

When Expert Education and Visa Services recruits an international student who is under 18 years of age for an education provider, it must comply with Commonwealth, state, or territory legislation and other regulatory requirements related to child welfare and protection appropriate to the jurisdiction(s) in which it operates.

We abide by the country specific instruction in ensuring the minor's safety, well-being are well addressed. Furthermore, an student entering into a country who is a minor need to enter into Guardianship Agency until your 18th birthday e.g. in case of UK they can arrange this via [AEGIS](#) website.

According to the [Migration Regulations 1994](#), the Department of Home Affairs mandates that persons under 18 years entering Australia on a student visa must have adequate welfare and accommodation arrangements in place and this information is adequately communicated to the students' Parents or Guardians in the home country.

The ESOS Act 2000 and [Part B, Standard 5 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) establish the framework for managing the welfare and accommodation of international students under 18 years of age.

This protocol applies to international students under 18 years of age enrolled via Expert Education and Visa Services.

The protocol informs and guides staff and international students under 18 years of age on Expert Education and Visa Services processes.

Definitions

Adult: Any person over the age of 18.

CAAW: The Confirmation of Appropriate Accommodation and Welfare is a pro-forma letter from the Department of Home Affairs, downloadable through PRISMS. It is issued by the registered provider when creating a Confirmation of Enrolment (CoE). The provider must inform the Department of Home Affairs of any changes to care arrangements or if they are no longer provided.

CoE: The electronic Confirmation of Enrolment issued through the Australian Government's Department of Education and Training PRISMS system.

Contact details: A residential address, mobile phone number, and personal email address.

National Code: The National Code of Practice for Providers of Education and Training to Overseas Students 2018.

PRISMS: Provider Registration and International Students Management System.

International student: A person who is not a citizen or permanent resident of Australia, not a New Zealand citizen, or not entitled to stay in Australia without any time limit, who is enrolled or planning to enrol in a course of study.

Third-party provider: An organization or service that has a written agreement with Expert Education and Visa Services to provide all or part of welfare, accommodation, and support arrangements.

Working with Children Check: The process of screening individuals engaged in child-related work, a legislated requirement under the Child Protection (Working with Children) Act 2012, managed by the NSW Office of the Children's Guardian.

4 Protocol principles

4.1. Expert Education and Visa Services is committed to the safety and well-being of all students under the age of 18 who interact with or may be impacted by its activities.

4.2. Regardless of whether the student has selected Expert Education and Visa Services as their accommodation and welfare provider, if the organization 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. This includes notifying the parent/legal guardian, police, and any relevant Commonwealth, state, or territory agencies as soon as practicable and as required.

4.3. When Expert Education and Visa Services utilizes a third-party provider for welfare and/or accommodation arrangements, it will ensure it has documented processes for selecting, screening, and monitoring these providers and their services.

4.4. Expert Education and Visa Services will regularly monitor its internal framework for managing students under 18 years of age to ensure best practices and identify opportunities for continuous improvement.

5 Protocol statements In Australian context, a sample is given as below:

5.1. Authorisation (in general terms)

5.1.1 Expert Education and Visa Services will ensure that any agreements or requests related to a student under 18 years of age are authorized and co-signed by a parent/legal guardian. It is also communicated to the student and the guardian that whenever a University or Education provider asks to sign any agreement or request related to student under 18 years of age, it has to be authorised and co-signed by a parent / legal guardian. Sample of forms including but not limited to:

- a) Application form
- b) Acceptance form
- c) Course transfer/Deferral/Release/Withdrawal requests
- d) Field trips/activities occurring off campus
- e) Changes to accommodation and welfare arrangements.

5.2. Acceptance Criteria (in general by Education Providers)

5.2.1. Students under the age of 18 who intend to study at **an Education Provider** must show evidence of adequate welfare and accommodation arrangements in Australia.

5.2.2. Education Provider will not issue a Confirmation of Enrolment (CoE) unless one of the following conditions is met:

- a) Evidence that the Department of Home Affairs will be approving their chosen accommodation and welfare arrangement or
- b) **Education Providers** has agreed to accept responsibility to provide welfare, support, and accommodation arrangements by issuing a CAAW letter.

Note: The CAAW and CoE will be created together as the details of the CoE appear in the CAAW and vice versa.

5.3. Education Providers' Provision of Welfare and Accommodation Arrangements

5.3.1. Where **Education Provider** generally accepts responsibility for approving the accommodation, support, and general welfare arrangements for a student who is under 18 years of age, **Education Provider** will:

- a) Nominate the dates for which responsibility is accepted for providing accommodation, support, and welfare arrangements.
- b) Advise the Department of Home Affairs by issuing a CAAW letter via PRISMS.
- c) Ensure any adults involved in or providing accommodation and welfare arrangements to the student all have working with children clearances (or equivalent).
- d) Monitor and check the suitability of accommodation, support, and welfare arrangements to the student's age and needs prior to the accommodation being approved and at least every six months thereafter.
- e) Have a process for managing critical incidents, emergency situations, and when welfare arrangements are disrupted.

f) Maintain up-to-date records of the student's contact details including details of the student's parent(s), legal guardian, or any adult responsible for the student's welfare.

g) 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 the Department of Home Affairs.

h) Notify the Department of Home Affairs within 24 hours if it is no longer able to approve the student's welfare arrangements.

i) Make reasonable efforts to notify the student's parents or legal guardians as soon as practicable if **Education Provider** is no longer able to approve the welfare arrangements of a student.

j) 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.

5.3.2. By issuing a CAAW letter **Education Provider** does not take over legal responsibility for the student. The parent/legal guardian remains at all times legally responsible for the student.

5.4. Obligations for Students Under 18 on a CAAW

5.4.1. Where **Education Provider** issues a CAAW to a student, the student must:

a) Not arrive in Australia prior to the commencement date listed on the CAAW. Arriving prior to this date would be in breach of the student's visa conditions and may result in visa cancellation by the Department of Home Affairs.

b) Advise **Education Provider** of their arrival details in Sydney.

c) Use **Education Provider** -approved airport transfer to their booked accommodation.

d) Remain in **Education Provider** -approved accommodation until they turn 18 years of age.

- e) Update current contact details including those of their parent/legal guardian.
- f) Comply with applicable **Education Provider** policies and procedures, as well as any applicable third-party policies and procedures.
- g) Attend all appropriate orientation relating to their accommodation and welfare services.
- h) Not change their accommodation and welfare arrangements without approval from **Education Provider** and their parent/legal guardian.
- i) Ensure all fees relating to accommodation and welfare services are paid on time.
- j) Comply with curfew requirements.
- k) Not stay overnight outside their approved accommodation without prior approval.

5.5. Third-Party Arrangements

5.5.1. Education Provider generally nominates its partner to provide the administration, selection, allocation, and monitoring of accommodation and welfare arrangements to students under 18 years of age, on behalf of **Education Provider**. **Education Provider** may engage the services of other third parties for the arrangement and provision of accommodation and welfare services.

5.5.2. Where **Education Provider** engages third parties to organize and monitor the provision of accommodation, support, and general welfare arrangements, **Education Provider** will:

- a) Have an agreement in place with any third-party providers outlining responsibilities and duties.
- b) Regularly monitor the services and practices to ensure they are appropriate to the student's age and needs and their practices comply with legislative requirements and **Education Provider** policies and procedures.

5.5.3. Education Provider will ensure that students are provided with any relevant third-party policies and procedures.

5.6. Critical Incident and Emergency Situations

5.6.1. Education Providers are committed to responding effectively to critical incidents and emergency situations involving students under the age of 18. Staff and students must refer to the **Education Providers** Critical Incident Plan. Critical incidents may include but are not limited to:

- a) Missing students
- b) Severe verbal or psychological aggression
- c) Death, serious injury, or any threat of these
- d) Natural disaster
- e) Issues such as domestic violence, sexual assault, drug or alcohol abuse
- f) Non-life-threatening events could still qualify as critical incidents.
- g) Breach of Australian law

5.6.2. Education Provider will provide students with an orientation and access to relevant information containing details on:

- a) Who to contact in emergency situations, including contact numbers of a nominated staff member and/or service provider to **Education Provider**.
- b) Seeking assistance and reporting any incident or allegation involving actual or alleged sexual, physical, or other abuse.

5.6.3. Where students utilize **Education Provider** accommodation and welfare services, **Education Provider** will handle any critical incidents that occur off-campus in accordance with its own critical incident policy. Where **Education Provider** 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 **Education Provider's** own policy. **Education Provider** will keep **Education Provider** informed of any critical incidents and provide ongoing updates and resolutions.

5.7. Suspension, Cancellation, and Transfer of Enrolment

5.7.1. Where **Education Provider** is the appointed welfare provider and approves a release request, suspends, or cancels the enrolment of a student, **Education Provider** will continue to approve the welfare arrangements for that student until any of the following applies:

- a) The student has alternative welfare arrangements approved by another registered provider
- b) Care of the student by a parent or nominated relative is approved by the Department of Home Affairs
- c) The student leaves Australia
- d) **Education Provider** has notified the Department of Home Affairs under Standard 5.3.6 of the National Code that it is no longer able to approve the student's welfare arrangements or under Standard 5.5 that it has taken the required action after not being able to contact the student.

5.8. Students Transferring to Education Provider

5.8.1. Where **Education Provider** receives an application from a student under 18 years of age who has welfare arrangements approved by another registered provider, **Education Provider** will:

- 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.

5.9. Withdrawal of Accommodation and Welfare Provisions

5.9.1. Education Provider reserves the right to withdraw approval for accommodation, welfare, and support where the student breaches the following terms:

- a) The student does not conduct themselves in accordance with **Education Provider** and any applicable third-party policies and procedures
- b) The student refuses to maintain **Education Provider** -approved accommodation and welfare arrangements.

5.10. Complaints and Appeals

5.10.1. Students may access the Student Complaints Policy and Student Complaints Management Procedure. **Education Provider** will continue providing welfare and accommodation arrangements to the student until the complaints and appeals process is finalized.

5.10.2. Where the complaint/appeal is related to welfare and accommodation services provided by a third-party **Education Provider**