

# POL010\_Overseas Student Transfer Policy

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# 1. Scope

As per the ESOS Standards 2018, international students are required to continue with their education provider for first six months of their principal course. However, an international student can choose to transfer between registered providers. The Overseas Student Policy outlines the circumstances under which the student can transfer to or from another registered provider.

The Overseas Student Transfer Policy is in accordance to:

- ESOS National Code 2018: Standard 1 (1.5) and Standard 7

The policy is applicable but not limited to the students enrolled with Danford College, students wanting to transfer to Danford College from another provider, marketing department, administration department, compliance department and finance department.

# 2. Purpose

The purpose of the Overseas Student Transfer Policy is to ensure all the staff and students are aware of the circumstances under which the student can transfer between registered providers. The policy aims to achieve the following objectives:

- Clearly outline the circumstances under which Danford College will approve or reject a student applying to transfer to another provider;
- Outline the enrolment process where a student wishes to transfer from another provider to Danford College;
- Outline the Complaints and appeals provision for students not satisfied with the outcome of the transfer.

# 3. Transfer from Danford College to Another Provider

International Student enrolled at Danford College requesting to transfer to another registered provider prior to completing 6 months in principal course and requesting a release should apply by submitting the Application to Transfer Enrolment Between Registered Provider form available on Danford College website [www.danford.edu.au](http://www.danford.edu.au). Students need to ensure there are no outstanding fees prior to the applications. Students are required to submit the supporting documents as evidence.

Danford College will assess the application on a case by case basis. The College may schedule a face – to – face meeting with the student to discuss about the application where an alternative arrangement can be suggested by the College to meet the student requirement.

If the student declines the alternative arrangement, the student will need to submit a Letter of Offer from another provider making sure the same AQF level or higher is maintained as that

of the principal course the student is enrolled at Danford College. The College will further assess the application and provide with an outcome in writing via email.

**Requests for transfers may be approved for the reasons outlined below but not limited to:**

- 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 the College'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 College has failed 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.

If the transfer request is approved, the College will grant a release at no charge to the student and report the cancellation of enrolment with Danford College to the Department of Home Affairs via PRISMS.

Danford College will advise the student to contact the Department of Home Affairs <https://www.homeaffairs.gov.au/> to seek advice on any potential impacts on their student visa, including the need to obtain a new visa.

The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. For more information refer to the POL013\_Student Fee Refund Policy.

**Requests for transfers may be refused for the following reasons but not limited to:**

- The transfer may jeopardize the student progression through a package of courses;
- The student is intending to avoid being reported to the Department of Home Affairs for failing to meet the College's academic progress requirements;
- A Valid 'Letter of Offer' has not been received by the student from new registered provider or same AQF level or higher is not being maintained;
- Reasons for requesting transfer primarily relate to enhancing permanent resident opportunities, or current timetable interferes with work arrangements
- The student has outstanding fees with Danford College;
- Transfer perceived as detrimental to student's welfare and wellbeing;
- Student have outstanding fees with Danford College.

The student will be informed of the refusal with the reason for refusal in writing via email within 10 working days. If the student is not satisfied with the outcome, the student has the

right to access the College's internal Complaints and Appeals process within 20 working days of receiving the outcome.

Student needs to continue studying and comply with the visa conditions to maintain satisfactory course progress and timely payment of fees.

## **4. Transferring from Another Provider to Danford College**

A conditional letter of offer may be provided to a student who is requesting to transfer to the College from another registered provider within 6 months of completing the principle course.

Prior to approving any application to transfer from another provider, Danford College will ascertain:

- The student meets all the entry requirement including any pre-requisites in accordance with the POL003\_Student Admission Policy;
- The student has a valid student visa.

Danford College will not knowingly enrol an overseas student seeking to transfer from another registered provider prior to the student completing six months of the principle course except where any of the following apply:

- The releasing registered provider or the course in which the student is enrolled, has ceased to be registered
- The releasing registered provider has had a sanction imposed on them by the ESOS agency that prevents the student from continuing their course at the registered provider
- The releasing registered provider has agreed to the student's release recorded the date of effect and reason for release in PRISMS
- Any government sponsor of the student considers the change to be in the student's best interests and has provided written support for the student.

## **5. Complaints and Appeals**

All students enrolled at Danford College have the right to access the internal complaints and appeal process at no cost should they be not satisfied with an outcome provided by the College within 20 working days of the outcome. The complaints and appeals form can be accessed via Danford College website <https://www.danford.edu.au/>

In accordance with the Overseas Student Transfer Policy student can lodge an internal appeal if the transfer to another registered provider is refused.

In the event a student lodges an internal appeal:

- The student must remain at the College and comply with the student responsibilities during the internal appeal process;

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- Danford College will not cancel the student enrolment and will not grant release while the internal appeal is in process.

If the student has exhausted the internal appeal process and is not satisfied with the outcome of the internal appeal process, the student has the right to appeal externally with the Commonwealth Ombudsman with minimal or no cost within 10 working days of concluding the internal appeal. The student must inform Danford College in writing if they have appealed externally within 10 working days.

Below are the contact details for the Commonwealth Ombudsman:

GPO Box 442

Canberra ACT 2601

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

Tel: (in Australia): 1300 362 072 Tel: (outside Australia): +61 2 6276 0111

For more information please refer to Danford College's POL007\_Complaints and Appeals Policy.

## 6. Associated Documents

- POL003\_Student Admission Policy
- POL013\_Student Refund Policy
- POL007\_Complaints and Appeals Policy
- FOR010\_Application for Transfer of Enrolment Between Registered Providers
- Letters informing the outcome of the transfer
- FLO004\_Overseas Student Transfer

### Appendix:

- 1) **CoE:** Confirmation of Enrolment (CoE) confirms the student's eligibility to enrol in a course with the registered provider and contains information about the provider, course and duration of study in which student has enrolled. This evidence is required before the Department of Home Affairs issues a visa to a student.
- 2) **PRISMS:** Provider Registration and International Student Management System (PRISMS) is a computer system developed by the Department in association with the Department of Home Affairs for the purpose of receiving and storing information about accepted overseas students that is given to the Secretary under section 19 of the ESOS Act.
- 3) **AQF Level:** AQF levels and the AQF levels criteria are an indication of the relative complexity and/or depth of achievement and the autonomy required to demonstrate that achievement. AQF level 1 has the lowest complexity and AQF level 10 has the highest complexity.
- 4) **ESOS:** The Education Services for Overseas Students (ESOS) Framework covers the provision of education services to overseas students. This legal framework sets out the requirements for registration as an ESOS provider. It also defines the standards that providers offering courses to overseas students must meet.

- 5) **DHA:** The Department of Home Affairs (DHA) is responsible for central coordination, and strategy and policy leadership in relation to: cyber and critical infrastructure resilience and security, immigration, border security and management, counter-terrorism, the protection of our sovereignty and citizenship and social cohesion.
- 6) **Principal Course:** The principal course of study refers to the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study where the overseas student arrives in Australia with a student visa that covers multiple courses.

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**End of Document**