HOMESTAY ACCOMMODATION AND WELFARE PROCEDURE

Human Resources and Compliance
Version 2.0
Last Reviewed: 23 March 2018

1 Statement

FSAC Ltd trading as St John's International College and St John's Anglican College is committed to developing and providing documented procedures for checking suitability of accommodation, support and general welfare arrangements before a student is placed in an approved homestay arrangement, and at least every six months thereafter. Homestay provider (family) arrangements must comply with Queensland legislative requirements for child protection as well as the *Education Services for Overseas Students Act 2000* (ESOS Act) and the requirements of Standard 5 of the *National Code of Practice for Providers of Education and Training to Overseas Students* (the National Code) in relation to Homestay Students under 18 years of age.

The college is committed to:

- ensuring that it has arrangements in place to protect the personal safety and wellbeing of Homestay Students and to protect them from harm;
- meeting the requirements of the *Student Protection in Anglican Schools Policy* and associated procedures, *Migration Act 1958*, *Migration Regulations 1994*, ESOS Act and the National Code;
- providing guidelines for the selection of Homestay Families to ensure that suitable accommodation and a stable environment is provided to Homestay Students throughout the duration of their studies; and
- providing guidelines to manage potential risks and duty of care issues associated with activities undertaken outside of school hours by Homestay Students.

2 Scope

This procedure applies to the College Council members, employees, homestay families, residents of homestay families, homestay students, visitors to homestay family residences and employees of homestay families (if they meet a 'regular contact' provision).

3 Principles

This procedure is based on the following principles:

- International Students have the right to feel safe, be listened to, be involved in decisions that affect them, have their cultural values respected, not be unjustly discriminated against based on their status, activities, expressed opinions or beliefs of their parents or carers, and have their best interests considered.
- Students under the care of the College should be provided with the knowledge and information they require to feel empowered to act in the event of abuse or neglect.
- The College acknowledges that International Students are unique and valued individuals and deserve to be treated with care and respect.
- The College recognises that respect for students is the foundation on which all policies and procedures are developed.
- The College is committed to promoting the wellbeing of International Students under its protection by protecting their security, safety and wellbeing.

4 Student Protection

The College supports the rights of children and young people and is committed to ensure the safety, welfare and wellbeing of students. The College is therefore committed to responding to allegations of student harm resulting from the conduct or actions of any person including that of employees. This commitment includes the provision of a safe and supportive living and learning environment for all students and requires all employees, volunteers and visitors to model and encourage behaviour that upholds the dignity and protection of students from harm.

5 Definitions

Harm:	the activity or deliberate or careless inactivity which causes significant harm, that is to say, any detrimental effect of a significant nature on a person's physical, psychological or emotional wellbeing. It is immaterial how the harm is caused. The harm can be caused by: a) physical, psychological or emotional abuse or neglect b) sexual abuse or exploitation
Natural Justice:	or 'Procedural Fairness' refers to the duty to observe fair procedures when making decisions which affect people's rights, interest or legitimate expectations in a direct or immediate way.
Sexual Abuse:	the *Education (General Provisions) Act 2006* (s.364) states that sexual abuse, in relation to a child under 18 years of age, includes sexual behaviour involving the child and another person in the following circumstances: a) the other person bribes, coerces, exploits, threatens or is violent toward the child; b) the child has less power than the other person; c) there is significant disparity between the child and the other person in intellectual capacity or maturity.

	Sexual abuse occurs when an adult, stronger child or adolescent uses their power or authority to involve a child in sexual activity. Secrecy, misuse of power and the distortion of adult-child relationships are key factors in the sexual abuse of children. Other factors may also be a consideration when the person responsible for the abuse is an adolescent, another child or a female.

6 Obligations

6.1 The College

Education providers approving care arrangements for students under 18 years of age must:

- give the Department of Home Affairs a signed statement confirming that appropriate arrangements have been made for the student's accommodation, support and general welfare during their stay in Australia until they turn 18; and
- notify the department in writing of any changes to the care arrangements. Additionally, students are required to obtain their educational provider's approval to change these arrangements if they wish to do so after their arrival in Australia.

The College's Homestay Program shall meet legislated requirements through the provision of:

- continuous dates for approved welfare arrangements;
- documented procedures for checking suitability of accommodation, support and general welfare arrangements;
- guidelines for selecting Homestay Providers (Families) and ensuring the family can provide a stable environment for the duration of the student's enrolment at the College;
- criteria about accommodation services to be provided, and contract for arrangements about providing accommodation services;
- orientation program for Homestay Families new to the provision of homestay services;
- Blue Card information and compliance for adults living in the homestay residence other than homestay students in accordance with the *Working with Children (Risk Management and Screening) Act 2000*;
- a regularly reviewed (annually) and compliant 'Homestay Risk Management Plan;
- nominating the dates for which the College accepts responsibility for approving the Homestay Student's accommodation, support and general welfare arrangements using the specified School Registration and International Student Management System (PRISMS);
- advising the Department of Home Affairs in writing of the approval using specified PRISMS pro forma letters;
- advising the Department of Home Affairs as soon as possible, using the specified PRISMS pro forma letter, if the Homestay Student has changed his or her living arrangements or the College no longer approves of the arrangements for the student;
- providing Homestay Families with a 'Homestay Agreement' (which must be signed and returned

to the College) which outlines all terms and conditions, including responsibilities for Homestay Families;
- providing Homestay Families with a 'Code of Conduct' which must be included in the 'Homestay Handbook';
- providing orientation sessions for new Homestay Families;
- providing training workshops for Homestay Families at least on an annual basis;
- ensuring the 'Homestay Risk Management Plan' is publicly available;
- complying with the provisions of the *Privacy Act 1988* (Cth) and the *Right to Information Act 2009* (Qld)

6.2 Homestay Families

All Homestay Families are informed of their responsibilities about the placement of Homestay Students under 18 years of age. The Homestay Family must:

- agree to the 'Homestay Code of Conduct' and comply with all College terms and conditions, applicable policies and procedures and relevant legislation;
- ensure that each adult occupant (18 years of age or older, excluding other international students) residing at the homestay residence hold a 'Working with Children Blue Card' in accordance with the *Working with Children (Risk Management and Screening) Act 2000*;
- consent to Blue Card Services providing advice to the College regarding any change to the status of a blue Card held by a homestay family member;
- obtain approval for any risk activities or events and identify risks related to activities or events and identify risks related to activities under their supervision;
- report all risk situations to relevant staff;
- report immediately, to the College, any harm or reasonable suspicion of harm towards a Homestay student;
- participate in orientation and training sessions conducted by the College;
- participate in monitoring and reviews of the homestay arrangement; and
- not host any more than two international students enrolled with any education provider.

6.3 Homestay Students

Each student is expected to abide by the terms and conditions of enrolment, policies and procedures and student code of conduct of the College. Homestay students must obtain approval to change their care arrangements if they wish to do so after their arrival in Australia.

7 Requirements for approved welfare arrangements

In accordance with the National Code, students under the age of 18 who are not being cared for in Australia by a parent or suitable nominated relative; the College will ensure that appropriate accommodation, support and general welfare arrangements are in place for the period that the College is responsible for the student.

Key requirements in accordance with the National Code include:

- the Department of Home Affairs must be satisfied that appropriate welfare arrangements are in place for students under 18 years of age before a visa is granted;
- a parent, nominated suitable relative or an education provider must be responsible for the welfare of Homestay students under 18 years of age while in Australia;
- should neither a parent nor a suitable relative be in Australia to directly provide for the welfare of a student, and the College accepts the student, the College will approve suitable accommodation and welfare arrangements; and
- where the College approves the arrangement for Homestay students, regardless of whether they are under or over 18 years of age, the College must nominate two dates: one, when the College has elected to begin taking responsibility; and two, when the College will cease to take responsibility for approving the welfare arrangements for that student.

7.1 Confirmation of Enrolment

In accordance with Migration Regulations, if the College is approving the accommodation, support and general welfare arrangements for the Homestay student, the College will nominate the period for which it will take responsibility for the student. This period will be at least the 'Confirmation of Enrolment' (CoE) plus seven days to satisfy provision for appropriate welfare arrangements.

7.2 Confirmation of Appropriate Accommodation and Welfare

The Department of Home Affairs requires students to have welfare arrangements in place when they apply for a visa. The College will generate a 'Confirmation of Appropriate Accommodation and Welfare' (CAAW) letter through PRISMS to accompany the Homestay Student's CoE. A CAAW letter cannot be generated without the details of the CoE.

7.3 Parent or suitable nominated relative

If a parent or suitable nominated relative takes responsibility for the welfare arrangements of the student, Standard 5 of the National Code does not apply, and the College does not need to complete a CAAW letter.

8 Managing approved accommodation and welfare arrangements

8.1 Term breaks

For school term breaks, the following accommodation options will be made available to Homestay students:

- Student returns home to parents;
- Student continues to live in Homestay arranged and approved by the College; or
- Student may attend a supervised excursion, camp or similar activity, if all requirements are met and approved by the College.

If the student is planning to go home during the term break, the College may still issue a CAAW letter to cover the period (agreed with the student and his/her family) for which the student will be abroad. This arrangement will mean the student does not need multiple visa applications and would benefit both the student and the College.

8.2 Responsibility after expiry of CAAW letter

The Department of Home Affairs will issue the Homestay student with a visa according to the dates nominated on the CAAW letter. If the student does not go home, or does not change their visa type, for example if their parents visit, they will be in breach of their visa. The College will discuss the conditions of the approval of the welfare arrangement with the Homestay student at an appropriate time, however the College is not responsible for ensuring that the student leaves the country.

8.3 Extension of Approved Care Arrangements

The College is only responsible for approving welfare arrangements for a student for the dates they have nominated on the CAAW letter. If the letter has been issued and the student cannot get a flight within the nominated period, a new CoE and CAAW letter must be issued and the student must apply for a new visa. In accordance with the Migration Act, the College must approve care arrangements for at least seven days after the course end date.

8.4 Student absences from Homestay without notice

Once the College has nominated dates for which it will approve care arrangements for a Homestay student, the responsibility to approve arrangements continues throughout that period. The College's agreement with the Homestay family will include a requirement that the Homestay family will notify the College in the case of prolonged or unexplained absence, by the Homestay student, from the Homestay residence.

8.5 Termination, cancellation or suspension of student enrolment

Where the College has taken responsibility in accordance with Migration Regulations for approving the accommodation, support and general welfare arrangements for a Homestay student, and terminates, suspends or cancels the enrolment of the Homestay student, the college will continue to check the suitability of arrangements for that student until:

- the student is accepted by another registered school and the registered school takes responsibility for approving the Homestay student's accommodation and welfare arrangements; or
- the student leaves Australia; or
- the College reports under Standard 5 of the National Code that it can no longer approve the arrangements for the student.

8.6 Termination of Homestay family arrangement

8.6.1 Termination by the Homestay Family

The Homestay family may withdraw as a Homestay family by providing four weeks' written notice to the College. The Homestay family agreement is valid for twelve months, with a possibility of a further twelve month extension. At the end of this period, the Homestay family is required to reapply to the College.

8.6.2 Termination by the college

The College may revoke the Homestay family's status as an authorised Homestay family by:

- providing the Homestay family with notice to that effect, and also removing the student from the Homestay residence; or
- in any other case, by providing the Homestay family with two weeks' notice, or as otherwise mutually agreed between the College and the Homestay family.

8.7 Requests to change agreed arrangements

All students are required to notify the College of a change of address while enrolled with the College, and students who live in College approved accommodation must not change agreed arrangements without prior approval of the College. If there is a change in a student's care arrangements under the relevant section of the National Code, the College will inform the Department of Home Affairs.

Should the College not approve requests for changes to agreed arrangements, and the student refuses to maintain the approved and agreed arrangements, the College will notify the Department of Home Affairs and the student that they are no longer able to approve the student's welfare. This will be reported to the Department of Home Affairs via the pro forma letter in PRISMS. This will be considered a breach of the student's visa and the student may have their visa cancelled and be subject to a three year exclusion period. The Department of Home Affairs will contact the student directly to ensure visa implications are understood.

8.8 Gaps in welfare arrangements

If, after reasonable efforts to find suitable accommodation arrangements, a student under 18 years of age is left with a 'gap' period in care arrangements, the College must report this using the 'Non-Approval of Accommodation/Welfare Arrangements' letter. A breach of student visa conditions may lead to the cancellation of the student's visa by the Department of Home Affairs.

If a student is unable to make alternative arrangements of which the College could approve, the student would be best advised to voluntarily return to the student's home country for the 'gap' period, to avoid breaching their visa conditions.

9 Accommodation arrangements

The College will assess and approve the suitability of a Homestay Family's accommodation in line with the provision contained in the CAAW and the National Code. The College will monitor the ongoing accommodation arrangements and the welfare of Homestay students to ensure that the students are placed in appropriate care and are protected from possible exploitation and abuse to maximise their success while living and studying in Australia.

For the College to approve the accommodation, support and general welfare arrangements provided by Homestay families, the College must be satisfied that the Homestay family is able to provide the student with the appropriate accommodation and living assistance. This includes:

- full board in a clean, tidy household that has been approved as the Homestay residence;
- a safe, secure, private bedroom with suitable storage space for clothes, personal effects and study materials;
- suitable facilities for study including a desk, a chair and adequate lighting;
- three meals daily ensuring adequate nutritious food and reasonable access to other appropriate food as may be requested;
- access to bathroom and laundry facilities;
- access to a landline telephone (or suitable alternative) in the Homestay residence; and
- access to household items, such as: towels, sheets, blankets and eating/cooking utensils.

10 Supervision and care outside of school hours

As part of the approval process for accommodation, support and general welfare arrangements provided by Homestay Families, the College will be satisfied that the Homestay family will:

- ensure that the student is appropriately supervised at all times throughout the duration of the Homestay. This includes:
    - maintaining suitable supervision of the student outside of school hours;
    - monitoring the student's general welfare including by the student's social activities;
    - confirming with the student and the Administration Manager International Program where necessary, that appropriate approval has been obtained by the student prior to the student participating in travel and activities.
- notify the College if the Homestay family is temporarily unable to provide accommodation for, or supervision of, the student.

11 Monitoring

Monitoring of the service provided by the Homestay families will be conducted by the College, via the Administration Manager International Program. This will include:

- conducting regular surveys of Homestay students that include an evaluation of their accommodation and welfare arrangements and taking required action;
- regularly contacting the Homestay family by phone and/or email to discuss and review the

arrangement;

- conducting informal meetings with Homestay students and pastoral care meetings to monitor adjustment, at a minimum once per study period;
- where appropriate, liaise with teachers of Homestay students;
- where appropriate, undertake occasional visits to the Homestay residence to check on the wellbeing and safety of students;
- checking the College's complaints register;
- monitoring the Blue Card status of Homestay families to ensure all Blue Cards are current and recorded on the Blue Card Register;
- self-assessment by Homestay families;
- completion of exit statements by Homestay students and families.

12 Risk Management

The College will exercise a duty of care and approve arrangements that are appropriate for the age and capability of the Homestay student.

To ensure effective identification and management of risks relating to students accommodated in Homestay arrangements, the College will:

- have an established risk register that identifies and evaluates risks involved with the accommodation, support and general welfare of a student accommodated in Homestay arrangements, and an established process for developing strategies to minimize the impact of these risks. For example, risks associated with pre-departure, post-arrival and departure activities;
- ensure that all potential risks to Homestay students are included as part of the standard risk management processes applied by the College when developing risk management plans for high risk and special events that students, including Homestay students, may participate in. For example, sports carnivals, school excursions and camps;
- educate Homestay families to identify, assess and control risks relating to the Homestay student's activities under their supervision, and to ensure child protection issues are addressed as part of the standard risk management processes in the Homestay arrangement. For example, the supervision of the student during the Homestay, including outside of school hours, and risks associated with the student's general welfare including social activities and travel.

The risk management approach implemented by the College will be consistent with the framework established in the *Risk Management Policy*.

12.1 Homestay Risk Management

The 'Homestay Risk Management' form is part of the 'Homestay Handbook' which is provided to Homestay families as part of the induction process for all new Homestay families. This document is also made publicly available on the College website.

13 Critical Incidents

A critical incident involving a Homestay student will be managed in accordance with the *Critical Incident Management Procedure*.

14 Deferment, suspension or cancellation of study during enrolment

The College will only enable Homestay students to defer or suspend their studies, including granting a leave of absence, during a course through formal agreement on the following grounds:

- compassionate or compelling circumstances; and/or
- misbehavior of the student.

In the event of deferment, suspension or cancellation of a Homestay student's studies the College will:

- have documented procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student's file of the assessment of the application;
- inform the Homestay student prior to enrolment of the grounds on which their enrolment may be deferred, suspended or cancelled;
- inform the student that deferment, suspension or cancellation of enrolment may affect their student visa;
- notify the student of the College's intention to suspend or cancel their enrolment and allow the student twenty working days to access the College's internal complaints and appeals process, unless extenuating circumstances relating to the welfare of the student apply;
- allow the student access to the College's complaints and appeals process and will not notify the Department of Home Affairs of a change to the enrolment status until the internal complaints and appeals process is completed.

15 Complaints, grievances and appeals

In accordance with Standard 8 of the National Code, the College has an internal complaint handling and appeals process for Homestay students that is independent, easily and immediately accessible and inexpensive for the parties involved. This process includes access to an independent external body if required.

15.1 Principles

The following principles apply to the complaint handling and appeals process:

- complaints and grievances will be heard by the College as quickly as possible;
- complaints and grievances will be treated seriously, sensitively and impartially;
- complaints and grievance procedures and guidelines are based on the principles of 'Natural Justice';
- individuals will be encouraged to use these procedures, and can be confident that there will be

no reprisal;
- confidentiality will be strictly observed by all participants and at all stages of the complaint and grievance process.

The College has in place a process for managing internal complaints and grievances that:

- require a written record if the complaint or appeal cannot be resolved informally;
- provide a Homestay student with the opportunity to formally present their case at minimal or no cost;
- allow the student to be assisted or accompanied by a support person;
- provide a written statement of the outcome, including details and reasons for the decision;
- ensure that processes begin within ten working days of the College receiving the formal written lodgment of the complaint or appeal;
- provide access to an independent external person or organisation to hear the complaints or appeals where the College's internal process has been completed and the student remains aggrieved;
- allow for the Homestay student's enrolment to be maintained while the complaints and appeals process is ongoing. This does not necessarily mean that a student must remain in class.

If the outcome of a Homestay student's appeal through the College's internal or external complaint and grievance process is favourable to the student, the College will immediately advise the student of this and implement any decision and/or corrective and preventative action required.

The availability of the complaint and grievance process, does not remove the right of the student or their parents to take action under Australian consumer protection laws.

15.2 Complaints and Grievances not covered by this procedure

Any complaint relating to harm or potential harm of a Homestay student must be dealt with by the College in accordance with the *Student Protection in Anglican Schools Policy* and associated procedures.

Grievances raised by a student against another student will be dealt with in accordance with the *Behaviour Management Procedure* and *Student Code of Conduct*.

Grievances raised in relation to the college's suspension or cancellation of a student's studies will be dealt with in accordance with the *Deferment, Suspension and Cancellation Policy*.

16 Privacy

Personal information of any Homestay student or Homestay family is obtained, stored and released in accordance with the *Privacy Act 1988*. For further information please refer to the college's *Privacy Procedure*.

17 Accountabilities and Responsibilities

The table below outlines the accountabilities and responsibilities for governing and managing the College.	
College Council:	Is responsible for ensuring the proper and effective management and operation of the College. This includes defining and monitoring the strategic direction, developing and monitoring policies, monitoring the effectiveness of the College Council and College, and establishing control and accountability systems.
Principal:	Is responsible for the administration and implementation of the College's strategic direction, policies and procedures and control and accountability systems developed by the College Council. The Principal works closely with and is accountable to the College Council for leading the College to deliver high quality curriculum and educational outcomes, excellence in teaching and learning, a strong College community and driving market growth.
Manager Human Resources and Compliance:	Is responsible for ensuring the achievement of College strategic objectives through the development and application of best practice Human Resource Management principles and practices that comply with legislative requirements. The Manager Human Resources and Compliance works closely with and is accountable to the Principal for developing, implementing and evaluating an appropriate policy framework compliant with all statutory requirements.
Employees:	Are expected to abide by all College policies and procedures.

18 Related policies, procedures and other documents

18.1 Policies

Complaints and Appeals Policy

Course Progress, Attendance and Course Duration Policy

Deferment, Suspension and Cancellation Policy

Entry Requirements Policy

International College Homestay Management Policy

Refund Policy

Risk Management Policy

Student Protection in Anglican Schools Policy

Student Transfer Request Policy

18.2 Procedures

Behaviour Management Procedure

Critical Incident Management Procedure

Homestay Family Selection and Screening Procedure

Homestay Training Procedure

Homestay Code of Conduct

Privacy Procedure

Student Protection in Anglican Schools Procedures

18.3 Other documents

Australian Privacy Principles

Child and Youth Risk Management Strategy

College Vision, Mission and Values Statement

Homestay Audit Template

Homestay Handbook

Homestay Risk Management Plan

Risk Management Plan

Safeguarding Our Students, Student Protection Policy and Procedures Guide for Volunteers and Visitors to Anglican Schools

Student Code of Conduct

Student Protection Resource Sheets

18.4 Legislation

Child Protection Act 1999

Education (Accreditation of Non-State Schools) Act 2017

Education (Accreditation of Non-State Schools) Regulation 2017

Education Services for Overseas Students Act 2000

Education Services for Overseas Students Regulations 2001

Information Privacy Act 2009

National Code of Practice for Providers of Education and Training to Overseas Students

Privacy Act 1988

Right to Information Act 2009

Work Health and Safety Act 2011

Work Health and Safety Regulations 2011

Working with Children (Risk Management and Screening) Act 2000

Working with Children (Risk Management and Screening) Regulation 2011

19 Approval

This procedure was issued on 23 March 2018 under the authority of the Principal. This document represents the current policy of the College until it is revised or rescinded.

20 Managing this policy

20.1 Review

This procedure is to be reviewed every two years or earlier if necessary. The Manager Human Resources and Compliance is responsible for reviewing or making approved modifications to the procedure and distributing.

20.2 Breach of Policy

Failure to take reasonable steps to ensure the suitability of accommodation, support and general welfare for Homestay Students is considered a breach of this procedure. All employees are expected to abide by College policies and procedures, failure to do so may lead to disciplinary action ranging from counselling to dismissal.

21 Document information

Version Control

Version	Date	Description	Author
2.0	23/03/2018	Procedure review and alignment with new legislation	Manager HR and Compliance

22 Authorisation

Suzanne Bain
Principal
Date: 23 March 2018