

# Transfer of Provider Policy and Procedure

## **Purpose**

This policy and procedure is to ensure that students who transfer to or from the provider are processed in accordance with Standard 7. PCBT supports the intent of the standard which 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.

## **Compliance**

This policy relates to the following Standards: 1.7

This policy relates to the following ESOS Standards National Code Part D: 7

This policy should be read in conjunction with the Enrolment Policy and Procedure, Recognition Policy and Procedure and Withdrawal & Cancellation Policy and Procedure.

## **Scope**

This policy applies to administration, admissions & management.

Student support has the responsibility for providing information and forms to students about the providers policies and procedures.

Admissions has the responsibility of ensuring that enrolments, cancellations and letters of release are issued in accordance with internal policies and procedure.

Quality Assurance & PEO has the responsibility of ensuring this policy aligns to regulations, as well as review of records, decisions and actions to ensure standards are met.

## **Students wishing to transfer to PCBT**

Perth College of Business & Technology, as the receiving registered provider must not knowingly enrol the 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:

- a) The original registered provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
- b) The original registered provider has provided a written letter of release
- c) 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
- d) 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.

Any students enrolling in PCBT must provide evidence that supports the above circumstances. Where the student indicates that they are currently enrolled with a provider, the letter of offer will require the letter of release or evidence of a, c or d above as part of the requirements for provision prior to a Confirmation of Enrolment being issued.

In line with the provider enrolment process, the student must also demonstrate that they are suitable for the course prior to commencement.

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## **Students seeking release from provider**

Students wishing to transfer to another provider must first complete a Transfer of Provider Request Form, along with any supporting documentation. 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. All requests will be processed within 10 working days from the date of submission. PCBT will provide a written response to the application either approving or rejecting the application.

## **Circumstances in which a Transfer of Provider Request will be granted**

Perth College of Business & Technology will consider a Transfer of Provider request and grant a Letter of Release under the following circumstances:

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the 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 student was unable to attend classes and where they are no longer able to participate or are no longer suitable for the qualification;
- a traumatic experience which has affected the students' ability to participate in the course;
- where the registered provider was unable to offer a pre-requisite unit; or
- where the student has been assessed as not being suitable for a course
- where the RTO has failed to support the student in their course progress
- if the provider has ceased to be registered or the course in which the student is enrolled has ceased to be registered
- 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 in accordance with 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 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
- an appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

Guiding information from the National Code:

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

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- 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.

A letter of release should be provided for a student where:

- a student can provide evidence that he or she was misled by the provider or an education or migration agent regarding the provider or its course, which constitutes a breach of the ESOS Act, or
- an appeal (internal or external) on a matter that may reasonably result in the student wishing to seek a transfer supports the student.

In addition to the above, the National Code states, that Perth College of Business & Technology must grant a Letter of Release only where the student has:

- provided a letter from another registered provider confirming that a valid enrolment offer has been made, and the student has completed more than six months of their principle course.

Note: A principle course is generally considered the highest level course in a study package.

If a Letter of Release is granted, then this will be issued at NO cost to the student.

Students should also be informed that they are to contact DIBP to seek advice on whether a New Student VISA is required.

## **Circumstances in which a Transfer of Provider Request will NOT be granted**

Perth College of Business & Technology will not grant a Letter of Release under the following circumstances:

- Lack of understanding of PCBT's Student Transfer + Release Policy and/ or Withdrawal + Refund Policy.
- Distance of the students residential address to the campus.
- A desire to change to a new course with lower fees.
- If the CoE has already been cancelled for non-commencement or for an inactive enrolment status.
- A desire to move to another training provider to be with friends.
- Matters not related to your study with PCBT (such as accommodation issues, personal matters not affecting your study)
- A desire to change to a course which may lead to a better immigration or visa outcome
- Student fees are outstanding
- Perth College of Business & Technology does not agree 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,

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- The student has Financial difficulties or Outstanding Payments for Perth College of Business & Technology services.

With any rejection, the written reasons should note the decision, the reasons for the decision, the factors taken into consideration and reflect the student's individual circumstances. The reasons for refusal should be sufficiently detailed to enable the student to make an informed decision as to whether to appeal the decision. The student must also be given advice in writing that it is possible to appeal the decision if the student so chooses. The appeals mechanisms required under Standard 8 will apply where the student wishes to lodge an appeal.

If a student is unhappy with the outcome of an application, they can first appeal the decision through our formal appeals process with the RTO, please refer to Appeals process for more information at [www.pcbt.wa.edu.au](http://www.pcbt.wa.edu.au)

Additionally, nothing in this policy precludes a student from complaining to the Ombudsman.