

# Transfer Between Providers Policy



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| <b>Related policies</b>               | <ul style="list-style-type: none"> <li>▪ Course Progress Monitoring Policy</li> <li>▪ Appeals Policy</li> <li>▪ Fee administration and Refund Policy</li> </ul>  |
| <b>Related procedures</b>             | <ul style="list-style-type: none"> <li>▪ Course Progress Monitoring Procedure</li> <li>▪ Complaints and Appeals Procedure</li> <li>▪ Appeals Procedure</li> <li>▪ Refund Procedure</li> <li>▪ Transfer Between Providers Policy</li> </ul>             |
| <b>Forms and supporting documents</b> | <ul style="list-style-type: none"> <li>▪ International Student Intervention Strategy Form</li> <li>▪ Training and Assessment Strategy</li> <li>▪ Transfer Register</li> <li>▪ PRISMS</li> <li>▪ Transfer and Letter of Release Request Form</li> </ul> |

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# Transfer Between Providers Policy



## PURPOSE

South Sydney College to the relevant requirements outlined in the National Code 2018 for the delivery of training services to international students. This policy, in particular, ensures that South Sydney College will follow the requirements stated in Standard 7 for assessing requests for transfer to other providers, and processing approved requests for transfer.

This policy has been created to ensure that the South Sydney College enables its staff and both its current and prospective learners to resolve critical incidents as they happen. It also ensures that faculty and staff receive the necessary training and information resources to resolve critical incidents, and that those affected by critical incidents receive the necessary support and counselling services.

**RELEVANT STANDARD(S):** CRICOS National Code 2018, Standard 7.

## SCOPE

This Policy applies to the admissions team and all South Sydney College staff responsible in developing, updating, and disseminating training materials ensuring that they adhere to all processes and practices outlined in this document.

## POLICY PRINCIPLES

**South Sydney College** will ensure that it does not knowingly enrol an overseas student wishing to transfer from another registered provider's course prior to the overseas student completing six months of their principal course of study, except in certain circumstances as outlined in the National Code 2018.

For matters concerning transfers of learners to and from other registered providers, South Sydney College adheres to the following policy principles:

### 1. Overseas Students Transfer Policy Principles

- 1.1. South Sydney College only enrol transferring learners prior to the learner completing six months in their principal course with their current provider under the following circumstances:
  - 1.1.1. the current provider or the learner's principal course is no longer registered;
  - 1.1.2. the current provider has been sanctioned, and its registration has been revoked;
  - 1.1.3. the transfer is supported by the learner's government sponsor;
  - 1.1.4. the current provider has issued a letter of release.
- 1.2. South Sydney College will ensure that its education agents does not actively recruit prospective learners who have not yet completed six months of training in their principal course with their current training provider. *(see Marketing and Recruitment Policy for more information)*
- 1.3. South Sydney College adheres to the guidelines and circumstances defined in this policy where transfer will be granted or refused for an overseas student. In following the guideline the College

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will ensure that it considers the best interest and individual circumstances of the students in order to determine whether the transfer will be detriment or advantageous to the student.

- 1.4. South Sydney College records all transfer request outcomes in the Provider Registration International Student Management System (PRISMS).
- 1.5. South Sydney College shall not finalise refusal to release the overseas student until the student has had an opportunity to access the complaints and appeals process.
- 1.6. South Sydney College ensures that where requests are received from overseas students under the age of 18, the overseas student's parent or legal guardian has provided support for the transfer in writing.
- 1.7. All information regarding another provider's courses, fees, enrolment procedures, and pathways is the learner's responsibility. South Sydney College is not obligated to assist the learner in this regard, except when it comes to the issuance of a letter of release.
- 1.8. South Sydney College will issue a letter of release within five working days from the date of approval of the transfer request. In the event that the transfer request is refused the College will advise the overseas student within five working days of the outcome, together with the reasons for refusal and information regarding the overseas student's right of appeal.
- 1.9. Appeals received relating to change / transfer of provider will be directed to the Director/CEO of South Sydney College. The appeal will be decided in accordance with the Complaints and Appeals Process of the College. *(See Complaints and Appeals Policy for more information)*
- 1.10. Refund requests in case of transfer will be considered according to the Fee Administration and Refund Policy of the college. *(See the Fee Administration Policy for more information)*
- 1.11. Overseas students may transfer to another provider after six months without a letter of release from South Sydney College. Student visa condition 8533 requires students to notify their current provider of a change of education provider within seven days of receiving another CoE.
- 1.12. South Sydney College will not finalise the overseas student's refusal status in Provider Registration International Student Management System (PRISMS) until:
  - 1.12.1. any appeal against the refusal lodged by the overseas student is finalised and upholds the registered provider's decision not to release the student; or
  - 1.12.2. 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
  - 1.12.3. the overseas student withdraws their appeal against the refusal
- 1.13. South Sydney College and Training shall maintain records of overseas student transfer requests for two (2) years after the student ceases to be an accepted student of the College. All submitted requirements (letter or offer, supporting evidence, parent / legal guardian letter (if student is below 18) shall be securely kept in the overseas student's file.

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- 1.14. South Sydney College will ensure that there are no gaps in welfare arrangements for the overseas students below 18 who are under the College's welfare arrangements. The College will ensure that the receiving provider confirms its acceptance of the responsibility for the student's accommodation and welfare arrangements in accordance with the Standard 5 of the National Code 2018.

## 2. Guidelines for Granting Request for Transfer

- 2.1. The circumstances where a transfer may be granted by South Sydney College prior to the overseas student completing six (6) calendar months of their principal course of study includes but is not limited to:
  - 2.1.1. The learner has special learning difficulties, identified at least four weeks after the course commencement, which cannot be accommodated by the college.
  - 2.1.2. The learner is under 18, his/her parent or legal guardian has transferred residences, and continued training at South Sydney College has become highly impracticable. In this case, the learner must have written evidence that his/her parent or legal guardian supports the request for a transfer.
  - 2.1.3. The individual request is based on other circumstances which the college considers sufficient to approve a transfer of provider.
  - 2.1.4. The College failed to deliver the course as outlined in the written agreement.
  - 2.1.5. The overseas student is unable to achieve satisfactory course progress at the level they are studying, even after engaging with the College's intervention strategy.
  - 2.1.6. There is evidence that the overseas student's reasonable expectations about their current course are not being met.
  - 2.1.7. 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.
  - 2.1.8. An appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.
  - 2.1.9. The course the student wishes to transfer to better meets the study capabilities of the student and/or better meets the long-term goals of the student.
  - 2.1.10. There is evidence that the overseas student is experiencing a threat to his or her physical or mental health or safety.
  - 2.1.11. The learner continues to fail the English language entry requirement of a course despite having already completed a period of ELICOS.
  - 2.1.12. There is evidence of other compassionate and compelling circumstances that are beyond the control of the overseas student and which have an impact upon the course progress or wellbeing of the students. These can be, but are not limited to:
    - 2.1.12.1. serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
    - 2.1.12.2. bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
    - 2.1.12.3. major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies; or

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- 2.1.12.4. a traumatic experience, which could include:
    - 2.1.12.4.1. involvement in, or witnessing of a serious accident; or
    - 2.1.12.4.2. witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports)
  - 2.1.12.5. where the registered provider was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol; or
  - 2.1.12.6. inability to begin studying on the course commencement date due to delay in receiving a student visa.
- 2.2. Additional circumstances may apply but will be subject to the discretion of South Sydney College.

### 3. Guidelines for Refusing Request for Transfer

- 3.1. The circumstances where a transfer will be refused by South Sydney College prior to the overseas student completing six (6) calendar months of their principal course of study includes but is not limited to:
  - 3.1.1. Where the student has no valid Enrolment Offer from another CRICOS provider;
  - 3.1.2. Where the student's reason for transfer is lower fees or shorter completion time;
  - 3.1.3. Where the student has commenced studies and the College views that the request for transfer is a means of the student to avoid being reported to DIBP for a breach of visa condition;
  - 3.1.4. Where a student has breached a student visa condition(s) and has been reported to PRISMS;
  - 3.1.5. Where the College considers the request for transfer is detrimental to the student;
  - 3.1.6. Where the overseas student is experiencing a course scheduling conflict with a personal, work or other non-study commitments;
  - 3.1.7. Where the student have outstanding fees for the current study period;
  - 3.1.8. Where the student is under 18 and does not have written consent from their parent or legal guardian;
  - 3.1.9. Where a student is currently in an intervention process for unsatisfactory progress or for not meeting the course attendance requirements;
  - 3.1.10. Where the student has been legally charged for misbehaviour or if the student is under police investigation;
  - 3.1.11. Where the student has caused severe damage to the College's property;
  - 3.1.12. Where the transfer may jeopardise the student's progression through package of courses;

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3.1.13. Where the transfer is based on change of program and the said program is also offered by the College;

3.1.14. Where the student has not utilised the College's support services and/or academic resources or assistance.

3.2. Additional circumstances may apply, but will be subject to the discretion of South Sydney College.

## 4. Incoming Students Transfer Requests

4.1. Students applying to enrol with South Sydney College prior the completion of their six months of principal course of study must complete the application to enrol with the college using the International Student Enrolment Form.

4.2. South Sydney College will assess the application where a conditional letter of offer may be issued that clearly states that an offer of a place is contingent on the overseas student obtaining a letter of release from their current provider.

4.3. Applications for transfer with valid letter or release where the overseas student has no outstanding fees or matters with their prior institution shall be processed by South Sydney College as per the College's enrolment process.

4.4. Overseas student who fails to provide a valid letter of release will be informed by the College that their application for transfer cannot be processed at the time and may reactivate their application for transfer once they have a valid letter of release or when the six months period of the principal course of study has passed.

4.5. South Sydney College shall not require a student to present a letter of release in the following circumstances:

4.5.1. the current provider or the learner's principal course is no longer registered;

4.5.2. the current provider has been sanctioned, and its registration has been revoked

## 5. Outgoing Students Transfer Requests

5.1. South Sydney College will assess individual applications for transfer from overseas students in consideration of the student's best interest and in adherence with the guidance for granting and refusing transfer request outlined in this policy.

5.2. Overseas students applying for transfer shall use the Transfer and Letter of Release Request Form of South Sydney College. Each application shall be accompanied by the following documents to be emailed to [info@ssc.edu.au](mailto:info@ssc.edu.au) after lodging the online form:

5.2.1. Letter of Offer

5.2.2. Statement of reasons why the student is seeking release together with other relevant supporting documentation

5.2.3. Letter from parent or legal guardian (if student is under 18)

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- 5.3. Incomplete applications will not be assessed and the seven (7) working day period for assessment of transfer request will not commence until all documentation outlined above is received.
- 5.4. South Sydney College issues Letter of Release to overseas students who's been approved for transfer at no cost.
- 5.5. South Sydney College advises students to continue attending classes while their transfer request is being assessed.
- 5.6. Overseas students who have been issued a letter of release in PRISMS shall be notified to contact the [Department of Home Affairs \(DHA\)](#) to seek advice on whether a new student visa is required.

## MONITORING AND IMPROVEMENT

All practices for South Sydney College 's transfer procedures are monitored by the CEO of South Sydney College and areas for improvement identified and acted upon according to the Continuous Improvement Policy.

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## REVISION HISTORY

| Date / Version no. | Revision details    | Person Responsible | Status   | Comments      |
|--------------------|---------------------|--------------------|----------|---------------|
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