

TRANSFER OF PROVIDER REQUEST FORM			
<b>Details</b>			
Date:			
Name:			
Student ID:			
Course:			
Course Intake:			
<b>New Provider Details</b>			
Name:			
Address:			
Suburb:		State:	
Phone:		Fax:	
Email:		Website:	
CRICOS Number:			
Course:			
<b>Section 1</b>			
<b>I request a Transfer of Provider for the following reasons: (Attach any supporting documentation)</b>			
<b>Acknowledgement</b>			
I understand and acknowledge that this Transfer of Provider request processed perWoodstock International College Transfer of Provider Policy. Notwithstanding, should my request be denied, I shall have 20 days to access the Complaints and Appeals process.			
Print Name:		Signature:	

Authorisation			
Authorisation for Processing			
Checklist:	YES	NO	
Does the student have a Valid Letter of Offer	<input type="checkbox"/>	<input type="checkbox"/>	
Is the student under the age of 18 years? If so, has the Parent or Legal Guardian given written consent	<input type="checkbox"/>	<input type="checkbox"/>	
Does the student have any outstanding fees or charges	<input type="checkbox"/>	<input type="checkbox"/>	
Has the student been maintaining satisfactory academic progress and attendance	<input type="checkbox"/>	<input type="checkbox"/>	
Has the student been informed of their requirement to contact DHA	<input type="checkbox"/>	<input type="checkbox"/>	
Has the student been counselled on their request	<input type="checkbox"/>	<input type="checkbox"/>	
Comments:			
Action:	APPROVED	DENIED	
Signed:		Position:	
Print Name:		Date Processed:	

Admin Use Only				
Letter of Release				
Letter of Release Issued:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Date:	
Sent By:		Signature:		
Obligations				
RTO Obligations End:				
DHA Informed:	<input type="checkbox"/> Yes,	<input type="checkbox"/> No	Date:	
Appeal of Decision				
Appeal Lodged:	<input type="checkbox"/> Yes,	<input type="checkbox"/> No	Date:	
CAF Number:		Date:		

Transfer Overseas Students

**Purpose:**

To provide a documented process for assessing requests for the Transfer of Provider within (if exceptions apply) or after six months of commencement of the principal program, per the National Code 2018. Students may transfer at any time following the principal program’s initial six-month period, providing they can provide a valid Letter of Offer from another CRICOS registered provider.

**Standard reference:**

National Code of Practice for Providers of Education and Training to Overseas Students 2018 - Standard 7: Overseas Student Transfers <https://internationaleducation.gov.au/Regulatory-Information/Pages/National-Code-2018-Factsheets-.aspx>

**Who is responsible:**

The Training Manager is responsible for implementing this procedure and ensuring that staff and students know its application.

**Review date:**

Every 12 months

**Definitions:**

**COE means** Confirmation of Enrolment issued by an educational institution to a student according to the ESOS Act.

**ESOS Act means** the Education Services for Overseas Students Act 2000 and all associated legislation, including the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (“National Code”)

**International student means** any student studying at Woodstock International College on a student visa.

**RTO** Registered Training Organisation.

**PRISMS mean** the Provider Registration and International Students Management System according to the ESOS Act.

**Six months minimum study means** the independent evaluation of the ESOS Act 2000 recommended the 12-month restriction applied to the principal course of study reduced to six months. It also urged the 12-month period to be transferred from a condition on a student’s visa to a provider’s requirement through the ESOS legislation. Following consultation with the international education industry, the restriction was reduced to six months and included in the National Code 2018. Six months seen as a reasonable compromise between giving overseas students a choice as consumers while acknowledging they are a group that may require support to transition to study in Australia

**Policy:**

This policy outlines the circumstances in which we will assess the Transfer of Provider requests per the National Code 2018. We will consider each request on an individual student basis, considering all supporting documentation of the right.

We will not knowingly enrol an overseas student seeking to transfer from another registered provider’s course before the overseas student completing six months of his or her principal course, except where any of the following apply:

For Standard 7.1.3, we have implemented a documented policy and process for assessing overseas student transfer requests before the overseas student completing six months of their principal course

The policy must be made available to staff and overseas students, and outline:

- the releasing registered provider, or the course in which the overseas student 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 difference.
- 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

Circumstances in which we will grant the transfer request because the transfer is in the overseas student’s best interests, including but not limited to where we have 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 that registered provider’s intervention strategy to assist the overseas student following Standard 8 (Overseas student visa requirements)
- there is evidence of compassionate or compelling circumstances
- the registered provider fails to deliver the course as outlined in the

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Contact: +61 08 8100 5225 Web: [www.woodstock.sa.edu.au](http://www.woodstock.sa.edu.au) E-mail: [admissions@woodstock.sa.edu.au](mailto:admissions@woodstock.sa.edu.au)

- 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 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

A student transferring from us to another provider required to:

- firstly, complete a Transfer of Provider Request Form, along with any supporting documentation.
- All requests assessed individually, taking into account the student's circumstances and if the transfer will be in the student's best interest.
- All requests will be processed within ten working days from the submission date, with a Letter of Release or Letter of Refusal provided.
- Notwithstanding the outcome, the student has 20 days to access our Complaint and Appeals process.

#### Circumstances in which a Transfer of Provider Request granted

We consider a Transfer of Provider request and give a Letter of Release under the following circumstances:

The National Code states that we must grant a Letter of Release only where the student has:

- Compassionate or compelling circumstances,
- The provider and the course better meet's the student's academic capabilities and requirements,
- We have ceased registration, or the course in which the student enrolled has finished registering
- We have had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course, or
- Any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change
- provided a letter from another registered provider confirming that a valid enrolment offer has been made

*NOTE: We do not offer services to any persons under the age of 18. Therefore any references to persons under 18 are removed*

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**Circumstances in which a Transfer of Provider Request NOT granted**

We will not give a Letter of Release under the following circumstances:

- The request is within six months of commencement of the principal program with Woodstock International College
- We disagree that the transfer is in the students’ best interest or academic capabilities,
- The student does not have a valid Letter of Offer from the receiving provider,
- The student has Financial difficulties or Outstanding Payments for our services,
- The student is under 18, and there is no written authority from the Parent or Legal Guardian, and
- We believe the student avoids reporting to the DHA for not meeting the student contract’s obligations or course requirements.

If we intend to refuse the transfer request, we 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, per Standard 10 (Complaints and appeals), within 20 working days

We will 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

**Note: We do not accept students under the age of 18**

Note: The we will maintain records of all requests from overseas students for a release and the assessment of, and decision regarding, the demand for two years after the overseas student ceases to be an accepted student.

**Procedure:**

In line with the principles of this policy:

We must not actively recruit students where the recruitment would conflict with the requirements of this procedure and Standard 7 of the National Code 2018

We will not knowingly enrol students currently enrolled at another provider who have NOT completed at least six months of study of their principal course.

We will not allow the transfer of students enrolled with us to another provider who has not completed at least six months of study of their principal course; unless the student falls into one of the categories listed below and the requirements of the ESOS Act are complied with:

- the original registered provider has ceased to be written. The course in which the student is enrolled has finished being recorded.
- The original registered provider has provided a written letter of release.
- the original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course,
- Any government sponsor of the student considers the change to be in the student’s best interest and has provided written support for that change.

No fee charged to the student by us for issuing a letter of release. If we refuse a letter of release, a student may appeal to the provider’s decision. (refer to Complaints and Appeals Policy and Procedure)

Letter of Release (Transfer OUT) – See flow chart (Appendix 1)

- Students must apply for a letter of release on the appropriate form. (Application of release letter form)
- Student must seek approval from the finance department before using with the administration manager.
- Applications for a letter of release will be considered by the Training Manager and may be referred to the CEO and responded to within 10 working days of being received by Woodstock International College
- A letter of release application form will be processed according to this procedure and only if the student can provide written confirmation that another registered provider has made a valid enrollment offer.
- The release has given when we believe that a transfer will not be considered detrimental to the student.
- The record of the decision will be placed in the student admin file.
- The student must be informed within ten working days from the date of lodgement of the application.

A letter of release will usually grant in the following situations shown below.

- We are unable to continue to provide the course; or
- The student can demonstrate they are experiencing a threat to physical or mental health or safety by remaining at Woodstock International College and can explain clearly how this will be alleviated through a transfer; or
- The current course of study is not consistent with documented course requested for on their application.
- In exceptional, compassionate circumstances beyond the students’ control, such as severe illness or death of a close family member (independent evidence of exceptional circumstances is required) and exceptional, compassionate circumstances, a permanent change

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in the student's circumstances makes the student's circumstances change continued enrolment inappropriate.

Another circumstance where a transfer granted is where there is evidence of compassionate or compelling circumstances. 'Compassionate or compelling circumstances are generally beyond the overseas student's control and impact upon the overseas 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 overseas student was unable to attend classes
- bereavement of close family members such as parents or grandparents (where possible, a death certificate provided)
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies; or
- a traumatic experience, which could include involvement in, or witnessing of a serious accident; or witnessing or being the victim of a serious crime, and this has impacted on the overseas student (police or psychologists' reports should support these cases)
- where we are unable to offer a pre-requisite unit or the overseas student has failed a pre-requisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol

These are only some examples of what may be considered compassionate or compelling circumstances. Above what is deemed compassionate or compelling, we outline using professional judgment to assess each case on its merits. When determining whether compassionate or compelling circumstances exist, We will consider documentary evidence to support the claim. It will keep copies of these documents in the overseas student's file. Other circumstances in which a transfer granted are:

- We fail to deliver the course as outlined in the written agreement.
- there is evidence that the overseas student's reasonable expectations about their current course not met (such as correspondence between the overseas student and the registered provider or marketing materials given to the overseas student before enrolment, and setting particular expectations about the course);
- there is evidence that the overseas student misled an education or migration agent regarding the registered provider or its course or us. The course is, therefore, unsuitable to their needs and study objectives.
- an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student

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### Transfer requests and packaged courses

Suppose a transfer will affect the start dates of any subsequent courses covered by the visa. In that case, the overseas student will be released from those courses, or gain the following registered providers' agreement to delay the start of those courses.

We will advise overseas students that changes to their preliminary courses may have ramifications for their admission to their principal course. For example, if an introductory course is a pre-requisite entry requirement to the principle course.

Once a transfer request decision has been made, Transfer request outcomes recorded in PRISMS (A 'How To' guide for recording transfer requests in PRISMS is available at <https://prisms.education.gov.au/Information/ShowContent.ashx?Doc=How>

To Manage Student Transfers in PRISMS.pdf).

As such, a hard copy release letter not required from the releasing provider. We will still advise overseas students of the outcome of the transfer request via email. We will also encourage the overseas student to consider whether a change in enrolment breaches a visa condition. The student can refer to the Department of Home Affairs website at <https://www.border.gov.au/Trav/Stud/More/Changing-courses>.

If we intend to refuse a release, it will not finalise the overseas student's refusal status in PRISMS until:

- any appeal against the refusal lodged by the overseas student is completed and upholds the registered provider's decision not to release the student, or
- the overseas student did not access the registered provider's complaints and appeals processes within 20 working days of being notified of the refusal: or
- the overseas student withdraws their appeal against the refusal. The registered provider must also notify the overseas student in writing the reason for refusing the transfer request and the overseas student's right to access the registered provider's internal complaints and appeals process (following Standard 10) within 20 working days. All registered providers must maintain records of overseas student transfer requests for two years after the student ceases to an accepted student

A letter of release will typically not granted in the following situations shown below.

- The student has not met the requirements of the written agreement; or
- The student has a change of mind, or
- Not enough documented evidence to support reasons or claims in the application for a letter of release is submitted; or
- The student does not satisfy any of the situations, which generally lead to a letter of release being granted; or
- The proposed transfer will jeopardise the student's progression through a package of courses; or
- The student has unsatisfactory academic progress and is in the intervention process; or
- The student has unsatisfactory behaviour and has been or is about to have their enrolment suspended or cancelled and be reported to the Department of Immigration and Home Affairs; or
- The student cannot provide a letter from another registered provider confirming that a valid enrolment offer has been made.
- The student has not cleared the tuition fee due.

If a letter of release refused, reasons for the refusal documented in writing, and the student informed of their rights to access our complaints and appeals procedure.

- A copy of the student's:
- letter of release application;
- notes,
- recording the assessment of the application and
- place a copy of the release letter in the student's file

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**Enrolling a transferring student (Transfer IN)**

We will not knowingly enrol a student wishing to transfer from another registered provider’s course before the student completing six months of his or her principal course of study except where:

- the original registered provider has ceased to be registered, or the course in which the student is enrolled has finished being registered;
- the original registered provider has provided a written letter of release.
- the original registered provider has had a sanction imposed on its registration by the Australian Government or state or territory government that prevents the student from continuing his or her principal course, or
- Any government sponsor of the student considers the change to be in the student’s best interest and has provided written support for that change.

All existing Credit Transfers and RPLs recognised by the previous provider will be identified by Woodstock International College if the original evidence provided – See Recognition policy and procedure

If we knowingly enrol a student wishing to transfer from another registered provider’s course before the student completes six months, the principal course of study documentary evidence of at least one of the four conditions listed above must be obtained and placed in the transferring student’s file.

We will not seek to enrol a student who has not yet completed six months of their principal course of study with another registered provider unless the requirements of the National Code 2018 are met and then only per this procedure.

Exceptions to the release letter requirement where a letter of release not required in the following circumstances – “When a student fails to meet specific entry requirements for commencing a course, and the student left without a provider in the absence of a release letter then

- transfer permitted as long as the student can provide documentary evidence of their predicament (these documents will be accepted as “approximates” to a release).

Where a student’s enrolment cancelled under Standard 13 of the National Code (“Deferring, suspending or cancelling the student’s enrolment”), there is no need for the provider to also issue a release letter - in this situation, and the cancellation would be sufficient:

**Records management:**

**Letters**

Application for release letter

**Policy and Procedures**

- Recognition policy
- Complaints and Appeals Policy and Procedure
- Refund Policy

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APPENDIX 1 FLOWCHART FOR PROCEDURE FOR RELEASE LETTER

