

## TRANSFER BETWEEN REGISTERED PROVIDERS PROCEDURE

<b>Approving authority</b>	Executive Management Team
<b>Purpose</b>	This procedure outlines process for the transfer of overseas students to other registered providers from the Institute and from other registered providers to the Institute
<b>Responsible Officer</b>	Head of Student Services and Administration (HOSSA) & Head, Student Recruitment & Admissions
<b>Next scheduled review</b>	April 2024
<b>Document Location</b>	<a href="http://www.ozford.edu.au/higher-education/policies-and-procedures/">http://www.ozford.edu.au/higher-education/policies-and-procedures/</a>
<b>Associated documents</b>	Academic Progress Policy and Procedure Deferring, Suspending or Cancelling a Student's Enrolment Policy & Procedure Transfer Between Registered Providers Policy

### 1. PRINCIPLES

This procedure aims to ensure that Ozford Institute of Higher Education (the "Institute") complies with Standard 7 of the ESOS National Code 2018– Overseas Student Transfers. This means that the Institute:

- does not knowingly enrol any transferring overseas student prior to the 6 months of their principal course being completed except in circumstances stated in section 4.1 of this procedure;
- assesses student requests for transfer to other providers using this procedure;
- provides a written response to student requests for transfer;
- enables students to appeal through the Student Grievances and Appeals Policy;
- maintain records of all associated documents for two years after the overseas student ceases to be an accepted student.

Providers are restricted from enrolling transferring students prior to the student completing 6 months of their principal course. This procedure details acceptable reasons for transfer within this period, and the procedures for assessing applications to transfer. Students who have studied longer than this period can apply for a transfer without restrictions.

### 2. SCOPE

This procedure applies to all overseas students applying to study with the Institute or currently enrolled at the Institute on student visas.

### 3. DEFINITIONS

#### *ESOS National Code*

The ESOS National Code refers to the National Code of Practice for Providers of Education and Training to Overseas Students 2018 established under the Education Services for Overseas Students Act 2000.

#### *PRISMS*

Provider Registration and International Students Management System (PRISMS). It provides Australian education providers with the Confirmation-of-Enrolment (CoE) facilities required for compliance with the Education Services for Overseas Students (ESOS) Legislation.

#### *Compassionate or Compelling circumstances*

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- bereavement of close family members such as parents or grandparents;
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies;

- a traumatic experience that has impacted on the student which could include involvement in, or witnessing of a serious accident; and witnessing or being the victim of a serious crime, supported by police or psychologist's reports; or
- where the Institute was unable to offer a pre-requisite unit.

#### 4. PROCEDURES

##### ***Assessing and Processing Transfer Requests from another Registered Provider to the Institute***

- 4.1 The Admissions Department receives an application from a student who is on-shore and who has indicated that they are currently studying at another institution.
- 4.2 The Admissions Department reviews PRISMS to determine if the student has completed six months of his or her principal course. The copy of the student visa in the passport is also reviewed to ascertain what the principal course is and when the student arrived in Australia.
- 4.3 If the student has completed six months, the Admissions Policy and the relevant procedures will be implemented.
- 4.4 If the student has not completed six months of his or her principal course, the student will be asked to apply for transfer with his or her current course provider. A "conditional" offer will be supplied that states that an offer of a place is contingent on the approval of the student's release by his or her current course provider.
- 4.5 If the student is receiving a Government scholarship, the student will need to supply written support from the government department/agency sponsor agreeing to the change, which will stand in lieu of a release by the original course provider.
- 4.6 If an approved release has been recorded in PRISMS and there are no other outstanding matters of concern, the Admissions Policy and the relevant procedures will be implemented.
- 4.7 If the student's transfer request is not granted by the original course provider, the application process is halted and the student will be informed that the Institute cannot accept their application at this time. The student is advised that they will be welcome to re-activate their application when the six-month period has passed.
- 4.8 In the rare circumstances where the original institution or course has ceased to be registered, or sanctions have been placed on the original institution by the Australian government which do not allow the student to continue with the course, no record of release in PRISMS is required and the Admissions Policy and the relevant procedures will be implemented.
- 4.9 The above assessment procedure should not take more than 15 working days once the student has provided the necessary documentation.
- 4.10 A student under 18 must have written evidence that the student's parent or legal guardian supports the transfer AND, if appropriate, written confirmation that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements as per Standard 5 of National Code.
- 4.11 All requests, considerations, decisions and copies of letters of release should be placed on the student's file with the application documentation.

##### ***Assessing and Processing Transfer Requests from the Institute to another Registered Provider***

- 4.12 The student obtains the 'Application for Course Withdrawal Form' from the Institute's website or from the Student Services staff.
- 4.13 The student completes and submits a written request to the Enrolment Officer to transfer to another provider using the 'Application for Course Withdrawal Form'.
- 4.14 The student must attach supporting material to this form including the letter from the registered provider of the course to which they wish to transfer, confirming that a valid conditional enrolment offer has been made; and any other documentary evidence in support of their application or that is referred to in their application.
- 4.15 With these documents sighted, the Student Services Officer will initially assess the transfer request considering the following questions:  
Is there is evidence
  - of compassionate or compelling circumstances;
  - that the student, after engaging with the Institute's intervention strategy, is unable to achieve satisfactory course progress because the level they are studying is deemed to be inappropriate;

- that the Institute has failed to deliver the course as outlined in the written agreement;
  - that the student's reasonable expectations about his or her current course are not being met;
  
  - there is evidence that the overseas student misinterpreted or was misled by the information provided by the Institute or an education or migration agent regarding the Institute or its course and the course is therefore unsuitable to their needs and/or study objectives
  - of an appeal (internal or external) where the result is a decision or recommendation to release the student.
- 4.16 If the evidence to the above is supportive then in accordance with this procedure, the student's transfer request will be granted at no charge to the student. The student will also be advised of the need to contact the Department of Home Affairs and obtain a new visa if the course that he or she is transferring to is not under the same visa code as the present course.
- 4.17 The Student Services Department follow the Cancellation of Enrolment policy and report the student's release and termination of studies through PRISMS.
- 4.18 If there is no evidence to support matters in 4.14 then the request will be refused.
- 4.19 If any evidence presented in support of 4.14 is unclear or inconclusive then the student's request will be referred to the Head of Student Services and Administration (HOSSA), to interview the student and gain a fuller understanding of the circumstances.
- 4.20 The Head of Student Services and Administration will assess whether the transfer request should be refused or granted based on the presented evidence and whether :
- the transfer might have a negative impact on the student's future study options including breaking an agreed package of programs for which eCoEs have been issued;
  - the student has outstanding course fees;
  - the student is subject to an outstanding disciplinary penalty.
  - the student is seeking transfer to avoid being reported for failure to meet academic or visa requirements.
- 4.21 The Head of Student Services and Administration will inform the student in writing of any negative outcome with reasons and indicate that the student may access the student grievance process as detailed in the Student Grievances and Appeals Policy within 20 working days, if the student seeks to appeal this decision.
- 4.22 The above assessment procedures will not take more than 15 working days once the student has provided the necessary documentation.
- 4.23 The Institute will only finalise the student's refusal status in PRISMS when the appeal finds in favour of the Institute, or if the student has chosen not to access the grievances and appeals processes within the 20 working day period, or if the student withdraws from the grievances and appeals processes.
- 4.24 All records and documents relating to the transfer requests, considerations, and decisions should be placed on the student's file.

## **5. QUALITY ASSURANCE**

To ensure that this procedure is fit for purpose and meet the requirements of the HES Threshold Standards the procedure will be:

- 5.1 internally approved by the Executive Management Team on development or review
- 5.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board;
- 5.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier).
- 5.4 referenced to the applicable HES threshold Standard and/or other legislation/regulation.

## **6. FEEDBACK**

Feedback or comments on this procedure is welcomed by the listed Responsible officers of the Institute.

## 7. VERSION CONTROL

Version	Date approved	Description	Approved by
2.0	June 2018	Internal Issue	EMT
3.0	May 2019	Internal Review	EMT
4.0	April 2021	Internal Review	EMT
Related legislation/ regulation/standard	HES Threshold Standards 2015 ESOS National Code 2018 Standard 7		