



UNDER 18 OVERSEAS STUDENT ACCOMMODATION POLICY AND PROCEDURE

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1. Purpose

Throughout this document, Australia Institute of Business & Technology will be referred to as AIBT.

The purpose of this document is to outline AIBT's policy and procedure for managing overseas students who are under 18 years of age, to ensure compliance with Standard 5 of the Education National Code of Practice for Providers of Education and Training for Overseas Students 2018 (**National Code 2018**).

2. Scope

This policy and procedure specifically relates to overseas students who:

- (i) are under the age of 18 years at the time of enrolling with AIBT;
- (ii) have accepted an offer to study a course or courses in Australia with AIBT;
- (iii) who will be under the age of 18 years of age when studying in Australia with AIBT.

3. Policy statement

- (a) In accordance with Standard 5 of the National Code 2018, an overseas student who is under 18 years of age is unable to study in Australia with a registered education provider unless appropriate accommodation, support and welfare arrangements are in place at the time of the student applying for a student visa through the Department of Home Affairs.
- (b) This document provides guidance as to what appropriate accommodation, support and welfare arrangements are, and the process that is required to be undertaken to satisfy these conditions.

4. Procedure

This procedure outlines the processes that are required to be met for students wishing to study in Australia with AIBT, who are under 18 years of age and up until they turn 18 years of age:

- (a) When completing the enrolment application form to study with AIBT, the parent(s) or legal guardian(s) must consent to the enrolment of the student and sign the enrolment application form.
- (b) Where a letter of offer is issued to the student by AIBT, it will outline, as part of the student visa conditions to enter Australia and before a Confirmation of Enrolment (CoE) and Confirmation of Appropriate Accommodation and Welfare (CAAW) is issued that the student and parent(s) or legal guardian(s), are required to organise, one of the following:

- (i) if the student intends to live with parent(s), legal guardian(s) or eligible relative, whilst studying in Australia, an application is required to be made for a student

guardian visa with the Department of Home Affairs at
<https://www.homeaffairs.gov.au/>

- (ii) if the student and parent(s) or legal guardian(s) require AIBT to organise appropriate accommodation, support and welfare arrangements for the student, whilst studying in Australia and up until they turn 18 years of age.
 - (iii) If the student and parent(s) or legal guardian(s) is applying for an intake after the student will turn 18 before arriving in Australia, they would be required to use the 157N form to proceed with the application.
- (c) AIBT will not issue a CoE, or a CAAW, to the student until the student and parent(s) or legal guardian(s) provide evidence to the satisfaction of AIBT that either 4(b)(i), 4(b)(ii), or 4(b)(iii) above, have been satisfied.
- (d) The student must not enter Australia until either 4(b)(i) or 4(b)(ii) is satisfied. If the student and parents(s) or legal guardian(s) require AIBT to organise accommodation, support and welfare arrangements for the student, the commencement date for these arrangements and period of these arrangements will be clearly set out in the CAAW letter issued by AIBT. These dates are usually one week before the start date of the arrangement and end when the student turns 18 years of age.

5. Application process

- (a) This process applies where the student and parent(s) or legal guardian(s) require AIBT to organise accommodation, support and welfare arrangements for a student who is under 18 years of age and up until they turn 18 years of age (**services**).
- (b) AIBT partners with government approved accommodation providers or hosts, who provide the approved accommodation, on the following terms and conditions:
- (i) At all times AIBT are responsible for the approved accommodation;
 - (ii) AIBT will engage an approved accommodation provider to provide the approved accommodation and ensure that:
 - i. any adults involved in or providing approved accommodation and welfare arrangements to the student have working with children clearances;
 - ii. the approved accommodation is appropriate to the student's age and needs, prior to the accommodation being approved and at least every six months thereafter.
 - (iii) the parent(s) or legal guardian(s) of the student will be required to sign an agreement with AIBT and the approved accommodation provider, which will outline the approved accommodation and the fees required to be paid for the approved accommodation;
 - (iv) the parent(s) or legal guardian(s) will, at all times, be responsible for payment of the fees for the approved accommodation;

- (v) the payment for the approved accommodation is to be made directly to AIBT or the approved accommodation provider (as agreed between AIBT and the parent(s) or legal guardian(s);
- (vi) if payment of the fees for approved accommodation are not received in accordance with the Agreement, AIBT will in the first instance contact the parent(s) or legal guardian(s) of the student and take all reasonable steps to assist the student in respect to their accommodation, failing reaching a suitable outcome, AIBT may notify the Department of Home Affairs of its intention to cancel the approved accommodation, which will place the student in breach of the student visa conditions.

6. Support for students under 18

- (a) AIBT wants to ensure that all students who are studying with AIBT feel supported during their stay in Australia. AIBT has a responsibility to ensure that the welfare of students under 18 years of age are appropriately supported.
- (b) AIBT Student Support is responsible for monitoring students under 18 years of age, including their approved accommodation provider to ensure that their approved accommodation is appropriate, and the students' needs are being met.
- (c) AIBT Student Support provides students with appropriate orientation to assist them to adjust to life in Australia, including information relating to support services, emergency and health contact services and other information they require during their stay in Australia.
- (d) If a student wishes to report an incident or allegation involving actual or alleged sexual or physical abuse they should contact the police, by dialling 000.
- (e) If a student wishes to report an incident or allegation involving bullying, harassment or discrimination by another student, staff member or a member of the approved accommodation provider they should seek assistance by contacting AIBT Student Support.
- (f) Where it has been identified that there is a serious or imminent risk to a student's health, safety or wellbeing at the student's approved accommodation, AIBT will take immediate steps to notify the parent(s) or legal guardian(s) of the student and locate temporary emergency accommodation for the student until another approved accommodation provider is engaged by AIBT.

7. Changes to student's living arrangements

- (a) AIBT is, at all times, willing to assist a student who may have a complaint regarding the services being provided by the approved accommodation provider.
- (b) In the circumstance where a student is dissatisfied or wishes to make a complaint about the approved accommodation being provided by the approved accommodation provider, the student is to follow the following process:
 - (i) discuss the complaint or issue with AIBT Student Support;
 - (ii) where a student's complaint regarding the approved accommodation provider cannot be resolved after reasonable efforts and discussions with the student and parent(s) or guardian(s) and the approved accommodation provider, AIBT may consider engaging a new approved accommodation provider to provide approved accommodation for the student. In these circumstances the student and parent(s) or legal guardian(s) will be required to enter into a new agreement with AIBT and the new approved accommodation provider to provide the approved accommodation for the student.
- (c) AIBT is required to notify the Department of Home Affairs of any changes to a student's living arrangements. Where a student changes their living arrangements without the approval of AIBT and AIBT does not approve the new living arrangements, the student will be in breach of their student visa conditions and the visa may be subject to cancellation.
- (d) Where a student accepts to live in the homestay provided by AIBT, but at some later time identifies a suitable relative (prospective guardian) in Australia and decides to change the living arrangements to reside with the relative, the student may be charged with an administrative fee

8. Refunds

- (a) Students who apply for their accommodation and welfare arrangements through AIBT will be required to pay in full the amount necessary to cover the approved accommodation, up until the student turns 18. This amount will be calculated one week before the student's course start date until the student turns 18 years of age.
- (b) If the student has a balance in the AIBT account for the approved accommodation due to deferring the start date of the course or changing arrangements before arrival to Australia, the amount paid by the student for the approved accommodation will be transferred to the student's tuition account (if the student has outstanding fees).
- (c) Fees paid for approved accommodation (handling fee may not be included) are refundable if the refund application meets any of the following requirements;
 - (i) the student nominates a suitable guardian before signing the agreement with the accommodation provider;
 - (ii) the student's visa is refused by the Department of Home Affairs and the student notifies AIBT with a copy of the rejection notice;

- (iii) the student defers their studies to start after they turn 18 years of age. If the accommodation agreement has been signed, the student will be charged two (2) weeks rent, as administrative costs, to the approved accommodation provider and the balance will be refunded to the student.
- (d) Transportation costs will be refunded if the student does not use this service.

9. Other matters

- (a) In the unlikely circumstance that AIBT suspends or cancels the enrolment of a student under 18 years of age, AIBT will continue to approve the student's welfare arrangements, until:
 - (i) the student has alternative welfare arrangements approved by another registered education provider; or
 - (ii) care of the student by a parent or nominated relative is approved by Department of Home Affairs; or
 - (iii) the student leaves Australia; or
 - (iv) pursuant to Standard 5, AIBT 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 under Standard 5, after not being able to contact the student.
- (b) Where a student enrolls with AIBT and who has welfare arrangements approved by another registered education provider, AIBT is required to:
 - (i) negotiate a transfer date for the welfare arrangements with the other registered education provider, so that there is no gap in the welfare arrangements;
 - (ii) inform the student and parent(s) or legal guardian(s) of the visa obligations to maintain their current welfare arrangements until the transfer date to AIBT or have alternate welfare arrangements approved until the transfer
 - (iii) date to AIBT or return to their home country until the transfer date to AIBT occurs.
- (c) In the circumstance where AIBT is unable to contact a student or has concerns for a student's welfare, it will take all reasonable efforts to locate the student, including contacting the parent(s) or legal guardian(s) and notifying the local police. Where AIBT is unable to locate the student, despite making all reasonable efforts to do so, it may suspend the student's enrolment and notify the Department of Home Affairs.