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Documents: Application for Enrolment
 Email advice to Agents

References: SSVF Guidelines

Relevant Standards: Standards for Registered Training Organisations (RTOs) 2015
 ELICOS National Standards
 Education Services for Overseas Students (ESOS) Act 2000
 National Code of Practice for Providers of Education and Training to Overseas Students 2018

Authorised:
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PURPOSE

The purpose of this document is to clearly identify for all stakeholders the legislative requirements and conditions under which an ESOS Student may transfer to another provider.

POLICY

It is the policy of Blackfriars to ensure compliance with ESOS Standard 7 and operational decisions that meet the needs of students as a consideration in decision making.

PROCEDURE

Standard 7 of the ESOS National Code 2018, requires Blackfriars to 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 the following policy and procedure.

Standard 7 restricts students from transferring to another provider (institution) for the first six months of their primary course.

Transfer to Blackfriars

The following policy applies in relation to receipt of an international student already in Australia wishing to transfer into a course run by Blackfriars:

- A Student under the age of 18 years who is currently enrolled in a course with another registered provider, may be enrolled at Blackfriars prior to completion of enrolment in the first six months of enrolment in a principal course of study if:
 - The original provider has provided a Letter of Release
 - The original registered provider / course has ceased to be registered
 - The original registered provider has had a sanction imposed by a relevant registration authority that prevents the student from continuing enrolment in the principal course: or
 - Any government sponsor of the student provides written support for a change of course to be in the student's best interests
- Check in PRISMS if a student is currently enrolled with another provider - the School will need to give a Letter of Offer for the student to take to current provider to obtain a Letter of Release
 - If student is under 18 years of age, an undertaking to take over welfare must be included with the Letter of Offer.
 - Blackfriars MUST NOT create CoE until a Letter of Release from other provider is provided.
- Letter of Release from current course is provided to Blackfriars.
- Blackfriars must negotiate the transfer date for welfare arrangements with the releasing registered provider to ensure there is no gap.
- Blackfriars must inform the student of their Visa obligation to maintain their current welfare arrangements until the transfer date or have alternate welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect.



After completing six calendar months of the principal course, an overseas student can transfer without needing to meet one of these conditions.

When there is no current CoE, no Letter of Release (Flag in PRISMS of potential breach of Standard 7)

Where a student does not have a current CoE with another provider, but PRISMS indicates a transfer has not been provided, Blackfriars will assess the student's circumstances prior to issuing a CoE.

Blackfriars will act in good faith, to the benefit of a student where the following applies:

- There is no evidence that the student is unsuitable, such as expulsion from another provider due to legal, behavioural or compliance issues.
- The student is applying for a course that is in line with their needs, capacity and expressed vocational outcomes
- The student has been clearly advised they need to apply for the appropriate Visa
- A previous provider has cancelled the CoE of the student and refused to action a release even on appeal, and that refusal can be considered as "unnecessarily withholding" and prevents a student taking actions that benefits them. Comments in PRISMS can be made to this effect.

If a student has withdrawn from his principal course before completing six months Blackfriars, will in unusual cases, consider enrolling a student if he has documentation which approximates the Letter of Release.

1. the student may have evidence that his CoE was conditional on meeting certain entry requirements and that the student has not been able to meet those requirements (e.g. the student's ability to meet their SACE requirements is mathematically improbable. The other provider is not able to provide adequate ELICOS training to meet Language requirements);
2. the previous provider has failed to give the student written response to a release request or advise of procedure for appeal of refused release request.

Blackfriars will request copies of the original CoE and the letter advising the student that the provider has refused to action a release. Blackfriars will consider each application on a case by case basis.

This decision to action a CoE should be noted on PRISMS and the documentation kept on the student's file.

Transfer from Blackfriars

The following policy applies in relation to the release of an international student already in Australia wishing to transfer from a course run by Blackfriars to a course run by another registered provider.

The circumstances under which a transfer will be granted are where it is deemed by the Principal that to continue in the course may be detrimental to the student. Every effort must be made to counsel and support the student to ensure that their decision is sound. Requests must be received in writing including signed support from the student's parent or legal guardian.



Transfer from Blackfriars before completing six (6) months

Blackfriars will only release a student prior to completing the first six months of their course in the following circumstances:

1. The student has changed welfare and accommodation arrangements and is no longer within a reasonable travelling distance from Blackfriars.
2. The student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging in the school intervention strategy to assist them, in accordance with Standard 8 (Overseas student Visa requirements).
3. The student provides evidence of compassionate or compelling circumstances.
4. Blackfriars fails to deliver the course as outlined in the written agreement.
5. The student provides evidence that their reasonable expectations about their course are not being met.
6. The student provides evidence that he was misled by Blackfriars or the Education Agent representing Blackfriars or its course, and the course is therefore unsuitable to his needs and study objective.
7. An appeal (internal or external) on another matter results in a decision or recommendation to release the student

Transfer process

1. Student completes a transfer request. In order to apply for a Letter of Release, the student must have a letter from the receiving provider that a valid Offer of Enrolment has been made.
 - a. If the student is under 18 years old, they must also provide written evidence that their parent / legal guardian supports the transfer and, if applicable, a valid enrolment offer from the receiving provider stating they will accept responsibility for the student and evidence that the student is always in DHA approved welfare and accommodation arrangements.
2. The request is assessed by Blackfriars in accordance with this Student Transfer policy and will be considered within ten (10) working days and the applicant advised of the decision.
3. Students whose request for transfer has been refused may appeal the decision in accordance with the appropriate grievance policy.

Procedural steps to follow when assessing a request from a student to transfer to another education provider:

1. The student's transfer request must be assessed within ten (10) working days with written notification of our decision provided to the student within this timeframe. Key staff that make up the Assessment Panel are:
 - The Principal
 - The teacher(s) of the student
 - International Students Program Officer
2. Assessment Panel to meet with student (plus student support person if requested) to provide written notification of decision and discuss with student.

The circumstances that Blackfriars considers as providing reasonable grounds for refusing the student's request are as follows:

1. Where the student changes their mind
2. Where a student has been warned for non-attendance or is in danger of failing to meet academic progress requirements
3. The student's progress is likely to be academically disadvantaged



4. Blackfriars is concerned that the student's application to transfer is a consequence of the adverse influence of another party
5. Blackfriars believes the student has not had sufficient time to settle into their new environment in order to make an informed decision about the transfer
6. The student has not accessed the school support services (academic and personal counselling at no cost) which may assist with making adjustments to a new environment.
7. School fees have not been paid for the current semester
8. Blackfriars suspects that the student is trying to avoid being reported to DHA for failure to meet minimum attendance or academic progress requirements
9. Where a student is experiencing conflict with personal commitments and their study requirements
10. Where the student is having issues with staff or other students, or the course requirements without first availing themselves of the pastoral support options provided by Blackfriars
11. Any other reasonable circumstances under which it is deemed by the Principal and the International Students program Officer that such a transfer might be detrimental to the student

If the transfer is **GRANTED**, Blackfriars will:

1. Explain the fee implications, if applicable.
2. Advise the student of any Visa implications and encourage the student to seek independent advice directly from DHA.
3. Notify the student of the decision in writing and retain a copy in student file for at least two years.
4. Provide a Letter of Release if transfer is approved. Any Letter of Release must be issued at no cost to the student and must advise the student of the need to contact DHA to seek advice on whether a new student Visa is required – use Letter of Release Template only.
5. Notify DHA via PRISMS, if transfer is approved.
6. Update the student record in student database

If the transfer is **NOT GRANTED**:

1. Within ten (10) days of receiving the application to transfer, a letter is issued to the student informing them of the reasons their application to transfer has not been granted. A copy of the letter is retained in the student file for at least two years.
2. The student is informed of their right to access the Complaints and Appeals processes at Blackfriars. The student should be given an "Appeal of Declined Transfer Request" form.
3. Blackfriars Executive Team must meet within ten (10) working days for receipt of a written appeal to determine whether the appeal is to be upheld or rejected. Written notification of this decision must be provided to the student within five (5) working days after this.
4. If the student still wishes to withdraw from their course at Blackfriars, a copy of the relevant letter issued to the student outlining the reasons a transfer was not approved will also be sent to DHA and the student will be advised to contact DHA for further instructions regarding their student Visa. Blackfriars will not finalise the refusal in PRISMS until:
 - The student has been given an opportunity to access the appropriate Complaints and Appeals process;
 - The student withdraws from the process
 - The process finds in favour of Blackfriars



STUDENT TRANSFER REQUEST ASSESSMENT FLOWCHART

