



# OCA Transfer Between Providers Policy

Document Status	DRAFT	IN REVIEW	FOR APPROVAL	APPROVED
Distribution:	All Staff and Directors			
Date Approved:				
Reference to CRICOS National Code:	Standard 1 and 7	Version	1	
Review Date:				
Related Documents:	3.4.3 CRICOS Letter of Release 3.4.4 CRICOS Refusal of Release 3.4.5 Transfer and Letter of Release Form 3.4.6 CRICOS Transfer and Letter of Release Request Register			
Version Control Table				
Date	Summary of Modifications		Modified By	Version
04.12.19	Review of Policy - Include the procedure into the policy document		S Maher	V1.0
10.6.19	Quality Checked and Contextualised to OCA		Matthew OConnor, James Moore	v. 1.0

Table of Contents	
PURPOSE	3
DEFINITIONS	3
POLICY PRINCIPLES	3
Overseas Students Transfer Policy Principles	3
Guidelines for Granting Request for Transfer	4
Guidelines for Refusing Request for Transfer	5
Incoming Students Transfer Requests	6
Outgoing Students Transfer Request	6
TRANSFER BETWEEN PROVIDERS PROCEDURE	7
MONITORING AND IMPROVEMENT	10
ANNEX	10
Managing Student Transfers in PRISMS	10
Home Affairs Website	10



# OCA Transfer Between Providers Policy

## PURPOSE

**OCA** adheres to the relevant requirements outlined in the National Code 2018 for the delivery of training services to international students. This policy ensures that **OCA** will follow the requirements stated in Standard 7 for assessing requests for transfer to other providers, and processing approved requests for transfer.

## DEFINITIONS

The **Principal Course of Study** is the main course of study to be undertaken by an overseas student where the student visa has been issued for multiple course and is usually the final course of study.

The **first six months** is calculated as six calendar months from the date an overseas student commences their principal course.

**Active recruitment** is defined by the Department of Education as the promotion by the RTO staff or agents of a course as superior to and/or cheaper than the student's current course, with the intention of encouraging the student to transfer from his or her current provider.

## POLICY PRINCIPLES

**OCA** will ensure that it does not knowingly enrol an overseas student wishing to transfer from another registered provider's course prior to the overseas student completing six months of their principal course of study, except in certain circumstances as outlined in the National Code 2018.

For matters concerning transfers of students to and from other registered providers, **OCA** adheres to the following policy principles:

### Overseas Students Transfer Policy Principles

1. **OCA** may only enrol transferring students prior to the student completing six months in their principal course with their current provider under the following circumstances:
  - a. the current provider or the student's principal course is no longer registered;
  - b. the current provider has been sanctioned, and its registration has been revoked;
  - c. the current provider has issued a letter of release.
2. **OCA** will ensure that its education agents does not actively recruit prospective students who have not yet completed six months of training in their principal course with their current training provider. (*see Marketing and Recruitment Policy for more information*)
3. **OCA** adheres to the guidelines and circumstances defined in this policy where transfer will be granted or refused for an overseas student. In following guideline the Academy will ensure that it considers the best interest and individual circumstances of the students in order to determine whether the transfer will be detriment or advantageous to the student.
4. **OCA** records all transfer request outcomes in the Provider Registration International Student Management System (PRISMS)
5. **OCA** shall not finalise refusal to release the overseas student until the student has had an opportunity to access the complaints and appeals process
6. All information regarding another provider's courses, fees, enrolment procedures, and pathways is the student's responsibility. **OCA** is not obligated to assist the student in this regard, except when it comes to the issuance of a letter of release.



## OCA Transfer Between Providers Policy

7. **OCA** will issue a letter of release within five working days from the date of approval of the transfer request. In the event that the transfer request is refused the Academy will advise the overseas student within five working days of the outcome, together with the reasons for refusal and information regarding the overseas student's right of appeal.
8. Appeals received relating to change / transfer of provider will be directed to the Director/CEO of **OCA**. The appeal will be decided in accordance with the Complaints and Appeals Process of the Academy. *(See Complaints and Appeals Policy for more information)*
9. Refund requests in case of transfer will be considered according to the Fee Administration and Refund Policy of the academy. *(See the Fee Administration Policy for more information)*
10. Overseas students may transfer to another provider after six months without a letter of release from **OCA**. Student visa conditions require students to notify their current provider of a change of education provider within seven days of receiving another CoE.
11. **OCA** will not finalise the overseas student's refusal status in Provider Registration International Student Management System (PRISMS) until:
  - a. any appeal against the refusal lodged by the overseas student is finalised and upholds the registered provider's decision not to release the student; or
  - b. the overseas student did not access the registered provider's complaints and appeals processes within 20 working days of being notified of the refusal; or
  - c. the overseas student withdraws their appeal against the refusal
12. **OCA** shall maintain records of overseas student transfer requests for two (2) years after the student ceases to be an accepted student of the Academy. All submitted requirements (letter of offer, supporting evidence shall be securely kept in the overseas student's file.

### Guidelines for Granting Request for Transfer

1. The circumstances where a transfer **may be granted** by **OCA** prior to the overseas student completing six (6) calendar months of their principal course of study includes but is not limited to:
  - a. Students having special learning difficulties, identified at least four weeks after the course commencement, which cannot be accommodated by the academy
  - b. Where the individual request is based on other circumstances which the academy considers sufficient to approve a transfer of provider
  - c. The Academy failed to deliver the course as outlined in the written agreement
  - d. The overseas student is unable to achieve satisfactory course progress at the level they are studying, even after engaging with the Academy's intervention strategy.
  - e. There is evidence that the overseas student's reasonable expectations about their current course are not being met
  - f. 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
  - g. An appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student



## OCA Transfer Between Providers Policy

- h. The course the student wishes to transfer to better meets the study capabilities of the student and/or better meets the long-term goals of the student
- i. There is evidence that the overseas student is experiencing a threat to his or her physical or mental health or safety
- j. The student continues to fail the English language entry requirement of a course despite having already completed a period of ELICOS
- k. There is evidence of other compassionate and compelling circumstances that are beyond the control of the overseas student and which have an impact upon the course progress or wellbeing of the students. These can be, but are not limited to:
  - i. serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
  - ii. bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
  - iii. major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies; or
  - iv. a traumatic experience, which could include:
    - 1. involvement in, or witnessing of a serious accident; or
    - 2. witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports)
  - v. where the registered provider was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol; or
  - vi. inability to begin studying on the course commencement date due to delay in receiving a student visa.

Additional circumstances may apply, but will be subject to the discretion of **OCA**.

### Guidelines for Refusing Request for Transfer

1. The circumstances where a transfer **will be refused** by **OCA** prior to the overseas student completing six (6) calendar months of their principal course of study includes but is not limited to:
  - a. Where the student has no valid Enrolment Offer from another CRICOS provider
  - b. Where the student's reason for transfer is lower fees or shorter completion time
  - c. Where the student has commenced studies and the Academy views that the request for transfer is a means of the student to avoid being reported to Immigration for a breach of visa condition
  - d. Where a student has breached a student visa condition(s) and has been reported to PRISMS
  - e. Where the Academy considers the request for transfer is detrimental to the student
  - f. Where the overseas student is experiencing a course scheduling conflict with a personal, work or other non-study commitments
  - g. Where the student has outstanding fees for the current study period



# OCA Transfer Between Providers Policy

- h. Where a student is currently in an intervention process for unsatisfactory progress or for not meeting the course attendance requirements
- i. Where the student has been legally charged for misbehaviour or if the student is under police investigation
- j. Where the student has caused severe damage to the Academy's property
- k. Where the transfer may jeopardise the student's progression through package of courses
- l. Where the transfer is based on change of program and the said program is also offered by the Academy
- m. Where the student has not utilised the Academy's support services and/or academic resources or assistance

Additional circumstances may apply, but will be subject to the discretion of **OCA**

## Incoming Students Transfer Requests

1. Students applying to enrol with **OCA** prior the completion of their six months of principal course of study must complete the application to enrol with the academy using the International Student Enrolment Form.
2. **OCA** will assess the application where a conditional letter of offer may be issued that clearly states that an offer of a place is contingent on the overseas student obtaining a letter of release from their current provider.
3. Applications for transfer with valid letter or release where the overseas student has no outstanding fees or matters with their prior institution shall be processed by **OCA** as per the Academy's enrolment process.
4. Overseas students who fail to provide a valid letter of release will be informed by the Academy that their application for transfer cannot be processed at the time and may reactivate their application for transfer once they have a valid letter of release or when the six months period of the principal course of study has passed.
5. **OCA** shall not require a student to present a letter of release in the following circumstances:
  - a. the current provider or the student's principal course is no longer registered;
  - b. the current provider has been sanctioned, and its registration has been revoked

## Outgoing Students Transfer Request

1. **OCA** will assess individual applications for transfer from overseas students in consideration of the student's best interest and in adherence with the guidance for granting and refusing transfer request outlined in this policy.
2. Overseas students applying for transfer shall use the **Transfer and Letter of Release Request Form** of **OCA**. Each application shall be accompanied by the following documents to be emailed to [<Insert EMAIL>](#) after lodging the online form:
  - a. Letter of Offer
  - b. Statement of reasons why the student is seeking release together with other relevant supporting documentation



# OCA Transfer Between Providers Policy

3. Incomplete applications will not be assessed and the seven (7) working day period for assessment of transfer request will not commence until all documentation outlined above is received.
4. **OCA** issues Letter of Release at no cost to overseas students who've been approved for transfer.
5. **OCA** advises students to continue attending classes while their transfer request is being assessed.
6. Overseas students who have been issued a letter of release in PRISMS shall be notified to contact the Immigration to seek advice on whether a new student visa is required.

## TRANSFER BETWEEN PROVIDERS PROCEDURE

OCA Transfer Between Providers Procedure		
<b>PURPOSE</b>		<p>To ensure that Students comply with the requirements of the National Code with regard to transfer of Students between registered providers. This procedure specifically addresses the transfer requirements for Students who have not yet completed the required six-month period in their principal course.</p> <p>Changes to this procedure must only be made upon the approval of the <b>CEO</b>.</p>
<b>ROLE UNDERTAKING TASK</b>		Administration Team
Overseas Students Transferring to OCA		
STEP 1 – Submit a Transfer Request		
No.	Who	Actions
1.1	Student	<p>a. Students who wish to transfer to <b>OCA</b> must send a written transfer of request to the academy.</p> <p>b. Written transfer request to the academy must be supported by the following documentation:</p> <ol style="list-style-type: none"> <li>1) *Letter of release from their current training provider, if they have not yet completed the six-month period</li> <li>2) Supporting documentation such as identification card, passport or visa information</li> </ol> <p><i>*Note that in the very rare circumstances where the original institution or course has ceased to be registered, or sanctions have been placed on the original institution by the Australian government which do not allow the student to continue with the course, no letter of release is required. Evidence of this occurrence would need to be placed in the student file.</i></p>
STEP 2 – Assess Transfer Requests		
No.	Who	Actions
2.1	Administration Team	<p>a. Check completeness of student request for transfer and letter of release for students who have not yet completed six months of their principal course of</p>



## OCA Transfer Between Providers Policy

		<p>study. Log into PRISMS and check the status of the overseas student and if transfer/release is granted by the current provider.</p> <p>b. Endorse complete applications to the <b>TRAINING MANAGER</b> for assessment. Provide the <b>TRAINING MANAGER</b> of the deadline for the results. Assessment of request for transfer timeframes is within 7 working days from the receipt of complete application.</p>
2.2	<b>TRAINING MANAGER / CEO</b>	<p>a. Assess the student request for transfer and letter of release. Check PRISMS</p> <p>b. Schedule an interview with the student for the purposes of learning his/her reasons for requesting the transfer.</p> <p>c. Endorse the decision to the Administration Team. If the valid letter of release and PRISMS has been checked and no outstanding fees and student intervention is ongoing with the student's current provider proceed with the processing of the application.</p> <p>d. If the request for transfer is denied, provide the reason for the decision.</p> <p>e. CoEs may only be issued to Students who have either:</p> <ol style="list-style-type: none"> <li>1) completed the mandatory six-month period; or</li> <li>2) secured a letter of release from their current training provider, if they have not yet completed the six-month period.</li> </ol> <p>f. A Student will not be charged any fees if he/she has neither completed the six-month restriction nor secured a letter of release from his/her current training provider.</p>
<b>STEP 3 – Release of Results and Processing of Transfer</b>		
<b>No.</b>	<b>Who</b>	<b>Actions</b>
3.1	<b>Administration Team</b>	<p>a. Issue the results and required documentation to the student for approved requests. Process the transfer following the enrolment process of the Academy. Students will be asked to complete the <b>International Student Enrolment Form</b> and <b>International Student Written Agreement Form</b>.</p> <p>b. CoEs may only be issued to Students who have either:</p> <ol style="list-style-type: none"> <li>1) completed the mandatory six-month period; or</li> <li>2) secured a letter of release from their current training provider, if they have not yet completed the six-month period.</li> </ol> <p>c. For denied transfer requests, provide the student with the decision and the reason for the decision. Inform the student that they are welcome to re-activate their application when the six months of their principal course of study has passed or when all the requirements have been satisfied.</p>
<b>STEP 4 – Record Outcome in PRISMS</b>		
<b>No.</b>	<b>Who</b>	<b>Actions</b>



## OCA Transfer Between Providers Policy

4.1	<b>Administration Team</b>	a. Update the Transfer Register and record the transfer in the Provider Registration International Student Management System (PRISMS).
-----	----------------------------	--

Overseas Students Transferring to Another Registered Provider		
STEP 1 – Submit a Transfer Request		
No.	Who	Actions
1.1	<b>Student</b>	a. Students who want to transfer to a different registered provider, but have not yet fulfilled the six-month requirement, must submit a request for a transfer to <b>OCA</b> . This request must be done in writing or using the <b>Transfer and Letter of Release Request Form</b> . b. The written request / Transfer of and Letter of Release Request Form must be supported by the following documentation: <ol style="list-style-type: none"> <li>1) Letter of offer if they have not yet completed the six month of their principal course of study</li> <li>2) Statement of reasons why the student is seeking release together with other relevant supporting documentation</li> </ol>
STEP 2 – Assessment of Transfer and Letter of Release Request		
No.	Who	Actions
2.1	<b>Administration Team</b>	a. Check completeness of student request for transfer and letter of offer for students who have not completed the six months of the principal course of study. b. Endorse complete applications to the <b>TRAINING MANAGER</b> for assessment. Provide the <b>TRAINING MANAGER</b> of the deadline for the results. Assessment of request for transfer timeframes is within 7 working days from the receipt of complete application.
2.2	<b>TRAINING MANAGER / CEO</b>	c. Assess the student request for transfer and letter of release. Determine if there are any interventions or student support that the Academy can offer the student. d. Schedule an interview with the student for the purposes of learning his/her reasons for requesting the transfer and assessing the other provider's transfer offer. e. If the request for transfer and letter of release is approved, endorse the decision to the Administration Team. <b>OCA</b> will issue a letter of release to the Student within five working days from approval. f. If the request for transfer is denied, provide the reason for the decision in the <b>Transfer and Letter of Release Register</b> and endorse the decision to the Administration Team.





# OCA Transfer Between Providers Policy

STEP 3 – Release of Results of Assessment of Transfer and Letter of Release Request		
No.	Who	Actions
3.1	Administratio n Team	a. Issue a letter of release within 5 working days from the date of transfer request approval.  b. For denied transfer requests, provide the student with the decision and the reason for the decision. Inform the student of his right for an appeal and the process for an appeal and the *timeframe for filing the appeal.  <i>*Refusal decisions will be finalised in PRISMS after 20 working days from the notice of refusal.</i>
3.2	Student	a. If the Student wishes to appeal the denial, he or she may file a formal appeal following the complaints and appeals process of the Academy. The appeal will be resolved according to the complaints and appeals procedure policy and procedure.
3.3	Administratio n Team / TRAINING MANAGER/ CEO	a. Process and finalise any appeal against the refusal decision lodged by the overseas student.
STEP 4 – Refund Request		
No.	Who	Actions
4.1	Student / Administratio n Team	a. If a Student's transfer request is approved, and the Student subsequently requests a refund, then the relevant provisions of <b>OCA's</b> refund policy and procedure will be put into effect.
STEP 5 – Record Outcome in PRISMS		
No.	Who	Actions
5.1	Administratio n Team	a. Record the outcome of the transfer request in the Provider Registration International Student Management System (PRISMS) for approved requests and for denied request with finalised and upheld appeal decision or denied requests with no/withdrawn appeals lodged by the student.

## MONITORING AND IMPROVEMENT

All practices of **OCA's** transfer procedures are monitored by the CEO of **OCA** and areas for improvement identified and acted upon according to the Continuous Improvement Policy.

## ANNEX

### Managing Student Transfers in PRISMS



## OCA Transfer Between Providers Policy

**OCA** records all transfer request outcomes in the Provider Registration International Student Management System (PRISMS) following the How To guide for recording transfer requests in PRISMS: [HOW TO MANAGE STUDENT TRANSFERS IN PRISMS](#)

### **Home Affairs Website**

**OCA** advises students to seek advice on whether a new student visa is required upon transferring. Visit the Department of Home Affairs Website.