

Transfer Between Registered Providers Policy and Procedure

Purpose

This policy and procedure establishes the principles and processes by which Whitecliffe Institute of Creative Arts and Technology ("Whitecliffe") will assess international student requests to transfer between registered providers to ensure compliance with the Education Services for Overseas Students (ESOS) Act 2000 and the requirements of Standard 7 of the National Code 2018.

Scope

This policy and procedure applies to all requests from international students to transfer their enrolment to (or from) Whitecliffe prior to them having completed six months of their principal course of study. This policy also applies to staff who assess transfer requests.

Related Policies and Documents

This policy should be read in conjunction with the following Whitecliffe policies and documents:

- Admissions to Coursework for Domestic and International Students Policy and Procedure
- Complaints & Appeals Policy and Procedure
- Application to Transfer to Another Registered Provider
- Deferral, Suspension or Cancellation of Enrolment Policy and Procedure
- Tuition Fee Refund Policy and Procedure for International Students
- Student Record Management Policy

Definitions

Appeal

a formal written request by a student to have a matter heard and/or reconsidered in accordance with Whitecliffe four-stage grievance and appeal resolution process.

Enrolled

where an international student has been issued with a CoE to confirm acceptance by the registered provider and is occupying a place in the CRICOS registered course for which the student was accepted and is progressing towards completion of the course requirements.

External Appeal

written request by a student to have a matter heard and/or reconsidered by the external mediator, Commonwealth Ombudsman or National Student Ombudsman if they are not satisfied with the outcomes of their internal appeal.

New Provider

the registered provider to whom the student is seeking to transfer.

Original Provider

the original provider from whom the student is seeking to transfer.

Principal Course of Study

is the main course of study to be undertaken by an international 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 international student arrives in Australia with a student visa that covers multiple courses.

Policy Statement

Transferring to Whitecliffe from Another Registered Provider

Whitecliffe will not enrol, nor seek to enrol, any international student wishing to transfer from another registered provider's course prior to that student having completed six months of their principal course of study. The following exceptions may apply, where:

- a) the original registered provider has ceased to be registered or the course in which the student was enrolled has ceased to be registered;
- b) 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 their principal course of study or any prerequisite courses;
- c) the original registered provider has agreed to the student's release and recorded the effective date and reason for the release in PRISMS; 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.

Transferring from Whitecliffe to Another Registered Provider

An international student wishing to transfer from Whitecliffe to another CRICOS registered provider, prior to having completed six months of their principal course of study at Whitecliffe, must submit an application with the following supporting documentation:

- a) a certified copy of their student visa; and
 - b) a copy of the letter of offer from the registered provider to which they wish to transfer
- OR
- c) evidence of compassionate or compelling circumstances, generally those beyond the control of the international student

Whitecliffe will only consider an application complete if it has been signed and the above documentation is attached. Whitecliffe will assess and respond to all completed applications within ten working days.

A copy of the application, decisions and outcomes will be kept on the student file.

Grounds for the Provision of Release

Whitecliffe will assess an Application for Release and provide a release, at no cost to the international student, on one or more of the following grounds:

- Whitecliffe is no longer able to provide the course of in which the student is due to commence or has enrolled;
- the student is unable to complete the course of study due to compassionate or compelling circumstances i.e., emotional or financial hardship, welfare or personal safety;
- the student has justifiable claims that their reasonable expectations of the course of study

- are not being met;
- the student is not achieving satisfactory course progress at the level they are studying despite engaging with Whitecliffe's intervention strategy;
- there is evidence that the student was misled by Whitecliffe or an education or migration agent regarding 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 student; or
- the government sponsor of a student considers the change to be in the student's best interest and has provided written support for that change.

In accordance with the National Code 2018 Standard 7.2, this policy and procedure also supports the intent of the standard which recognises international students as consumers and supports them to exercise choice, while acknowledging the support mechanisms they require to transition to study in Australia.

The individual circumstances of an international student need to be considered in order to determine if the transfer will be to the detriment of the student.

This may include if the course that the international student wishes to transfer to:

- better meets the study capabilities of the student;
- better meets the long-term goals of the student, whether these relate to future work, education or personal aspirations;
- If the student wishes to change course in order to get access to greater support (may be through the services offered by another provider, commercial or non-for-profit services or through access to family, friends or a cultural support network); or
- If the student claims or can provide evidence that his or her reasonable expectations about the current course are not being met

Where an Application for Release is successful, the student will be notified in writing, along with processing the release in PRISMS. A student who is granted a Release should contact the Department of Home Affairs (DoHA) to seek advice on whether a new student visa is required.

In accordance with National Code Standard 7.2, requests for release will be considered with due diligence, considering the specific nature and documentation of the circumstances presented by the student.

Grounds for Denying a Letter of Release

Whitecliffe will assess an Application for Release and refuse the request on one or more of the following grounds where:

- the student has unpaid tuition fees (or other charges);
- the transfer would be detrimental to the student's ability to complete the requirements of the new course of study or the package courses;

- the request does not comply with the eligibility requirements outlined in this policy and procedure, has not been submitted in accordance with this procedure and/or has not been submitted with adequate and reliable evidence;
- the request is based on accommodation or employment reasons;
- the student is avoiding being reported to the DoHA for failing meet academic progression requirements;
- the student's enrolment has been suspended or cancelled due to a breach of the Whitecliffe's policies and procedures;
- the student has changed their mind about their chosen course or provider; or
- the Government sponsor of a student does not consider the change to be in the student's best interest and has not provided written support for the change.

Where an application is denied, Whitecliffe will not provide a Release. The student will be sent a Refusal of Release Letter outlining the reasons for the decision and their right to appeal the decision.

Where release is denied, the applicant has the right to appeal the decision within 20 working days in accordance with Whitecliffe's *Complaints & Appeals Policy and Procedure*.

Whitecliffe will not finalise the student's refusal status in PRISMS until the appeal finds in favour of the registered provider, or the international student has chosen not to access the complaints and appeals processes within 20 working day period, or the international student withdraws from the process.

Procedure

1. Submission (and Receipt) of an Application Release

The international student must submit a completed online Application to Transfer to Another Registered Provider with all supporting documentation attached. Applications will only be assessed if they are deemed complete and have all the necessary documentation attached at the time of submission.

The online application form can be found on Whitecliffe website:

<https://www.thefashioninstitute.com.au/forms-and-policies>

It must be completed and the basis for the request, clearly set out, with necessary documentation attached.

- a) a certified copy of the current student visa, and
- b) a copy of the Letter of Offer from the other registered provider to which they wish to transfer
- c) evidence of compassionate or compelling circumstances, generally those beyond the control of the international student refer to above section on *"Grounds for the Provision of Release"*

The application will not be accepted and rejected if it has not been completed in full, signed and including any required supporting documentation as outlined in above section on *"Grounds for Denying a Letter of Release"*.

2. Review and Assessment of Completed Application Form

a. Confirm necessary supporting documentation is attached to the application form

The completed Application to Transfer to Another Registered Provider is reviewed by the Registrar for completeness. Application forms are not accepted nor deemed complete without the relevant supporting documentation to support the reason for approval as outlined in above section on *"Grounds for the Provision of Release"*.

b. Review and Assess the Completed Application Against the Grounds for Approval

The completed Application to Transfer to Another Registered Provider is assessed by the Registrar against the above section on *"Grounds for the Provision of Release"*.

If the application is successful, the Registrar will issue a Release Approval letter to the applicant within ten (10) working days of receipt of the completed application.

If the application is unsuccessful, the Registrar will issue a Release Refusal letter to the applicant within ten (10) working days of receipt of the application. The Release Refusal letter will state the reason(s) for the refusal decision and the available avenues for appeal within twenty (20) working day.

The Registrar will not finalise the student's refusal status in PRISMS until the appeal finds in favour of Whitecliffe's decision, or the student has chosen not to access the complaints and appeals processes within twenty (20) working day period, or the student withdraws from the process.

c. PRISMS Reporting

- When Whitecliffe approved the releases of an international student, it allows the New Provider to enrol the student without breaching National Code 2018 Standard 7.
- The Registrar will process the approval or rejection of the release in PRISMS within fourteen (14) days once the process has been finalised in accordance with section 2(b) above.
- Once all necessary steps have been taken in PRISMS, the record of the release decision must be documented in Whitecliffe's Student Management System.
- Whitecliffe complies with the record management policy by maintaining records of:
 - the completed application request and any supporting documents submitted
 - the assessment of the request, e.g. the Whitecliffe's decision notices
 - a copy of the letter informing the student of the decision and reasons if the student's request is refused or approved
 - if there is an appeal, evidence that the appeal was conducted in accordance with the Whitecliffe's Complaints and Appeals Policy and Procedure
 - a copy of a letter of release for any student it has enrolled before the student had completed six months of the principal course of study from other provider.

As an extension of Whitecliffe's Student Record Management Policy, records for international students that are related to release, appeals and/or other applications are kept on file for at least two years from the date of submission.

3. Appeal

The student has the right to appeal against the decision to refuse a Release within twenty (20) working days of receiving the letter. The appeal of decision must be in accordance with Whitecliffe's Complaints & Appeals Policy and Procedure.

4. Cancellation of Enrolment & Applying for Refunds

- The Registrar will cancel the international student enrolment if the transfer request to another registered provider has been approved in accordance with the *Deferral, Suspension or Cancellation of Enrolment Policy and Procedure*.
- The international students must apply for a refund of fees as per the process outlined in *Tuition Fee Refund Policy and Procedure for International Students*.

Change and Version Control

Version	Date Approved	Authored by	Approved by	Description
1.0	25 May 2023	QA Manager	Academic Board	Policy prior to change of Ownership
1.1	30 Nov 2023	Director of Operations and Compliance	Academic Board	Revisions made to include e references to National Code for CRICOS purposes
1.2	01 July 2025	CEO	Governing Board	<p>Changed policy title.</p> <p>Added statements to comply with National Code 2018 Standard 7.1.3, 7.2.2.1, 7.2.2.6 and 7.6</p> <p>Updated the procedure to align with online application process and consistency.</p>

Policy Information

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