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## Transferring between Registered Providers Policy

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### Purpose

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The policy clarifies the requirements, rights and responsibilities of Greenwich English College Pty Ltd with respect to International Students transferring from one provider to another as they are set out in the ESOS legislative framework and related regulations, including the National Code (2018) Part D Standard 7.

### Scope

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This policy applies to all Greenwich English College Pty Ltd staff involved in student recruitment and enrolment and specifically in the approval of student transfers into and out of Greenwich English College Pty Ltd courses to those of another provider.

### Policy

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This policy is to ensure that Greenwich English College Pty Ltd does not inappropriately enrol or allow the transfer of any international student to or from another institution.

This policy and the associated procedure are specifically and predominantly written to address transfers that occur within the first six months of a student's primary course of study. That is, the policy applies where a student has been granted a student visa based on their enrolment in:

- a single course of study and is yet to complete the first six months of that course, or
- more than one course of study and the student is yet to complete the first six months of the highest level course enrolled in. For example, where the student has enrolled in an ELICOS course, followed by a VET course, then the VET course will be considered the primary course, and where the student has enrolled in a VET course followed by a higher education level course, the higher education level course will be considered the primary course.

This policy and the associated procedure details the steps for assessing and approving applications to transfer into or out of Greenwich English College Pty Ltd courses and those of another provider. This policy and the associated procedure also detail the time frames in which such applications will be responded to and finalised.

Greenwich English College Pty Ltd will adhere to the intent of Standard 7 in protecting the rights of international students and the integrity of the Australian visa system by considering individual circumstances on their merit. Under this policy Greenwich English College Pty Ltd recognises overseas students as consumers and supports them to exercise choice, while acknowledging that they may also be a group that requires support to transition to study in Australia.

In all cases where it is deemed appropriate for Greenwich English College Pty Ltd to provide a student with a letter of release, it will provide said letter at no cost to the student.

Greenwich English College Pty Ltd will always advise the student of the need to contact DIBP to seek advice on whether a new student visa is required.

Greenwich English College Pty Ltd will ensure this policy is available to both staff and students by including it in the Staff and Student Handbook.

### Enrolling a Transferring Student

Under this policy Greenwich English College Pty Ltd will **not** enrol any transferring international student prior to completion of 6 months of their principal course unless:

- the original provider has ceased to be registered or the course in which the student is enrolled ceases to be registered.
- that student has a valid letter of release agreeing to such a transfer.
- the original provider has had a sanction imposed on its registration by the Australian and / or State Governments that prevents the student from continuing their principal course.
- Any government sponsor of the student considers the change to the student to be in the student's best interest and has provided written support for that change.

Further, Greenwich English College Pty Ltd will not enrol an overseas student who has already been enrolled in the same course unless:

- a) the student has not completed the relevant course and the registered provider has given a letter of release to the student for the relevant course.

Greenwich English College Pty Ltd may enrol a student if they have documentation that approximates the letter of release (e.g. the student has evidence their CoE was conditional on meeting certain entry requirements and they did not meet the requirements). Greenwich English College Pty Ltd will note this in PRISMS and keep the documentation on the student's file.

*NOTE: A student wanting a CoE for the purposes of applying for a new visa is not considered to be a circumstance that would constitute an approximation of a letter of release.*

Greenwich English College Pty Ltd will not actively recruit a student where this clearly conflicts with its obligations under Standard 7.

Furthermore, Greenwich English College Pty Ltd will not accept students from or enter into an agreement with an education agent where it knows or suspects that the education agent has deliberately attempted to recruit a student where this clearly conflicts with the obligations of providers under Standard 7.

### **Transferring away from GREENWICH ENGLISH COLLEGE PTY LTD**

If a student wishes to transfer away from Greenwich English College Pty Ltd, Greenwich will provide a letter of release unless:

- the student has failed to provide a letter from another registered provider confirming that a valid enrolment offer has been made or the student has paid all the tuition fees.
- AND, the offer of enrolment is in a course which is not deemed
- The student is over the age of 18 or has the written consent of a parent or guardian supporting the transfer AND the written confirmation that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements as per the requirements of the National Code Part D Standard 5. (Note: currently Greenwich English College Pty Ltd does not accept students under the age of 18).

In situations where students are eligible for a Letter of Release, Greenwich English College Pty Ltd will provide such a letter within 10 working days of receiving a written request and the letter of offer from the other provider.

### **Circumstances in determining release**

The policy will ensure students' individual circumstances are considered in order to determine if the transfer will be to the detriment of the student.

Circumstances for which transfer may be considered include:

- if the course the student wishes to transfer to:
  - better meets the study capabilities of the student
  - better meets the long term goals of the student, whether these relate to future work, education or personal aspirations
- if the student wishes to change course in order to get access to greater support (may be through the services offered by another provider, commercial or non-for-profit services or through access to family, friends or a cultural support network)

- if the student claims or can provide evidence that his or her reasonable expectations about the current course are not being met

Factors that may be considered to the student's detriment, but which should be considered in light of the student's individual circumstances and a broader range of factors, such as those outlined above, include:

- if the transfer may jeopardise the student's progression through a package of courses
- If the student has recently started studying the course and the full range of support services are yet to be provided or offered to the student (it is good practice to revisit the issue within a timeframe negotiated with the student); and
- if the student is trying to avoid being reported to DIBP for failure to meet the provider's attendance or academic progress requirements.

### **Refusing to provide a letter of release**

Greenwich English College Pty Ltd will not give a student a letter of release unless the student shows them a valid letter of offer of enrolment from another provider.

When a request for release is refused, the student will be provided with written response stating the reason for the refusal.

The student will be given advice in writing that it is possible to appeal the decision if the student so chooses.

### **Students withdrawing from a course**

If a student withdraws from a course Greenwich English College Pty Ltd will adhere to the requirements of the ESOS Act by advising the Department of Education and Training (DET) through PRISMS within 14 days. This information is transmitted to the Department of Immigration and Border Protection (DIBP) and has implications for the student's visa.

### **Refund of Fees**

If a student transfers to another provider, any refunds of course fees paid to Greenwich English College Pty Ltd will be in accordance with the Greenwich English College Pty Ltd refund policy.

**Authorising Officer:** \_\_\_\_\_ **Date:** \_\_\_\_\_ **Review Date:** \_\_\_\_\_

This policy is to be reviewed twelve (12) months from this date.