

# STUDENT ACCOMMODATION INCLUDING INTERNATIONAL STUDENTS UNDER 18 POLICY AND PROCEDURE



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## 1 PURPOSE

- 1.1 This policy and procedure provides a framework for establishing, managing and evaluating student accommodation services to maximise their potential benefits and to ensure employee and student safety. This document outlines the process by which:
- student accommodation provider activities offer CQUniversity value in terms of return on investment and are aligned with CQUniversity's interests
  - student accommodation provider opportunities are effectively coordinated and assessed fairly and comprehensively, and
  - student accommodation providers are effectively managed and systematically evaluated to meet CQUniversity's ongoing needs including but not limited to the prescribed support and welfare of under 18 International Students.
- 1.2 This policy and procedure also provides a framework for establishing, managing and evaluating welfare arrangements for international students under the age of 18, including outlining the process by which applications from International students under the age of 18 are assessed to determine who will take responsibility for providing appropriate accommodation, support and general welfare arrangements until the student turns 18 years of age. International students under the age of 18 who are accepted to study at CQUniversity must either:
- stay at Student Residences in North Rockhampton or Mackay Ooralea campuses
  - live with a parent, or
  - live with a [Department of Home Affairs](#) (DHA) approved relative.

- 1.3 The policy and procedure adheres to Australian Government regulations ([The National Code of Practice for Providers of Education and Training to Overseas Students 2018](#)) and Department of Home Affairs (Student Visa conditions) which requires students under the age of 18 to have appropriate accommodation, support and general welfare arrangements.

## 2 SCOPE

- 2.1 The policy and procedure applies to:
- CQUniversity employees
  - CQUniversity students (including students on study tours and in ELICOS)
  - CQUniversity Council and Committees
  - CQUniversity controlled entities
  - any contractor or third-party acting on behalf of CQUniversity, and
  - CQUniversity areas participating in student accommodation activities that include the use of the CQUniversity brand, name or authorised logo or image.

## 3 POLICY STATEMENT

- 3.1 The University offers long and short-term accommodation options for domestic and international students through student residences in Rockhampton and Mackay, homestay service in Rockhampton and approved third-party accommodation and homestay providers.
- 3.2 The University aims to connect students to suitable and safe accommodation in ways that reinforce a positive perception of the University by engaging the community, supporting the brand, and increasing student experiences.
- 3.3 Student accommodation services raise awareness and the profile of the University and as such, Student Accommodation Agreements and monitoring require formal management and involvement by senior and other appropriate employees.
- 3.4 The University is committed to ensuring approved welfare and accommodation providers meet the [Good Practice Guidelines for Enhancing Student Safety 2011](#) and the [Education Services for Overseas Students \(ESOS\) Act 2000](#) requirements.

## 4 PROCEDURE

- 4.1 This policy and procedure sets out the processes to be followed when assessing, establishing, managing and evaluating student accommodation.
- 4.2 Failure to observe these requirements by any person to whom this policy and procedure applies may result in disciplinary action.

### Managing student accommodation

- 4.3 The Director International, with the support of the relevant Associate Vice-President, will:
- provide orientation for the student, including age and culturally appropriate information on accommodation, emergency situations, contact details and reporting an incident, including sexual harassment, sexual assault and student distress
  - provide 24 hour, seven days a week telephone advice and emergency assistance and support, as required
  - maintain regular contact with the student and inform the Chief Operating Officer of any accommodation or welfare related grievances, and
  - immediately report any student critical incidents to the parents/legal custodian and the University.

- 4.4 The University will advise the Department of Home Affairs, through the Provider Registration and International Student Management System (PRISMS), within 24 hours if the student has changed their living arrangements, or the living arrangements for the student is no longer approved by the University.
- 4.5 The Director Commercial Services will provide additional services for students under the age of 18 to:
- ensure support personnel and contractors have necessary 'Working with Children' documentation
  - liaise closely with the Director International and Senior Coordinator Student Engagement to monitor the student's progress and inform parents, and
  - stay at the University student residences in North Rockhampton or Mackay Ooralea campuses.
- 4.6 If the University takes on responsibility for approving the accommodation, support and general welfare arrangements (excluding guardianship) for a student under 18, the student's parents/legal custodian will be informed of the full details of the 'custodian' including:
- full name, address, date of birth, contact details, occupation, details of any pets and services that they can provide (computer access, swimming pool, etc.)
  - any vacations or activities planned for the student
  - expectations of the student, and
  - "Working with Children" suitability card number.
- 4.7 The Director Commercial Services will ensure appropriate training of employees to manage distressed students, counselling support for students and management of student critical incidences.

### **International students under the age of 18**

- 4.8 Before an international student under the age of 18 is admitted into a University course, an International Admissions Officer will ensure the student has a formalised residential agreement with the University Student Residences, or is staying with a parent/legal guardian or Department Home Affairs approved relative. Where the student will be staying at Student Residences, the International Admissions Officer will ensure they have the parents/legal custodian sign an agreement accepting the conditions of the arrangements (excluding guardianship).
- 4.9 The Department of Home Affairs will not approve a student visa for an international student under the age of 18 unless the student is staying in Australia with a 'nominated guardian' approved by the Department of Home Affairs, who can be the overseas student's parent, person who has legal custody, or an eligible relative who is aged 21 and is of good character.
- 4.10 Student Residences must advise the Director International and Senior Coordinator Student Engagement of any change in circumstances during the time they are hosting the underage student,
- 4.11 The International Admissions Team, on behalf of the University, will issue the student a Confirmation of Appropriate Accommodation and Welfare (CAAW), accepting responsibility under the [Migration Regulations 1994](#), Commonwealth, State/Territory legislation and other regulatory requirements, for approving the accommodation, support and general welfare arrangements (excluding guardianship) for an international student under 18 years of age based on the following conditions:
- the student will live and study in a University approved location
  - the student will reside in a University approved accommodation and have a University approved welfare agreement, and
  - the student is due to turn 18 within 12 months of starting at the University.
- These conditions apply for the duration of a student's enrolment with the University or until the age of 18.
- 4.12 When a student is under a student visa that covers multiple courses, the University is responsible for the student's welfare while they are enrolled in a University course and under 18 years of age. Students under the age of 18 will not be permitted to transfer provider without written parent/legal custodian permission. If the student is approved to transfer to another registered provider, the University will liaise with other registered providers to ensure the accommodation, support and welfare of the student is appropriate until:

- such time as the student is accepted by another registered provider, and that provider is responsible for the student
  - the student leaves Australia
  - other suitable arrangements are made that satisfy the Migration Regulations
  - the registered provider reports under Standard 5.1 of the National Code that it can no longer approve the arrangements for the student, or
  - in the case of a student going missing, all care will be taken to ensure that the student is located.
- 4.13 The minimum length of approved accommodation, support and welfare arrangements will be the length of the confirmation of enrolment, plus seven days while the student is under the age of 18.
- 4.14 If an international student under the age of 18 enters into a user pay agreement with a University student residence, the student and their parents/legal custodian are responsible for maintaining the agreement for the duration of their enrolment at the University until the student turns 18 years of age.
- 4.15 International students, under the age of 18, who are not residing with a parent or Department of Home Affairs approved relative, must stay at either student residences in North Rockhampton or Mackay Ooralea campuses.

### **Developing and approving student accommodation agreements**

- 4.16 Arrangements between the University and a third-party accommodation provider are formalised through a Student Accommodation Agreement.
- 4.17 This policy and procedure applies where the University provides homestay accommodation, recognising that the homestay service is the responsibility of CQUniversity.
- 4.18 Recruitment and management of third-party accommodation providers, including homestay, occurs when the need for student accommodation is identified and negotiations with an interested third-party accommodation provider and homestay are conducted by the Chief Operating Officer and/or delegate in conjunction with the University's Legal and Procurement teams.
- 4.19 The Chief Operating Officer is responsible for the selection, screening and monitoring of third-party accommodation providers and homestay providers nationally, on behalf of the University, and may delegate as appropriate to ensure proper management of the responsibility.
- 4.20 Student Accommodation Agreements must include specific provision for terminating the Agreement under circumstances that minimise potential adverse consequences for the University and its students.
- 4.21 Student Accommodation Agreements must include copies of the University's [Student Critical Incident Policy and Procedure](#) and accompanying [Staff Guidelines for Responding to a Disclosure of Sexual Harassment or Sexual Assault \(Sexual Violence\)](#) and [Responding to a Student in Distress](#).
- 4.22 The Chief Operating Officer and/or as delegated, are responsible for:
- ensuring the agreement is strategically aligned to the University's interests
  - identifying risks in accordance with the [Enterprise Risk Management Framework](#) and [Risk Management Policy](#)
  - demonstrating consultation with all relevant stakeholders
  - liaising with the external partner/s regarding the proposed relationship and relative activities agreed to by the University and negotiating a final agreement with the external partner
  - ongoing management such as relationship management, negotiations, performance and accountability
  - seeking legal advice regarding the agreement
  - arranging approvals and signatures

- taking all relevant steps to ensure compliance by the University and the 'provider' with the terms of the agreement
- resolving issues that arise during the term of the agreement
- performance monitoring, evaluation and reporting in relation to the Student Accommodation Agreement
- recording all relevant information in the nominated University database and record management system, and
- ensuring relevant employees and providers are up to date with student accommodation arrangements.

### **Third-party providers including homestay**

4.23 Third-party accommodation providers must adhere to the following:

- comply with the terms and conditions of the Student Accommodation Agreement
- notify the University of any changes to contact details or changes to information supplied in the Student Accommodation Agreement
- follow and maintain a current copy of the University's [Student Critical Incident Policy and Procedure](#) and accompanying [Staff Guidelines for Responding to a Disclosure of Sexual Harassment or Sexual Assault \(Sexual Violence\)](#) and [Responding to a Student in Distress](#)
- provide 24 hour, seven days a week telephone advice and emergency assistance and support, as required
- maintain regular contact with the student and the University and inform the Director Student Engagement of any accommodation or welfare related grievances
- participate in onboarding orientation and training activities offered by the University
- attend annual information sessions with the University
- hold valid 'Working with Children' documentation
- comply with relevant legislation (e.g. suitability to work with children checks, pool safety, smoke alarms, accessibility for students with diverse abilities)
- maintain regular contact with the University and provide data information and access as required, and
- cooperate with the University requests to visit accommodation facilities.

### **Quality assurance of student accommodation providers**

- 4.24 Where a Student Accommodation Agreement involves the provision of welfare and accommodation services to University students, the provider must demonstrate the capacity to service University students in a manner and to a standard equivalent to those same services provided directly by the University.
- 4.25 The quality of services provided by the provider will be routinely monitored through site visits and audits, and by surveying University students on their experiences of these services.
- 4.26 The quality of the services provided to University students, and a provider's continued compliance with University policy documents will be monitored. This will occur in accordance with the relevant regulatory frameworks to ensure the University's continued compliance with its obligations regarding student outcomes.
- 4.27 Providers that demonstrate significant and sustained non-compliance with the Student Accommodation Agreement, the University's procedures and relevant State and Federal regulations, may be terminated.

### **Evaluating student accommodation agreements**

- 4.28 The Chief Operating Officer, and/or delegate, will assess, verify and ensure the suitability of accommodation and welfare services by third-party providers prior to approval and at least once every six months.

- 4.29 Student accommodation providers and homestays that are responsible for managing student accommodation and any agreement formed with the University, must identify and provide enough support to enable appropriate reporting and evaluation.
- 4.30 Student Accommodation Agreements must be reviewed annually to determine if the agreement will continue. Where relevant, such reviews must incorporate feedback from students serviced by the provider.
- 4.31 Where the provider does not meet the requirements as agreed in the Student Accommodation Agreement, the University must terminate the agreement in accordance with the termination provisions.
- 4.32 Evaluation must be documented and filed in the University's record system for reference when considering future involvement with the same provider or similar agreements.

## 5 RESPONSIBILITIES

### Compliance, monitoring and review

- 5.1 The Chief Operating Officer is responsible for implementing, managing, monitoring, reviewing and ensuring compliance for this policy and procedure.
- 5.2 Suspected or actual breaches of this policy and procedure must be reported to the relevant authorities immediately. Breaches may result in criminal prosecution or incur disciplinary action under the common law, disciplinary provisions of the [Public Service Act 2008](#) (Qld) or by management intervention.

### Reporting

- 5.3 No additional reporting is required.

### Records management

- 5.4 Employees must manage records in accordance with the [Records Management Policy and Procedure](#). This includes retaining these records in a recognised CQUniversity recordkeeping Information System.
- 5.5 University records must be retained for the minimum periods specified in the relevant [Retention and Disposal Schedule](#). Before disposing of any records, approval must be sought from the Records and Privacy Team (email [records@cqu.edu.au](mailto:records@cqu.edu.au)).

## 6 DEFINITIONS

- 6.1 Terms not defined in this document may be in the University [glossary](#).

### Terms and definitions

**Student accommodation services:** services relating to any of the following:

- third-party accommodation providers
- homestay providers including the University
- homestay hosts, and
- University student residences.

## 7 RELATED LEGISLATION AND DOCUMENTS

[Education Services for Overseas Students Act 2000](#) (Cwlth)

[Enterprise Risk Management Framework](#)

[Good Practice Guidelines for Enhancing Student Safety 2011](#) (Universities Australia)

[Information Privacy Act 2009](#) (Qld)

[National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (Cwlth)

[Overseas Student Transfer Policy and Procedure](#)

[Responding to a Student in Distress](#)

[Risk Management Policy](#)

[Staff Guidelines for Responding to a Disclosure of Sexual Harassment or Sexual Assault \(Sexual Violence\)](#)

[Student Critical Incident Policy and Procedure](#)

## 8 FEEDBACK

8.1 Feedback about this document can be emailed to [policy@cqu.edu.au](mailto:policy@cqu.edu.au).

## 9 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
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