



Transfer of Provider Policy

Purpose

The purpose of this policy is to ensure that overseas students wishing to transfer between registered training providers do so in accordance with The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, known as 'the National Code 2018' Standard 7.

This policy provides a documented process for assessing requests for the Transfer of Provider. By following this policy, QIBA safeguards against knowingly enrolling an overseas student prior to them first completing at least six months of their principal course, with the exception of those meeting specified criteria and in certain circumstances as detailed in this policy.

Scope

This policy outlines the circumstances in which QIBA will assess Transfer of Provider requests in accordance with the National Code. QIBA will assess each request on an individual student basis, taking into account all supporting documentation of the request.

Definitions

Incoming Transfer	refers to a student transferring from another institution to this one
Outgoing Transfer	a student leaving this institution to go to another
Compassionate or compelling circumstances	These include but are not limited to: <ul style="list-style-type: none">• serious illness or injury supported by a medical certificate• death of close family members such as parents or grandparents (where possible a death certificate should be provided)• inability to begin studying on the course commencement date due to delay in receiving a student visa• major political upheaval or natural disaster in the home country requiring emergency travel; or• a traumatic experience, which could include:<ul style="list-style-type: none">○ involvement in, or witnessing of a serious accident, or○ witnessing or being the victim of a serious crime, and this has impacted on the student (supported by police or psychologists reports)
Principal Course	Is the main course of study where the student visa has been issued for multiple courses. It is usually the final course of study.



Policy Statement

1. Incoming Student Transfer

- 1.1 QIBA as the receiving registered provider must not knowingly enrol any student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course of study except where:
- the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
 - the original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered,
 - the original registered provider has had a sanction imposed on its registration by ASQA as the ESOS Agent, that prevents the student from continuing studies, or
 - any government sponsor of the student considers the change to be in the student's best interests and has provided written support for that change.

2. Outgoing Student Transfer

- 2.1 Students wishing to transfer to another provider must first complete a Transfer of Provider Request Form, along with any supporting documentation. **Supporting documentation includes a valid enrolment offer from another registered provider.**
- 2.2 All requests will be assessed individually, taking into account the circumstances of the student and if the transfer will be in the best interest of the student.



- 2.3 All requests will be processed within 10 working days from the date of submission.
- 2.4 If the student disagrees with the outcome, the student has 20 days to access QIBA's Complaint and Appeals process.
- 2.5 All documentation (requests, considerations and decisions) will be placed on the student's file.
- 2.6 The details of the application to transfer, including the outcome of the application, shall be entered into the Student Transfer Application Register
- 2.7 The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. Refunds are governed by the refund policy independent of this policy.

3. Circumstances in which a Transfer of Provider Request will be granted

- 3.1 QIBA will consider a Transfer of Provider Request and agree to a Release a student prior to completing six months of their principal course if the transfer is in the overseas students best interests, including but not limited to the following circumstances:
 - a) There is evidence of compassionate or compelling circumstances;
 - b) QIBA is unable to deliver the course as outlined in the written agreement;
 - c) The new provider and the course better meets the student's academic capabilities and requirements;
 - d) there is evidence that the overseas student's reasonable expectations about their current course are not being met;
 - e) 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;
 - f) an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student;
 - g) even after engaging with our intervention strategy to assist the overseas student to achieve satisfactory course progress the student will be reported because they are not able to achieve satisfactory course progress at the level they are studying.
- 3.2 If a Release is granted, then this will be at NO cost to the student.
- 3.3 Students should also be informed that they are to contact Australian Department of Home Affairs to seek advice on whether a new Student VISA is required.

4. Circumstances in which a Transfer of Provider Request will NOT be granted

- 4.1 QIBA will not grant a Release under the following circumstances:



- a) The student does not have a valid Letter of Offer from the receiving provider,
- b) The student has Financial difficulties or Outstanding Payments,
- c) Where QIBA does not agree that the transfer is in the students best interest or academic capabilities
- d) The new course provider is not a CRICOS provider

4.2 In the instance of a refusal of transfer QIBA will inform the overseas student in writing stating the reason or reasons for refusal and informing the student of their right to appeal this decision. QIBA will provide the student with access to the appeals and complaints process in accordance with Standard 10 (see Complaints and Appeals Policy), within 20 working days.

5. Finalising Outgoing Student Transfer Requests

5.1 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.

5.2 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.

6. Responsibilities

6.1 It is the responsibility of Student Services to receive and process requests for transfer. Requests for transfer may only be granted with the approval of the Principal.

6.2 It is the responsibility of Student Services to advise students wishing to transfer to/from other registered providers, on the requirements of obtaining a release. Where necessary the Admissions Officer will assess outgoing transfer applications checking the following:

- a) Ensure any outstanding fees are paid
- b) Ensure the student is fully aware of all issues relating the transferring of providers.
- c) Check student records to ensure the student is not trying to avoid being reported to the appropriate government agency(s) due to lack of course progress or poor attendance records

6.3 In the instance of a refusal of transfer QIBA will inform the student of their right to appeal this decision and provide the student with access to our complaints and appeals process.

6.4 The Admissions Officer must then enter the student's termination of studies in PRISMS to inform the appropriate government bodies.



ABN: 35 071 667 108

RTO Code: 5304

CRICOS Provider Code: 01515J

- 6.5 It is the responsibility of the Principal to ensure this policy and any corresponding procedures are available to all staff.
- 6.6 It is the responsibility of the Principal to ensure this policy and any corresponding procedures are available to all overseas and prospective students.