



## OVERSEAS STUDENT WELFARE AND SUPPORT POLICY

### 1. INTRODUCTION

Fintona Girls' School (the School) is committed to meeting Standards 5 and 6 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) and the Victorian Registration & Qualifications Authority Guidelines for the Enrolment of Overseas Students Aged Under 18 (VRQA Guidelines) to ensure that appropriate welfare and support arrangements are in place for our overseas students especially those under the age of 18.

### 2. PURPOSE

The purpose of this policy is to outline the School's policy and procedures on ensuring overseas students are provided with and advised in a culturally and age appropriate way, of the support that they can access whilst at the School and that compliance with Commonwealth and State legislation and regulatory requirements relating to child safety, protection, and duty of care have been met.

### 3. SCOPE

This Policy applies to all employees, volunteers, Board members, contractors, overseas students, parents, legal guardians, and any other persons supporting our overseas students.

### 4. POLICY

For all overseas students attending Fintona Girls' School we will ensure that:

- all appropriate child welfare, safety and protection regulatory legal requirements are in place as applicable in the state of Victoria (including complying with the Child Safe Standards, Ministerial Order 1359 and *Workers Screening Act 2020*);
- we provide those students with important age and culturally appropriate safety information, including what to do and who to contact in an emergency, and how to report any incident or allegation of sexual, physical or other abuse;
- we provide appropriate academic support to overseas students to help them to achieve learning outcomes, irrespective of the overseas student's place of study or the mode of study of the course;
- that the students stay in Australia with a 'nominated guardian' as approved by the Department of Home Affairs, who must be the overseas student's parent, person who has legal custody, or an eligible relative who is aged over 21 and is of good character. The School will not consider applications from overseas students who require homestay or boarding;
- staff who provide support to overseas students are aware of:
  - the Child Safe Standards and Ministerial Order 1359
  - the School policies and procedures for managing emergency situations and critical incidents
  - the *Education Services for Overseas Students Act 2000* (ESOS Act), the National Code and the VRQA Guidelines for the Enrolment of Overseas Students Aged under 18 Years
- our arrangements, facilities and operations for any mixed-age overseas student cohorts are designed to meet the needs of students of different ages, maturity and levels of English language proficiency.

## 5. CHILD WELFARE, SAFETY AND PROTECTION REQUIREMENTS

The School is committed to ensuring all child welfare, safety and protection regulatory legal requirements are in place as applicable in the state of Victoria. This includes ensuring:

- all staff who teach or support overseas students must have a current Working with Children Check (WWCC) clearance or be currently registered with Victorian Institute of Teaching (VIT);
- our policies and procedures for responding and reporting of child abuse, neglect or safety issues are in-place, known and followed by all staff who support overseas students; and
- the appointment of Child Safety Officers who act as a point of contact for students, parents and staff in relation to all child safety matters.

## 6. CRITICAL INCIDENTS AND SAFETY

The School has implemented a documented policy and process for managing critical incidents that could affect an overseas student's ability to undertake or complete a course, such as but not limited to incidents that may cause physical or psychological harm. Refer to the School's Critical Incident Policy for more information.

A Student Safety Card will be provided to all students at orientation detailing who to contact at the School in an emergency, general emergency contact information (i.e. call 000) and a statement that the School is regulated by the Victorian Regulation and Qualifications Authority (VRQA) which students can contact at [www.vrqa.vic.gov.au](http://www.vrqa.vic.gov.au)

The School will maintain a written record of any critical incident and remedial action taken by the School for at least two years after the overseas student ceases to be an accepted student under the ESOS Act.

## 7. Age and Culturally Appropriate Information

Our orientation program will provide students with age and culturally appropriate information on the School's expectations, rules and facilities, and introduce the social and cultural norms which overseas students need to be aware of whilst in Australia.

Overseas students will be invited to undertake the New Student Induction process and the Overseas Student Orientation Program which continues throughout the year with New Student Catch Up meetings scheduled with the relevant Head of School or Year Co-ordinator.

Refer to the School's Overseas Student Orientation Program Policy and Procedures for more information.

## 8. SUPPORT SERVICES

The School has appointed the Deputy Principal to act as an official point of contact for all overseas students and families. The Deputy Principal acts as the School's after hours emergency contact for overseas students and can direct students to the appropriate support services.

The School provides the following support services to overseas students to enable them to achieve expected learning outcomes:

### Support in Academic Progress

Support of academic progress of overseas students is primarily the responsibility of the class teachers in Junior School, and subject teachers and tutor group teachers in Middle and Senior Schools.

Overseas students are able to access a range of services, either by providing the service in-house or referring overseas students to affordable externally provided services. These services include:

- academic support services;
- tutoring support;
- study skills;
- counselling and mental health support;
- career services; and
- First Aid and health services.

### **Staff and Support Personnel**

Overseas students are also supported at the School by the Head of School or Year Co-ordinator, Tutor group teacher, House teacher, Subject teachers, VCE Co-ordinator, Careers Co-ordinator, School Counsellor, Library and Information Services Co-ordinator, ICT team, the School Counsellor and Junior Campus or Senior School Administrators.

School staff members who interact directly with overseas students are aware of their obligations under:

- the Child Safe Standards and Ministerial Order 1359;
- the School's policies and procedures for managing emergency situation and critical incidents; and
- the *Education Services for Overseas Students Act 2000* (ESOS Act), the National Code and the VRQA Guidelines for the Enrolment of Overseas Students Aged under 18 Years.

This awareness occurs by:

- incorporating information regarding the ESOS responsibilities of the registered provider and of staff who interact with overseas students in staff handbooks and induction training
- emails and discussions at staff meetings about the ESOS framework, such as how basic classroom administration such as keeping accurate attendance may have different ramifications for overseas students compared with domestic students.

## **9. ACCOMMODATION AND WELFARE ARRANGEMENTS**

The School requires that overseas students live with and are supported by their parents or 'nominated guardian', as approved by the Department of Home Affairs, whilst enrolled at the School. The School does not consider applications from students who require homestay or boarding.

## **10. WELFARE ARRANGEMENTS APPROVED BY THE DEPARTMENT OF HOME AFFAIRS**

If an overseas student is under the age of 18 a parent, legal custodian, or an eligible relative can be nominated to take responsibility for the overseas student's accommodation, welfare and support in Australia. The parent, legal custodian or eligible relative must have an appropriate visa or have applied for a Student Guardian Visa (subclass 590).

The Department of Home Affairs will assess the nominated arrangements according to the Migration Regulations 1994 and if approved the parent, legal custodian or eligible relative will be the overseas student's 'nominated guardian'.

The School is not obliged to follow up where a nominated guardian has been approved by the Department of Home Affairs. However, the School should contact the Department of Home Affairs and other local agencies if it becomes aware the overseas student is not being well looked after.

## 11. IMPLICATIONS FOR PRACTICE

### AT BOARD LEVEL

To properly implement this policy, the Board must ensure:

- that this policy is reviewed every two years; and
- complies with the legislated requirements.

### AT PRINCIPAL LEVEL

To properly implement this policy, the Principal must ensure:

- that this policy is reviewed every two years; and
- the School Registrar, Deputy Principal and Head of Schools implement this policy and its procedures.

### AT OTHER LEVELS

To properly implement this policy all the School's employees must ensure that they will abide by this policy and assist the School's Deputy Principal, Registrar and Head of Schools in the implementation of this policy.

## 12. DEFINITIONS

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

**Critical Incident** - The ESOS National Code defines a critical incident as 'a traumatic event, or the threat of such (within or outside Australia), which causes extreme stress, fear or injury'. This does not include serious academic misconduct.

Critical incidents are not limited to, but could include:

- missing students;
- severe verbal or psychological aggression;
- death, serious injury or any threat of these;
- natural disaster;
- war or invasion;
- issues such as domestic violence, physical, sexual or other abuse; and
- other non-life threatening events.

**ESOS Act** – means Education Services for Overseas Students Act 2000.

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

**National Code** – means National Code of Practice for Providers of Education and Training to Overseas Students 2018

**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.

### 13. RELATED SCHOOL POLICIES/DOCUMENTS

- SW23.00 Critical Incident Policy
- E02.00 Overseas Student Enrolment Policy and Procedures
- E04.00 Overseas Student Deferment, Suspension and Cancellation Policy
- E05.00 Overseas Student Transfer Policy
- E06.00 Overseas Student Marketing and Communications Policy
- SL01.00 Overseas Course Progress Policy and Procedures
- SL02.00 Overseas Student English Proficiency Policy
- SW11.00 Overseas Student Complaints and Appeals Policy
- SW13.04 Overseas Student Handbook
- SW13.00 Overseas Students Orientation Program Policy and Procedures

### 14. REFERENCES

- [ESOS Act \(2000\)](#) – Obligations of registered providers
- ESOS National Code Standard 5: Younger Overseas Students (Fact Sheet 14 July 2022)
- ESOS National Code Standard 6: Student support services (Fact Sheet 14 July 2022)
- VRQA Guidelines for the Enrolment of Overseas Student Aged Under 18 Years (April 2022)

### 15. ACCESSIBILITY

This document is available on:

- The School Board Portal
- Fintona Website > Overseas Students
- inFintona>Staff Services>Policies
- inFintona>Parent Services>Policies