

Under 18 Student Policy

POLICY PURPOSE

This purpose of this policy is to ensure that all international students under 18 years of age are managed in accordance with the National Code 2018 and the Education Services for Overseas Students (ESOS) Act 2000.

SCOPE

This policy applies to all international students under 18 years of age who plan on enrolling in CRICOS registered courses at UTS Insearch in Sydney.

This policy also applies to international students under 18 years of age studying at UTS in Sydney, who request accommodation and related welfare services from UTS Insearch.

This policy informs and guides staff and international students under 18 years of age on UTS Insearch's legislative requirements and processes.

DEFINITIONS are set out at the end of this policy.

POLICY PRINCIPLES

Principle	Responsible
OVERARCHING	
<ol style="list-style-type: none"> 1. UTS Insearch is committed to the safety and wellbeing of all students under the age of 18 who interact with or who may be impacted by UTS Insearch activities. 2. Regardless of whether the student has requested UTS Insearch to arrange their accommodation and welfare, where UTS Insearch is unable to contact a student and/or has concerns for the student's welfare it will make all reasonable efforts to locate the student, including notifying the parent/ legal guardian, police and any other relevant Commonwealth, state or territory agencies as soon as practicable. 3. UTS Insearch will regularly monitor its internal framework for the management of students under 18 years of age to ensure best practice and identify opportunities for continuous improvement. 	<p>Admissions/Student Services/Student Welfare and Accommodation Team/SSCR</p>

Principle	Responsible
AUTHORISATION	
<p>4. UTS Insearch will ensure that any agreements or requests related to a student under 18 years of age are authorised and co-signed by a parent/ legal guardian, including but not limited to:</p> <ul style="list-style-type: none"> • Application form • Acceptance form • Course Transfer/ Deferral/ Release /Withdrawal requests • Accommodation and Welfare Arrangements and changes to these <p>NB: Permission forms to attend field trips/activities occurring off campus may be signed by a parent, legal guardian, welfare guardian or homestay host (carer).</p>	<p>Admissions/Student Services</p>
ACCEPTANCE CRITERIA	
<p>5. Students under 18 years of age who intend to study at UTS Insearch or UTS must show evidence of adequate welfare and accommodation arrangements in Australia. A student visa will not be granted without evidence of such arrangements.</p> <p>Refer to the Homestay Policy and Procedure or the Student Residential Accommodation and Welfare Policy and Procedure for detail on accommodation and welfare options available to students and the applicable requirements of each.</p> <p>6. Students already in Australia when accepting an offer must provide written evidence of accommodation and welfare arrangements approved by the Department of Home Affairs, and must remain in those arrangements until other arrangements have been approved.</p> <p>7. UTS Insearch will not issue a Confirmation of Enrolment (CoE) and enrol a student unless one of the following conditions is met:</p> <ul style="list-style-type: none"> a. Written Confirmation that the Department of Home Affairs has approved their accommodation and welfare arrangements (in the case of a student already in Australia); or b. UTS Insearch or UTS has agreed to accept responsibility to provide welfare, support and accommodation arrangements; in which case a CAAW letter will be issued. c. UTS Insearch will only issue a CAAW letter to students who have signed the UTS Insearch Homestay Terms and Conditions; or the equivalent of any UTS Insearch approved accommodation 	<p>Admissions/ Student Welfare and Accommodation Team/UTSI</p>

Principle	Responsible
<p>and welfare arrangements; agreeing to remain in the approved accommodation, support and welfare arrangements. Once approved by UTS Insearch, no changes to these arrangements can be made without the approval of UTS Insearch and the students' parents/legal guardian. In these instances, they student must remain in the original accommodation and welfare arrangements until new ones have been approved</p> <p>d. UTS Insearch will not enrol students under 16 years of age at course commencement under any circumstances.</p> <p>Note 1: the CAAW and CoE will be created together as the details of the CoE appear in the CAAW and vice versa.</p> <p>Note 2: UTS Insearch's Student Application and Admission Procedure applies to all UTS Insearch students including those under the age of 18.</p> <p>Note 3: UTS Policies and Procedures apply for the Application and Admission of UTS Direct students.</p>	
PROVISION OF WELFARE AND ACCOMMODATION ARRANGEMENTS	
<p>8. Where UTS Insearch accepts responsibility for approving the accommodation and welfare arrangements for a UTS Insearch student who is under 18 years of age, UTS Insearch will:</p> <p>a. Nominate the dates for which responsibility is accepted for providing accommodation, support and welfare arrangements.</p> <p>b. Advise the Department of Home Affairs by issuing a CAAW letter via PRISMS.</p> <p>Note: UTS issues CAAW letters for UTS Direct students.</p> <p>c. Ensure any adults involved in the provision of accommodation and welfare arrangements have all the necessary working with children clearances (or equivalent) appropriate to the jurisdictions in which the registered providers operates.</p> <p>d. Ensure it has documented processes for the selection, screening and monitoring of third-party providers and their services (Since UTS Insearch utilises third-party providers for the provision of welfare and/or accommodation arrangements).</p> <p>e. Ensure it has documented processes for verifying that the student's accommodation and welfare arrangements are appropriate to the students age and needs, prior to the arrangements being approved and at least every six months thereafter.</p> <p>f. Have a process for managing critical incidents, emergency situations and when welfare arrangements are disrupted.</p> <p>g. Maintain up to date records of the students contact details</p>	<p>Student Welfare and Accommodation Team/ Admissions/ SSCR/ UTSI</p>

Principle	Responsible
<p>including details of the student's parent(s), legal guardian or any adult responsible for the student's welfare.</p> <p>h. Advise the Department of Home Affairs via PRISMS of any change in accommodation arrangements, such as if the student will be cared for by a parent or nominated relative approved by Immigration.</p> <p>i. Advise the Department of Home Affairs within 24 hours if it is no longer able to approve the student's welfare arrangements.</p> <p>j. Make reasonable effort to notify the student's parents or legal guardians as soon as practicable if Insearch is no longer able to approve the welfare arrangements of a student.</p> <p>Note: UTS must be notified immediately in cases of UTS Direct students.</p>	
<p>k. Continue welfare responsibility where a student's enrolment is terminated, suspended or cancelled until the student leaves Australia or is accepted by another provider who will issue a new CAAW letter.</p> <p>Note: By creating a CAAW letter Insearch or UTS do not take over legal responsibility for the student. The parent/ legal guardian remains at all times legally responsible for the student</p>	<p>Student Welfare and Accommodation Team/ Admissions/ SSCR/ UTSI</p>
OBLIGATIONS FOR STUDENTS UNDER 18 OF AGE ON A CAAW	
<p>9. Where UTS Insearch issues a CAAW the student must:</p> <p>a. Not arrive prior to the commencement dates listed on the CAAW. Students arriving earlier than these dates will be in breach of student visa conditions and this may result in a visa cancellation by the Department of Home Affairs.</p> <p>b. Advise UTS Insearch of arrival details in Sydney.</p> <p>c. Use UTS Insearch approved transport from the airport to their approved accommodation.</p> <p>Note: exceptions to this are possible for UTS Insearch students only with the approval of UTS Insearch and a student's parents/legal guardian.</p> <p>d. Remain in UTS Insearch approved accommodation and welfare arrangements until they turn 18 years of age.</p> <p>e. Keep all contact details up to date including emergency contacts, parents and/or legal guardians.</p> <p>f. Comply with applicable UTS Insearch policies and procedures.</p> <p>g. Comply with all policies and procedures of applicable third-party accommodation and welfare providers.</p>	<p>Student</p>

Principle	Responsible
<p>h. Attend appropriate orientation activities; including those relating to their accommodation and welfare services.</p> <p>i. Not change their accommodation and welfare arrangements without approval from UTS Insearch.</p> <p>j. Ensure all fees relating to accommodation and welfare services are paid on time.</p> <p>k. Comply with curfew requirements.</p> <p>l. Not stay overnight outside their approved accommodation without prior approval from UTS Insearch.</p> <p>Note: UTS Policies and Procedures apply where UTS issues a CAAW to a UTS Direct student.</p>	
WITHDRAWAL OF ACCOMMODATION AND WELFARE PROVISION	
<p>10. UTS Insearch reserves the right to withdraw approval for accommodation, welfare and support for any student where the student breaches the following terms:</p> <p>a. Student does not conduct themselves in accordance with UTS Insearch, UTS and any applicable third-party policies and procedures.</p> <p>b. Student refuses to maintain UTS Insearch approved accommodation and welfare arrangements.</p>	<p>Student Welfare and Accommodation Team</p>
UTS INSEARCH OBLIGATIONS FOR STUDENTS UNDER 18 YEARS OF AGE IN UTS INSEARCH APPROVED ACCOMMODATION AND WELFARE ARRANGEMENTS	
<p>11. UTS Insearch will only approve the accommodation and welfare arrangement for students under 18 years of age if the student and their parent / legal guardian agree to enter into an agreement with an UTS Insearch approved Accommodation and Welfare provider; and these arrangements are completed before the student's arrival.</p> <p>12. UTS Insearch engages the services of third parties for the arrangement and provision of accommodation and welfare services for students.</p> <p>Where it does so UTS Insearch will:</p> <p>a. Have an agreement in place with third-party providers outlining responsibilities and duties.</p> <p>b. Regularly monitor the services and practices to ensure:</p> <ul style="list-style-type: none"> • They are appropriate to the student's age and needs • Their practices comply with legislative requirements and Insearch and UTS policies and procedures. • That students are provided with any relevant third-party 	<p>Student Services/Student Welfare and Accommodation team/UTSI</p>

Principle	Responsible
<p>policies and procedures.</p> <p>c. Have documented policies and procedures for the selection, screening and monitoring of any third-party providers to organise and assess welfare and accommodation arrangements.</p> <p>d. Have published policies and procedures that clearly outline the requirements for the provision of accommodation, support and welfare services to international students under 18 years of age.</p>	
CRITICAL INCIDENTS AND EMERGENCIES	
<p>13. UTS Insearch is committed to responding effectively to critical incidents and emergency situations involving students under 18 years of age. Staff and students must refer to the Critical Incident Policy-Student Management and Management of Student Incident Procedure.</p> <p>14. Critical incidents may include but are not limited to:</p> <ul style="list-style-type: none"> • Missing students • Severe verbal or psychological aggression • Death, serious injury or any threat of these • Natural disaster • Issues such as domestic violence, sexual assault, drug or alcohol abuse • Nonlife threatening events could still qualify as critical incidents. • Breach of Australian Law <p>15. UTS Insearch will provide all students under 18 years of age with a 24/7 emergency contact.</p> <p>16. UTS Insearch will also provide students with an orientation and access to relevant information containing details on:</p> <p style="margin-left: 40px;">a. Who to contact in emergency situations, including contact numbers of a nominated staff member and/or service provider to UTS Insearch.</p> <p style="margin-left: 40px;">b. Seeking assistance and reporting any incident or allegation involving actual or alleged sexual, physical or other abuse.</p> <p>17. Where students utilise UTS Insearch approved accommodation and welfare services, UTS Insearch will handle any critical incidents that occur off campus in accordance with its own critical incident policy and procedures. Where UTS Insearch engages a third party to assist in the provision of accommodation and welfare responsibilities, it will ensure the third party's critical incident processes are in line with UTS Insearch's own policy.</p>	<p>Student Welfare and Accommodation Team/ Third-Party Providers of Accommodation and Welfare/ UTSI</p>

Principle	Responsible
18. UTS Insearch will keep UTS informed of any critical incidents involving UTS Direct students; provide ongoing updates and resolution.	
SUSPENSION, CANCELLATION AND TRANSFER OF ENROLMENT	
19. Where UTS Insearch is the appointed welfare provider and UTS Insearch approves a release request, suspends or cancels the enrolment of a student, UTS Insearch will continue to approve the welfare arrangements for that student until any of the following applies: <ul style="list-style-type: none"> a. The student has alternative welfare arrangements approved by another registered provider. b. Care of the student by a parent, legal guardian or eligible nominated relative is approved by the Department of Home Affairs. c. The student leaves Australia. d. The student reaches 18 years of age. e. UTS Insearch has notified the Department of Home Affairs 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. <p>Note: UTS Policies and Procedures apply where UTS issues a CAAW to a UTS direct student.</p>	Student Welfare and Accommodation Team/ SSCR /UTSI
STUDENT TRANSFERRING TO INSEARCH	
20. Where UTS Insearch receives an application from a student under 18 years of age who has welfare arrangements approved by another registered provider, UTS Insearch will: <ul style="list-style-type: none"> a. Negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap. b. Inform the student of their visa obligation to maintain their current welfare arrangements until the transfer date; or have alternate welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect. 	Student Welfare and Accommodation Team/ Student Centre/ Admissions/SSCR

COMPLAINTS AND APPEALS

21. Students may access the UTS Insearch Student Complaints and Appeals process.

Note: UTS Direct students should refer to relevant UTS Policies and Procedures.

22. UTS Insearch will continue providing welfare and accommodation arrangements for the student until the complaints and appeals process is finalised.

Student Welfare
and
Accommodation
Team/ SSCR/UTSI

DEFINITIONS

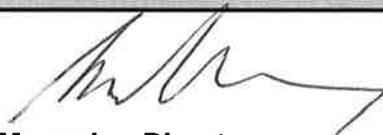
CAAW	Confirmation of Appropriate Accommodation and Welfare and is the Department of Education's pro-forma letter downloadable through PRISMS.
CoE	Confirmation of Enrolment issued through the Australian Department of Education's PRISMS system, by authorised UTS Insearch and/or UTS International (UTSI) staff. The CoE is required under Commonwealth Legislation for the purposes of applying for a Student Visa
Contact Details	Includes student residential address, mobile telephone number, and personal email address
Declaration of Accommodation and Welfare Arrangements for International Students under the age of 18 form	This is the form requesting details of the student's proposed accommodation and welfare arrangement which must be received at time of offer acceptance
Legal Guardian	A parent, step-parent, adoptive parent, or any other person who has legal responsibility for an international student.
PRISMS	Provider Registration and International Student Management System
SSCR	Student Sponsorship, Compliance and Reporting team
Student	In this policy, this refers to an international student under 18 years of age who is enrolled at UTS Insearch; or UTS Direct student who UTS Insearch has agreed to provide accommodation and welfare arrangements for.
Suitable Nominated Relative	As defined by the Department of Home Affairs, means a parent, spouse, de facto partner, brother, sister, grandparent, aunt, uncle, niece, nephew or a step parent, brother, sister, grandparent, aunt, uncle, niece, nephew of the student.
UTS Direct student	Any student under 18 years of age who gains direct entry to UTS or who completes a course offered by UTS Insearch or a UTS Insearch partner transnationally.

UTS Insearch	Insearch Limited.
UTS Insearch Approved Third-Party	Refers to an organisation or services that Insearch has a written agreement with to provide all or part of welfare, accommodation and support arrangements.
Working with Children Check	A legislated requirement under the Child Protection (Working with Children) Act 2012 and managed by the NSW Office of the Children's Guardian.

SUPPORTING DOCUMENTS

- Child Protection (Working with Children) Act 2012. No. 51
- The Children and Young Persons (Care and Protection) Act 1998 No. 157.
- Commission for Children and Young People Regulation 2009
- Declaration of Accommodation and Welfare Arrangements for International Students Under the age of 18
- Education Services for Overseas Students Act 2000 (ESOS)
- National Code 2018
- Higher Education Standards Framework 2015
- Higher Education Support Act 2003
- Student Application and Admission Procedure
- Critical Incident Policy – Student Management
- Management of Student Incident Procedure
- Homestay Policy
- Homestay Procedure
- UTS Insearch Homestay Terms and Conditions
- UTS Insearch Special Homestay Arrangements Terms and Conditions
- Student Accommodation and Welfare Policy
- Student Accommodation and Welfare Procedure
- Student Application and Admission Procedure
- Third Party Provider Audit Procedure
- Student Complaints and Appeals Policy and Procedure

ADMIN USE ONLY

APPROVAL	
Signature:	
Position title:	Managing Director Date: 11/09/2019
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Senior Leader	Chief Operating Officer
Manager	Head of Student Services
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