorts are designed to meet the needs of students of different ages, maturing and levels of English language proficiency;
- overseas students have access to services, learning opportunities, facilities and equipment that address their English language learning needs; and
- course materials and tutoring are tailored to meet overseas student learning requirements, taking into account their differing levels of age and maturity.

### 2. Purpose

The purpose of this Policy is to outline the School's policy on overseas students under the age of 18 to ensure that the School's operations are appropriate for the age, maturity and English Language proficiency of the overseas student and that compliance with Commonwealth and state legislation and regulatory requirements relating to child welfare, child protection and student duty of care has been met.

### 3. Scope

This Policy applies to all employees, volunteers, Board members, contractors, overseas students, parents, legal guardians, home stay hosts, support persons and eligible relatives of the School.

### 4. Definitions

**CAAW** - means Confirmation of Appropriate Accommodation and Welfare.

**Department** - means the Department of Home Affairs.

**VRQA** - means Victorian Registration and Qualifications Authority.

**Overseas student** - means a person (whether within or outside Australia) who holds a student visa as defined by the *Education Services for Overseas Students Act 2000* (Cth) (**ESOS Act**). Where the student is under 18 years of age and the student is required to exercise rights or enter obligations as a legal person, this term may refer to the student's parents or legal guardian.

### 5. Age and Culturally Appropriate Information

All overseas students will be provided age and culturally appropriate information on:

- who to contact in emergency situations, including contact numbers of a nominated staff member and/or service provider to the School;

- seeking assistance and reporting any incident or allegation involving actual or alleged sexual, physical or other abuse.

The School will provide all overseas students with a Student Safety Card that includes:

- if the student is in Home Stay, the Home Stay accommodation provider's address, home telephone number and mobile numbers;
- the School's contact details, including 24/7 contact details for the Deputy Principal and general emergency contact information;
- a statement that the School is regulated by the VRQA and that students can contact the VRQA.

## **6. Accommodation, Support and General Welfare Arrangements**

When the School issues a CAAW letter to a student, the School is responsible under the Migration Regulations for approving the accommodation, support and general welfare arrangements for that student.

In order to meet its obligations to approve accommodation, support and general welfare arrangements for students under 18 years of age, the School will:

- ensure any adults involved in, or providing, accommodation and welfare arrangements to the student have valid Working with Children Check cards in accordance with the School's Home Stay Policy;
- verify that the student's accommodation is appropriate to the student's age and needs in accordance with the School's Home Stay Policy and VRQA Guidelines;
- manage emergency situations and handle when welfare arrangements are disrupted for students in accordance with its Critical Incident Policy;
- maintain up-to-date records of the student's contact details including the contact details of parents, legal guardians, home stay host, support persons or any adult involved in the student's welfare.

Advise the Department:

- as soon as practicable if the student will be cared for by a parent or nominated relative approved by the Department and a CAAW is no longer required; or
- within 24 hours if the School is no longer able to approve the student's welfare arrangements;
- select, screen and monitor any third parties engaged by the School to provide additional support when organising welfare and accommodation arrangements.

## **7. Working with Children Checks**

The School requires all adults who provide overseas student accommodation or welfare arrangements (including other residents in the Home Stay Accommodation over the age of 18) to hold a valid and current Working with Children Check.

## **8. Where the School no longer provides Welfare Arrangements**

If the School is no longer able to approve the welfare arrangements of an overseas student, the School will make all reasonable efforts to ensure that the student's parents are notified immediately.

## **9. Missing Younger Overseas Students**

If the School is unable to contact a student and has concerns for the student's welfare, the School will make all reasonable efforts to locate the student, in accordance with its Critical Incident Policy.

This may include notifying the Police and any other relevant Commonwealth or state agencies as soon as practicable.

## **10. Welfare Arrangements After Suspension or Cancellation**

Where the School suspends or cancels the enrolment of an overseas student in accordance with the Deferment, Suspension or Cancellation Policy, the School will continue to approve the welfare arrangements for that student until:

- the student has alternative welfare arrangements in place approved by another school;
- care of the student by a parent or nominated relative is approved by the Department;
- the student leaves Australia; or
- the School has notified the Department that it is no longer able to approve the student's welfare arrangements or that it has taken the required action after not being able to contact the student.

## **11. Overseas Student turns 18**

The School's CAAW responsibility will cease where the student turns 18 while enrolled at the School.

If an overseas student turns 18 while still enrolled at the School, the School may require the overseas student to continue to reside in the approved accommodation until the completion of the Year 12 course.

## **12. Welfare Arrangements Approved by the Department**

A parent or eligible relative can be nominated to take responsibility for the overseas student's accommodation and welfare arrangements if specified and permitted under the student's visa.

As the School is responsible for the student's welfare, where a support person has been nominated as carer for the student this is under the understanding that this is additional support for the student. The support person is not to assume any legal responsibility for monitoring of welfare arrangements of the student. However, the School will contact the Department and the VRQA if they become aware that the overseas student is not being appropriately cared for by the person nominated as the carer in accordance with the student's visa, including where, in the opinion of the School, the student is not residing with a responsible adult of good character who is taking an active interest in the care and wellbeing of the student.

## **13. Monitoring Welfare Arrangements**

The School will monitor the welfare arrangements of overseas students, including the welfare arrangements where the student is living with an eligible relative under a Department approved visa. Monitoring will take place in line with the School's Home Stay Policy.

The monitoring of welfare and accommodation arrangements is primarily conducted by the Registrar, supported by the Deputy Principal, however all staff at the School have responsibility for monitoring the welfare of overseas students.

## **14. Breaches of this Code**

Any breach of this Policy may result in disciplinary action, including up to termination of enrolment, engagement or employment with the School.

## **15. Monitoring and review**

A review of this Policy shall be conducted every two years.