

# Policy – Transfer Between Registered Providers

## Document

<b>Document I.D.</b>	NES 2.20A
<b>Policy Owner</b>	Admissions Manager
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## Version Control

<b>Issue Date:</b>	<b>Summary of Changes</b>	<b>Review Date</b>
25/07/2001	Procedure updated	
18/05/2004	Formatting updated	
02/07/2007	Application for Transfer from another Institution is now called Transfers between Registered Providers and was updated as part of National Code 2007 implementation	
05/11/2007	Updated titles and procedure in line with current practice	05/11/2009
29/06/2010	Procedure update to comply with Standard 7	29/06/2012
14/07/2010	Review of Policy to comply with Standard 7	14/07/2012
02/08/2010	Reformat in-style	2/8/2012
29/07/2016	Policy and procedure re-written and student guidelines created	29/07/2018
01/01/2018	National Code 2018 released	01/01/2020
19/02/2019	Policy reviewed and updated	19/02/2021
20/06/2019	Policy reviewed to separate the procedure to a separate document to be used internally. Renamed policy number to NES 2.20A for Policy and NES 2.20B for Procedure	19/02/2021

## 1. Purpose and Scope

This policy has been developed in accordance with *Standard 7 - Transfer between Registered Providers* of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (the National Code 2018). Under the terms of this legislation, students on an international student visa are required to remain with their education provider for the first six months of study of their principal course. However, Standard 7 recognises overseas students as consumers and supports them in exercising choice whilst acknowledging that they may also be a group that requires support to transition to study in Australia. More information about the National Code can be found [here](#).

Navitas English is committed to abide by and implement a transfer policy in accordance with the National Code 2018. As such, this policy should be read in conjunction with the National Code.

This policy and procedure supports the intent of Standard 7 and outlines the circumstances under which Navitas English Services Pty Ltd, trading as Navitas English, will consider a student request for a transfer:

1. Between Navitas English campuses and/or Navitas entities, including Hawthorn-Melbourne
2. From another registered provider to Navitas English
3. From Navitas English to another registered provider

This Policy and Procedure applies to all students who are enrolled in or intending to enrol in courses delivered by Navitas English Services (CRICOS Provider Code 00289M).

## 2. Policy

### 2.1 Transfer between Navitas English centres and/or Navitas entities, including Hawthorn-Melbourne

Student may change between Navitas English centres and/or Navitas entities (including Hawthorn-Melbourne) at any time, as long as the following conditions are met:

- a) A *Change of Centre Form* (NES 2.09 F1) has been completed and signed by the student and senior academic staff of the original and receiving centre;
- b) The student must have sat the entrance test and been accepted into the destination centre (if applicable);
- c) The student has paid any upgrade fees (if applicable);
- d) Student attendance is not jeopardised by the transfer.

### 2.2 Transfer from another registered provider to Navitas English

Navitas English will not knowingly enrol students seeking to transfer from another registered provider's course prior to the overseas student completing six months of his or her principal course (NB – the principal course is the highest qualification in a package of courses) with another registered provider 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 that change;

Students wishing to transfer to Navitas English from another registered provider before completing six months of the principal course must be released from their original registered provider before Navitas English can confirm the enrolment.

Navitas English will issue a conditional letter of offer to enable the overseas student to apply for release from the original registered provider for which they are enrolled in the principal course of study.

If Navitas English knowingly enrolls a student wishing to transfer from another registered provider's course within the first six months of the commencement date of that student's principal course of study, a note will be added to the Diary Section of the Student Management System (SMS) confirming that the releasing registered provider recorded the release of the overseas student in PRISMS.

## 2.3 Transfer from Navitas English to another registered provider

Overseas students enrolled with Navitas English who have not completed six months of their principal course of study will not be granted approval to transfer to another registered provider unless it is deemed by Navitas English to be in the best interests of the student in terms of learning outcomes and English language proficiency development, and/or the circumstances listed below apply.

Overseas students may hold a packaged enrolment whereby the student holds a packaged student visa to study a preliminary English course at Navitas English followed by the principal course with another registered provider. The registered provider of the principal course is responsible for the approval in releasing an overseas student, irrespective of whether the overseas student has commenced the principal course of study or not.

Students who apply to transfer after accepting their enrolment offer, but before commencing studies, will not be approved except in extreme circumstances such as:

- a) Inability to secure an Australian visa;
- b) There is evidence of compassionate or compelling circumstances as defined in the [Navitas English Conditions of Enrolment](#).

**Circumstances in which Navitas English will grant approval for a transfer include but are not limited to the following:**

- a) The overseas student will be reported because they are unable to achieve satisfactory course progress even after engaging with Navitas English's intervention strategy to assist the overseas student in accordance with *Standard 8 (Overseas Student Visa Requirements)*;
- b) There is evidence of compassionate or compelling circumstances as defined in the Navitas English Conditions of Enrolment;
- c) Navitas English is unable to deliver the course as outlined in the written agreement;
- d) There is evidence satisfactory to Navitas English that the overseas student's reasonable expectations about their current course are not being met;
- e) There is evidence that the overseas student was misled by Navitas English or a Navitas English education agent regarding Navitas English or the Navitas English courses and the course is therefore unsuitable to the student's needs and /or study objectives;

- f) An appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student;
- g) Any government sponsor of the student considers the change to be in the student's best interest and has provided written, authorised support for that change;
- h) The student is not coping in the program, has sought academic assistance from Navitas English and has not improved their academic performance.

**Navitas English deems the following circumstances as reasonable grounds to refuse a student request for transfer within the first six months of the principal course of study:**

- a) The transfer may jeopardise the student's progression through a package of courses;
- b) The student has had a change of mind;
- c) The student is experiencing adjustment difficulties moving to Australia;
- d) Fees are outstanding;
- e) The student is experiencing a course scheduling conflict with personal, work, or other non-study commitments;
- f) The student is experiencing homestay or other accommodation problems;
- g) The distance of the student's residential address from the campus at which they study is presenting difficulties;
- h) A desire to move to another registered provider to be with friends;
- i) Navitas English reasonably forms the view that the student is trying to avoid being reported to the Department of Home Affairs (DHA) for failure to meet the provider's attendance requirements and/or academic progress requirements;
- j) The course for which the student is intending to enrol in with the other provider, is similar to or the same as the course in which the student is currently enrolled at Navitas English;
- k) A similar or identical course as the course in which the student is intending to enrol in with the other provider is offered by Navitas English;
- l) The transfer request is to study a program of an academic level that is considered lower than their current program, and Navitas English's support services have not been exhausted;
- m) The intended course will not provide adequate preparation for further study, and/or not be recognised by higher education or VET providers as satisfying their entry requirements;
- n) The student does not have a valid enrolment offer from a CRICOS-registered provider.

Navitas English reserves the right to take into consideration other relevant factors which are not specified above.

For the purposes of the circumstances outlined in Section 2.3 of this policy, **evidence** means documents or other material which would satisfy a reasonable person that the claim is bona fide and/or the circumstances appealed to are genuine.

**To lodge a request to transfer to another provider:**

Submit a request for transfer in writing to Navitas English to outline your intent and reasons for the transfer and including the following:

- a) A valid enrolment offer from the receiving provider;
- b) A completed *Change of Provider Form* (NES 2.20 F1)
- c) If the student is government sponsored:
  - written authorised support for the transfer from the Government sponsor
- d) If the student is under 18 years of age:
  - written evidence that the student's parent or legal custodian supports the transfer;
  - written confirmation that the new provider will accept responsibility for approving a student's accommodation, support and general welfare arrangements as per *Standard 5 (Younger Overseas Students)*.

Navitas English will consider each request and advise the student of the outcome in writing, within 10 working days from receipt of the application and all supporting documentation. If the student's application is unsuccessful for any of the reasons detailed above, Navitas English will provide written advice as to why the request was denied. Once a transfer request is finalised, Navitas English will record all transfer request outcomes in PRISMS.

Students who are unsuccessful in their request to transfer prior to completing six months of their principal course at Navitas English have the right to appeal the decision within 20 working days. In such cases, Navitas English will not finalise a refusal to an overseas student until when the student has had an opportunity to access Navitas English's complaints and appeals process. For further advice students should refer to the Navitas English Complaints and Appeals Policy.

Instalment payment students wishing to transfer to another registered provider will still be required to pay in accordance with the payment terms outlined on their instalment payment agreement unless:

- a) the student is entitled to a refund for reasons that are covered by the Navitas English Conditions of Enrolment, or
- b) the student is able to demonstrate compassionate or compelling circumstances as defined on the Navitas English Conditions of Enrolment.

The approval to release a student to transfer to another registered provider is granted at no cost, However, it does not constitute automatic approval of a refund, nor a remission of debt for students who are on an instalment payment agreement for both accrued and/or unused portion of fees, where applicable. Students wishing to apply for a refund, or remission of debt for instalment payments, need to submit their request separately and in writing. Such requests will be assessed in accordance with the Navitas English Conditions of Enrolments.

Navitas English will maintain records of all requests from students for a release and the assessment of, and decision regarding, the request for two years after the student ceases to be an accepted student.

### 3. Responsibilities

The **Admissions Manager** is responsible for:

- Overall guidelines on Transfer Between Providers
- Authoritative decisions on all individual Transfer Between Provider Requests
- Processing the Transfer Between Providers Request in accordance with the Navitas English Policy and Procedure

**CM-DoSs** are responsible for:

- Monitoring and proper application of these procedures
- Interviewing student and contacting agent (if required, in consultation with relevant Recruitment Manager) about Transfer Between Provider Request
- Providing detailed information to the Admissions Manager as described in relevant Policy and Procedure, using Change of Provider Form

**Recruitment Managers** are responsible for:

- Liaison with agents, as applicable, including in ascertaining agents' position with respect to recruitment of students who have not completed their first six months of their principal course of study and the mechanism of transfer between registered providers

## 4. Definitions

Reference to Senior Academic staff includes Senior Teachers. Centre Manager & Director of Studies is used to refer to the CM-DoS **or** their nominated delegate.

<b>CRICOS</b>	: Commonwealth Register of Institutions and Courses for Overseas Students
<b>DHA</b>	: Department of Home Affairs
<b>ESOS Act 2000</b>	: The Education Services for Overseas Students Act 2000.
<b>National Code 2018</b>	: The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Student 2018.
<b>SAO</b>	: Senior Admissions Officer
<b>SMS</b>	: Student Management System

## 5. Review

This template document is reviewed every 2 years by the relevant manager to ensure alignment to appropriate strategic direction and its continued relevance to Navitas English's current and planned operations.

The next scheduled review of this document is listed in the Version Control section on Page 1.

## 6. Related documents

- Procedure – Transfer Between Registered Providers (NES 2.20B)
- Change of Provider Form (NES 2.20 F1)
- Letter of Release – Authorised (NES 2.20 D2)
- Letter of Release – Declined (NES 2.20 D3)
- Centre Change Form (NES 2.09 F1)
- How To Manage Student Transfers in PRISMS (NES 2.20 D4)
- Complaints and Appeals Policy for International Students (NES 3.07)
- Navitas English Conditions of Enrolment
- Student Attendance Policy and Procedure (NES 9.01)
- Instalment Payment Plan Request Policy and Procedure (NES 2.15)
- Deferral, Suspension, Withdrawal and Refund Policy and Procedure (NES 2.10)