# Educational Resource: Homestay and Care Arrangements

## FAQs

## *\*sourced from AEI National Code Implementation Guide*

**Q Do schools need to ensure that the student has a legal guardian in Australia?**

A No. There is no requirement under the National code, the ESOS legislation or DHA to have a legal guardian. Students under 13 years of age at the time of commencing studies may only reside with a parent/legal guardian or DHA-approved relative.

**Q When should the homestay agreement be signed?**

A Homestay providers and the school representative should sign this agreement prior to, or on the day of the student’s arrival. Students should be briefed on the terms of this agreement within the first week of the student’s arrival. A copy of the agreement should be shared with the student’s parent/legal guardian.

**Q Can a homestay provider act as a school representative and pick up students from the airport?**

A No. The ISP Homestay Policy does not permit homestay providers to act as a school representative or pick up an international student from the airport. This is strictly a school’s responsibility.

**Q Can registered teachers provide homestay accommodation for emergencies?**

A No. Registration through the VIT prohibits teachers from offering homestay accommodation even in an emergency.

**Q Is it compulsory for schools to collect a bond from students for their homestay?**

A No. Bonds are not compulsory.

**Q Does a school need to conduct a follow up visit to the homestay after initial placement of a student?**

A No. Follow up visits shortly after the initial placement are not mandatory but schools must verify that the accommodation continues to meet the student’s needs at least every six months. Schools that conduct follow up visits must provide two weeks’ notice to the homestay provider and student.

**Q Do schools need to do a yearly appraisal of the homestay?**

A The VRQA requires schools to verify that the accommodation is appropriate to the student’s age and needs at least six weeks prior to placement, and at least every six months.

**Q Can a CAAW letter be created in PRISMS without a CoE?**

A No. A CAAW letter is created with the CoE as the details of the CoE must be included in the CAAW. The CAAW cannot exist without the details of the CoE.

**Q Can a student arrive in Australia prior to their course start date for example a holiday?**

A student for which DET has accepted accommodation and welfare responsibility CANNOT arrive in Australia before the start date specified on their CAAW.

If arriving on or after their CAAW start date and as long the student continues to maintain approved welfare arrangements as a condition of their enrolment with the provider the student can negotiate with their provider to include a holiday before settling into their accommodation. The provider must agree to this arrangement.

**Q Is the School Holiday Student Travel Register an additional requirement to the School Holiday Location Register?**

A No. The School Holiday Student Travel Register replaces the School Holiday Location Register. The change aims to reduce the burden on schools by focusing using an exceptions based approach to monitoring the safety of students during holidays. Schools will only need to monitor travel arrangements for international students rather than locations because it is anticipated that not all students will change their location during the majority of school holiday breaks.

**Q What stops a student from taking a short holiday before arriving at school, where extra days have been included in the nominated dates of the CAAW?**

A Where a school approves welfare arrangements for a student, and this approval includes extra days before school commences, the student can take a short holiday before commencing school. However, students must not arrive in Australia before the date specified on their CAAW. Schools should communicate this clearly to students.

**Q If a student arrived much earlier than expected (e.g. before the CAAW start date), does the school have a duty of care during that time?**

A No. The school is only responsible for approving welfare arrangements for a student for the dates they have nominated on the CAAW letter. Unless the student has other arrangements in place (which have been approved by DHA) e.g. they may be accompanied by a parent, DHA will not allow the student to travel before the start date on the CAAW letter. Students who attempt to arrive in Australia before the start date on their CAAW letter would breach their visa condition and could have their student visa cancelled.

**Q What should a school do if the student is unable to get flights to match the dates on the CAAW?**

A The visa start date depends on the dates the provider puts on the CAAW letter. A student cannot travel to Australia prior to the welfare arrangements taking effect. The provider should discuss the CAAW dates with the student before they issue the CoE and CAAW letter. If the CAAW 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. If the student travels to Australia before their welfare arrangements are due to commence, they will be in breach of student visa condition 8532 and may have their visa cancelled.

**Q If responsibility for an under 18 student expires shortly after course completion, how does the school ensure the student leaves the country?**

A DHA will issue the student visa according to the dates nominated on the CAAW letter. If the student does not go home, or does not change their visa type, e.g. if their parents visit, they will be in breach of their visa. The school should discuss the conditions of the approval of welfare arrangements with the student at an appropriate time but they are not responsible for ensuring the student leaves the country.

**Q Is smoking permitted in homestay accommodation?**

A No. Smoking is no longer permitted inside a homestay. Homestay accommodation must be smoke free homes. However, depending on your specific homestay, smoking may be permitted outside the house and within the property.

## CASE STUDY 1: Missing Student

## *\*sourced from AEI National Code Implementation Guide*

*Johann is 15 and is currently in Australia studying Year 10 at an ISP Secondary College. He is living in a homestay situation that was approved by the ISP Secondary College. Over the last few weeks, he has started to be absent for extended periods from the homestay. One Friday night, he told his homestay carer that he would be going out late and would ring if coming home later than 2 pm on Saturday.*

*By Saturday evening, Johann had not returned home and had not made any contact. His homestay carer had been unable to contact him on his mobile phone. They rang the International Student Coordinator at the ISP Secondary College to tell them that Johann had gone out on Friday night and had not returned. The International Student Coordinator was obviously concerned by this, thanked them for making contact with the school and advised that the College would invoke its critical incident procedure.*

*In accordance with the ISP critical incident policy and procedure, ISP Secondary College rang Johann’s parents and the police, notifying them of Johann’s disappearance and continued to liaise with police and other state authorities to locate Johann.*

***Note:***

**If the student was located and refused to maintain provider approved welfare arrangements as required by student visa condition 8532, the school can contact IED who will then report the student by using PRISMS ‘Non-Approval of Accommodation/Welfare Arrangements’ letter. Schools should be aware that this should be a last resort (i.e. only for students who refuse to maintain arrangements) as it may result in their student visa being cancelled.**

## CASE STUDY 2: Arriving in Australia before studies begin

*Clara has always wanted to visit Australia and her parents have finally agreed to let her study the final year of her secondary education here. She is particularly excited at the prospective of spending time at the beach in the weeks leading up to her study. Although the school term is due to begin in February, Clara thinks that it would be perfect to spend two weeks at a beach in Australia before classes begin.*

*Her chosen school has a number of international students and is aware of its responsibilities to approve appropriate accommodation and welfare arrangements for Clara. Because Clara is under 18, she has negotiated with the school to extend the approved care arrangements to allow for the extra two weeks before course commencement. The school has let DHA know the period that the approved arrangement would cover via the CAAW letter. The school has nominated 14 days of approved care arrangements both before and after her course.*

*Clara’s visa has been granted one month before the commencement of the approved arrangements. If she travels to Australia before the date nominated by her school on the CAAW, she will be in Australia without adequate welfare arrangements and therefore in breach of her student visa condition 8532. Once this has been pointed out to Clara, she is happy to wait to come to Australia until the agreed 14 days before her course begins.*

**Notes:**

* If the school was unable to provide the approved care arrangements for Clara for the two weeks before the course was due to start, Clara would need to make alternative suitable arrangements or not come until the school’s arrangements were in effect.
* If Clara had travelled to Australia before her welfare arrangements were due to commence, she would have been in breach of student visa condition 8532, and her visa may have been liable for cancellation.
* Providers, including schools, must approve care arrangements for at least seven days after the course end date. In Clara’s case, the school chose to extend its approved care arrangements to include two weeks of approved care at both the beginning and the end of the course.