# International Students - Welfare of International Students U18 Procedure

# Section 1 - Preamble

(1) Charles Darwin University ('the University', 'CDU') accepts international students on student visas who are under the age of 18 at the time of commencement and is committed to having appropriate welfare arrangements in place to protect their personal safety and well-being while studying in Australia.

# Section 2 - Purpose

(2) This document outlines the University's processes for ensuring it meets compliance requirements regarding welfare arrangements for international students on a student visa who are under 18 years of age while enrolled at the University.

# Section 3 - Scope

(3) These procedures apply to all University staff and to all CDU international students on a student visa who are under the age of 18.

# Section 4 - Procedure

### CDU's obligations

(4) The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) requires CDU to comply with Commonwealth, state or territory legislation or other regulatory requirements relating to child welfare and protection appropriate to the jurisdiction(s) in which CDU operates.

(5) CDU's processes align with the NT Care and Protection of Children Act 2007, Care and Protection of Children (Screening) Regulations 2010 and NSW Children and Young Persons (Care and Protection) Act 1998.

(6) The Department of Home Affairs (DHA) must be assured that international students on student visas under the age of 18 have appropriate welfare and accommodation arrangements in place until they turn 18. Under the student visa conditions of the Migration Regulations 1994, international students under the age of 18 must be approved by DHA to reside with a parent, legal custodian or suitable relative of good character over the age of 21.

(7) CDU must ensure that its documented processes align with the National Code 2018 and Migration Regulations 1994 for approving the accommodation, support and general welfare arrangements for international students under the age of 18.

### Nomination of accommodation and welfare arrangements

(8) The applicant's parent or legal custodian must nominate the type of arrangement required for accommodation,

support and welfare arrangements, and personally sign the relevant CDU form. This cannot be delegated to a third party.

(9) Where the applicant's parent or legal custodian nominates themselves or an eligible relative as the child's guardian in Australia and organises accommodation, DHA is responsible for approving the arrangements, as advised on the 157N Student Guardianship Arrangements Form.

(10) CDU will not take on the rights, responsibilities and authority that the parent or legal custodian has and will not act in the place of parent or legal custodian in relation to students under the age of 18.

## Assessing Applications for Study

(11) Applications from relevant students will be assessed in accordance with this procedure. The decision to admit a student under the age of 18 will take into consideration:

a. whether the student is at least 17 years of age;
b. the student's capacity and maturity to engage with academic content;
c. the student's decision-making capability;
d. possible disadvantages for the student studying under the age of 18;
e. the capacity and capability of staff to be engaged with vulnerable students; and
f. whether there are appropriate accommodation and welfare arrangements in place until the student turns 18, exits CDU, or leaves Australia.

(12) If the application is approved, a Confirmation of Enrolment (CoE) and Confirmation of Appropriate Accommodation and Welfare (CAAW) letter will be issued.

(13) If the application is rejected, the applicant will be advised of the outcome and of any alternative arrangements available.

## Monitoring Student Welfare and Support

(14) CDU will monitor general student welfare and support of relevant students through documented processes and the provision of a Welfare Plan.

(15) Commencing students will receive an age-appropriate and culturally appropriate orientation program.

(16) Monitoring of general student welfare and student support includes, but is not limited to:

a. suspension or termination of enrolment; and
b. intervention in case of prolonged or unexplained absences, a serious welfare concern or critical incident.

(17) In the case of absence or welfare concern the University will attempt to contact the student by phone and by email. If contact cannot be made within 24 hours the University will contact the student's guardian. If non-response or absence continues past 48 hours the case will be referred to the Director Student Engagement and the police and other relevant agencies may be notified.

(18) Where there are serious concerns for a student's welfare or a critical incident has occurred the incident will be managed under the Critical Incident and Emergency Management Policy and Procedure.

(19) CDU has a documented process to verify proposed arrangements are appropriate to the student's needs and age.

(20) If an international student under the age of 18 stops living with their approved parent, legal custodian or suitable relative, the University will cancel their Confirmation of Enrolment (CoE).

### Transfers to Other Registered Providers

(21) CDU has documented processes for negotiating the accommodation and welfare arrangements for students for whom there are existing accommodation and welfare arrangements in place and who are transferring to another registered provider.

### Records and Reporting

(22) CDU maintains records of its accommodation, support and welfare monitoring activities in accordance with its Privacy Policy and Records and Information Management Policy and Procedure.

(23) Reports are provided to the relevant CDU committees and other relevant authorities in the case of serious welfare concerns or critical incidents.

### Complaints

(24) The Student Conduct & Complaints Management Unit team provides advice to students on the various avenues available for resolving a complaint.

(25) Complaints in relation to accommodation, support and welfare arrangements for international student on student visas under the age of eighteen (18), are made in accordance with the Complaints Policy - Students.

# Section 5 - Non-Compliance

(26) Non-compliance with Governance Documents is considered a breach of the Code of Conduct - Employees or the Code of Conduct - Students, as applicable, and is treated seriously by the University. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures outlined in the Charles Darwin University and Union Enterprise Agreement 2025 and the Code of Conduct - Students.

(27) Complaints may be raised in accordance with the Complaints and Grievance Policy and Procedure - Employees and Complaints Policy - Students.

(28) All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Policy and Whistleblower Reporting (Improper Conduct) Procedure.

*This policy document may be varied, withdrawn or replaced at any time. Printed copies, or parts thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of staff printing this document to always refer to the Governance Document Library for the latest version.*

## Status and Details

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| **Responsible Executive** | Louise King<br>Provost |
| **Implementation Officer** | Sarah Fletcher<br>Director Student Engagement |
| **Enquiries Contact** | Sarah Fletcher<br>Director Student Engagement<br>---<br>Student Engagement |

## Glossary Terms and Definitions

**"Confirmation of Enrolment (CoE)"** - Defined by the National Code of Practice for Providers of Education and Training to Overseas Students 2018 as a document, provided electronically, which is issued by the registered provider to intending overseas students and which must accompany their application for a student visa. It confirms the overseas student's eligibility to enrol in the particular course of the registered provider.

**"University"** - Charles Darwin University, a body corporate established under section 4 of the Charles Darwin University Act 2003. The University is comprised of the various faculties, CDU TAFE, organisational units, and formal committees, including the governing University Council and Academic Board.