



Frequently Asked Questions -

Overseas Recruitment via Commercial Homestay Providers

Department of
Education and Training

Question:

Our school has been approached by a commercial homestay provider who offers accommodation to overseas visitors - both under and over 18 years of age.

The organisation would like to establish an arrangement with us to recruit overseas students on our behalf and manage the accommodation and welfare of the students while they are enrolled in our school.

Would the homestay provider be considered an education agent in this case?

If it were agreed that the homestay provider be responsible for finding/recruiting overseas students on behalf of the school, then yes, the school would need to satisfy its provider obligations under [Standard 4](#) of the National Code 2007 i.e. a formal education agent agreement would need to be established with the organisation. The National Code defines an education agent as *“A person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. In doing so, the education agent may provide education counselling to overseas students as well as marketing and promotion services to education providers.”*

For students under 18 years, can the school be responsible for education delivery, with the homestay provider accepting accommodation and welfare responsibility?

Under such an arrangement, there is no scope for the school to be responsible for the child's education only. If the under 18 student is not in Australia with his/her legal parent or guardian (as approved by the Department of Immigration), then the only way in which a student visa will be issued for the child is if the school agrees to accept the welfare responsibility. This rule applies to all boarding and homestay arrangements for under 18 students, as well as any situations where parents want to nominate their own living arrangement for their child.

The offer made by the commercial organisation constitutes a type of homestay. Therefore, under [Standard 5 of the National Code](#), the school would be responsible for approving the student's accommodation, support and general welfare arrangements. This acceptance is shown by the PEO (or delegate) signing a *Confirmation of Appropriate Accommodation and Welfare* (CAAW). For as long as the child remains under 18 years and is enrolled at the school under a CAAW, the school must ensure that there are documented procedures for checking the ongoing welfare and suitability of the accommodation arrangements. Full welfare responsibility therefore sits with the Principal – and not with the commercial homestay provider.