

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.

This standard sets out that registered providers must not knowingly enrol an overseas student wishing to transfer from another registered provider's course prior to the student completing six months of his or her principal course (or for the school sector, until after the first six months of the first registered school sector course), except in certain circumstances.

Compliance

This policy relates to the Education Services for Overseas Students Act 2000¹ and the National Code of Practice for Providers of Education and Training to Overseas Students 2018² (Standard 7).

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

Application

This Policy applies to international students who:

- a) hold a student visa;
- b) have accepted an offer, or an offer for a package of courses, to study at Perth College of Business and Technology; and
- c) wish to transfer to another education provider before completing the first six months of their principal course.

This Policy does not apply to:

- a) students on other types of visas;
- b) domestic students; or
- c) student visa holders wishing to study an alternate course at PCBT or wishing to study at PCBT concurrently.

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.

¹ <https://pcbt.wa.edu.au/wp-content/uploads/2021/10/C2021C00309.pdf>

² <https://pcbt.wa.edu.au/wp-content/uploads/2020/07/National-Code-of-Practice-for-Providers-of-Education-and-Training-to-Overseas-Students-2018-F2017L01182.pdf>

PEO, Deputy Principal and Academic Manager 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 releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered
- b) the releasing registered provider has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at that registered provider
- c) the releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
- d) any government sponsor of the overseas student considers the change to be in the overseas student's best interests and has provided written support for the 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/proof of Release granted or evidence of a, b, 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.

Students seeking release from provider

Students wishing to transfer to another provider must first complete a Transfer of Provider Request Form, along with a Letter of Offer from transferring provider and 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.

Students are required to comply with the Institute's Policies and Procedures and attend any interviews or other appointments scheduled for them including, but not limited to those for course progress, attendance and student support services.

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 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
- 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 Department of Home Affairs (DHA) for failure to meet the provider's attendance or academic progress requirements.

A letter/grant 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 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 Release is granted, then this will be issued at NO cost to the student. This cost is different to student's outstanding fees to the College.

Students should also be informed that they are to contact DHA 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,
- 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 appeal the decision through PCBT formal appeals process with the RTO, please refer to Appeals process for more information at www.pcbt.wa.edu.au

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

Procedure Once Release Application is Received by PCBT

- **Assessment of request for transfer**

The Student Support Officer will interview the Student within 5 working days of the student's lodgement of the *"Release Application Form along with Change of Enrolment Application Form"*, to determine the circumstances surrounding the release; and

- a) How the student may benefit from a transfer to another education provider; and consider options available to the student to achieve his or her learning goals, including through implementing an Intervention Plan or any other student support services offered by Perth College of Business & Technology to assist the student to adjust to study and life in Australia; and
- b) Where it is in the student's interests, offer support services for:
 - Academic skill support;
 - Additional English support;
 - Additional tutoring and study group support;
 - Increased monitoring;
 - Referral to personal counselling;
 - The purpose of discussing the suitability of the course;
 - Consideration of reduction in course load;
 - Implementing an Intervention Plan
 - Within 6 working days of the student's lodgement of the *"Release Application Form along with Change of Enrolment Application Form"*, make a recommendation/outcome of interview to the Admissions Manager.

- **Decisions and outcomes**

- Students will be advised in writing of the outcome of the application by the Admissions Manager within 10 working days of the lodgement of a complete *"Release Application Form along with Change of Enrolment Application Form"* for Approved or Rejected **Release with the reasons after student being offered with PCBT support services.**

SUMMARY OF CHANGES	
OCTOBER 2021	Version 3.2 – Minor changes to add Version control, letter of release changed to record in PRISMS, SSO interview service added.
FEBRUARY 2018	Version 3.1 – Minor changes to align with national policies
OCTOBER 2017	Version 3.0 – Minor changes to align with national policies
JULY 2016	Version 1.0 – Major changes followed by introduction of Standards 2015, Making sure ESOS Act implemented