



Enrolling Under-18 Students (Minors) staying with a Designated Caregiver

Summary of Code Requirements

Under the **Education (Pastoral Care of Tertiary and International Learners) Code of Practice 2021**, education providers are legally responsible for the welfare, accommodation, and safety of international students under the age of 18. This includes students staying with **Designated Caregivers (DCGs)** (e.g. family, relatives or friends nominated by the student's parent or legal guardian).

Key Code obligations include:

- Ensuring the accommodation is **safe, appropriate, and regularly monitored**.
- Confirming the DCG is **nominated in writing by the parent or the legal guardian**.
- **Approving** all arrangements **before the student arrives** or begins their course.
- Ensuring all adults (18+) in the home are **police vetted**.
- Conducting a **physical visit** to the accommodation before granting approval.

Important: These responsibilities **cannot be transferred to agents or third parties**. LSNZ must retain full oversight and documentation for each case involving a minor.

Two important legal frameworks are often misunderstood by agents and caregivers:

- **The Care of Children Act 2004** is sometime misapplied when family members or caregivers refer to themselves as 'guardians'. In New Zealand, **legal guardianship can only be assigned by the Family Court**. Unless legal guardianship can be proven with a court order or similar, all family members are considered to be a designated caregiver and will need to be approved by the school on the parent's nomination and must meet specific pastoral criteria.
- **The Privacy Act 2020** is sometimes incorrectly cited to withhold police vetting information. However, the Act permits sharing of relevant personal information where it is necessary to comply with another legal obligation, such as verifying the suitability of a designated caregiver under the Code. LSNZ is required to **sight and retain confirmation of police vetting outcomes** before approving a minor's accommodation.

LSNZ's obligations under the Code are **mandatory and cannot be delegated, bypassed, or delayed**, regardless of whether accommodation is arranged by the school, the parent, or a third-party agent. Bookings for under-18 students **will not be accepted unless all required documentation and compliance checks** have been **fully completed and approved** in advance.

LSNZ Checklist for Enrolling Under-18 Students (Minors)

To be completed by agents and caregivers – all documents must be submitted before the student's booking can be confirmed.

Step 1	Parental Nomination
A signed letter or form from the parents/legal guardians stating:	• They are aware the student is under 18 years old
	• They are nominating the named caregiver
	• They consent to the arrangement and understand LSNZ must approve it,

Step 2	Accommodation Details
Written confirmation of:	• Full name(s) of caregiver(s)
	• Full address of the homestay/accommodation
	• Contact phone number and email
	• Relationship to the student (if any)

Step 3	Designated Caregiver Agreement
• Required if the student is not in a school-arranged homestay. • Must be completed and signed by: • Both parents/legal guardians and • The designated caregiver • Use LSNZ's official form: www.lsnz.co.nz/become-a-designated-caregiver	

Step 4	Police Vetting
• All adults (18+) in the household must be police vetted. • Vetting must be completed through the NZ Police Vetting System. • Required documentation: • Redacted "No result" confirmation or • Signed letter from the agency confirming: • Full names of vetted adults • Vetting completion date • That the results were clear <i>Note: The Privacy Act 2020 permits this information to be shared where necessary for Code compliance.</i>	

Step 5	Accommodation Inspection
	• A physical, in-person inspection must be completed by the school or trusted agent. • Required documentation: • A completed LSNZ DCG Inspection checklist or • Confirmation of date of visit, notes on safety, suitability, and general living conditions, and photos of bedroom, bathroom and shared living areas.

Important Notes:

- All documentation must be received **at least 1 week before** the intended course start date.
- No student under 18 can begin studies until LSNZ has fully approved their accommodation and care arrangement.
- Our team will be requesting these documents **after the full payment for the course has been received.**
- If the documentation is incomplete or unsuitable, the school reserves the right to delay the student's enrolment, request a new arrangement, or proceed to refund.
- If the payment has been received earlier, our team will request the documents **4 weeks prior** to the intended start date.