



TRANSFER BETWEEN REGISTERED PROVIDERS POLICY

Policy Name:	Transfer between Registered Providers Policy
Policy Number:	RTOP7
Current Version:	04
Next Revision Date:	November 2020
Purpose:	PI assess requests from students for a transfer between registered providers prior to the student completing six months of the principal course of study in accordance with documented procedures.
Related policies and legislation:	<ul style="list-style-type: none"> Education Services for Overseas Students (ESOS) legislative framework (ESOS Framework) (https://internationaleducation.gov.au/Regulatory-Information/Pages/Regulatoryinformation.aspx) National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) (https://www.legislation.gov.au/Details/F2017L01182)

Glossary of Terms/Definitions

Appeal	An appeal is a process for requesting a formal change to a decision.
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students
DET	Department of Education and Training (former Department of Education, Employment and Workplace Relations)
DHA	Department of Home Affairs
ESOS	Education Services for Overseas Students
PI	Peach Institute
Principal Course of Study	<p>The principal course of study refers to the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study.</p> <p>The principal course of study would normally be the final course of study where the overseas student arrives in Australia with a student visa that covers multiple courses.</p> <p>https://internationaleducation.gov.au/Regulatory-Information/Documents/National%20Code%202018%20Factsheets/Standard%207.pdf</p>
PRISMS	Provider Registration and International Students Management System (PRISMS). This site provides Australian education providers with the Confirmation-of-Enrolment (CoE) facilities required for compliance with the Education Services for Overseas Students (ESOS) Legislation
Registered Provider	As defined in section 5 of the ESOS Act, the registered provider for a course for a state, means an approved provider that is registered on CRICOS as a provider for the course for the state.
Registration	The process whereby a provider is recommended by a designated authority for registration under the ESOS Act to provide a specified course in that state to overseas students; and the provider is registered by the Secretary of DET on CRICOS. Registration includes re-registration.

INTRODUCTION

PI is restricted from enrolling transferring students for the first six months from the commencement of the student's principal program of study except in certain circumstances. Where a PI student is seeking to transfer PI must assess the student's request to transfer within restricted period in this policy. PI 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. If the student has completed six months of the principal course of study, no release is required.

1.0 Accepting International Students from another Registered Provider

PI 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:

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered
- 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
- the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
- 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.

Student willing to Transfer from PI

Within the First Six Months of a Principal Course

National Code 2018 requires that within the first six months of their principal course, students must complete, sign, date and lodge an Application for Transfer between Registered Providers. We believe in supporting the interests of our international students and we endeavour to ensure that any request to transfer to another provider allows them to exercise choice. Our assessment of such requests will take into consideration the individual circumstances of each student. PI will grant the transfer request in cases where the student provides a valid letter of offer/enrolment offer from another registered CRICOS provider and one of the following can be clearly demonstrated:

- circumstances in which the Peach institute 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:
 - 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 Peach Institute's intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements)
 - there is evidence of compassionate or compelling circumstances
 - the Peach Institute fails to deliver the course as outlined in the written agreement
 - there is evidence that the overseas student's reasonable expectations about their

- current course are not being met
 - there is evidence that the overseas student was misled by the Peach Institute or an education or migration agent regarding the Peach Institute or its course and the course is therefore unsuitable to their needs and/or study objectives
 - an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.
- If the student wishes to change course in order to get access to greater support (may be through the services offered by another provider and PI is not able to provide. In such cases, the student must provide evidence of the support being provided by the alternate provider).
 - if the student demonstrates that they are experiencing a threat to their physical or mental health or safety by remaining at the PI and demonstrates clearly how this will be alleviated through a transfer;
 - the student is required to move interstate;
 - Compelling/Compassionate circumstances (documented in writing and with any applicable supporting evidence supplied) which necessitate transfer to another provider.

STUDENT TRANSFER PROCEDURE

Transfer to PI

Students wanting to transfer to PI must complete an application form and submit all the required documents and also provide a transfer/ release granted information from their current provider, if student has not completed *six (6)* months of the principal course and/or the course they wish to enrol at PI starts before that completion of their *six (6)* months of the principal course. To support their transfer application a student must provide:

- Documents required by PI for admission, including completed application form
- transfer/ release granted information

The Student Administration Officer will process the application, check the eligibility and enrol (if student is eligible) the student as per PI's processes. PI will not knowingly enrol the student wishing to transfer from another registered provider's course prior to the student completing six months of their principal course of study except where:

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered
- 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
- the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
- 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.

Transfer from the PI

In requesting a transfer to another education provider a student send a lodge a request to transfer and provide detailed reasons for their transfer, to PI. The transfer request must also be submitted with a valid Letter of Offer from the receiving provider. Note: PI does not enrol students under the age of 18.

Within 14 days of receipt of a transfer request/application the student will be notified with the outcome of their request. If a release outcome is successful, it will not be processed until all financial obligations/outstanding/due fees with the PI have been paid. PI may exceed decision timeframes if it requires additional information or for incomplete applications.

If release is granted, it will be at no extra cost to the overseas student and PI will advise the overseas student to contact Immigration/DHA to seek advice on whether a new student visa is required.

Refusal of Transfer Request

If Peach Institute intends to refuse the transfer request, PI will inform the overseas student in writing of:

- the reasons for the refusal
- the overseas student's right to access the provider's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals) of National Code 2018, within 20 working days.

If the student is not satisfied with the decision as that not to grant a Transfer Request Between Registered Providers or believes the decision was not made in accordance with this procedure, the student has the right to appeal (within ten working days) on the decision to the Chief Executive Officer of the PI. In this event we will maintain the student's enrolment until the appeals process is completed.

Peach Institute will not finalise the student's refusal status in PRISMS until the appeal finds in favour of PI, 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.

Note: What does 'maintain the student's enrolment' mean? The PI must maintain the student's enrolment while the complaints and appeals process is ongoing i.e. make no changes to the student's enrolment status on PRISMS.

Circumstances under which a transfer of release will not be granted may include but are not limited to:

- student has simply changed their mind about their program of study;
- if the student has not accessed PI support services for assistance with study or personal issues such as living a long distance away from campus, travel difficulties, difficulties adjusting to life in Australia;
- the demands of academic work at the PI, i.e. where a student having been provided with reasonable adjustment for assessment items and submission extensions refuses to accept/access PI's support services;
- the student does not have a valid enrolment offer from a CRICOS registered provider;
- the course for which the student is intending to enrol in with the other provider, is similar to or the same as the course in which the student is currently enrolled; and the program of study at

PI, is consistent with the documented program requested on the student's application.

- the student is experiencing course schedule conflict with personal, work, or other non-study commitments;
- PI believes that a transfer at this time could be considered detrimental to the student, for example but not limited to, issues such as homesickness, as it may take some time to overcome and transferring to another provider is unlikely to solve this problem.