



YOUNGER OVERSEAS STUDENTS POLICY

1. Applicable Standards

National Code of Practice for Providers of Education and Training to Overseas Students 2018; Clause: 5.1 – 5.7

2. Overview

This Policy sits within the Regulatory Compliance and Governance Phase of the Student Journey.

3. Purpose

The purpose of this Policy is to provide guidance to intending overseas students and overseas students and is applicable where the intending overseas students or overseas students are under eighteen years of age.

4. Definitions

In this Policy, these terms have the same meaning as defined in the Education Services for Overseas Students Act 2000.

Intending overseas student means a person (whether within or outside Australia) who intends to become, or who has taken any steps towards becoming, an overseas student.

Overseas student means a person (whether within or outside Australia) who holds a student visa, but does not include students of a kind prescribed in the regulations.

In this Policy, this term has the same meaning as defined in the National Code of Practice for Providers of Education and Training to Overseas Students 2018

Recruitment means the pre-enrolment processes of engaging and assisting overseas students (or parent or guardian if the overseas student is under 18) to apply for a place in a course with a provider leading up to the formal enrolment, including assistance with administrative issues and the issuing of a Confirmation of Enrolment for an application for a student visa.

5. Policy

5.1 AMA College has a recruitment process which ensures that an intending overseas student or an overseas student has the sufficient prior knowledge, experience, skills and capability to undertake their course of study. AMA College therefore, will not enter into a written agreement with an intending overseas student or an overseas student where



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that person is under the age of eighteen years of age at the time of signing such written agreement.

5.2 Should, at some future point in time, AMA College review 5.1 of this Policy, and enrol one or more students who are under the age of eighteen years of age at the time of signing their written agreement, items 5.3 – 5.9 will apply. Should this occur, AMA College will develop and implement associated procedures.

5.3 Where AMA College enrolls a student who is under 18 years of age, it will meet all of the Commonwealth, state or territory legislation or other regulatory requirements relating to child welfare and protection appropriate to the jurisdiction(s) in which it operates.

5.4 AMA College will ensure students who are under 18 years of age are given age- and culturally-appropriate information on:

5.4.1 who to contact in emergency situations, including contact numbers of a nominated staff member and/or service provider to the AMA College,

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

5.5 Where AMA College takes on responsibility under the Migration Regulations for approving the accommodation, support and general welfare arrangements (but not including guardianship, which is a legal relationship not able to be created or entered into by AMA College) for a student who is under 18 years of age, it will:

5.5.1 nominate the dates for which it accepts responsibility for approving the student's accommodation, support and general welfare arrangements and advise Immigration, which is responsible for administering the Migration Regulations, of the dates in the form required by that department,

5.5.2 ensure any adults involved in or providing accommodation and welfare arrangements to the student have all working with children clearances (or equivalent) appropriate to the jurisdiction(s) in which it operates,

5.5.3 have and implement documented processes for verifying that the student's accommodation is appropriate to the student's age and needs:

5.5.3.1 prior to the accommodation being approved,

5.5.3.2 at least every six months thereafter,



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5.5.4 include as part of its policy and processes for critical incidents under Standard 6 of the Standards (Overseas student support services), a process for managing emergency situations and when welfare arrangements are disrupted for students under 18 years of age,

5.5.5 maintain up-to-date records of the student's contact details as outlined in Standard 3.5, including the contact details of the student's parent(s), legal guardian or any adult responsible for the student's welfare,

5.5.6 advise the Department of Home Affairs in the form required by that department:

5.5.6.1 as soon as practicable if the student will be cared for by a parent or nominated relative approved by Immigration and a Confirmation of Appropriate Accommodation and Welfare (CAAW) is no longer required,

5.5.6.2 within 24 hours if AMA College is no longer able to approve the student's welfare arrangements,

5.5.7 have documented policies and processes for selecting, screening and monitoring any third parties it engages to organise and assess welfare and accommodation arrangements.

5.6 If AMA College is no longer able to approve the welfare arrangements of a student, it will make all reasonable efforts to ensure that the student's parents or legal guardians are notified immediately.

5.7 If AMA College is unable to contact a student and has concerns for the student's welfare, it will make all reasonable efforts to locate the student, including notifying the police and any other relevant Commonwealth, state or territory agencies as soon as practicable.

5.8 Where Standard 5.3 of the Standards applies (displayed in this Policy as 5.5) applies and AMA College suspends or cancels the enrolment of the overseas student, AMA College will continue to approve the welfare arrangements for that student until any of the following applies:

5.8.1 the student has alternative welfare arrangements approved by another registered provider,

5.8.2 care of the student by a parent or nominated relative is approved by the Department of Home Affairs,



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5.8.3 the student leaves Australia,

5.8.4 AMA College has notified the Department of Home Affairs under Standard 5.3.6 of the Standards (displayed in this Policy as 5.5.6) that it is no longer able to approve the student's welfare arrangements or under Standard 5.5 of the Standards (displayed in this Policy as 5.7) that it has taken the required action after not being able to contact the student.

5.9 If AMA College enrolls a student under 18 years of age who has welfare arrangements approved by another registered provider, it will:

5.9.1 negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap,

5.9.2 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.

6. Policy Links

This Policy should be read in conjunction with the following AMA College Policies:

- 2.01 Enrolment Policy
- 2.03 Overseas Student Transfer Policy
- 3.02 Critical Incident Policy

7. Policy Documents

Nil.

8. Policy Review and Implementation

The Principal Executive Officer (PEO) is accountable for the implementation of this Policy. The General Manager Vocational Education and Training is responsible for the implementation of this Policy, and may delegate responsibilities for elements of this Policy. Where this occurs, this delegation must be recorded within this document. This Policy is to be reviewed on an annual basis, or more frequently as required, with revisions detailed in the section below.

Date of Issue and Revision	Description of Amendment	Reviewed (Quality Manager)	Authorised (General Manager)
July 2018	Initial Registration	Peigi Hinton	Jan Norberger