

 <p>S P Jain School of Global Management DUBAI • MUMBAI • SINGAPORE • SYDNEY</p>	<p>Safety and Wellbeing of Underage Students Policy and Procedures</p>
Document Type	Policy and Procedures
Administering Entity	President, Vice President – Administration, Heads of Campus – Sydney , Student Experience Manager - Sydney
Latest Approval/ Amendment Date	New Policy
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Indicative time of Review	

1. Purpose

- a. S P Jain School of Global Management (S P Jain/the School) is committed to the provision of appropriate support and services for the safety and wellbeing of all students enrolled with the School.
- b. S P Jain recognises that it has specific additional obligations for the safety and wellbeing of all students under 18 years of age. In the case of international underage students S P Jain provides support in alignment with the provisions outlined in the National Code of Practice for Providers of Education and Training to Overseas Students 2018

2. Scope

This Policy and Procedure applies to all individuals who are under 18 years of age when seeking to apply to, or when enrolled in, any course offered on an Australian campus of S P Jain. Designated sections of this Policy apply to international underage students who are studying on a student visa in Australia.

3. Definitions

- a. CAAW: Confirmation of Appropriate Accommodation and Welfare form.
- b. Caregiver: A person engaged by the student's parent to provide certain support and welfare services to students in Australia on a student visa.
- c. Department of Home Affairs (DHA): the Australian government department responsible for immigration and visas.
- d. ESOS Act: the legislation which provides details of the obligations to overseas students of registered education providers.
- e. Mandatory Reporting: the legislative requirement imposed on selected classes of people (including teachers) to report suspected cases of child abuse and neglect to government authorities. In most states, the requirement is to report if a person has a "belief on reasonable grounds" that abuse and/or neglect has occurred.
- f. National Code 2018: The National Code of Practice for Providers of Education and Training to Overseas Students 2018 established under the Education Services for Overseas Students Act 2000 (ESOS Act) to provide nationally consistent standards for the conduct of registered providers and the registration of their courses.
- g. Overseas Student: a person (whether within or outside Australia) who holds a student visa for study in Australia as defined by the ESOS Act (may also be referred to as international student).
- h. Parent(s) (or Legal Custodian/Guardian): A student's parent(s) or permanent legal custodian.
- i. Suitable nominated relative: Under the Australian Migration Regulations 1994 a suitable nominated relative is someone who is approved by the Commonwealth and is:
 - i. a grandparent, brother, sister, aunt, uncle, niece or nephew, or a step-grandparent, step-brother, step-sister, step-aunt, step-uncle, step-niece or step-nephew, and
 - ii. nominated by a parent of the applicant or a person who has custody of the applicant, and
 - iii. aged at least 21, and
 - iv. has the right to remain in Australia until the student's visa expires or the student turns 18 years of age (whichever happens first), and
 - v. able to show that they are of good character, by providing evidence of a police clearance in the country or countries in which they have lived for more than five years in the past 10 years after the age of 16.
- j. Underage student: a person who is under 18 who is enrolled in a course of study. For international students this also includes a person who is under 18 when they enter Australia on a student visa for the purposes of study.
- k. Working with Children Check (WWCC): a comprehensive criminal record check for people in child-related work in Australia.

4. General provisions for all underage students

S P Jain will strive to ensure the safety of all students at its Australian campus under 18 years of age by:

- a. ensuring that the following individuals have valid positive Working With Children checks, and that evidence of these checks is recorded:
 - i. all staff engaged on Australian campuses of S P Jain
 - ii. any adults involved in providing accommodation and welfare arrangements to international underage students.
- b. the provision of age-appropriate information in all channels including orientation programs, student handbooks and websites
- c. the provision of appropriate support and other welfare-related policies, programs and services, including who to contact in emergency situations
- d. ensuring that all staff understand mandatory reporting requirements.

5. Specific provisions for international underage students

In accordance with the National Code 2018, the welfare of an international underage student must be maintained for the duration of their stay in Australia as a condition of their Australian Student Visa. This means that the student must either:

- a. stay in Australia with a 'nominated guardian' approved by the Australian Department of Home Affairs, who can be the student's parent, a person who has legal custody, or a suitable nominated relative (see Definitions), or
- b. use accommodation, support and general welfare arrangements that have been approved by the S P Jain.

6. Confirmation of arrangements prior to visa issue

All arrangements for international underage students must be confirmed prior to issue of the student visa.

- a. Nominated guardian
An underage student who will have a nominated guardian in Australia is required to complete a form providing details of that guardian as part of the application for their student visa.
- b. S P Jain-approved arrangements
 - i. underage students who will not have a nominated guardian in Australia must apply for S P Jain's on-campus accommodation or have a caregiver and off-campus accommodation approved by the School
 - ii. any proposed off-campus accommodation must be physically inspected prior to approval
 - iii. when suitable arrangements are approved S P Jain will provide students with an authorised Confirmation of Appropriate Accommodation and Welfare form (CAAW) to include in their student visa application.

7. Ongoing monitoring of underage student welfare

S P Jain will monitor and support the welfare of underage students. This includes:

- a. the maintenance of a database/s which records details of all underage students, and the adults responsible for their welfare, including up-to-date contact details;
- b. regular meetings with all underage international students until the student turns 18 years of age or the School ceases provision of welfare support as advised to DHA;
- c. prompt follow up with underage students who do not attend scheduled meetings or classes;
- d. provision of any appropriate support;
- e. oversight and monitoring of caregiver and off campus accommodation arrangements, including verification of suitability at least every six months and any action where required;
- f. advice to DHA of an inability to contact an underage student and verify their location or their welfare.

8. Absences, critical incidents and mandatory reporting

- a. If S P Jain is unable to contact a student and has concerns for the student's welfare, the School will make all reasonable efforts to locate the student, including notifying the police and any other relevant Commonwealth, or state agencies as soon as practicable.
- b. If an underage student has gone missing from their approved accommodation and cannot be contacted within 24 hours, the School will implement its Critical Incidents Policy.
- c. Any staff at the School who know or reasonably suspect that an underage student has been harmed or is at risk of harm, including neglect, or physical, emotional or sexual abuse, has a responsibility to report that harm under mandatory reporting laws.

9. Approval for overnight excursions and travel

- a. Underage students must have approval to attend overnight excursions/field trips and also to travel and stay in other accommodation for longer than two nights.
- b. Students must contact Student Experience Manager to apply for approval to attend such activities.

10. Changes in guardian, caregiver or accommodation arrangements or approval for such arrangements

- a. S P Jain is obliged to notify the Department of Home Affairs of any changes in caregiver and/or accommodation arrangements for underage students.
- b. Where a student refuses to maintain care arrangements which S P Jain is able to approve the School is obliged to make a report immediately to DHA and to the student's parents or legal guardian. Such a report is likely to result in the cancellation of a student's visa.
- c. Students who wish to make any changes after initial arrangements have been approved must contact the Student Experience Manager to have their proposed arrangements reviewed and approved.
- d. S P Jain will arrange for the completion or update of appropriate forms and once approved will communicate the changes to the DHA.

11. Duration of arrangements

- a. Care arrangements for underage international students must be in place for the entire period until the student turns 18, or the end date of their eCOE plus 7 days whichever comes first. This includes any periods of non-enrolment such as holidays and up to 21 days before classes commence.
- b. If the student's enrolment is terminated, suspended or cancelled, S P Jain will maintain oversight of arrangements for the underage student until:
 - i. the acceptance of the student by another registered provider who takes over the responsibility of the accommodation, support and welfare arrangements of the student is confirmed;
 - ii. the student leaves Australia;
 - iii. other suitable arrangements are made satisfying the National Code; or
 - iv. the School reports under Standard 5.1.d (National Code) that it can no longer approve the arrangements for the student.
- c. Where S P Jain enrolls an underage student, who has welfare arrangements approved by another registered provider the School will:
 - i. negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap
 - ii. 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.

9. Related Documents

- a. Critical Incident Policy
- b. Health and Wellbeing Policy
- c. Housing and Accommodation Policy
- d. Student Sexual Assault and Sexual Harassment Policy
- e. Student Support Policy