

Appendix B: Submissions

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1. Educare, Alison Taylor

Firstly I wish to preface these Case Studies by saying that reporting only negative experiences of homestay has a tendency to distort the value and impact of homestay in servicing the needs of international students. The great majority of homestays are ethical, caring and supportive and the cases cited here are in the minority rather than representative of the norm.

CASE STUDY 1

Student Cindy was met at the airport and taken to her homestay where she was warmly welcomed by her host and invited in. When the driver left, the host told Cindy that she was actually going to live in a house two houses down the road and took Cindy to show her where her bedroom was located. There was no adult person living in this house and all the students were under 18. It was explained to Cindy that she should come back to the original house for dinner each night.

Cindy soon found that it paid to be on time as there was a total of nine students in both houses and there was not enough room at the table for them all. It was a case of first in first served. The last three to turn up got what was left over and had to find somewhere else to sit and eat the evening meal. As Cindy was under 18, her welfare guardian (NOT to be confused with a legal guardian) removed her from that homestay and contacted a different company to have her relocated in a more suitable homestay with only one other student in the home.

ISSUE: Homestay misrepresenting the accommodation provided and not providing true homestay.

CASE STUDY 2

The homestay profile given to one student stated that there was one other student placed by that company in the same homestay. When the student arrived in Australia, she found that there were, in fact, 5 students already living in the same homestay. The others had been placed there by two other companies with whom the homestay was registered and the first company was not aware that they were there because the homestay had concealed the fact that she was registered with these other homestay companies.

ISSUE: Homestay registering with more than one homestay company.

CASE STUDY 3

When a homestay company contacted one of their homestays to take a student, she was told that the homestay was now only going to take students from another company/institution because their students paid much more per week. The homestay was removed from the first company's register but rang some weeks later to ask for a student as her room was still vacant, waiting for a student to be sent from the second company. Unfortunately, she had already been removed from their register, so she missed out completely.

The inconsistency in the fees charged and paid serves to inflate the cost of homestay accommodation for students. While there is no regulation of the industry, it would be ideal if there could be consensus between the various companies/institutions to keep the fees to a level which is manageable for students.

ISSUE: Institutions/companies who address the demand and supply situation by raising the cost of homestay just so they have a better chance of securing homestays for their students has far-reaching implications for inflating the cost of accommodation for all students.

CASE STUDY 4

A student complained that he was paying the homestay company that had arranged his homestay \$285 per week but the homestay was only receiving \$250 per week. He had asked around and found that many of his fellow students were paying \$250 per week directly to their homestays, usually making the payments every two or four weeks. He wanted to know why there was such a difference and to whom the \$35 per week difference went. His welfare guardian explained that the difference was to cover administration costs incurred by the company for providing this service to the student and the homestay and that this is both legal and permissible. However, the Department of Justice, Victoria has stated that: "Where the student does not pay the homestay direct, and where an institution/company takes the homestay payments from the student and keeps [an amount] as an administrative fee, thus paying the homestay [a portion of the fee paid by the student], this must be declared to the student at the time of booking. Otherwise the institution/company could be found to have misrepresented the true cost and is therefore engaging in false representations in relation to goods and services (section 12 Fair Trading Act 1999). Such conduct is regarded as a breach of the Act and would attract a penalty. While institutions are exempt from the Residential Tenancies Act, they are expected to act ethically."

If this student had been told when he was allocated to his homestay that this was the case, he would not now be asking why this is happening. There are some institutions/companies which deliberately conceal the fact that they take a portion of the money the student pays them to cover "administrative costs" rather than clearly make it known to the students in the beginning that this is their practice.

ISSUE: Institution/Company failing to declare from the outset, as required by law, that some of the money paid by the student was held by the institution/company to cover administration costs.

CASE STUDY 5

Student Anh arrived from Hanoi in Australia early on a Saturday morning. It was spring but still quite cool. He was shown to his room which was originally the living room of the house. It was quite large but had very poor lighting and the windows were blocked off with blankets nailed over them. Anh could hardly see what was in the room and had to wait for his eyes to adjust. Even then he could see no place to study and it would have been impossible because the light was so bad. The room had no door, only an archway over which a short curtain had been nailed and which led off the kitchen area. This meant that noise and cooking smells pervaded the 'bedroom' constantly as this is where the family had to live. Anh asked his host if he could have some heating as he was really cold and he only had two thin blankets on his bed. He was told that as it was spring, the central heating had been turned off and the weather would soon warm up again. The heating would be turned on next winter.

Anh was extremely miserable and wished he had never left home. He rang his welfare guardian who suggested that he ring the company that had placed him there and ask for an immediate relocation. The response was that as it was the weekend, Anh would have to wait until Monday and that he should stop complaining and get used to it. As a result, Anh was removed immediately by his welfare guardian who contacted another company which was able to immediately relocate him satisfactorily on the Sunday.

ISSUE: The first company had not inspected the homestay for several years and did not know that they were now using the living room, nor the state that it was in. Another issue here is that institution/homestay companies which place students must be directly available 24/7, not just during business hours. This should be part of their critical incident policy.

As we all know, Murphy's law states that all emergencies should occur at the least convenient time and certainly out of business hours making it essential that all homestay companies can be contacted immediately, 24/7, even if it means they carry a mobile phone on them. This function should not be not be allocated to a call centre which could be located anywhere in or outside Australia because only the company itself knows the students and the homestays so that they can act immediately. Call centre contacts mean delays which can be up to two or three days as was recently experienced by one institution.

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2. Eynesbury College, Anne Mason

We require all of our Under 18 students to have parent permission and provide us with travel details anytime they wish to travel whether intrastate, interstate or overseas. Also under 18 students must stay in homestays approved by us. We also have had problems with students (Over 18) who have found homestays on the web. Some problems include environment not appropriate, money issues, number of students in the home, not meeting students at airport etc etc Also we had one student who asked a potential homestay she met on the web if she would apply to our program. This person called me and when told she has to provide police clearance certificates –she refused-which makes one wonder!!

3. Familystay Australia, Margaret Vella

Under 18 issues

I would like your comments on 2 incidents that happened this week regarding Welfare Carers.

I had a call in the evening from a host mother who was worried her student was not home and she had gone into his room and found a half eaten meal he had made for himself and he was not answering his mobile phone.

The meal must have been cooked in the afternoon as the student was not home when her own son came home from school 4pm.

We tried to contact guardian. No answer. We tried after hours for school. No answer.

Next day host wanted to call police but I advised her not to as I had been in touch with police before and they say they cannot do anything if they are missing only 1 day plus they have to report to immigration .

Next day we tried carer again and it was only at the end of day she answered our calls. She had no idea where he was so she rang his mother in China who confirmed he was already home.

We need to make sure homestay has a letter from school, welfare agency and parents confirming flight details and permission to leave. The Government schools do this very well.

Next case

A private school girl wanted to change her homestay so just found a family on the net by herself.

Luckily this was a good welfare carer who immediately stepped in and stopped her even though her school had given permission (no check if they had wwcc etc.). She was moved to an approved homestay with all Police Checks and WWC and the welfare carer visited.

These websites advertising homestays need no insurance. No fees to pay they must be investigated as they seem to originate from overseas or we will have a disaster.

I would appreciate your comments

Regarding Students paying \$10,000 in China and being asked to leave after money was up

This is a problem I came across last week.

One of my Hosts is the Vice Principal of a girls only school in the North of Melbourne .

A 16 yr old girl came to him and told him she had to find another homestay as it was taking her an hour and 40 mins to get to school as she had to travel from a zone 2 southern suburb to the North of Melbourne. The young lady had lots of requests (ie homestay preferences): Mother, Father and Children but no teenage boys as her Mother in China insisted that there be no boys her age in home .

We were able to find a family which met her requirements. When she arrived, she told the Host Mother that there were 16 people in her previous house, 6 of them were family. The Family was a friend of her Mother and accommodation was booked from China . Then she asked her new homestay host if he could find a family nearby for her 21 yr old boyfriend. In other words her 21 yr old boyfriend had been living with her previously in same house .

She also told the new host family they had to pay \$10,000 before they came and when money was used up they had to leave as someone else was coming . That is why boyfriend had to leave the next week.

I visited the house - the residence is made up of 2 houses on one block . 5 students in each . Students are in shared rooms and each pay \$270 p.w. The payments were made by their parents before they came to Melbourne as Chinese Agents are arranging this in China . When the \$10, 000 has been used up, they must move on. The Girls School did not know of this and they will monitor from now on.

4. Griffith University. Response from Samantha Hilbig

1 No national standards in Australia covering accommodation for international students

A set of standard guidelines for providers to monitor accommodation standards would hopefully alleviate the current issues of sub standard dwellings and operators targeting International students. This may even prevent the increasing number of agents arranging accommodation for students from their home country. In the last few years there have been a number of students arriving in Australia to find that the Accommodation arranged by their trusted agent is sub standard and has not provided them with a great first impression of Australia and it's culture. This is often very stressful for the student who may have entered into a long term agreement with the landlord or homestay provider without knowing what is an acceptable standard of accommodation.

2 Lack of avenues of redress when students have issues- This would be a great asset as students currently go to the Residential Tenancy authority with their complaints. Providing a higher body who would solely deal with International student complaints would benefit the industry greatly and would also encourage student's from different nationalities to voice their opinions which they normally keep to themselves for fear of repercussions.

3 Inconsistency in homestay standards - By implementing Legislation and guidelines for student accommodation this would hopefully ensure that Institutes and providers are made more accountable for providing these services and for ensuring that accommodation offered to International students is of a high quality. Legislation could include i.e. building code compliance, limitations to the number of people able to inhabit a premises, more stringent fire safety requirements.

4 Loopholes in accommodation arrangements for students under 18- I think these loopholes come from the interpretation of the ESOS Act and Legislation and each provider develops their own processes for dealing with Under 18 students. A set of guidelines specific to these accommodation arrangements would be easier for Providers to abide by and monitor the different issues that arise when providing welfare arrangements for under 18 students.

5. Independent Schools Queensland: Mariana Lane

Thank you for inviting comment for the ISANA Accommodation Issues Paper.

From the perspective of independent schools in Queensland, I would say homestay programs for overseas school students are adequately regulated under existing national and state legislation, viz.,

Commonwealth ESOS Framework:

- National Code of Practice of Registration Authorities and Providers of Education and Training to Overseas Students 2007
 - o Part D Standard 2.1.h.ii
 - o Part D Standard 5
 - o Part D Standard 6.3
 - o Part D 6.6
 - o Part D 6.7.

Queensland Legislation:

- Education (Overseas Students) Regulation 1998
 - o Part 2 s.9
- Commission for Young People and Child Guardian Act 2000
 - o Chapter 8 Screening for regulated employment and businesses Schedule 1 Part 1.9 Schedule 1 Part 2.21
 - o Chapter 8 Part 3 Risk management strategies.

Additionally, as in all states, schools in Queensland must comply with child protection legislation.

Independent schools will always take the view that

- o less regulation is better than more – we already work within a highly regulated environment
- o consumer and institutional choice of programs and program providers should be respected and preserved
- o promotion of good practice in industry and provision of good PD programs and resources is better than mandating a one size fits all solution to very complex problems.

With thanks for this opportunity to put our views, and best wishes

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6. ISA Guardian Services, Case studies

Example One - July 2010 - Sydney.

Two male students both from the same country and known to each other studying at the same provider in Sydney. They book approved accommodation through reputable home stay provider, who is approved to provide accommodation on behalf of the education provider. To cut costs the students requested share accommodation (two persons sharing one room) within a home stay environment.

We were the appointed independent guardian for both of these boys, as per the internal policy of ISA, our guardian must visit the student at the home stay within 24 to 48 Hours of first arrival. When the guardian visited the home stay it was discovered the share accommodation was not a single bed each for the boys, they were required to share a double bed in the room.

Representations have been made for a single bed for each of the boys or change of accommodation. This is a very recent and simplistic example but it does clearly show why we need to have independent guardians who are not connected to the accommodation company. It provides an extra level of checks and balances to ensure all young students have a positive experience and are protected from any exploitation.

Example Two - April 2010 - Melbourne

An education provider has approved a 17 year old male student to live with a family friend, the education provider has conducted a thorough interview with the family friend and also conducted a home visit to assess the home. The family friend also applied for and was granted a WWC card. The education provider agreed to allow the student to stay with the family friend on the condition the student continue to have an independent guardian appointed through ISA. As part of our minimum standards guardians are required to maintain regular contact with the students. It was noted whenever the guardian rang the home stay host (family friend) to check on the student, he was never available or he had just gone out. The guardian did meet the student at school and was able to contact the student on his mobile phone, but could never contact him via his home landline. This pattern continued over a period of approximately four weeks, the family friend was asked on a number of occasions if the student was still actually residing at the premises, which the reply was always yes. When the guardian requested to visit the student at the home stay there was always a reason as to why the student or host was not available at that time. These concerns were conveyed to the school, the school also spoke with the student who confirmed he was still residing with the family friend.

On a Saturday morning at 9.30am one of our staff visited the home of the family friend unannounced. When the host was asked if our staff could please view the students room, the host admitted the student did not actually reside there. It was subsequently discovered the student had only stayed with the family friend for one week and had then moved out with other young students into an apartment and had been living there for the past 5 weeks. It is difficult to avoid this scenario occurring again particularly if the family friend is willing to lie in conjunction with the student, it is only through proactive monitoring of students was this situation revealed.

7. Case Studies for The ISANA Working Party 2010, Sylvia Lewohl

All names have been changed

No 1

Fifteen worried faces, not a smile on any of them. This would be a very different orientation session. Since January this year I have met with fourteen groups from Korea and Japan, some two hundred and eighty young happy people intent on having a good time in homestay and at university for five weeks. The usual list of do's and don'ts in homestay, don't forget to let your family know if you are not home for dinner, ask where you can smoke, be careful of the water. Ask permission to use the phone or internet, communicate! communicate!

But these faces were different. From Vietnam, these fifteen gentlemen in their fifties were a very different homestay student. Sent by their companies to study English for six months none of these men had been overseas before.

We had chosen more mature couples as hosts and this was working well. In addition we had given the men a student handbook but in their case this was in English and not their own language. We had given the host families as much help as we could and been in touch with each family to follow up any concerns they might have.

Some of the men wanted eggs for breakfast, four eggs to break over hot rice in most cases and were not at all sure about the taste of cornflakes and toast that they had never eaten before. Rice was a necessity of course but most Australian families find offering rice three times a day quite demanding. They all smoked and had no concept of smoking 'outside'. I acted out the charades one by one, miming opening the back door, lighting a cigarette, stubbing out the cigarette in an ashtray and disposing of the butts in the garbage bin. I mimed how to take a quick shower and spotted the odd grin. I tried to explain that Australia is a country in drought and our water is precious. No understanding here – it was raining! By the time I got to courtesy in the home they were a little more relaxed and nodding their heads – I hoped this meant they understood. Letting their family know if they would not be home for dinner or indeed overnight brought some laughter and nods and I thought I was doing quite well.

Alcohol, I started to say, now that word they knew! Did the host family provide it? Then the questions flowed. Why did the host mother stay at the table after the meal instead of washing up? They should help?? The look on the face was amazing! The expectation that the host father drink with them and in copious quantities gave me the shudders, how many phone calls from the little woman would I expect the next day? How could they get to the City, why did they have to say where they were going? How to contact the local brothel? Did I know the number? Did you really flush the toilet paper down the toilet? The questions went on and on. I tried not to be embarrassed but some things I just could not answer!

Two weeks now since these gentlemen arrived. All still with their original homestay families and I can report that they are doing well. Each morning I field the queries from their

families but all are determined to see the visit through. Where would our organisations be without their dedication?

No 2

Nikki arrived in second semester 2004 to commence studies in English leading up to Mainstream studies in 2005.

Nikki was placed with a very reliable, trusted and long term homestay provider. This provider has been hosting students for more than 8 years and has established a reputation as a quality homestay that has enjoyed good relations with students. The home is in excellent condition with quality living facilities. The homestay parents are both teachers in the WA education system and had furnished the mandatory Police Clearances in line with our standard procedures for Homestay family selection. They have a grown up family who no longer live at home and they make a point of including their students in all family activities. One of the rare families who do not primarily do this for financial reward.

Usually they accommodate only 1 or 2 students max however they had been asked to accommodate another 2 student from another institution (sisters – one under age) so the home was at this time full.

About 2 or 3 months into the stay Nikki came to see us with some problems/concerns about her homestay. The allegations initially only covered the food. Specifically that the homestay mother was not offering fresh food and they claimed to see her preparing maggot infested meat being prepared in a soup. This seemed a very bizarre claim so we spoke with the family to try to establish exactly what was happening. As it turned out what they saw was Pea and Ham soup being prepared and the soaking barley and lentils were probably mistaken as being maggots when the soup was being cooked. This seemed a logical explanation to what had happened and indeed the family were aghast at what the students had said.

During the conversation it was revealed that they were having some issues with the underage student (what's new) and it appeared she had been agitating to move out and possibly stirring the pot. Again this seemed consistent with our experience with underage students:

Upon speaking to Nikki it appeared there might be something more that she wasn't telling us and when pressed further she admitted that the food was not the only issue. She then alleged the homestay father was being very familiar with them and touching them on the bottom when in confined spaces such as the kitchen and had been observed watching what they thought was porn movies in the living room.

This accusation took us completely by surprise and we were initially very skeptical. There had never been even the slightest hint of this behaviour before and with the number of students previously placed we found this accusation very hard to believe.

However after some discussion in our office we decided that we could not take the risk of leaving the situation to continue so under the guise of the food allegations we decided it best to advise the other institution involved we were removing our student and they might want to do the same. They concurred and the students were moved straight away.

Fortunately when I previously spoke to the homestay father regarding the food issues he indicated he had had enough of their shenanigans and this allegation was the last straw. He was in his words insulted that they would accuse his wife of serving contaminated food and suggested he would be happy if they wanted to leave.

The students were removed and re-housed and the homestay provider indicated he and his wife would take a break and reassess their homestay plans.

The issue of how to tackle the allegations of inappropriate behaviour was held over until we had sorted out the student's new accommodation. We also wanted to re-interview Nikki to look at all possibilities in defense of the family. With such serious allegations we wanted to be very sure of our ground.

Nikki was subsequently moved to another homestay family and although there were no further serious issues she did display some odd behaviour during that stay which concerned the homestay mum. This was put down to adolescent vanity and no further action was deemed necessary at the time.

After a short stay with this second homestay Nikki moved into another homestay with the original two housemates. Although Nikki and the other two students settled down we did receive further complaints from them about their new homestay – again in regard to food. The issues were addressed and again the homestay provider was somewhat upset at the allegations. We began to think that possibly there was a pattern emerging. A few months later the students moved to a share house on their own once the underage student turned 18 and there was no further problem.

Near the end of Nikki's second semester we were advised by Nikki's housemates that she was in a highly depressed state of mind and had taken an overdose of sleeping pills in an attempted suicide. Our two female student coordinators visited her and arranged for counseling and met with her flat mates. In the meantime arrangements were made for Nikki to return home and seek professional advice. Before her departure, daily checks were made and she reported to the International Office daily and her flat mates held her medications and dispensed them and had emergency numbers on hand if a problem occurred. She was not left alone for long periods and was escorted to the airport by our staff.

She has since returned with a Psychiatrist Medical clearance and has recommenced studies and is progressing satisfactorily.

The issue of inappropriate behaviour in the homestay was not resolved and the homestay parents were not made aware of the allegations. We felt there were too many unanswered questions to risk pursuing this and as it turned out Nikki had some serious medical issues that may have contributed to the allegations. The family has not been used for homestay since and has not approached the college.

No 3

Sarah arrived in October to commence studies in English continuing on to an undergraduate degree the following February.

Sarah applied for homestay and was placed with a family who had been hosting for some years. This provider had an established reputation as a quality homestay who had enjoyed good relationships with students. The home was ten years old and in excellent condition. The homestay parents were professionals with children who had grown up and now had their own families who often visited and were happy to include the students in family activities. They appeared to be a family who did not host primarily for financial reward.

The family generally enjoyed hosting two students and still had a further empty bedroom. They were approached by another institution to host a further student and reluctantly

agreed fearing the original two students would not want this. The student was under eighteen. The three students settled well together.

Two months passed. Sarah made an appointment with the Homestay Coordinator requesting to discuss problems with her homestay arrangement. Sarah complained that she had concerns that the food was not fresh and specifically that her homestay mother had been making soup the night before and the meat was maggot infested. This accusation seemed totally out of character and the Coordinator spoke with the family feeling that there would be a sensible explanation to this accusation. As it turned out what they saw was pea and ham soup being prepared and the soaking barley and lentils were probably mistaken as being maggots when the soup was being cooked. This seemed a logical explanation to what had happened but the family were shocked at what Sarah had said.

The host mother in conversation mentioned that the family was having some issues with the student from the second institution. The student was under 18 and was requesting to move out of the home into a flat of her own. This is not uncommon with underage students who sometimes do not understand that they are not free to move in and out of accommodation at will.

When Sarah spoke with the Coordinator it seemed that there were further issues that Sarah was not comfortable with. Finally Sarah admitted that she was uncomfortable with the host father and reported that he had 'touched' them when in a confined space like the kitchen and also that the students had observed him watching porn movies in the living room late at night.

The Coordinator was very surprised and initially skeptical. This family had been a very good host family in the past without a hint of this kind of behavior. They had hosted many students since they had been recruited so it was a difficult accusation to believe.

At the end of the meeting the Coordinator discussed the issues in the office and decided that the institution could not take the risk of leaving the situation to continue and advised the institution that was responsible for the underage student. Both institutions moved their students immediately.

Fortunately, the family was happy for the students to leave because they were unhappy with the food accusation. Neither institution mentioned the sexual harassment allegation however the homestay hosts indicated that the family would take a break and re assess their homestay plans. To date this family has not returned to the homestay program and no contact has been made with the institution.

4. Part 1

Wendy is 22 and arrived in Australia three years ago, highly motivated to complete an undergraduate degree. Wendy lived in homestay with a family who included her in all their activities. She became close to their teenage daughters and they became good friends. Over time the three girls began going to nightclubs and sadly Wendy become involved with drugs. Wendy started by smoking pot and then taking prescription pain killers. Then cocaine was introduced and she became very ill. The girls tried to stop her but finally she lost their friendship, her casual work and her ability to study. Her parents stopped paying her fees as they tried to clear the debts she had accumulated. Wendy slowly slipped into a life of living on the floor in friends' apartments and finally became pregnant.

Part 2

Wendy finally sort assistance from the University she had originally attended and was assisted through her desire to undergo an abortion. The homestay family took her back into their home but were unhappy about the abortion saying things like she could not stay there unless she kept the baby because it was against their religious beliefs. Finally they relented and supported her through the procedure.

After her abortion Wendy recovered and then returned to her own country to seek help with her drug problems. Twelve months ago Wendy returned to Australia and is presently continuing her studies. She still lives with her host family although the daughters live in their own apartment but still enjoys their interaction and support with her studies.

No 5

Joyce arrived from Taiwan, tired and disoriented. She travelled with her brother and both arrived at separate homestay homes as the institution had insisted so that they did not speak their own language together in the homestay home or travelling backwards and forwards to school. Joyce looked nervous when she arrived and the host mother offered her tea and a shower which she declined. The next day it was obvious that Joyce had not used the bathroom. The host mother again showed her where it was and how to use the shower, again Joyce declined.

It was two days before Christmas and Joyce's homestay host invited her brother to join them for Christmas Day followed by a day at the brother's homestay host on Boxing Day.

The host mother prepared extra Christmas stockings for both Joyce and her brother and enjoyed the idea of sharing Christmas with the new students. Filled with koala soaps and pretty Australian influenced shower gel and moisturizer plus an assortment of inexpensive Australiana for Joyce and her brother so that they could join the family activities first thing in the morning. The host family had two small children overly excited by the idea of Christmas but becoming aware that there was something very different about their new student.

Christmas morning arrived and with it Joyce's brother. It was the first time Joyce's homestay family had met him. He was bright and cheery and immaculately dressed. He had bought gifts for everyone and looked intent on having an excellent time. He was greeted with the usual Christmas hospitality and his host family invited for coffee.

The day wore on and with it the discomfort of everyone except for Joyce who remained quiet and detached from the day's activities. She had opened her stocking and was delighted with all her little gifts. Host mother again suggested that Joyce use her new gifts in the shower but this offer was again declined. Two days had passed!

Finally on Boxing Day morning before taking Joyce to her brother's homestay, the host mother insisted Joyce used the bathroom. This she did but on rejoining the family asked why they called her Joyce. Her name was Barbara! Her behavior changed and Barbara became outgoing and lively. A very different person joined her brother and his hosts for

Boxing Day celebrations. The brother's host family noticed this and it was discussed between the two families.

On returning home again the same pattern continued and believing that the student was happier when she was with her brother, the two were encouraged to meet and spend time together until the institution re-opened. Although the host family had tried to contact the Coordinator there had been no response. Joyce and her brother spent their time at the local fish and chip shop, trying different food and drinks. It was difficult to get them away and Joyce would consume no food in the family home. Each time the host mother insisted she use the shower Joyce demanded her name be changed. She went from Joyce to Barbara and back to Joyce. Her behavior to the host mother was upsetting as she declared her to be a witch because she had very curly hair and she was very aggressive and sometimes hysterical.

On the next working day the host family contacted the institution for assistance. The institution contacted Joyce's parents who finally admitted that there was no place on the application form for Joyce to declare that she had a psychological problem and that day she was admitted to the psychiatric unit of a large city hospital. On release Joyce lived in a residential facility close to her studies while her brother remained in homestay. After two weeks Joyce was sent home to her parents in Taiwan while her brother remained to continue his studies.

No 5

After two weeks Lee went to the bank teller to withdraw cash only to find that her account was almost empty. Lee became distressed because she had only been in Australia for a short time and now she had no money left to pay her homestay fee and have some spending money. The next installment from her father was not due for another six weeks. Lee went in to the bank and reported the theft and also reported the matter to her Counselor who contacted the host mother regarding the homestay fee and she was happy to wait for the payment. The Coordinator was advised of the issue and recorded an incident report with all details of the incident.

The bank began investigations. Camera footage was checked and the bank became aware that money was withdrawn from the student's account in two amounts of \$4000 by a man of about 35. The photograph was given to police who visited the homestay host to see if she recognized the man. In shock she told the police that it was a photograph of her boyfriend who often visited the house. The man was interviewed and arrested. He was sentenced to three months imprisonment.

The money was returned to Lee by the bank who then sort restitution from the boyfriend. Lee stayed with the homestay host for the duration of her ten week course and was very happy in the home. Lee learned a valuable lesson and the host mother did not see her new boyfriend again.

Or so she said! Six months later the homestay host contacted the institution advising that she had moved and gave the Coordinator her new address and the name of her new partner.

The Coordinator recognized the name of the man and checked with the police regarding the address. The same man who had stolen the money! The family was not used and contact was ceased.

No 6

The international airport was alive at six in the morning, alive with hundreds of new students arriving to begin studying their English programs. Excited and nervous they were met by various reception companies and driven off to their homestay families. Sam, the limousine driver took the city route to the homestay address, pointing out landmarks and assuring the student that Australia would be a wonderful experience for her. On the way the student asked for a nice western name and together they chose a pretty name for her to use during her stay. Sarah is the favourite choice but this time the student chose Vikki.

Almost there now, the driver was ringing the homestay telephone number to announce that he would be arriving in ten minutes. No answer. He rang again. No answer. Maybe being early morning the family were still getting up. Arriving at her homestay there was no answer at the door. Vikki's excitement changed to fear as she realized no one was home. The garden was covered with old newspapers and advertising junk mail, the grass had not been mowed. There was the body of an old car up on blocks in front of the garage door. A dog was barking somewhere. Yes, there he was, tied to a chain at the side of the house, a large fearsome looking creature badly in need of grooming.

Finally, someone opened the door. A man in stubbies and a singlet and behind him a woman in an old dressing gown. They beckoned to Vikki and Sam. Vikki clung to Sam, he was her only friend in Australia. He had met her at the airport, told her about her new city and shown her the sights. They had chosen a name together and told each other about their families. Now he was all she had in these frightening circumstances.

Fortunately for Vikki, the company who Sam contracted to had worked with the institution and established guidelines for the reception of students and although he had never had to refer to this training but this time he did. He told Vikki to get back in the car. He closed the boot, leaving her luggage inside. He told the family that he would be taking Vikki to her institution and he drove away. There was some shouting and waving of fists happening at the top of the stairs but he took no notice and quickly drove away.

The institution was still closed but Sam drove to his parking spot. He talked to Vikki all the time and reassured her that the institution would find her a new family. Vikki was very scared, she wanted to go home to the safety of her own home. Vikki was not quite eighteen and it was the first time she had been overseas.

Here comes the Coordinator now said Sam, she is often in early especially at this time of the year with study tours arriving and more than enough language students to keep her busy. The Coordinator looked surprised and took them to her office. She was unbelieving at first explaining that every family underwent orientation and a home inspection. She telephoned the homestay host, the man answered, he was very angry. The Coordinator did not recognize this man. Could she please speak to his wife. Another strange voice. The woman explained that they had fallen on hard times and were friends with the owners who were

travelling overseas. They were renting the property while they were away. To help with the rent the owners had suggested that they host international students and when the Coordinator's casual staff had phoned to place a student they had accepted the offer and now the driver had taken away the student and they needed her homestay money for their rent.

Vikki did not really want to go to a new homestay family, she was terrified and distressed. Vikki wanted to go to Sam's house where she would be safe. Finally, Sam drove her to her new family, they had two small children who wanted Vikki to play with them. She settled quickly in the new home and when Sam left her she was content to stay. In fact Vikki still lives with the family some three years later. After completing her English course Vikki continued on to an undergraduate degree which she has almost finished. The family have visited and when Vikki goes home her Australian family will go with her for a holiday with Vikki's own family.

7. Overview on State Regulations regarding Under 18 students: Sylvia Lewohl

This document states the regulations and requirements for students who are under 18. These regulations are different for each state.

State/ Territory	Legal Requirements
Australian Capital Territory	<p>Currently there are no legal requirements for people working with children to undertake a police check in the Australian Capital Territory, however, organisations which require employees and/or volunteers to work with children may have their own policies in this regard. The ACT Department of Education & Training has a Working with Children and Young People – Volunteering Policy http://www.det.act.gov.au/_data/assets/pdf_file/0007/19519/pol_WwChYP1.pdf Also see: http://www.afp.gov.au/services/operational/criminal_history_checks/national_police_checks.html Cost: \$43 (current for 3 months only – it is recommended by Federal Police that the check is repeated after a two year period)</p>
New South Wales	<p>The NSW Commission for Children and Young People is responsible for the Working with Children Check, which helps determine whether people are suitable to work in child related employment.</p> <p>This checklist aims to create workplaces where children are safe and protected, and where the people who work with children are appropriately screened. http://www.kids.nsw.gov.au/director/check.cfm Cost: Free Service (2 years)</p>
Northern Territory	<p>Currently there are no legal requirements for people working with children to undertake a police check in the Northern Territory, however, organisations which require employees and/or volunteers to work with children may have their own policies in this regard.</p> <p>In addition, the Northern Territory Government has released draft legislation for the creation of a screening scheme which outlines minimum standards for child-related occupations and activities. http://www.afp.gov.au/services/operational/criminal_history_checks/national_police_checks.html Cost: \$43 (current for 3 months only – it is recommended by Federal Police that the check is repeated after a two year period)</p>
Queensland	<p>In Queensland people working or volunteering with children need to hold a Blue Card.</p> <p>The Commission for Children and Young People and Child Guardian is responsible for administering and conducting criminal history checks on people who want to work with children to determine whether or not they are eligible to hold a Blue Card. http://www.ccypcg.qld.gov.au/index.html Cost: Volunteer – free, Paid Employees: \$70 (3 years)</p>
South Australia	<p>Dept Education and Children's Services requires a Criminal history screening for people working with (including hosting) children to establish child safe environments in which adults</p>

	<p>do not present a threat to the health and well being of children and students. The amendments to the Children's Protection Act 1993 provide the legislative base for the implementation of screening programs and criminal history screening standards from the Department For Families & Communities have specified a maximum validity period of three years.</p> <p>http://www.decs.sa.gov.au/recruit/pages/supportadmin/crimHistCheck/</p> <p>Cost: \$57.20 (2 years); Volunteer \$47.40; through Post Office (add \$5)</p>
Tasmania	<p>Currently there are no legal requirements for people working with children to undertake a police check in Tasmania, however, organisations which require employees and/or volunteers to work with children may have their own policies in this regard.</p> <p>In 2005 the Commissioner for Children Tasmania released a consultation paper discussing proposals for the Government to introduce screening procedures for Tasmanian organisations who want to employ people to work with children.</p> <p>http://www.afp.gov.au/services/operational/criminal_history_checks/national_police_checks.html</p> <p>Cost: \$43 (current for 3 months only – it is recommended by Federal Police that the check is repeated after a two year period)</p>
Victoria	<p>The Victorian Government has introduced the Working with Children Check, which is compulsory for people who wish to work with or volunteer with children.</p> <p>The check seeks to protect children from harm by requiring people to undertake a criminal history check before they start work in an organisation.</p> <p>http://www.justice.vic.gov.au/wps/wcm/connect/Working+With+Children/Home/</p> <p>Cost: Volunteer: Free, Paid Employees: \$76.10 plus cost of photographs (5 years)</p>
Western Australia	<p>In Western Australia a Working with Children Check is compulsory for people who carry out child-related work in Western Australia.</p> <p>The check aims to protect children by deterring people from working with children when they have criminal records that indicate they may harm children; and by preventing people with such records from gaining positions of trust in paid and voluntary work with children.</p> <p>http://www.checkwwc.wa.gov.au/default.htm</p> <p>Cost: Volunteer: \$10, Paid Employees: \$50 (3 years)</p>

8.

HOMESTAY ISSUES PAPER

Sylvia Lewohl
The Australian Homestay Network

3 November 2010

ISSUES IDENTIFIED AT HOLMESGLEN TAFE SEMINAR IN 2007

I was fortunate to present a paper on Homestay three years ago (May 2007) at Holmesglen TAFE where over 70 Industry representatives from all parts of Melbourne participated in a discussion workshop regarding the Homestay issues of that time. Previously to this seminar I presented to an EQI workshop in Brisbane, to ISANA SA and at several ISANA conferences nationally where I heard the same issues over and over again.

In addition to these seminars I worked with the Commission for Children, Young People and Child Guardian (CCYPCG) in Queensland to produce a series of risk management templates to be used by the Homestay industry in that State for students who were under the age of eighteen. These templates were created and introduced to guide education providers and institutions and introduce standards of best practice to address the issues at that time.

The issues are summarised below:

ISSUE IDENTIFIED IN 2007	2010 UPDATE
Different culture/lifestyle expectations between host and student	Some organisations have improved their communication and training here by using workshops and orientation sessions.
Lack of resources for supervisors of Homestay	The Homestay Coordinator's role is often attached to a member of staff who does not have the necessary skill to perform well in the position. Now that the Government has acknowledged Homestay as an ideal entry point for International students and recognised and acknowledged its importance, significant attention and investment has been made to improving resources available for Homestay Coordinators.
Lack of support staff	There has been improvement in this area in some quarters. The small operators can benefit from working with larger support groups. Often small operators are unaware of National Code standards, believing that befriending hosts and being available for debriefing constitutes best practice.
Poor systems / processes	There are now excellent systems and processes available. Again the smaller operators who cannot establish appropriate support and systems, may benefit from affiliation with larger groups and share access. This would reduce their risk level and provide for a safer environment for their students.
Need to maintain local individuality	This is still important and will always remain so. It is not so much an issue but a statement. Australia's largest network of Homestay Managers meets this goal by including local information in their student orientation package and encourages the personality of the Manager and staff to be prominent in the business.
Changing demographics of the students	Vast improvements in response to this are now evident in most areas.

Supply of trained hosts to deal with these issues	Training has remained vital but needs to be delivered by professionals in the industry. Many training packages are available now covering students from different countries including the Middle East.
Need for nationally accredited processes, benchmarks and standards	<p>The Australian Government has now recognised appropriate standards and the next step is Industry self regulation and training which will empower the homestay provider. The standards commended by the Government and deemed appropriate include:</p> <ul style="list-style-type: none"> • An online compliant and accessible/fully trackable/auditable system • An acceptable industry Advisory Board overseeing the integrity of systems and processes • Professional 24/7 phone support including emergency and critical incident management • Appropriate insurances for both hosts and students • Part of a national homestay network committed to continuous improvement by providing staff, hosts and students with training, orientation and support.
Need to educate agents	<p>This is an ongoing process however the ESOS confirmation regarding screening of agents will go a long way to improvements for communication here. Documentation has improved greatly in some places including the supply of 'language of origin' Homestay fliers.</p> <p>ISANA and AHN conducted a series of focus groups for hosts of Saudi students which has gone a long way to improving education of agents re Homestay for this culture.</p>
Varying levels of service provided to homestay students	This is still an issue however the creation of larger network groups and Government support for guidelines has gone a long way to moving the levels of service to a common offering. Many smaller operators are secretive of their service and processes and rarely network which draws attention to the fact that they are unaware of how the industry is moving forward and the importance of sharing information, discussion groups and networking opportunities.
Limited choice, lack of supply and quality of hosts	Advertising and training support for hosts has seen host pools increase dramatically in some places. Hosts need professional support as Homestay captures more culturally diverse students. This support should come from experienced Homestay Coordinators who receive professional development themselves, especially in cross cultural issues.
Need for better information and resources for parents/guardians	This is still an issue however the creation of larger network groups has seen improvements in communication here. More work is needed.
Need for compulsory insurance (hosts and students)	Post Senate, this is now starting to occur, however many Supervisors are leaving it up to the host to arrange without proper controls. It needs to be standardised and groups should band together to create a National Insurance buying group. Controls should also be set up for hosts who are renting and often not insured in any way.

<p>Need for professional 24/7 emergency support</p>	<p>Still a major issue in most places. Homestay Coordinators are put in the position of being on call 24/7 and the first point of call after hours to sometimes serious emergencies. One solution which works extremely well is a professional help desk. The Call Centre has access to necessary contacts in emergencies some of whom may be professionals. The Homestay Coordinator and other staff at the education provider are included in the list of contacts.</p>
<p>Advocacy and managing difficult situations</p>	<p>Homestay in Australia is in the midst of some very important changes. The numerous Government Taskforces combined with the Senate Inquiry and ESOS review have all assisted greatly in the move towards proper standards. It is recommended that in the future students do not pay fees directly to hosts (or landlords) so that financial problems are eliminated.</p> <p>Properly trained Homestay coordinators with experienced ongoing professional support ensure that students' and hosts' rights are properly represented and upheld.</p>
<p>Student communication regarding their rights</p>	<p>It is a requirement that all Homestay policies and contracts are submitted as part of the CRICOS re-registration process. Transparency, proper documentation, accessibility, record keeping, and upfront information regarding rights and grievance procedures apply under the National Code.</p>
<p>Institution processes and policies regarding outsourcing/referring accommodation</p>	<p>Post ESOS (2010) and Senate Inquiry (2009) Institutions must do a complete audit of their accommodation practices and referral program. It is no longer appropriate to promote rental properties or homestay organisations who have not been properly vetted, contracted and meet the new industry standards.</p> <p>Outsourcing should only be done if schools are happy to approve the arrangements through checking all compliance requirements are being met.</p>
<p>Improving the quality of Homestay Hosts</p>	<p>Many operators use personal friends and acquaintances and have no process in place for refusing a host. Success comes by having a solid promotional program, formal online documented process for processing the application as well as including compulsory training, followed by a personal home interview.</p> <p>A host agreement which is a legal document and covers all aspects of the hosting arrangement must be signed.</p>
<p>Need for a Central Authority to refer for Homestay</p>	<p>This is important for Institutions who manage their own Homestay program however it is the right of all schools to join or not join industry groups and to maintain their independence in decision making.</p>
<p>Need for an Ombudsman in each State</p>	<p>This has now been resolved through the Senate Inquiry with an extension.</p>

Continued:

2010 ISANA HOMESTAY WORKING PARTY ISSUE	INDUSTRY UPDATE
Problems with unscrupulous and unaccountable Homestay operators	ISANA needs to support industry to close down these operators. They can be beaten and with increased obligations now being demanded on Education Institutions to improve accommodation practices, combined with the requirement to vastly improved education agent quality, it is expected that there will be a large reduction in unscrupulous and unaccountable operators.
Ongoing Management of Student issues	<p>Transparency, proper documentation, accessibility, record keeping, and upfront information regarding rights and grievance procedures are essential now for good Homestay Coordinators.</p> <p>This is important for Institutions who manage their own Homestay program however it is the right of all schools to join or not join industry groups and to maintain their independence in decision making.</p>
Need for National Guidelines for Homestay	<p>Post ESOS (2010) and Senate Inquiry (2009) this is now happening, with the Australian Government recognising the need for appropriate standards and the next step is Industry self regulation. The standards could include</p> <ul style="list-style-type: none"> • An online compliant and accessible/fully trackable/ auditable system • Professional 24/7 phone support including emergency and critical incident management • Appropriate insurances for both hosts and students • Staff training • Host training <p>However, not all are applicable to all providers, it is important to recognise the scale of operation.</p>
National Register of unacceptable Homestay Hosts	This has been discussed in the Homestay industry over a number of years but to date there has been no acceptable process put in place.
Clarification of definitions (e.g. homestay vs. rooming, tax and social security ramifications of homestay, acceptable student numbers per household, etc.)	Taxation and the Homestay issue has been misinterpreted over time and there is need for formal documentation to be in place and accessible to industry.
Loopholes (e.g. Parent nominated and when a family's visa status changes to permanent residence)	<p>Within the student visa program, DIAC checks that student guardian visa holders comply with their visa conditions. However, in practice, there have been some concerns in this area.</p> <p>There is a recommendation from Industry that parent nominated homestay students become part of the Homestay program offered by the education provider.</p>

Online unsupervised Homestay

Good providers should be able to demonstrate that they are meeting the agreed industry standards. Industry should be aware that web based advertising by unscrupulous hosts is becoming widespread and therefore we need to educate students to **ONLY** use agencies promoted by their institution. Pressure needs to be put on Government to help shut down inappropriate Homestay programs.

Beyond 2010 - International Student Accommodation Industry Seminar **Proposed questions to be put to Government on behalf of attendees**

From 28th July through to 2nd September 2010, a total of 10 Industry Seminars were held involving around 400 delegates from Melbourne, Adelaide, Perth, Sydney, ACT, Brisbane, Rockhampton, and Gold Coast.

The delegates represented a cross section of the international education industry with Universities, Private Educators, Schools, Government, English Language Colleges and accommodation providers etc. all attending.

The group has compiled a list of questions they would like referred to the relevant Government department for clarification.

The proposed questions are as follows:

Questions to AEI

1. Australian Competitors

Who (which Countries) are our major competitors and what are they doing better than us?

Response from Austrade

Countries in competition with Australia in the international education sector fall into two major categories, traditional competitors, and competitors who have traditionally been source countries for international students. The traditional competitors include the US, UK, Canada, New Zealand. New competitors include Singapore, Malaysia, Hong Kong, China. Note that these are examples of the major competitors, it is not an exhaustive list as we are also seeing competition from countries in Europe and the Middle East.

As part of Austrade's Market Information Package (MIP) we provide a range of information including competitor country information. We are also considering some broader competitor analysis which would identify competitor activities. This would also be provided as part of the MIP.

2. "World's best practice"

On the AEI website it states that "we administer the world's best practice in student consumer protection". Could you please explain what measures are in place and define what "world's best practice" means in this area.

Response from DEEWR

Australia is regarded as a leader in having developed consumer protection mechanisms for international students under the Education Services for Overseas Students (ESOS) Act 2000 and its associated legislation.

The legislation protects the interests of students by providing tuition and financial assurance. It:

- requires all education providers to enter into a written agreement with overseas students concurrently with or prior to accepting a student's course money. The agreement must outline their refund entitlements and include course details and monies payable;*
- protects students' fees if their visa is refused;*

- places specific obligations on providers to make refunds or place students in an alternative course if the provider is unable to teach the course for any reason; and
- depending on the circumstances, allows students to be placed or refunded through the ESOS Assurance Fund.

Additionally, under the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (National Code), education and training providers must have in place appropriate complaints and appeals processes and provide students with access to comprehensive student support services which will assist them to adjust to study and life in Australia.

DEEWR has a range of investigative powers to ensure compliance with the ESOS Act and National Code and may impose sanctions against a provider who breaches the requirements. Sanctions include suspension, cancellation or the imposition of conditions on a provider's registration.

The legislative framework also helps protect the integrity of the migration regime because potential students can only obtain a visa if they enrol at a registered provider. All registered providers are listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) and students are required to abide by the conditions of their visa including maintaining satisfactory course progress and attendance where applicable.

World's best practice in terms of ESOS refers to the legislation, systems and procedures in place to protect the consumer rights of overseas students and ensure that institutions meet the required quality standards to protect and enhance Australia's reputation for quality education and training services. The recent Baird review of ESOS and COAG initiatives (outlined below) are designed to ensure that Australia continues to remain at the forefront of world's best practice in this area.

<http://www.deewr.gov.au/International/ForStudents/Pages/default.aspx>

3. Student Numbers

What actions are being taken by Government to address the current fall in international student numbers?

Response from AEI

There are a number of initiatives underway to protect and enhance the long-term viability of Australia's international education sector including:

- The International Students Strategy for Australia has been developed by COAG to improve the wellbeing and welfare of international students. Its release date will be a matter for the newly formed Government
- Amendments to the ESOS Act to strengthen the registration process of education and training providers to support education quality and enhance the reputation of Australian education
- Re-registration of all CRICOS providers by 31 December 2010, against new tougher registration criteria
- Education agents to be listed on institution websites
- Broadening the Commonwealth Ombudsman's jurisdiction to cover private providers
- Processes for communication and consultation around the remaining outcomes of the Baird Review of ESOS will commence shortly.

Question to the DEEWR regarding the National Code

4. Duty of Care regarding Accommodation Options

Standard Two of the National Code states that “the registered provider must provide current and accurate information regardingincluding indicative cost of living and accommodation options. Does the registered provider have a duty of care requirement to screen the accommodation options being referred by the Institutions?

Response from DEEWR

Under Standard 2 there is no requirement for providers to screen accommodation options being referred by institutions, however, recruitment and marketing in this first step of engaging students should be carried out in an ethical and responsible manner as per the outcome of Standard 2.

However, under Standard 5.1.c it is a requirement that accommodation for students under 18 years of age is checked for suitability.

5. All Sectors

Standard Five – Under 18 Year Students, its states:

“Please Note: The principles in the examples below can be applied to all sectors”

What does this mean?

Response from AEI

‘All sectors’ in this context is referring to all educational sectors e.g VET, schools, Higher Education and ELICOS.

6. “Accredited Homestay”

Standard Five - Welfare and Accommodation - In the question and answer section it states

“Accredited home stay organisations have guidelines for contracts between carers and students”

We are unaware of any accreditation process for homestay organisations, what does this mean in the context of the National Code?

Response from AEI

It appears that perhaps the term “accredited” has been used incorrectly in this response. It was intended to mean that homestay organizations such as AHN have processes and guidelines for contracts between carers and students. In the next round of revisions to the Explanatory Guide we will amend and remove “accredited”.

7. “Legal Guardian”

Regarding guardianship for under 18’s it states “there is no requirement to have a legal guardian”.

What do you mean by legal guardian?

Response from AEI

The Migration Regulations 1994 define a ‘guardian’ as follows:

guardian, in relation to a child, means a person who:

- (a) has responsibility for the long-term welfare of the child; and*
- (b) has, in relation to the child, all the powers, rights and duties that are vested by law or custom in the guardian of a child, other than:
 - (i) the right to have the daily care and control of the child; and*
 - (ii) the right and responsibility to make decisions concerning the daily care and control of the child.**

However, DIAC have advised that the Family Law Act provides the appropriate definition that has force of law. This Act overrides all other regulatory definitions.

8. "Guardian"

Standard Five also states:

"International students ...may require a guardian if they are under 18 years of age".

Is the term "Guardian" above the same as the "legal guardian" used in question 7 above.

Response from AEI

Yes, the terms guardian and legal guardian share the same definition as outlined above however these are references from the DIAC website and do not alter the fact that there is no requirement for an international student to have a legal guardian. Standard 5 does not apply to those students who are being cared for by a person on a Guardian Visa.

9. "Over 18 Guardian"

Standard Five also states:

"there may also be exceptional circumstances where a student over 18 years of age may need a guardian"

Response from AEI

DIAC states on their website that there may be religious or cultural reasons that require a student over 18 years of age to have a guardian.

10. Duty of Care Risk and Guardianship

Is it the education provider's responsibility to ascertain "the guardianship" requirements for any over 18 students based on the understanding of the anticipated duty of care risk?

Response from AEI

There is no requirement on education providers to initiate or monitor over 18 guardianship arrangements. These are quite often arrangements set up by the family in accordance with the specific requirements of the student.

11. Over 18 Guardianship

In Standard Five (under 18 students) there is a question which asks:

"what duty of care does a provider have for students over 18"

Should the above question and the official answer provided also be mentioned in the over 18 section of ESOS?

Response from AEI

AEI is currently undertaking a comprehensive review process which includes stakeholder consultation regarding our response to the Baird Review recommendations, and revision of ESOS legislation. Following the outcomes of these processes, there will be changes and improvements made to information provided about ESOS. It is likely that your question will be addressed during this time.

However, all education providers are subject to a range of legislative measures relating to the care and support of students. The purpose of ESOS is to outline the additional care needed to support international students.

12. Orientation Post and Pre Arrival

Reference Standard Six - Orientation and Support Services

Is it reasonable to assume that Education Providers must have a comprehensive orientation program (both pre-arrival and post arrival) for international students?

Response from AEI

Providers must have a comprehensive orientation program for international students, however, the National Code does not stipulate when the orientation must occur. Orientation generally refers to post-arrival processes. Standards 1, 2, and 3 stipulate the provision of information prior to enrolment.

13. Definitions “appropriate and thorough”

Can the Department provide a definition of the words “appropriate and thorough” as it applies to the orientation program?

Response from AEI

‘Appropriate’ refers to being culturally and age appropriate while ‘thorough’ refers to addressing the information required under Standards 6.1.a to f. as well as any additional information the provider considers best practice.

14. Outcome of Reporting

Reference - CAAW

What happens to a student if the registered provider reports that they no longer approve the care arrangements for an under 18 international student?

Response from DIAC

If a provider reports they no longer approve care arrangements this information is transmitted to DIAC. Students will be in breach of their visa conditions and their visa may be subject to cancellation if alternate arrangements are not made.

In accepting responsibility for approval of welfare arrangements providers also have a duty of care to ensure appropriate transition arrangements are in place to assist students in moving to alternate arrangements where approval has been withdrawn whether it be returning the student to the care of their parents or allowing the student time to arrange other DIAC approved accommodation.

Outcome of Cases:

How many cases have been reported to DIAC and what was the outcome?

See attached file: NCN Code 28 - 2009-10.xls

This document contains personal information but contains reports of 381 students. It can be viewed on request by contacting slewohl@homestaynetwork.org

15. CRICOS Database beyond 2010

On the website it states that “CRICOS is a database of more than 1200 Australian education institutions”.

Given the re-registration process currently in place what is the expected number for 2011?

Response from AEI (CRICOS)

At this point in time it is not expected that the number of CRICOS registered education institutions will vary considerably from last year's figures.

It should be noted that it is difficult to provide approximate annual figures for 2011 as providers join and exit CRICOS continually throughout the year.

16. Documented Procedures for Accommodation and Welfare

Should Education providers have:

Documented procedures that outline:

- ***the process involving the recommendation assessment and approval of accommodation and welfare arrangements***

Response from AEI

Yes this is the intent of Standard 5.1.c

- ***Should this include a process for review and if necessary, the termination of the arrangement” to ensure compliance for both under 18 and over 18 students?***

Yes again this is the intent of Standards 5.1.c and d. which are applicable for under 18's. The ESOS Act and its associated legislation do not regulate accommodation and welfare arrangements for over 18's.

17. Senate Inquiry

Was the Senate Inquiry report taken onto account for the review of ESOS?

Response from AEI

The Senate Inquiry into the Welfare of International Students, completed 25 November 2009, was used to inform the Review of the ESOS Act, 2000 conducted by the Hon Bruce Baird completed in 2010.

Compiled by Sylvia Lewohl

Consulting Chair, Australian Homestay Network Advisory Board

September 2010

Responses courtesy of Tulip Chaudhury, DEEWR

AHN Standards Document for Homestay Services

Criteria

- An online compliant and accessible/fully trackable/auditable system
- An acceptable industry Advisory Board overseeing the integrity of systems and processes
- Professional outsourced 24/7 phone support including emergency and critical incident management
- Appropriate contents insurances for both Hosts and Students including personal liability insurance
- Formal and accountable continuous improvement process for homestay Delivery
- Staff receive ongoing training through workshops and training programs
- Homestay Hosts are tracked, trained and oriented to Industry requirements and expectations
- Students are supported and oriented both to Homestay and to their local area
- Adequate representation in all major Australian education centres
- Part of an ongoing Quality Assurance National Homestay Network
- AHN has a quality audit trail for any Department reviews relative to National Code/ESOS

AHN System Overview

Homestay Management in Australia requires the industry to adopt best practice with respect to management and operating systems.

The AHN System has been designed specifically to manage the variables inherent in the Australian Homestay Industry. It is a multi-layered, centralised communications platform with access available for all relevant parties: Management, Students, Hosts, Supervisors, Education Providers, and Education Agents. At all levels users have the appropriate access to view and edit data, and to view a complete and auditable history. A detailed system of alerts, logs and messages keeps track of all user actions, and alerts relevant parties when an action has been performed or omitted that will require further attention or action to resolve. All Homestay placements are tracked consistently from application through to a student's final date in homestay, with an auditable record of all payments and recordable events. All login pages and private information is secured under 128 bit SSL encryption. An automatic data backup occurs daily, and is stored in a secure and separate location to protect against any potential risk of data loss.

The system works in real time and is always up to date with current data and actions for all users.

An Overview of Services and Documents:

There is a complete suite of risk management documents including a Quality Manual and a Parents Guide. In addition hosts receive online training and an interview at home where an Agreement is signed. Students receive a comprehensive orientation package. Both students and hosts have access to a free of charge 24 hour help line as well as access to their supervisor. Both hosts and students receive free insurance. The following is a sample of documents only.

1. Legislation and Compliance under the National Code

Document Overview

This document provides an outline of the ESOS Act and the National Code. Where it is recognized that Homestay is unlegislated, AHN's policies and procedures reflect a similar standard for all students placed through the AHN system whether they are under or over eighteen. This document provides background information on the requirements faced by education providers in their duty of care to their international students and can be seen as a training tool for supervisors and others involved in the Homestay process.

2. AHN Critical Incident Communication Plan

Document Overview

This document sets out the definition and procedures for Australian Homestay Management (AHN), 24/7 provider, AHN Network Account Managers, supervisors and staff and consultants to follow in the event of a critical incident involving a student or students placed in Homestay by AHN.

The role of AHN with regard to critical incident management is to provide support to aid education providers and homestay hosts in compliance matters.

Legislation referred to:

- National Code
- Working with Children Registrations
- Reporting Harm to Children

This document also sets out the manner in which incidents are to be communicated and reported to relevant authorities.

3. Statement of Commitment to the Safety and Wellbeing of Students in Homestay (SOURCE The Commission for Children and Young People and Child Guardian, QLD)

Document Overview

This document outlines AHN's commitment to students under 18 years of age. However, it is good practise for supervisors to follow these guidelines for all students regardless of age.

It is the goal of the AHN community to create safe and supportive environments for Homestay students and an environment in which they can successfully pursue their academic careers and personal development.

4. Homestay Host Agreement

Document Overview

AHN is committed to providing students and hosts with positive and safe homestay experiences. AHN will work with supervisors, hosts and students to meet all stakeholder expectations.

By signing this agreement the host will abide by the terms and conditions and those that relate to the operation and use of the Australian Homestay Network system.

5. Risk Analysis and Assessment Policy

Document Overview

This document defines risk and outlines and forms part of the AHN Risk Management documents, set to *Australian Standard AS/NZS 4360 Risk Management*.

Supervisors will use this policy in conjunction with the following

- RMSPOL0002 Risk Management Policy Statement
- RMSPOL0003 Risk Management Plan
- RMSPOL0004 Risk Analysis and Assessment Policy
- RMSPOL0009 Legislation and Compliance under the National Code
- RMSPOL0006 Grievance Management Policy
- RMSPOL0007 Critical Incident Management Plan

6. AHN Code of Ethics and Best Practice

Document Overview

This policy is intended to outline to the AHN community the standards required by supervisors, hosts and students in their dealings with all stakeholders within that community

All consultants and staff of AHN are therefore required to understand the obligations of the education provider who must adhere to the standards of ethical conduct referred to in the National Code.

7. Risk Management Criteria for Homestay Interviews

Overview

This document sets out the standards required of the home and is to further assist the interviewer to make the best decision as to whether a host is suitable. Presented in EXEL format it sets out the standard that each room must meet.

8. AHN Guidelines for Interviewing Homestay Hosts

Document Outline

This document is for use by a supervisor when conducting a home interview with a new host applicant or a follow-up interview with an existing host. It outlines the procedure that should be followed in order to ensure all hosts meet with supervisor's expectations, and should be used with reference to SUPPRO0005 (Selection Criteria for the Recruitment of Homestay Hosts).

9. AHN Selection Criteria for the Recruitment of Homestay Hosts

Document Outline

This document is for use by a supervisor when dealing with new host applicants. It outlines the standards that all hosts will need to meet in order to be acceptable to the AHN community. It should be used as a guide during initial contact with new applicants and referred to when conducting their home inspection.

The goal of AHN is to recruit hosts who can achieve excellent performance for students using the AHN system. Customer satisfaction can be achieved if hosts understand their duty of care and receive support and training on an ongoing basis.

Hosting for the right reasons is paramount. Hosts must be financially stable and have time to spend with the student and be willing to include their students in their home/family activities.

10. Placing Under Age students with Homestay Hosts (DIAC Approved)

Document Overview

This document outlines AHN's official policy for placing under 18 year old students with hosts. It summarises the entire process that students under 18 must follow, some of which takes place externally to the AHN system as it is an arrangement between the student and their education provider. Supervisors should reference the AHN system flow summary for more information on AHN student applications and how they fit within this process. This document was submitted to DIAC for approval.

11. Placing Study Tour Students with Homestay Hosts

Document Overview

This document outlines the policy for placing Study Tour Students with homestay hosts. Supervisors should use this document in conjunction with SUPPRO0001 (Placing Students with Homestay Hosts) and SUPPOL0003 (Placing Underage Students with Homestay Hosts).

9. Mentone Grammar, John Pittendrich

Subject: RE: ISANA Accommodation Working Party

Hi Molly,

Some inconsistency is probably inevitable, even a good thing, because situations are different and students or families may emphasise different things.

Homestay, for example, should never become dependent upon a sterile set of measurements. At the secondary level there is probably closer engagement that enables monitoring and we can insist that our standards apply to all students – including those over 18.

I suppose that tertiary situations, dealing with “adults” may find that some opportunists might seek to exploit students who are trying to set themselves up. WE retain the right to remove a student if treated inappropriately.

John Pittendrich
Director of International Students



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10. Professional Student Care



PROFESSIONAL
STUDENT CARE

Care. Support. Guide.

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Melbourne, VIC 3000

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Marlbyrnong, VIC 3032

Below are incidences that had happened to international students in the past in terms of accommodation. The case studies are separated into two sections – Homestay and Rental accommodation. Most of the homestay problems involved under 18 year old students whilst rental accommodation problems mostly involved over 18 year old students. However, both aspects are important and improvements are required to ensure all international students' rights are protected regardless of their age.

Included below each case study is Professional Student Care (PSC)'s comment on the situation. We hope that this can assist ISANA with their issues paper on accommodation and can help improve the quality of international students' living experience in Australia.

Homestay Problems

Case Study 1: Homestay kicking student out of the house at night

A homestay once kicked an under 18 year old student out of their house along with their luggage on a Friday evening. The host claims it was because the student is very naughty and has not improved his behaviour despite repeated warnings.

Fortunately, the student's guardian was able to find a temporary homestay for the student straight away and went to pick up the student and his belongings at the front of the old homestay's house and settled him into the temporary home.

PSC opinion: There should be strict policies placed on homestay hosts preventing them from kicking a student out of their home (whether underage or not) without an appropriate notice period and definitely not in the middle of the night under any circumstances. The host must remember that they are the adult and no matter how much complications they have with the student, they should act responsibly with the student's safety as their priority.

Case Study 2: Homestay frequently rents out spare room to short term visitors

An underage student once complained to their guardian that there are always strangers coming in and out of her homestay's house. After speaking with the homestay host, the guardian found out that the host has a couple of spare rooms that she rents out to short term visitors. These visitors are adults and many are male even though the student being hosted was female.

PSC opinion: There should be strict policies governing the presence of adults in a homestay hosting underage students who do not have the appropriate working with children check and police check and who are not registered as part of the host family with the homestay company. This is not only a safety concern for the underage student but also unsettling for the student to live in an environment where the occupants are continuously changing.

Requirements such as statutory declaration by the homestay host declaring that they will notify their homestay agency of any changes in the living configuration/arrangements in their house might be a possible resolution to this problem as the homestay host will hence be held legally accountable.

Case Study 3: Homestay hosts going away for holiday and leaving an underage student in the care of their own children who might only be young adults themselves

There had been a few cases where the homestay hosts went away for a holiday and instead of notifying their homestay agencies to make alternative arrangements for the underage student, they simply leave the student in the care of their own children who might only be a year or two older. The student is at risk being in a home without appropriate adult supervision as the children of the host being only young adults themselves might not understand about fire safety or how to handle an emergency. They might also hold parties at home in their parents' absence which will be a safety concern to the underage student as there might be alcohol and strangers in the house.

PSC opinion: There should be requirements on homestay hosts to keep their homestay agencies informed of their travel plans so that young students under their care can be placed in another homestay temporarily until their return. Again, a declaration of some sort can increase the host's accountability and provide the host with more incentive to act responsibly.

Case Study 4: Homestay host not living under the same roof as their underage student

There had been a few cases where the homestay host placed their students in a separate living area outside, at the back of the house with a short outdoor footpath connecting to the house. Another few cases were where the homestay host owns two adjacent houses and the host does not stay in the same house as their underage students.

PSC opinion: This is not appropriate accommodation for an underage student as they are actually living separately from the homestay host and lacks the protection of having a host under the same roof. The safety concern here ranges from fire safety to intruders breaking into the house where the underage student is staying. The purpose of homestays for international students is to provide a family environment for the student to live in and to receive the care and protection of the homestay host, hence living under the same roof as their underage students should be a basic requirement for homestay hosts.

Case Study 5: Homestay host locking their student in the house when going out

A homestay host had once locked an underage student in their house when they went out claiming that it's for the security of the student. The student was not taught how to unlock to leave the house (it was a complicated electronic security system) and had to remain in the house waiting for the host to return. The host had also restricted the student from having any visitors in her house including her guardian and relatives. The student was consequently moved out of the homestay by her guardian within 2 days of the student's arrival in Australia. The homestay host was then marked as not being suitable to host under 18 year old students in the homestay agency's records.

PSC opinion: Homestay hosts should be educated on the importance of fire safety and emergency procedures and should always act with the student's welfare in mind as well as being considerate to the student's wellbeing. Keeping the student in her house and

restricting her from any contact with the adults who are there to support the student is not acceptable.

Further discussions with the relevant homestay company revealed that from this incident, they had also found this host unreasonable and an unstable mental state was suspected. But all the homestay agency can do is blacklist the host on their list, not on other homestay agencies' lists. So unfortunately, if the host decides to continue hosting students, she can register with another company and will likely be able to host other underage students. A national record of homestay hosts that had been blacklisted and the reasons behind the decision will be helpful to homestay agencies when they are recruiting new homestay hosts.

Case Study 6: Homestay hosts not treating their student as part of their family

Some students had complained that they were treated as inferior to the hosts' own family members and they do not feel welcomed by the family. Examples of these are:

- Homestay family do not dine together with the student
- Homestay host restricting their student from accessing their fridge or restricts them to certain amount of food intake. (E.g. one student was restricted to only having one egg per week)
- Homestay host restricting their students from using certain rooms in the house such as the lounge room and students were told to remain in their own bedroom
- Homestay hosts do not provide the necessities for students such as a wardrobe to store their clothes, not allowed to use the home phone (one host had told the student to use the public phone on their street if he wants to make phone calls), internet access (this has always been a re-occurring problem, clear guidelines and more assistance from homestay companies for their hosts on this issue will be good)
- Homestay hosts regularly holding parties and having guests at their home, and demanding their students to stay in their room during this events
- During school holiday, a host demanded their student to stay out of the house during the day as she did not want the student to be home alone whilst she is at work

PSC opinion: Homestay hosts should be made to understand that they are acting as a parent figure in some ways to underage students residing at their home. They should hence include them in family activities even as simply as dining together. Hosts should make their students feel part of their family. Where there are homestay rules, they should be conveyed to the student's guardian who will in turn assess whether it is reasonable or not and explain it to the student. Where guardians find that the homestay rules are not reasonable, the homestay host should be willing to discuss and compromise with the guardian for the student's benefit.

Concluding remarks:

It is often very daunting for young international students to travel away from home many for the first time in their lives. A caring and considerate homestay family is very important to a student's life especially to an underage student who is so far away from their parents. The homestay hosts should always have the student's interest in mind and they should also be willing to work together with the student's guardian in order to create a safer and happier environment for the student to live and study in.

It seems that due to the lack of governmental policies and guidelines governing the conduct of homestay hosts, hosts often do not realise the importance of their role in an underage

student's life. They do not understand that underage students are particularly vulnerable and a higher level of care if required to host this group of students.

I believe putting more emphasis on homestay hosts' accountability to certain obligations and responsibilities can act as a reminder to the importance of their role in an international student's life and the need to act in the best interest of their students.

Rental Accommodation Problems

Case Study 7: Landlord cheating student of bond and sexually harassing the student

There was a case where an over 18 year old female student found a room to rent online before arriving in Australia. She had paid 2 months' bond in advance as per the landlord's request. The owners of the house were a couple and shortly after the student arrived at the house, she was sexually harassed by the male landlord. The student was frightened and did not know what to do so she left the accommodation straight away and could not get her bond back. Afterwards, the female student spoke to another girl that had previously stayed at the house and found that the same incident had occurred between her and the landlord and she also left straight away losing her 2 months' bond. It seems that the landlord was doing this in order to cheat female students of their bond paid in advance. The student did not want to pursue the matter any further and chose to forego her bond and move on from the incident.

PSC opinion: The rental accommodation industry in Australia should be more regulated and landlords should be subject to investigation and penalties in cases of misconduct. Landlords renting to international students should have to abide by a code of ethics where breaches can lead to blacklisting on a record accessible by students looking for accommodation online.

Case Study 8: Student being cheated of deposit that they were made to pay in advance to 'secure their bid for the room'

A student had found a room for rent on the newspaper and when inspecting the house, was asked to put a deposit down in advance to secure their bid for the room even though the student still hasn't decided. The landlord told the student that there are a few other people interested so in order for the landlord to keep the student on their list of tenants to consider, the student had to leave a deposit of \$400. The landlord had told the student verbally that the deposit will be given back to the student if he chose to not rent the room. The student then found another accommodation and decided to withdraw his 'bid' for the room and asked the landlord for his money back. The landlord refused to give the deposit back saying he had told the student very clearly that the money will not be returned under any circumstances and that it was the student's poor English skills that caused the misunderstanding. The student came to look for us as we were his guardian when he was under 18 years old and after I had numerous (quite unpleasant) conversations with the landlord (and having to tell him I will report him to the authorities if he does not give the student back his money) the landlord finally agreed to refund the money.

PSC opinion: Same with Case Study 7, the rental industry in relation to international student requires regulation. Clear policies needs to be in place in terms of deposits and bonds paid in advance. Preferably, there should be guidelines issued by Government authorities in various languages for international students to learn about their rights when renting

properties. These guidelines should be made available to public so that other parties involved in a student's life (such as education providers and guardianship companies) can help educate their students of their rights before they venture out to rent an accommodation.

Case Study 9: A student renting a room was asked to pay for damages that the landlord claims was made by the student

After renting a room for a short period, a student was asked by the landlord to pay for damaged carpet and stains on the wall that the landlord claims was made by the student. The student said the damages were made prior to his moving into the room and refused to pay. The student decided to leave the accommodation and on the day of the move, the landlord refused to refund the bond paid and did not allow the student to move his belongings out of the house until the student paid for the damages. The student called on our help as we were his guardian before he turned 18 years old and as the landlord also did not listen to us, we had to call for police intervention to solve the problem.

When our guardian went into the house to help move the student's belongings, he saw that the stains and the damages the landlord was referring to were very old damages and it was impossible for the student to have made such old and worn damages in his short time in the house.

PSC opinion: Student needs to be educated on what to be aware of when renting an accommodation. There should also be clear directions on which authorities students can turn to when in need of help or support.

Concluding remarks:

As many students after turning 18 years old chooses rental accommodation to live in, it is necessary for the rental industry in Australia to be more regulated especially when international students are involved. Many international students are not aware of their rights and often feeling intimidated by landlords, chooses not to pursue their matter further. Hence, not only is there a need for regulation of the Australian rental industry, there is also a need for international students to be educated on their tenancy rights and information on the relevant authorities that can assist students are also necessary.

(PSC has plans to further explore ways in educating their students who chooses to rent accommodation when they turn 18 years old. Tenants Union of Victoria is an authority with whom PSC are looking to contact to see how students can be kept better informed of their rights when renting accommodation.)

11. Ryugaku Times

Subject: Homestay problem in one of schools that we sent a student.

Dear Partners

Greetings from Ryugaku TIMES as your school agency in Japan.

This is not about your school but would like to inform you for this coming peak season.

Regarding one of our clients' homestay problem happened in her homestay, we would like to make sure that you guide and make sure each host families DO NOT sexual harrasment to students.

One of host fathers let our clients drink wine and touching her body.

So this client run into her room, the father followed her and try to take off his pants.

Then, she run away from the house and police is now investigating this matter.

the client's parents are now trying to sue the school and family.

If this kind of case happend, the rumor goes fast in Japan through internet, and those school may get less bookings.

Therefore, I really would like to inform these things do not happen in host families that you network with.

Please make sure and inform each host families to make sure NO sexual harasment in the house !

Thank you

Kind regards,

12. St Michael's Grammar School, John Kingston

To the Convener,
ISANA Working Party on Homestay for International Students.

I should like, if I may, to offer some thoughts from the **perspectives of a secondary school** which accepts international students.

In what follows, the use of "first person plural" (we, our, us) indicates the current practice and expectations of St Michael's Grammar School.

Homestay accommodation is, from our point of view, an essential part of the experience of our international students and of the care afforded them.

Homestays that are carefully chosen and that are welcoming are a great enrichment of the student's experience and also a great help in providing the level of monitoring and care that the Government requires, especially for those under-18 years old.

At our school, our first preference is that all our students live in Homestay, whether under- or over- 18 years old.

Exceptions to this are students who live with an approved relative.
Under no circumstances do we allow a student to live independent of adult care and monitoring.
We are simply not prepared to take on the responsibilities associated with international students outside that / those frameworks.

We have found that the **engagement of Homestays through a regular Agency** is an efficient way of assuring "quality control" in terms of the care and welcome provided, the level of accountability expected of students, and compliance with Government regulations regarding working with children.

We have never sought to recruit Homestay providers within our school community, although there are occasionally people who provide this welcome (after having satisfied Government regulations).

Of a Homestay provider, we **require** the provision of:
a **place** where a student will be made welcome, be cared for, and be safe.
the **company of adults** who care, and are able to understand and welcome a student across whatever cultural and language differences exist.
regular interaction with adults within the household. We do not approve a Homestay in which a student can live independently of the Homestay "parent/s", or in which there is not sufficient contact to allow reasonable monitoring.
no more than two international students in the household.
some degree of **monitoring** of a student's balance between study and recreation.

a **reasonable standard of housing**, in which the student has facilities such as a room, bed and associated linen / coverings, access to toilet and bathroom, (negotiated) access to washing facilities, a desk, a wardrobe or storage facilities, adequate lighting, adequate ventilation and heating.

appropriate and reasonable food that is both “healthy and nutritious”. This sometimes involves some adjustment in cooking patterns to include rice, for example.

food **sufficient** to cover breakfast (often “make your own”), lunch (prepared or sufficient materials and assistance for the student to prepare), and dinner (for which we expect a student to be at home most nights of the week).

assistance of students in situations of illness where medication or medical care may be required.

contact with the school in the event of any “critical incident”

concerns about the student’s behaviour or lifestyle, their happiness and general welfare;

student absence from school, or serious lateness.

negotiation and decision (where necessary, in co-operation with the student’s Guardian and / or the school) of **patterns and expectations** in terms of a student’s going-out and returning home for social contact with friends.

availability of **internet** connection is also a requirement, as this can impact on a student’s contact with family, accessing of information and study material from the school’s website, accessing on-line reports each six weeks, and communication with the school.

Internet connection, of course, is something that sometimes requires negotiation regarding payment. A homestay cannot be expected to subsidise a student’s excessive use of this technology for downloads and gaming.

In some of these instances, the role of Homestay and Guardian over-lap and require communication between them.

We do not believe Homestay is appropriate for students in Year 9 or below, feeling they are more appropriately cared for by family or close relatives. Indeed, we are reluctant to accept international students below Year 10.

We do not believe students are adequately cared for or monitored when they are housed with groups of three and above. Hence we **favour a limit of two students in a Homestay**.

We do not favour the combination of the roles of legal Guardian and Homestay, believing that a student’s interests are best served within a good relationship between three carers (who, in a sense, monitor and assist each other): Guardian, Homestay and School.

We believe a crucial element of Homestay is the **provision of welcome and care**, but also **contact with responsible adults**, and the **demanding of accountability** in terms of the student's behaviour and lifestyle.

The conditions of Homestay required for / appropriate to the **care of secondary students is different from that for tertiary students**, in whom one can usually presume greater maturity and independence.

We would like to recommend to this present Working Party that there be **no lessening in the regulation of, or requirements for, those providing Homestay** for secondary students.

We would recommend that Family Homestays be **limited in the number of (secondary) students** they can host at any time. Our recommendation would be two students.

We would recommend that the work of Homestay Agencies be recognised as:

providing invaluable assistance to schools such as this one who choose not to recruit their own Homestay providers;
recruiting and monitoring Homestay providers;
assuring compliance with Government regulations re Homestay providers;
receiving and dealing with complaints from students, via Guardians or schools, regarding facilities or the level of care provided by particular Homestays;
receiving and communicating (to Guardian and / or school) complaints re particular students
to some extent, helping to "stabilise the market" and set reasonable rates for Homestay charges

Thank you

John Kingston

Director of International Students



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13. Effie Soropos

My son the ambassador!

I would like to share with you how my son Ulee is such a great ambassador for Australian homestay.

He is 11 years old and generally a very sporty, curious, happy and independent person. Our family has had homestay students from all over the world for almost 3 years now and it has been a great part of his formative years and has added to the high level of communication skills he has now.

Two weeks ago our current homestay student Shinya arrived from Tokyo and the two of them have become good friends. Ulee enjoys explaining and teaching him about life here while I am busy doing the Mum stuff, you know, shopping, cleaning, cooking going to work.

One of the activities that Ulee has helped Shinya embrace is cricket! Shinya played Baseball in Japan. On the first day he arrived in Melbourne we were on our way out the door for Ulees weekly game and Shinya wanted to come with us. Since then he has attended training and two games and he is learning fast, even filling in to field last week because they were down in numbers. I have included some photos of them at cricket.

What I notice about Ulees relationship with him is that he is always showing and explaining everything to Shinya because he does not have enough english to say understand a lot of what is being said on TV without some help. Tonight, after training they were watching a motor bike stunt competition where the last two finalists were an Australian and a Japanese. The competition was in Canada and the Australian won!

I am sharing this with you so that the students who read this can see how homestay can benefit their communication levels and knowledge of Australian culture and way of life through children. They both can benefit!

Effe Soropos

14. Stirling Education, Jeanette Schilg

Firstly my observations within the secondary sector in S.A. tell me that the incidents of students being left alone for extended periods of time is increasing. It can happen as a result in a change of the family's visa status but also in other situations. Recently I had a student aged 16 who was left alone for 10 weeks while his mother (guardian) returned home for a family members funeral. There have also been situations where Mum and Dad have returned home and left an 'Aunty' with responsibility for the student. The 'Aunt' does not live in the same house thus the student is largely unsupervised for most of the time. This lack of supervision impacts heavily on academic performance and school assimilation not to mention general health and well being. This is becoming a serious concern to schools who have international enrollments and there seems little that can be done if the parents have sanctioned the students living arrangements especially where they have permanent residency. It has also been my experience that students who have been left alone can easily go unnoticed as the school is not often notified by the parents of their intention to return home for a period of time. Something usually goes wrong and it is at this point the lack of supervision is identified.

I would certainly support the notion of an International Student Ombudsman but given the variety of living arrangements that can now exist for International students I feel there needs to be a set of clear guidelines for parents of International secondary students to indicate the level of supervision that is required by schools in order to sustain the enrollment. Things have changed and continue to change but I do not believe that legislation and policy have not kept abreast of changes.

15. Talkabout Tours, Tim Massey

There are many ways we could improve on the service to International students and to the families who provide for them.

Your focus seems to be with audit of families, which is important, but problems occur far more frequently with students for a number of reasons.

Mis-information, a lack of communication, cultural barriers and wrong expectations have lead to a great many problems that could have been solved before they started. National, standardised information packs in a variety of languages outlining life in a typical Homestay, training of agents, agreements signed by students and biological parents can all help. It is difficult to monitor International Agents who have been know to lie to students or be very ill-informed. I had an email from a Japanese woman today who wanted her son to attend school in Perth but was told by her agent that Japanese students weren't accepted into schools in Perth and was it true?

Host families make it affordable and safe for so many students to come to Australia, they should really have help, appreciation and recognition. We have been providing Homestay for many years through Schools and our own Study Tour programs and invariably Homestay is what makes the greatest and longest lasting impression on students of their visit to Australia. Our families are Australian Ambassadors and perform an invaluable service to visiting International students.

Families, particularly ones hosting under 18 students, need to be strict and this often leads to resentment and loss of face from students. Biological parents and agents will generally side with the student and It can be very difficult to sort fact from fiction. Even with many years of experience teaching and providing Homestays this is still very difficult and sometimes we only know the student is lying when they are on their 3rd or 4th Host family and the same problems are arising. Below are actual student evaluations of the same family, all 4 were living in the home at much the same time (August 2010). I have removed surnames:

Student Name:	TUNG-MING
Host Family Name:	Lesley & Deryck
School Name:	UWA-CELT
Please describe in 3 words or more your thoughts about your Homestay Family:	lazy to talk with students, impatient, should be full of caring with students, i don't eat beaf, but home stay didn't respect me and convince me to eat beef, this home stay family didn't offer second choice to me (neither pork nor chicken) home stay family shouldn't only want to make money from students for their first demand, they should care international students more.
How long did/does it take you to get from home to your school:	40 minutes
Comments:	acceptable
Did you feel	no

comfortable with this family?
Did you enjoy the meals? no
What is the best thing about living in a Homestay? None
Would you recommend this family to others? no

Student Name: Dea Sung
Host Family Name: Lessley
School Name: Dong A University
Please describe in 3 words or more your thoughts about your Homestay Family: They have been good for me and tried to talk with me although my English was not good as well as dinner was always nice
How long did/does it take you to get from home to your school: about 30 minutes
Comments:
Did you feel comfortable with this family? yes
Did you enjoy the meals? yes
What is the best thing about living in a Homestay? I am sure that the best thing was dinner.
Would you recommend this family to others? yes

Student Name: ZHI
Host Family Name: Lesley and Deryck
School Name: UWA
Please describe in 3 words or more your thoughts about your Homestay Family: THEY ARE REALLY KIND AND HELPFUL, A WONDERFUL HOMESTAY FAMILY.,
How long did/does it take you to get from home to your school: 20-30
Comments: Lesley ALWAYS DRIVE US TO SCHOOL..EVEN TAKING A BUS JUST COST 30MINS..
Did you feel comfortable with this family? yes
Did you enjoy the meals? yes
What is the best thing about living in a Homestay? THEY HELP ME A LOT WHATEVER IN MY LIVING AND STUDYING..
Would you recommend this family to others? yes

Student Name: Suet Wan

Host Family Name: Lesley
School Name: CELT
Please describe in 3 words or more your thoughts about your Homestay Family: Friendly, Helpful, Wonderful, Comfortable, Excellent.
How long did/does it take you to get from home to your school: 25
Comments: convenient
Did you feel comfortable with this family? yes
Did you enjoy the meals? yes
What is the best thing about living in a Homestay? they prepare meal for student, when the student have any problem they will find the solution to help the student.
Would you recommend this family to others? yes

If we were to take the 1st evaluation as gospel, we would be unable to continue using this family. We need to look at both sides of every story.

Families need to be well-vetted but occasionally, even families that have had glowing past reports can have bad days, or weeks. As hard as we try, the occasional inappropriate family gets through. This is very rare if families have been vetted properly (whole families- not just Mum and Dad). Standardised vetting and training procedures for families and their regular auditing and student feedback should mostly negate the need for blacklisting.

As part of our ethos, we give families and students 24/7 contact, however we know this will lead to burn-out unless we can get funding to employ an after hours support person or have a qualified person that can act as mediator on our behalf. Not just an answering service. In our case, we act impartially so an extra Mediator/Social Worker would be far more useful than an Ombudsman. Homestay issues are ultimately between the student and Host family and someone impartial needs to make the call as to whether a problem can be sorted, a student needs to be shifted to a new family or an act has been committed where authorities need to be contacted. We want someone to bring parties together and reach an amicable solution always looking for the "win win" solution rather than being divisive.

We don't put a figure on the number of rooms that comprise a Homestay, more the ability of the family to look after the students appropriately. There are many large, functional families. In the eyes of the tax department, Homestay is only non-declarable income for up to 2 students. Each home is inspected for suitability and we soon find out if income is the primary motivation-if rooms have obviously been divided simply to accommodate more bodies for instance. Students and families, matched properly, will generally work out. This means obtaining as much information as possible about both student and family. Some students prefer independence and prefer to minimise their time with Host families, some prefer to be surrounded by other students while others are more needy or under 18 years

and require greater attention. Houseshare is an option for adult students where they provide their own meals.

Under 18 students raise a whole range of issues that only time and manpower are able to solve and it's ongoing. The Duty of Care from Host families is enormous and apart from the gamut of problems one has raising any child, families also face other sets of problems. Children missing their parents and friends while having to adjust to a new culture with different food, language and customs. There can be the issue of biological parents sending their misbehaving children to a foreign country and unloading them on an unsuspecting family here or biological families who want a life without children for a while and Homestay seems like an inexpensive option. Children can feel abandoned and unloved and can resent their Host Family for replacing their own biological family which can lead to disciplinary and behavioural issues. If students and families have official documents (rather than just Talkabout Tours guidelines) outlining duties, responsibilities and code of conduct, we can give both families and students legs to stand on.

If you're looking for a voice in WA, I'd be happy to put my hand up and be glad to contribute/comment on a set of recommendations hopefully leading to industry-wide standards.

We have to keep in mind the cost of implementations as we need to provide excellent care but also need to be competitive in the world market for International students. We would love to be able to visit with students and families more regularly and provide better liaising with biological families, agents and schools and have extra experienced and professional staff on hand 24 hours/day to be able sort problems, but the reality is that the cost of these services is prohibitively high for a small business like ours.

There is much room for discussion. Please have a look at our website: www.talkabouttours.com for more info about us and our policies and please don't hesitate to contact me for more info or clarification.

16. University of Sydney, Beatriz Copello

The following are a few examples [of inappropriate behaviour by hosts]:

Hostess did not allow the student to wash in the laundry and forced the student to wash in a bucket in her room.

Student was not allowed to turn heaters and she was freezing.

Hostess did not allowed the student to use the kitchen to make a cup of tea and if she turn on the stove she charged her \$3.00.

A hostess packed the student's belongings while she was on a week's holidays (the student had paid two weeks in advance) the hostess texted the student to tell her that she no longer had accommodation with her and to collect her belonging at a meeting to take place in a coffee shop. Furthermore, she refused to refund the advance payment and charged her for ridiculous things such as using a pillow as a cushion because the chair was too low to reach the computer.

Hostess (male) made sexual remarks to female student.

Hostess made the student to clean the house in addition to her room.

Males in the home family ignored the student to the point of not even saying hello.

Student was not allowed to seat with the family to watch television.

Dr Beatriz Copello
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17. Vision International, Lyn Gilbert

Homestay Issues

It seems that there is a push at present to create a 'one size fits all' umbrella organization (self-appointed?) for the homestay industry in Australia. While the model being presented may suit some sectors and some education providers, it is strongly felt that this model is not appropriate for all settings and should not be imposed where existing systems are working well.

For example, in the school sector, which deals largely with students under eighteen years of age, and where duty of care is taken very seriously, many schools have models and systems in place which work really well. In such situations, an additional level of systems and procedures would be an unnecessary and significant burden. And no matter what other organisation is involved, the School remains the body responsible for the welfare of its students. This responsibility cannot be handed over to another body or organisation.

Two models which are working well in schools known to me are cited below.

Firstly, a school which uses the services of Homestay Placement Agencies, knows each agency and its personnel well, and trusts them to select and vet homestays appropriately. One agency in particular has had a very long and close relationship with the school for many years so is therefore very well informed about the school's expectations of their students and the amount of support the homestays of this school's students need to be able to give. The school then supervises the students in their homestays. The Homestay Coordinator visits the student in the homestay soon after arrival and subsequently writes a report which is circulated to relevant school personnel. Further visits are made on an as-needs basis and communication between the school, homestays and guardians is frequent and collaborative. The International Student Coordinator has the overall responsibility for the program and liaises closely with all involved. The International Student Coordinator also organizes regular Homestay Host information nights as a means further developing the relationship between the school and the homestay host as well as for disseminating information and welcoming new homestay hosts to the school environment. The school views the relationship with the homestay host as integral in helping to support the international student. Students wishing to change accommodation arrangements must obtain permission from the Coordinator. The student's parents are contacted about any homestay changes and they are also strongly encouraged to take an active role in developing a relationship with the homestay family.

In the second model, the school runs its own program – very much an in-house operation. The homestay families are very well known to the school and often have been part of the program for many years. The school vets all applications they receive and visits those they feel may be suitable to offer homestay to their students. When the student has confirmed their enrolment at the school they are then contacted and asked to fill in a form detailing what they would like in their homestay families. Once received, the school then matches the student's 'wish list' with the homestay profiles and sends the details of three possible homestays for the family for consideration. Once in Australia and at the school, the

International Student Coordinator works with both the student and their homestay to ensure that all is well. The school has a homestay booklet which details the rules that homestays and students are to follow and monitors all aspects of the accommodation offered. Should the student wish to change homestay, after consultation with the student, the International Student Coordinator would take the student to visit possible new homestays for the student to consider. Once a new homestay family is chosen the school arranges for the student to move.

Both schools hold events for the homestay families to attend at the school to ensure that they stay connected and this gives the school the opportunity to update them about new aspects of the students' academic programs and to answer questions they may have. By having direct contact with the families both schools believe that they can supervise their students' accommodation at close hand. By going through a second party or perhaps a third party we believe we would not be able to monitor and support our international students as closely and in a suitably prompt manner. We are not interested in only supporting the student's academic pursuits at school but also supporting them in their accommodation, and in fact in all aspects of their time here. If students are unhappy in their homestays, then their studies are affected. We would not support the idea of having mandatorily to be involved with a self-appointed umbrella organisation.

The umbrella organization has also suggested that it will assist in making appropriate insurance arrangements. But schools already have appropriate insurances in place and do not need another organisation to arrange this for them.

We would argue strongly against a system which would require existing homestay placement agencies to 'join' such an umbrella organization, also against a system which would in effect prevent schools from running their own in-house programs.

18. Wesley College – Melbourne, Victoria, Jo Fischer & Natalie Siritzky

International Student and Homestay Coordinators
St Kilda Road & Glen Waverley Campuses

INTRODUCTION

Homestay is a **valuable service** to international students. While the focus of the ISANA accommodation working party is to address negative outcomes, it is crucial that this focus does not distort the value of homestay. The great majority of homestays are ethical, caring and supportive. Those that are not are in the minority rather than representative of the norm. Furthermore, duty of care is taken very seriously in schools and most have established good systems to determine and support the welfare and accommodation of their students that in most cases are working well. In cases where schools do not have systems that work well, they need to be assisted to first understand that the school is the body that is responsible for the welfare of its students, and that this responsibility cannot be handed over to another body or organisation. If a school needs assistance in establishing systems that work well and require support, this could be made available through ISANA.

It is important that the recommendations made by the ISANA working party do not create a system of **one size fits all**. As acknowledged by others, the Australian Government is now recognising that appropriate standards are required. The role of the ISANA working party needs to be to help the industry to establish essential standards, procedures, to recommend and provide professional development programs for homestay hosts, managers and school personal; through ISANA there is also the opportunity to access support personal who can assist in resolving difficult issues.

By developing standards, procedures, support and advise ISANA is well positioned to create understanding of standards within the industry and to develop a 'culture' of support and expectations. We believe this is more appropriate than an additional level of compliance. ISANA is well placed to act as an advisory and support organisation as it is already a well recognised and established not-for-profit and unaffiliated support group for people working with international and overseas students.

WESLEY COLLEGE

At Wesley College, the International Student Coordinator has the overall responsibility for overseeing students' welfare arrangements including determining a suitable homestay and primary carer/guardian. The International Student Coordinator liaises closely with all involved and we view the relationship with the homestay host and the guardian (if there is a separate guardian) as integral in helping to support the student. Students wishing to change accommodation or guardianship arrangements must obtain permission from the Coordinator. The student's parents are contacted about any homestay or guardianship changes and they are also strongly encouraged to take an active role in developing a relationship with the homestay family and guardian.

Homestays are vetted to ensure the best possible home environment for our students. An application form is the first stage where homestays provide their personal details including family interests, languages spoken at home, type of food eaten at home, information about residents of the home, as well as a basic description of the facilities. We send a detailed document along with the application form explaining the expectations of the homestay

provider so they can decide whether they will be able to fulfil all the requirements. To register with us they need to provide a Police Check and a Working with Children Check. Once we have received the application and feel that we are likely to use them then we pay them a visit to meet them and check the home. During the visit when making conversation we find that it is usually easy to gauge whether people are genuine in their interest in hosting students or whether they are only interested in money. In addition we try and ascertain whether the homestay will have enough time to devote to care of the student or whether their working hours will impact on their level of care.

Homestay parents who have primary responsibility at Wesley College are asked to attend parent teacher interviews and information nights and to be connected to the school. We endeavour to include the homestay within our community, to develop a culture of involvement; through having direct contact with the homestay families we find that we can supervise their students' accommodation and welfare at close hand. We find that this enables us to monitor and support our international students closely and give the students support academically, in their accommodation, and in all aspects of their life in Australia. If students are unhappy in their homestays, then their studies are affected. For this reason, it is crucial that the school is at the centre of any support system. We would argue strongly against a system which would prevent schools from running their own in-house programs.

Our homestays are well-vetted and regularly monitored. Problems are rare, however, families' circumstances can change and families that have been good can come under stress and so no longer be suitable as a homestay. Whilst we are very diligent, the occasional inappropriate family gets through and for this reason it would be helpful to be able to inform other schools of our experience with an inappropriate family without facing the possibility of litigation from the family. For this reason we would support the proposal for an **international / overseas student ombudsman** who could help to resolve difficulties that arise.

Some examples of problems we have had include: students being told to leave the house in the evening, students being yelled at and intimidated, homestay parents threatening to report the student to the police, homestay parents entering into a mobile telephone agreement with a student and then the student being fined heavily when they leave the homestay, homestay parents refusing to refund monies owed to student.

Our families and students are given 24/7 contact. It is important that this remains a support service that is monitored by the school. Schools have well developed **critical incident** procedures and whilst the Coordinator is usually the first point of call after hours they have developed procedures for managing and informing the appropriate Senior Management so that the situation can be well managed.

Whilst in the eyes of the tax department, homestay is only non-declarable income for up to 2 students. We also do not put a figure on the **number of rooms** that comprise a Homestay. The ability of the family to look after the students appropriately is what is crucial and there are some who can manage a larger number of students well. Each home is inspected for suitability and we soon find out if income is the primary motivation. Students and families, when matched properly, will generally work out. This means obtaining as much information as possible about both student and family. Some students prefer independence and prefer to minimise their time with the host families, others prefer closer involvement with the family.

Homestays for school-aged students may have different requirements to homestays for university students. University students are able to rent a room in a house whereas a school student would not be allowed to do this. We also prefer homestays which have only boys or girls (depending on layout of house) and prefer not to mix school students and university students in one home.

PRIMARY CARER / GUARDIAN

As we know the guardian is not a legal guardian but is the primary carer while the student is in Australia. In some schools this will be a suitable staff member at the school, a suitable homestay host, a relative or other appropriate and trusted adult. Other schools will use guardianship agencies. At Wesley College we give parents the option to choose their own guardian. If the parents do not do this, we will arrange a guardian for the student. If there is a responsible relative or family friend in Melbourne, this person is often an ideal guardian. Sometimes parents will choose a guardianship agency. Whilst we accept this arrangement, it is costly for the family and often there is little real support given to the student. If the parents have not selected their own guardian, we will recommend a guardian. The guardian may be a well known and trusted homestay or responsible adult known to the school. We find these to be a suitable support people for the student.

Some guardianship agencies will argue that it is crucial to have an independent guardian who is not connected to the accommodation company or education provider. They argue that this provides an extra level of checks and balances to ensure all young students have a positive experience and are protected from any exploitation. We disagree with this view and believe that it is the education providers' responsibility to ensure that the welfare and accommodation are suitable and for the school to fully support the student. If this responsibility is taken seriously by the education provider, there is no need for an additional level of checks; in fact, in our experience this additional level often simply adds confusion and unnecessary additional cost for the families.

CONCLUSION

It is crucial that schools are able to continue to manage their own homestay and welfare programs. We would strongly disagree with an outcome that moves towards a large single organisation with managers who are not integrated in the school or an organisation that oversees all homestays so that schools no longer control their own programs.

19. Summary of Issues identified in the Submissions to the ISANA Working Party, summarised by Jo Fischer

Homestay

Need for regulation – national rules & guidelines

Inappropriate homestays – blacklisting & privacy

Students arranging their own accommodation

Need for central authority to report problems to: need for an ombudsman in each state

Power imbalance between homestay parent and student

Students rights as a consumer are not clear in this context; lack of consumer protection

Students evicted unreasonably

Homestays not returning students' money; holding student to ransom by retaining possessions in order to extract payment

Emotional needs of students not always met

Hosts not home and supervising

Food

Interpersonal relationship between host and student

New expected behaviours

Homestay are very variable in terms of quality of services

Some schools find it better for the homestay and primary carer (guardian) to be the same as the homestay does the actual support and knows what is happening on a day to day basis with the student

Other schools have found difficulties in having the homestay as the primary carer

Host will sometimes find difficulties with students who are deceitful, troublesome, dishonest or disrespectful

Some hosts will see the students as cash cows

Difficulty in monitoring homestays: not easy to monitor directly but must rely on dialogue with the students and hosts

Process for selecting homestays

Guidelines and expectations for hosts and students

Some schools prefer to monitor their own homestays, whilst others prefer to outsource to homestay organisations as they see this as a way of reducing the need for their own monitoring.

Schools can have a lack of understanding about their responsibility and their out of hours duty of care

Ethnocentrism

Variation in stakeholder's racial and linguistic preferences

Insurance companies covering the students in the homestay

Occupational health and safety: food, fire safety, evacuation plans, cleanliness, household rules

Homestay's monitoring students social activities and time for coming home

Monitoring students activities during holidays; travelling

Homestay organisations that have not required long –term hosts to get WWCC

Variation in what is considered to be a good homestay

language, interaction, number of students, western versus Asian homestay

Primary Carer / Guardian

Need for regulation – national rules & guidelines

Inappropriate guardians nominated by parents who do not take care or oversee the welfare of the child

Professional guardians who are highly paid and do very little and do not have a meaningful relationship with the child; see or ring them once a fortnight or monthly, are unwilling to assist student with moving homestay, going to doctor, picking them up or taking them to the airport, do not meet the homestay, do not translate reports, do not monitor holiday activities

Government nominated guardians who periodically go overseas or interstate leaving the child unsupervised

Other issues

Government differentiates under / over 18; turning 18 does not automatically mean a student is able to live independently and fully care for themselves

One set of regulations apply to those on student visa and there is no regulation for students on temporary or permanent resident visas who are here without appropriate welfare support

