

TRANSFER BETWEEN PROVIDERS POLICY

1. Purpose

The purpose of this policy is to implement a documented policy and process for assessing overseas student transfer requests prior to the overseas student completing six months of their principal course.

The principal course is the main course of study undertaken by overseas students. Where a student visa has been issued for multiple courses, this will usually be the final course of study – the highest qualification.

Royal Building Academy Pty Ltd t/a Royal Building Academy (hereby referred as RBA) will not knowingly enrol an overseas student seeking to transfer from another registered provider's course prior to the overseas student completing six months of his or her principal course as per the standard 7 of the National Code 2018.

This includes students who have not obtained a valid release or exemption and ensures compliance with obligations under the ESOS Act 2000 Section 21.

This policy details the procedures for assessing applications to transfer within this period. The procedures outlined below will ensure that it does not enrol any transferring international student prior to 6 months of their principal course being completed unless that student has a valid release, and the below procedures will be implemented. RBA ensures all transfer requests are assessed fairly and documented with appropriate evidence of support, in alignment with National Code 2018 Standard 7.2.

Students who have studied longer than this period of 6 months can apply as normal. This policy will also be published on RBA's website and referenced in pre-enrolment information to ensure prospective students are aware of transfer conditions prior to signing a written agreement, in accordance with National Code 2018 Standard 3.3.5.

RBA will also ensure that transfer decisions comply with ESOS Act 2000 obligations relating to genuine student and genuine temporary entrant requirements, and that enrolment will not be accepted where this would breach the ESOS legislative framework. Conditions relating to transfer between providers will be included in the written agreement with the student, as required under Standards for RTOs 2025 Clauses 5.1–5.3.

2. Scope

This policy applies to all students currently studying or formally enrolled at RBA and prospective students wishing to transfer to RBA from another provider. It applies to all cases where the student has not yet completed six months of their principal course, in accordance with Standard 7 of the National Code 2018.

3. Responsibility

The Administration Manager will be responsible for the implementation of this policy, procedure and to ensure that the staff members and students at RBA are aware of its application and that staff implement its requirements.

4. Procedures

Any request that is received in relation to a student wishing to transfer education providers shall be the responsibility of the Administration Manager. The Administration Manager or representative will assess the applications for transfer between education providers and will conclude an outcome based on the following procedures within 7 working days or as soon as possible. All decisions will be documented and communicated in writing to the student, and records maintained in accordance with the ESOS Act 2000 and Standard 7 of the National Code 2018.

Students wanting to apply for a release from Royal Building Academy to another provider.

- a) Students wanting to apply for a course from Royal Building Academy to another provider can do so by lodging a written request to transfer which can be done by completing a release letter request form and by providing evidentiary requirements, a valid enrolment offer received from another provider. Alternatively, Students can also send an email at info@rba.vic.edu.au to request for a release from RBA. The student must also provide documentation supporting the reason for transfer, and the request will be assessed in line with RBA's documented criteria.
- b) Assessment will consider whether the transfer is in the student's best interests and whether compassionate or compelling circumstances apply, consistent with National Code 2018 Standard 7.2.
- c) If release is granted, RBA may provide students with PRISMS generated report for release. The release must be recorded in PRISMS and no fee will be charged for processing the release, as required under Standard 7.3.
- d) Decision to grant a release or decline release request will depend on the circumstances mentioned in this policy and as per standard 7 of the National Code 2018. If the release is refused, the student will be informed in writing of the reasons and of their right to appeal via RBA's Complaints and Appeals process. The refusal will also be recorded.

Students wanting to apply for a release from another provider to RBA.

- a) Students wanting to apply for a course at RBA from another provider can do so by completing an application form and by providing a valid release document (e.g., an email) from another provider. PRISMS will be checked to ascertain if the student has been released from their current provider. RBA will not create a Confirmation of Enrolment (CoE) until PRISMS confirms a valid release where applicable, in accordance with Standard 7 of the National Code 2018.
- b) RBA's Administration Manager or representative will access student's information via PRISMS. It will be ascertained if the length of studies completed in their current principal course of study is greater than 6 months. Copy of the student visa can also be used to ascertain what the principal course is and when the student arrived in Australia. If the student has completed six months of their principal course, RBA is not required to obtain a release. However, RBA will still ensure that all other entry requirements and genuine student criteria are met and will retain documentary evidence of the PRISMS check and decision rationale.
- c) After completing this process, Administration Manager or representative will print a copy of the PRISMS record and attach it with the student application.
- d) This will form part of the student's enrolment record and be stored securely as required under RTO Standards 2025
- e) If a student has completed more than 6 months, the enrolment will proceed as applicable. However, if a student has not completed more than 6 months of their course, PRISMS will be checked. The student must also meet RBA's standard admission criteria and be provided with all pre-enrolment information as required under National Code 2018 Standard 3.3.6 and 6.1.6.
- f) If the current provider provides a release on PRISMS, the application will proceed accordingly.

5. Providing release from RBA

Circumstances in which RBA will grant transfer request or release because the transfer is in the overseas student's best interests, including but not limited to where RBA has assessed that:

- overseas students will be reported due to not being able to achieve satisfactory course progress at the level they are studying, even after implementation of intervention strategy to assist the overseas student. In such circumstances, if a student requests for a release for another college by presenting an offer letter of other suitable course. RBA will grant the release in student's best interest.
- There is evidence of '**Compassionate or compelling**' circumstances: Circumstances that are generally those beyond the control of the overseas student and which have an impact upon the overseas 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 overseas student was unable to attend classes.
 - bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided).
 - major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies.
 - a traumatic experience, which could include:
 - involvement in, or witnessing of a serious accident; or
 - 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)
 - where the registered provider was unable to offer a prerequisite 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.
- if a student is moving to another state that imply the condition, that student will not be able to attend his/her classes or continue the course with RBA.
- RBA 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 overseas student was misled by RBA, an education or migration agent regarding RBA, 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.

Release will be provided if a student has provided a valid offer letter from another registered provider and has paid all the remaining fees that were due or that a student is required to pay for his course.

Note: If release is granted from RBA, it will be at no cost to the overseas students. It is further advisable that students should contact the Immigration department to seek advice on whether a new student visa is required.

6. Refusing release from RBA

Circumstances under which release will not be granted to overseas students include but are not limited to:

- If a student wishes to request a release for the same course at a different institute or registered provider.
- Course progress of student is not up to date i.e., the overseas student has been unable to achieve satisfactory course progress at the level they are studying, and intervention strategy has not been implemented to assist the overseas student. In this case, RBA will provide students with an opportunity to maintain satisfactory course progress by implementing intervention strategies.
- Student has not paid his/her fees for the course or has remaining fees left to be paid.

RBA intends to refuse the transfer request; students will be informed in writing about:

- the reasons for the refusal

- Overseas students have the right to access RBA's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.

If a student accesses the complaints and appeals process, RBA will not finalise the refusal in PRISMS until the process is completed and the outcome supports RBA's decision, or the student has chosen not to access the complaints and appeals process within the 20 working days period, or has withdrawn from the process, in accordance with National Code 2018 Standard 7.5. Students will be referred to RBA's Feedback, Complaints and Appeals Policy, available on the RBA website and from reception, for information on lodging an appeal

RBA's Administration Manager or representative will maintain records of all requests from overseas students for a release and the assessment of, and decision regarding, the request for two years after the overseas student ceases to be an accepted student.

7. Transfer from another provider

RBA will not knowingly enrol a student prior to completing six months of their principal course, unless the overseas student has obtained a release from their original provider, or meet one of the following conditions:

- the releasing registered provider, or the course in which the overseas student is enrolled, has ceased to be registered.
- 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.
- The releasing registered provider has agreed to the overseas student's release and recorded the date of effect and reason for release in PRISMS
- 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.
- Where a student is sponsored by a government, written support from the sponsor will be required before finalising the transfer. RBA will keep a copy of this support on the student's file.

Note

RBA will record the release on PRISMS along with the reasons for granting release to the student with date of effect.

RBA will also record the refusal to release on PRISMS along with the reasons for refusing release on PRISMS with date of effect.

All transfer requests, decisions, supporting documents, PRISMS records, and communications will be retained for a minimum of two years after the student ceases to be an accepted student, in accordance with ESOS Act 2000 Section 21 and Standards for RTOs 2025