



# Policy & Procedure

## Overseas Student Transfers

### Purpose

The purpose of this Policy & Procedure is to establish when the RTO will:

- accept overseas student transfers from external registered providers.
- release current students enrolled at the RTO for transfer to external registered providers.

This Policy applies to overseas students enrolled with the RTO.

Domestic students who wish to change training providers can simply apply to cancel their enrolment with their current RTO.

### Inputs

#### National Code 2018 Standard 7 - Overseas student transfers

- 7.1 Registered providers must not knowingly enrol an overseas student seeking to transfer from another registered provider's course prior to the overseas student completing six months of his or her principal course (or for the school sector, until after the first six months of the first registered school sector course), except where any of the following apply:
  - 7.1.1 the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered
  - 7.1.2 the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider
  - 7.1.3 the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
  - 7.1.4 any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the change.
- 7.2 For the purposes of Standard 7.1.3, the registered provider must have and implement a documented policy and process for assessing overseas student transfer requests prior to the overseas student completing six months of their principal course (or for the school sector, until after the first six months of the first registered school sector course). The policy must be made available to staff and overseas students, and outline:
  - 7.2.1 the steps for an overseas student to lodge a written request to transfer, including that they must provide a valid enrolment offer from another registered provider
  - 7.2.2 circumstances in which the registered provider will grant the transfer request because the transfer is in the overseas student's best interests, including but not limited to where the registered provider has assessed that:
    - 7.2.2.1 the overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with that registered provider's intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements)
    - 7.2.2.2 there is evidence of compassionate or compelling circumstances
    - 7.2.2.3 the registered provider fails to deliver the course as outlined in the written agreement.



- 7.2.2.4 there is evidence that the overseas student's reasonable expectations about their current course are not being met
- 7.2.2.5 there is evidence that the overseas student was misled by the registered provider or an education or migration agent regarding the registered provider or its course and the course is therefore unsuitable to their needs and/or study objectives
- 7.2.2.6 an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.
- 7.2.3 the circumstances which the registered provider considers as reasonable grounds to refuse the transfer
- 7.2.4 a reasonable timeframe for assessing and replying to the overseas student's transfer request having regard to the restriction period.
- 7.3 If the overseas student is under 18 years of age:
  - 7.3.1 the registered provider must have written confirmation the overseas student's parent or legal guardian supports the transfer
  - 7.3.2 where the overseas student is not being cared for in Australia by a parent or suitable nominated relative, the receiving provider must confirm it accepts responsibility for approving the student's accommodation, support, and general welfare arrangements in accordance with Standard 5 (Younger overseas students).
- 7.4 If a release is granted, it must be at no cost to the overseas student and the releasing registered provider must advise the overseas student to contact Immigration to seek advice on whether a new student visa is required.
- 7.5 If the registered provider intends to refuse the transfer request, they must inform the overseas student in writing of:
  - 7.5.1 the reasons for the refusal
  - 7.5.2 the overseas student's right to access the provider's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.
- 7.6 The registered provider must not finalise the student's refusal status in PRISMS until the appeal finds in favour of the registered provider, or the overseas student has chosen not to access the complaints and appeals processes within the 20-working day period, or the overseas student withdraws from the process.
- 7.7 The registered provider must maintain records of all requests from overseas students for a release and the assessment of, and decision regarding, the request for two years after the overseas student ceases to be an accepted student.



## Requirement

Registered providers must not knowingly enrol an overseas student wishing to transfer from another registered provider's course prior to the student completing six months of their principal course, except in certain circumstances.

## Reference Documentation

Other reference documentation which relates to this P&P.

## Tools & Templates

This P&P is supported by the Tools & Templates identified at each stage in the process.

## Policy

IIA will not recruit international students who wish to transfer and have not completed six (6) months of their principal course at another provider except where the requirements of Clause 7.1 of the National Code 2018 apply.

IIA will take appropriate steps in assessing all transfer requests from students enrolled with the college who have not yet completed 6 months of the principal course and will only allow for release in the circumstances specified in Clause 7.2 of the National Code 2018.

IIA will process all transfer requests as soon as practicable and will notify students of the outcome within ten (10) working days after receiving a complete and fully documented request. Students are expected to continue attending classes at IIA during this time.

IIA will make its complaint & appeals policy accessible to all students who do not agree with the College's decisions in this regard (Refer to IIA Policy & Procedure - Complaints and Appeals).

## Submit transfer request

Student wishing to transfer from IIA to another provider within the first six (6) months of the principal course must:

- Request release from studies at IIA via completed *IIA - Application to Cancel Enrolment Form (including Section E)*
- A written explanation setting out the reasons for the request including how the transfer would be in the student's best interests.
- A recent and appropriate documentary evidence to support written explanation.
- A valid Letter of Offer from another registered provider

**Tools & Templates:** IIA - Application to Cancel Enrolment Form

**Output:** Request release from studies at IIA submitted

**Responsibility:** Administrator

## Assess the transfer request



Admissions Officer verifies:

- whether the student has completed 6 months of the principal course at IIA. In the circumstance the student has completed more than 6 months of the principal course, the student is free to transfer to an external registered provider (Release not required)
- Check if the course that the student intends to be released from, is listed as a principal course on PRISMS and is transfer restricted or not. If the transfer is not restricted, the student is free to transfer to an external registered provider (Release not required)
- In the circumstance that the student has not completed 6 months of the principal course and/or the course is transfer restricted as reflected on PRISMS, assess the reasons and evidence provided in the request for release for transfer.

**Output:** Transfer request assessed

**Responsibility:** Administrator

#### Outcome of assessment for transfer request and recording status on PRISMS - If Approved

- Release the student on PRISMS. Record the date of effect and the reason for release in PRISMS.
- Inform the student of the outcome of the transfer request via email.
- Save a copy of transfer request, assessment, outcome, and all written communication in student file/folder.

**Output:** Student release recorded on PRISMS

**Responsibility:** Administrator

#### Outcome of assessment for transfer request and recording status on PRISMS - If Refused

- Inform the student of the outcome of the transfer request via email, including the reasons for the decision and information on the student's right to access IIA's complaints and appeals process within 20 working days.
- If the student chooses to appeal IIA's decision to refuse transfer request, follow the process set in IIA Policy & Procedure - Complaints and Appeals:
  - DO NOT finalise the student's transfer refusal status in PRISMS.
  - Wait for the appeal outcome and then finalise transfer (approve/refuse) status on PRISMS accordingly.
- If the student chooses not to appeal IIA's decision to refuse student request within 20 working days; or the appeal outcome is in favour of IIA; or the student has withdrawn from the process finalise the student's transfer refusal status in PRISMS.
- Save a copy of transfer request, assessment, outcome, and all written communication in student file/folder.

#### Tools & Templates

- IIA Policy & Procedure - Complaints and Appeals

**Output:** Transfer request refused

**Responsibility:** Administrator

#### Key Performance Indicator:

IIA only accepts overseas student transfers from external registered providers in accordance with the National Code 2018.

IIA only releases current students for transfer to external registered providers in accordance with the National Code 2018

#### Version history

Version	Date	Description of modifications
1.0	January 2024	Initial Draft
2.0	August 2024	Final