

## Draft INTERNATIONAL STUDENT WELFARE POLICY

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### 1. RATIONALE

- 1.1. The *International Student Welfare Policy* addresses the responsibility of The Friends' School for the welfare of all international students.
- 1.2. The *International Student Welfare Policy* also specifically addresses the School's responsibilities for the welfare of students under the age of 18 years who are studying on a Student Visa 500 (SV500) therefore addressing the requirements of Standard 5 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018, (National Code 2018)* <link>.

### 2. SCOPE

- 2.1 All international students, as defined in the *International Student Policy*, and including students studying on an SV500, are covered by this policy
- 2.2 This Policy is inclusive of students who are under 18 years of age and also students who are 18 years of age and older
- 2.3 The Board of Governors
- 2.4 Principal
- 2.5 Principal's Committee
- 2.6 Deputy Principal
- 2.7 K-12 International Student Coordinator
- 2.8 Enrolments Manager
- 2.9 Heads of School (Morris, High School and Clemes)
- 2.10 Deputy Heads of School (Morris)
- 2.11 International Student Coordinator (High School)
- 2.12 Dean of Students (Clemes)
- 2.13 Director of Residence and boarding staff
- 2.14 School Psychologist
- 2.15 All staff
- 2.16 Parents/Legal Guardians of international Students
- 2.17 Homestay Host parents
- 2.18 Education Agents (Contracted)

### 3. POLICY

- 3.1. **International Student Welfare** The Friends' School acknowledges the significance of a school student leaving their family, home, friends and country for study purposes, and for many students this will be to a new culture, language and education system. The School is committed to assisting students and their families to prepare for this significant change, to adapt to and feel comfortable and safe in their new environment, and to thrive in their new School.
  - 3.1.1. As for all students, the welfare and safety of all international students is the responsibility of all staff and carers of the students, including parents
  - 3.1.2. The School will regularly inform and update staff, parents, 'nominated guardians' and homestay hosts (see *Homestay Policy* and *Homestay Procedures and Guidelines*) of the School's legal and duty of care responsibilities, policies, procedures and guidelines pertaining to international students and those specific to SV500 students
  - 3.1.3. International student welfare is protected by and subject to all School policies, procedures, guidelines and processes

- 3.1.4. The School's *International Student Support Services Policy* [<link>](#) addresses the services provided by the School to support international students

### **3.2. Child Safety**

- 3.2.1. It is the expectation of the School that all School staff, contractors, volunteers, carers and members of homestay families who are 16 years of age and older, have a current Registration to Work with Vulnerable People (WWVP), in keeping with the School's *Working With Vulnerable People (WWVP) Registration Guidelines* and
- 3.2.2. It is expected that all staff, contractors, volunteers, carers and members of homestay host families who are 18 years and older comply at all times with the following *Working With Vulnerable People (WWVP) Registration Guidelines* and *Children, Young Persons and Their Families Act 1997*

### **3.3. Parents and Legal Guardians**

- 3.3.1. The Friends' School acknowledges that the parent/s or person/s who has/have legal custody of the international student remain legally responsible for their child and the decisions pertaining to the health, welfare, accommodation, learning, studies, co-curricular and social activities of their child, while studying at The Friends' School.
- 3.3.2. The School acknowledges that a legal guardian of a student must be appointed by a Court of Law or Testamentary Deed. The School will only use the term 'Guardian' in the case of an adult/s who has/have been legally appointed as the Guardian of an international student. The School will require certified copies of legal documents confirming the appointment of a Guardian for a student.
- 3.3.3. The School acknowledges that a Guardian for a student (domestic and/or international) may be appointed for a range of reasons, including but not limited to:
- The parents of the student are deceased
  - The parents of the student are absent from their life, and a third party, which may be a relative, has been appointed as legal guardian
  - A child has been removed from the care of their parents and a third party has been appointed as Guardian, who in some instances may be the designated State authority

### **3.4 'Nominated Guardians'**

- 3.4.1 The Friends' School acknowledges that the Department of Home Affairs may approve a 'Nominated Guardian' to be responsible for the accommodation and welfare arrangements for a student under 18 years of age who is studying on a Student Visa. In this case, the 'Nominated Guardian' can be a parent, person who has legal custody or an eligible relative and must have an appropriate visa or have applied for a Student Guardian visa (subclass 590). An eligible relative is:
- A parent, spouse, de facto partner, brother, sister, step-parent, step-brother, step-sister, grandparent, aunt, uncle, niece or nephew, or a step-grandparent, step-aunt, step-uncle, step-niece or step nephew
  - nominated by a parent (or legal guardian),

- over the age of 21,
- who is of good character, and show this by providing a police clearance from the countries in which they have lived for more than 12 months in the past 10 years and after the age of 16; and
- an Australian citizen, permanent resident or eligible temporary Visa holder to remain in Australia until the SV500 student's visa expired or they turn 18 years of age (whichever happens first)

The Friends' School respects this process but is not obliged to automatically accept students with a Home Affairs approved 'Nominated Guardian' and reserves the right to add additional conditions and/or expectations to the 'Nominated Guardian', should the School agree to enrolling a student who will be in the care of a 'Nominated Guardian'

#### 3.4.2 **Parents or Legal/Custodial Guardians as 'Nominated Guardians'**

The School will consider the enrolment of a student whose parent or legal guardian is a Home Affairs approved 'Nominated Guardian'. In this case the Parent or Legal Guardian:

- will be eligible to reside in Australia on a Guardianship Visa
- will be a fulltime resident of Hobart and the fulltime carer of the student
- will simply be referred to as a 'Parent' by the School, in the case of the parent, and 'Guardian' in the case of a legal custodian/guardian. The School will not use the term 'Nominated Guardian' to describe parents and/or guardians who are also approved by Home Affairs as 'Nominated Guardians'
- will be required to provide the School certified copies of Home Affairs documents approving them as a 'Nominated Guardian'

#### 3.4.3 **'Nominated Guardians' who are relatives other than Parent/Legal Guardian**

'Nominated Guardians' approved by Home Affairs who are relatives other than parents or legal custodians of the students, will be considered as suitable carers for a student enrolled at The Friends' School, at the discretion of the Principal. The Principal will consider the following factors (not limited to):

- The 'Nominated Guardian' must be a fulltime resident of Hobart
- The age of the student
- The age of the 'Nominated Guardian'. As a general rule the School prefers 'Nominated Guardians' to be 25 years of age or older
- The nature of the relationship between the student, their parents and the said relative e.g. has the student/ parent met them before, spent time with them? Is the relative a stranger to the student? Is there an existing relationship?
- The ability of the relative to support the student to fully engage with all aspects of School life and to thrive
- The suitability of accommodation arrangements for the student and the ability of the 'nominated guardian' to provide an environment where the student can feel safe, 'at home' and is not isolated
- Is the 'Nominated Guardian' able to provide full care for the student in the absence of parents e.g. health, meals, hygiene, transport

- Who other than the 'Nominated Guardian' resides in the accommodation
- The suitability of the supervision arrangements for the student, taking into account other members of the household and times when the 'Nominated Guardian' may be out of the home for purposes such as work

#### 3.4.4 **Communication with Parents and 'Nominated Guardian'**

- In the case where the 'nominated guardian' is a parent and the student has a second parent residing overseas, who is a signatory to the enrolment contract and/or retains parental rights, the School will copy the second parent into all communications on all matters, unless instructed by the parent overseas that they do not wish to receive this communication. The School will only require permissions and signed documents from the parent who are the 'nominated guardian' and resident in Hobart, except in the case of the second non-resident parent expressing concern or objection. In such cases the parents will be advised to discuss and resolve their differences and both will be required to sign the document in question.
- In the case that in addition to the legal custodian/guardian, the student also has parents who retain full parental and legal rights for the student, and who will likely reside overseas, the School will copy the parents in to all communications between the School and legal custodian, if the parents wish to receive this information. The wishes of the parents in relation to all decisions pertaining to the student will be acted on, in the case that they differ from the wishes of the legal custodian, if the School is satisfied that the parents fully understand the matters at hand
- In the case of the School approving a 'Nominated Guardian' who is not a parent or legal guardian, the School will communicate directly with the parents on all matters and copy the 'nominated guardian' in to all communications. The School will require the parents to approve and sign all communications
- A non-parent/legal guardian approved as a 'Nominated Guardian' will be identified and referred to as 'Nominated Guardian' in all School communications

### **3.5 School Approved *Confirmation of Appropriate Accommodation and Welfare (CAAW)* for students studying on an SV500**

- 3.5.1 The Principal will sign the *Confirmation of Appropriate Accommodation and Welfare (CAAW)* in the case of all students who will board at the School. In such cases the commencement and completion dates of the CAAW will be for the duration of the student's enrolment at the School, or until the student turns 18 years of age, (whichever occurs first) based on the student remaining a boarder for the duration of their enrolment
- 3.5.2 The commencement and completion dates of the CAAW must cover the length of the CoE and at least seven days at the end of the student's course of study
- 3.5.3 The commencement date of the CAAW will be up to seven days prior to the commencement of the student's studies, allowing the student time to arrive in Australia to prepare for, and become orientated with, their new school and life in Australia. Please see the *International Student Accommodation Policy* regarding commencement arrival accommodation and welfare

- 3.5.4 The School acknowledges that the signing of the CAAW for boarding students also extends to the School being responsible for student accommodation and welfare during school holidays, if the student remains in Australia, which may include homestay accommodation. In such circumstances the School's Homestay Policy will be implemented
- 3.5.5 In exceptional cases, the Principal may sign the CAAW for students accommodated in homestay for short periods, prior to the availability of a place in boarding. See the *International Student Accommodation Policy*
- 3.5.6 Students for whom the School signs the CAAW remain the responsibility of the School for the duration of their enrolment. The School regards this responsibility including and extending beyond the expiry date of the CAAW in the case of students who turn 18, while still enrolled at the School. Student's over the age of 18 remain covered by and subject to all School policies
- 3.5.7 Students must not arrive in Australia prior to the commencement date of their CAAW, unless accompanied by a parent or legal guardian who assumes full responsibility for the students until the commencement of the CAAW and the student entering School approved accommodation and the students has a valid Visa allowing early entry

### **3.6 Changes to or terminating the approval of the CAAW for students studying on an SV500**

The School expects that from time to time there will be requests from students and situations requiring changes to accommodation and welfare arrangements including but not limited to the following:

- 3.6.1 In the case of a student withdrawing from boarding, where this is a condition of enrolment, to live with a third party who is not a parent or legal guardian, the School reserves the right to terminate approval of the student's CAAW and to cancel the student's enrolment. In any such case the School will apply the *SV500 Deferment, Suspension and Cancellation Policy, SV500 Complaints and Internal Appeals Policy* and *SV500 External Appeals Policy* and *SV500 Student Transfer Policy*, as needed. Should the student choose to lodge an appeal against the School's decision to cancel their enrolment, the School will maintain the student's enrolment and approval of the CAAW until such time the results of the Internal Appeals process are known.
- 3.6.2 In the case of a student withdrawing from boarding to live with a parent or legal guardian it is expected that if the student remains on an SV500 the parent or legal guardian will have a Guardianship Visa and be present fulltime in Hobart to care for the child. Upon verifying the Guardianship Visa is valid the School will withdraw its approval of the CAAW and advise Immigration via PRISMS within 24 hours that it is withdrawing approval of the CAAW and that the parent or legal guardian will take over this responsibility
- 3.6.3 In the case of a student who is living with and in the care of a parent or legal custodian/guardian who is on a Guardianship Visa, or with a 'Nominated Guardian' who is not a parent/legal custodian, and the Parent/Guardian/'Nominated Guardian' is unable to continue to live fulltime and provide appropriate care to the student in Hobart, or Home Affairs has cancelled the guardianship arrangement, the student may request to become a boarder. In this case the following will apply:

- Based on the student being enrolled in Year 7 or above, the student will be waitlisted for the first available boarding place and, if necessary, be placed in School approved homestay until the boarding place becomes available. The Principal will approve the CAAW from the commencement of the student being placed in School approved homestay or boarding (whichever occurs first) and for the remainder of the student's enrolment at the School. At this time the School will advise the immigration department of the change in the student's contact details and that of the student's parents, via PRISMS
- In the case of a student enrolled in Year 6, at the Principal's discretion, the student may be offered a position in boarding and in this case the School will approve the CAAW
- In the case of a student studying in Year 5 or below, the School will not approve the CAAW. Therefore, the student may need to seek alternative schooling or return home with the parent. Should the student return home with the parent, the School will cancel the CoE via PRISMS within 24 hours of being advised of this decision. Should the student elect to transfer to another provider the School will invoke the *SV500 Student Transfer Policy* and *SV500 Deferment, Suspension and Cancellation Policy* as required

3.6.4 In the case of a student's visa status changing from an SV500 to another approved Australian Visa, for which the student has provided the School certified documentary evidence, the School will advise the Department of Home Affairs that the CAAW is no longer required, and cancel the CoE within 5 working days

3.6.5 In the case of a student's enrolment being suspended or cancelled, or the student transferring to another school and The Friends' School holding current approval of the student's CAAW, the School will maintain responsibility for the CAAW until such time as alternative accommodation and welfare arrangements have been made and/or the Complaints and Internal Appeals process have been completed. See the following policies for full details on the School's responsibilities in these circumstances:

- SV500 Deferment, Suspension and Cancellation Policy
- SV500 Student Transfer Policy
- SV500 Complaints and Internal Appeals Policy
- SV500 External Appeals Policy

3.6.6 The management of the transfer date, approval of CAAW and notification of Home Affairs in the case of the School enrolling a student who is transferring from another Provider is addressed in the *SV500 Student Transfer Policy*

3.6.7 In the case that the School cannot continue to approve the CAAW for a student, the Principal will make all reasonable efforts to contact and notify the parents or legal guardians immediately to advise them of this decision

### **3.7 Emergency Welfare and Accommodation**

3.7.1 The School will have in place a contingency plan for disruptions to or cancellations of student welfare and accommodation arrangements, where the School has approved the CAAW, for the following circumstances (but not limited to):

- Last minute changes to holiday accommodation arrangements which are beyond the student's control
- Critical incidents impacting the welfare and/or accommodation arrangements
- Serious illness or public health emergencies
- Natural Disasters or political events which prevent a student from travelling home
- The student is regarded as at risk to the safety and/or wellbeing of the student and/or others
- Suspension or Cancellation of a student's enrolment for serious breaches of School rules
- Suspension or cancellation of a student's enrolment for (alleged) involvement or risk of involvement in criminal activity

3.7.2 Should a student be asked to leave the School, or be expelled for serious breaches of school rules, and/or is deemed a risk to their own wellbeing and safety or that of others, and/or the School intends to cancel the student's enrolment, the School expects the student's parents to travel to Hobart to immediately care for and/or collect the student to return home

3.7.3 In the case of a student's enrolment being cancelled and if circumstances prevent parents from travelling to Hobart immediately (within 24 hours) the School will put in place one or more of the following options (but not limited to) as an Emergency Care Plan:

- Subject to same day available flights departing Hobart and connecting through to the student's home city, the School will delegate the repatriation of the student to two senior staff to accompany the student on a flight home. The cost of the repatriation will be the responsibility of the parents, and the School will seek to recover these costs.
- The need for emergency overnight accommodation prior to the arrival of the parent in Hobart, or repatriation of student accompanied by staff, will be at the Principal's residence with 24/7 supervision by at least two staff members, one of whom may be the Principal.
- The School will work to develop a team of emergency homestay hosts, who are pre-approved and may be available to assist with emergency accommodation and care, subject to the seriousness of the situation. In the first instance it is envisaged that the Hosts will be former, and perhaps retired members of the School's staff or board member, who live locally and know the School well and are well known to the School.

### **3.8 Partnering with parents and legal guardians in the care of international students**

The School is committed to international parents and legal guardians being engaged and actively involved in their child's life at The Friends' School. To this end the School has in place an *International Student Communications Policy*.

3.8.1 Given the possibility that the School may not always be able to contact parents or legal guardians in a timely manner, the School requires the parents of students studying on a SV500 to complete and sign a <Parent Representative Agreement>. The appointment of a <parent representative> is an agreement outlining the circumstances in which a parent agrees to the Principal (or Nominee) making a decision on their behalf, should the School be unable to

contact the parent in a timely manner. See *International Student Parent Representative Policy and Agreement*.

- 3.8.2 Parents of international students who are not studying on an SV500 will be required to complete and sign a *Parent Representative Agreement*. The parent can elect to appoint the Principal, or Nominee, as the Parent Representative or appoint an immediate relative (e.g. grandparent, sibling of parent, sibling of student, aunt, uncle, niece or nephew) aged over the 25 years of age, who is well known to the parent hold a current WWVP registration, and is resident in Hobart to act as the parent representative
- 3.8.3 Given that the School respects the legal and parental rights of parents or legal guardians to make decisions concerning the activities of their child, it is possible that on occasions and perhaps for reasons of language, culture, misinformation on the part of the student, misleading or incorrect information on the part of a 3<sup>rd</sup> party, that a parent or legal guardian may permit a child to engage in an activity or social event, which unknown to the parent/guardian, may pose a risk to the child's safety or well-being. In such situations, where the School reasonably suspects or has information at hand that indicates the child's safety or well-being may be at risk, the School reserves the right to intervene and 'overturn' the parent's decision. The School will endeavour to clearly communicate reasons for such a decision to both the student and parent/legal guardian, acknowledging that some information may be highly sensitive and confidential and therefore unable to be shared in full

### **3.9 International Student Health**

The health and wellbeing of international students is paramount at The Friends' School. The care and management of the physical and mental health of students is addressed in the *International Student Health Management Policy*

### **3.10 SV500 Student Contact Details**

- 3.10.1 The School will update students' residential and contact details via PRISMS, within one working day of the School being aware of any changes
- 3.10.2 SV500 Students and parents/guardians will be advised of their responsibility to advise the School and Immigration of any changes to residential and contact details both in Australia and in the student's home country as follows:
- International Student Handbook
  - Letter of Offer
  - Acceptance contract
  - International Student Orientation
  - At the request of the school every 6 months
- 3.10.3 *The Student Visa Requirements Policy* addresses this issue in more detail

### **3.11 International Student Safety and Wellbeing**

- 3.11.1 The *Student Support Services Policy* [<link>](#) details support services available to all international students, inclusive of students studying on SV500
- 3.11.2 The Heads of School (Morris, High School and Clemes) will oversee support services for international students
- 3.11.3 The Heads of School (Morris, High School and Clemes) will provide students with details on who to contact in emergency situations



- 3.11.4 International Students will be provided with the following emergency contact details:
- Boarders will be provided with the 24/7 phone number of the Head of Boarding or a phone number to be answered by the on duty senior boarding staff member
  - the contact phone numbers of 3 senior staff members for periods of time when the student may be in School approved accommodation such as homestay accommodation
  - The contact details will be entered into the student's phone and also be provided to the student on a business card
  - Students will be given clear instruction on situations which may be considered an emergency or a risk to personal safety and also advised on respectful use of the phone numbers provided
- 3.11.5 The School Psychologist will provide all international students with culturally and age appropriate information on:
- How to seek assistance and report any incident or allegation involving actual or alleged sexual, physical or other abuse, such as bullying or racial vilification
  - Where student competency in English is limited the presentation of information outlined above will include the support of a professional interpreter, experienced and briefed in such content
- 3.11.6 Each sub-school, Morris, High School and Clemes, will have a dedicated International Student Staff contact as follows:
- Morris: Deputy Heads of School
  - High School: International Student Coordinator
  - Clemes: Dean of Students
- International Students and their parents will have access to these staff during the school day.

### **3.12 Critical Incident Management**

- 3.12.1 All International Students are covered by the School's *Critical Incident Management Policy*
- 3.12.2 In the case of students studying on an SV500 the management of emergencies will be addressed in the *International Student Services Policy* and *Critical Incident Management Policy* and reviewed annually or following notice of any changes to the National Code (2018)
- 3.12.3 The School will activate its *Critical Incident Management Policy* in emergency situations, which may disrupt welfare of a student without warning
- 3.12.4 The *International Student Services Policy* and *Critical Incident Management Policy* will address the following issues in the case of a critical incident involving a student studying on an SV500:
- The action to be taken
  - Any immediate welfare arrangements in an emergency
  - Required follow-up by the School
  - Records of the incident to be kept for at least two years after the students ceases to be an accepted student

- Protocols for informing authorities such as the police, the Department of Home Affairs officials, the international student's parent or legal custodian, and other relevant authorities.

#### **4. DEFINITIONS**

- 4.1.** See definitions documents

#### **5. FEDERAL AND STATE LEGISLATIVE REQUIREMENTS AND GUIDELINES, AND INDUSTRY STANDARDS**

All International School Policies are subject to meeting the following legislative Requirements and guidelines

- 5.1. ESOS Act 2000 <link>
- 5.2. National Code of Practice for Providers of Education and Training to Overseas Students 2018, (National Code 2018) <link>
- 5.3. National Code 2018 Factsheets <link>
- 5.4. Education Act 2016 (Tas) <link>
- 5.5. Children, Young Persons and Their Families Act 1997 (Tasmania) <link>
- 5.6. Young Persons and Their Families Act 1997
- 5.7. Registration to Work with Vulnerable People (RWVP) <link>
- 5.8. Australian Govt. Schools International Homestay Standards <link>
- 5.9. Right to Information Act 2009 (Tas?)
- 5.10. Personal Information and Protection Act 2004 (Tas)

#### **6. ASSOCIATED POLICIES, PROCEDURES , GUIDELINES, FORMS AND SUPPORT DOCUMENTS**

- ❖ Attendance Policy
- ❖ Boarding Policy
- ❖ Critical Incident Management Policy
- ❖ Education Agent Policy
- ❖ Enrolment Policy
- ❖ Homestay Policy
- ❖ International Student Accommodation Policy
- ❖ International Student Communication Policy
- ❖ International Student Entry Requirements Policy
- ❖ International Student Health Management Policy
- ❖ International Student Policy
- ❖ International Student Support Services Policy
- ❖ Parent Representative Policy
- ❖ SV500 Complaints and Internal Appeals Policy
- ❖ SV500 CRICOS Registration Policy
- ❖ SV500 Deferring, Suspending, or Cancelling an Enrolment Policy
- ❖ SV500 External Appeals Policy
- ❖ SV500 Student Transfer Policy
- ❖ SV500 Student Visa Requirement Policy
- ❖ SV500 Third Party Provider Policy
- ❖ Translator and Interpreter Policy