

## **Policy Title**

### **Care of Students Under the Age of 18 Policy**

#### **Preamble**

This policy was approved by Senior Management Group On 31 May 2019

This policy is consistent with:

- Privacy Act 1988 (Cth)
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth), Standard 5
- Australian Human Rights Commission Act 1986 (Cth)
- The Migration Regulations 1994 (Cth)
- Child Safety and Wellbeing Act 2005 (Vic)
- Working with Children Act 2005 (Vic)
- Commission for Children and Young People Act 2012 (Vic)
- Child Wellbeing and Safety (Child Safe Standards Compliance and Enforcement) Amendment Act 2021 (Vic)

#### **Purpose**

Deakin College is committed to providing a safe and supportive environment for all students. Additional support for the welfare of students aged under 18 years is required particularly for those who are also from culturally and linguistically diverse backgrounds like Deakin College overseas students. This policy ensures that Deakin College will fulfil its obligations under the Commonwealth and State legislation that govern the protection of students aged under 18 years (children).

#### **Scope**

This policy applies to all staff, contractors, students under 18 themselves and other students working or studying with under 18 students face-to-face, online or through any other mode of communications and interaction. It also includes the responsibilities of parents and guardians.

#### **Policy**

##### **1. Principles**

Deakin College is committed to the following principles in ensuring the welfare and safety of students aged under 18 years:

- Child safety is a College community responsibility
- A preventative, proactive and participatory approach to child safety
- Ensuring child safety is paramount and to that end a senior manager on each Deakin College campus is responsible in acting as a source of support, advice and expertise to staff on matters of child safety
- All persons must be enabled to safely disclose risks of harm to children

- Staff and volunteers are qualified and have the appropriate police and working with children checks
- Staff and volunteers are trained, supported and supervised  
Staff and volunteers abide by agreed appropriate behaviour towards children whilst respecting cultural difference.

## **2. A Child Safe Culture**

- 2.1.** The Student and Academic Services Manager is responsible as the Under 18 Safety Officer to act as a source of support, advice and expertise to staff and students on child safety matters, and will support the senior manager at each campus to do the same;
- 2.2.** The Student Counsellor or Under 18 Guardian meet regularly with students, aged under 18, and has responsibility for monitoring their welfare and accommodation. The nominated student counsellor is also a point of contact for parents, guardians and relevant third parties such as homestay and guardianship providers;
- 2.3.** Staff induction includes child safe awareness;
- 2.4.** Deakin College maintains records of staff members with valid Working with Children's Card and National Police Check Certificate;
- 2.5.** Student orientation includes child-safe awareness.

## **3. Training and Supervision**

- 3.1.** All staff members and volunteers must be aware of the child safe standards as included in orientation and induction procedures;
- 3.2.** Staff and volunteers are to participate in annual briefing sessions to ensure continuous prominence of safety for students aged under 18 years;
- 3.3.** Position descriptions for staff positions advertised from 2017 include the 'Child Safe Environments' clause;
- 3.4.** All students regardless of age, sex or nationality must abide by the standard of behaviour outlined in the Student Code of Conduct;
- 3.5.** Professional development is provided for the senior manager and nominated student counsellor/s senior manager in the managing and reporting of child safety.

## **4. Admission**

- 4.1.** The entry standards and assessment criteria are applied to all applicants in order that they can achieve success in their chosen field of studies;
- 4.2.** The parents or legal guardians of students under the age of 18 will continue to have the rights, responsibilities and authority of their children.

## **5. Reporting a child safety concern or complaint**

- 5.1.** Students may report any child concerns to any staff members or request for an appointment with the Student and Academic Services Manager at the Deakin College Reception;

5.2. Staff may report any child safe concerns to the Student and Academic Services Manager.

## 6. Critical Incidents

6.1. Care for Deakin College students and their safety is a primary responsibility of Deakin College;

6.2. The Student Support Policy and Wellbeing, Health and Safety Policy detail the support structure and services available to students;

6.3. The Critical Incident Policy details the steps to be taken when there is a critical incident or emergency situation;

6.4. Critical incidents can occur on campus or outside the campus. Examples of critical incidents include:

- Fire, explosion, gas leak;
- Chemical, radiation or bio-hazard spillage;
- Incidents involving siege, hostage, firearms, weapons or bombs;
- Serious accidents;
- Outbreak of disease;
- Missing students;
- Severe verbal or psychological aggression;
- Death, serious injury or any threat of these;
- Disruptions of Under 18 accommodation;
- Natural disaster; and
- Issues such as domestic violence, sexual assault, drug or alcohol abuse.

6.5. The students should report any incident they witness or any concerns to Deakin College Reception;

6.6. The Deakin College Critical Incident Management Team implements the appropriate action in the event of a critical incident in collaboration with Deakin University and emergency services as appropriate, and for required follow up and reporting.

## 7. Privacy and Confidentiality

7.1. The Deakin College and Navitas Privacy Notice reflects Deakin College's approach to personal data protection and the security of people's privacy;

7.2. Identity of any persons reporting of child safe concerns and child involved will be protected.

## 8. Additional requirements for the care of overseas students under the age of 18

8.1. Acceptance of an Overseas Student Under the Age of 18

- Prior to the acceptance by Deakin College of an overseas student under the age of 18 years, the parents or the legal guardian of the student must advise if the student will be residing in Australia with a parent, legal guardian, suitable relative, or whether

Deakin College will be required to take responsibility for the accommodation, support and general welfare arrangements for the student under the *Migration Act 1994*.

- Where information is provided to Deakin College by a parent or legal guardian about a student's illness, impairment or disability, Deakin College will assess whether reasonable adjustments or reasonable accommodation will be required for that student.

## **9. Parents / Legal Guardians' Obligations**

- 9.1.** The parents or legal guardians confirm that they are the persons legally and properly entitled to act as guardians to the student;
- 9.2.** Should the student require urgent medical treatment and Deakin College is unable to obtain consent from the parents or legal guardians due to language difficulties, time constraints or otherwise, Deakin College will therefore be under no instruction to obtain any such consent from the parents or legal guardians;
- 9.3.** The parents or legal guardians will ensure that the student complies with all policies, terms and conditions and enrolment conditions of Deakin College, including all reasonable requirements made by Deakin College.

## **10. Guardianship Arrangements**

- 10.1.** Parents or the legal guardians of the student will be required to nominate a guardianship service from a list of Deakin College approved guardianship services.

## **11. Nominated Period**

- 11.1.** Deakin College will assume responsibility for the accommodation, support and general welfare arrangements 14 days prior to the commencement of the Deakin College course and until 14 days after the completion of the Deakin College course, or when the student turns 18, whichever comes first.

## **12. Accommodation, Support and Welfare Arrangements**

- 12.1.** Deakin College takes responsibility for approving the accommodation and welfare arrangements for students aged under 18 and not living with a parent or suitable relative;
- 12.2.** A Deakin College representative will inspect and review accommodation provided by Deakin Residential Services and Student Accommodation Services, twice per year (6 monthly) to ensure it complies with the requirements as stated in Standard 5.3.3 of the National Code of Practice;
- 12.3.** As a condition of their enrolment, students are required to maintain the approved arrangements made by Deakin College;
- 12.4.** Emergency accommodation is provided if circumstances require a change to homestay accommodation arrangements.

## **13. Cancellation or Suspension of Enrolment**

**13.1.** In the event that a student’s enrolment is cancelled or suspended by Deakin College following the outcome of any appeals, Deakin College will continue to check and approve the suitability of arrangements for the student until:

- the student is accepted by another provider and that provider takes over responsibility for approving the student’s accommodation, support and general welfare arrangements;
- the student leaves Australia;
- other suitable arrangements are made that satisfy the *Migration Regulations 1994*; or
- Deakin College reports to the Department of Home Affairs that it can no longer approve the arrangements for the student.

**13.2.** In the event of a student missing from Deakin College or the approved accommodation and cannot be found within a reasonable time, despite implementation of its critical incident procedures, Deakin College will report this to the Department of Home Affairs.

**Related Policies**

Admissions Policy

Privacy Policy

Student Support Policy

Critical Incident Policy

Wellbeing, Health and Safety Policy

**Procedure**

Care of Students Under the Age of 18 Students Procedure

**Definitions**

NA

**Status and Details**

<b>Identification</b>	Care of Students Under the Age of 18 Policy
<b>Initial Issue Date</b>	31/05/2019
<b>Status</b>	Current
<b>Domain</b>	Student and Academic Services
<b>Effective Date</b>	28/09/2022
<b>Review Date</b>	30/09/2024
<b>Approval Authority</b>	Senior Management Group



<b>Implementation Officer</b>	Student and Academic Services Manager (Burwood), Campus Manager (Geelong), Campus Director (Jakarta)
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