



Australian College of Culinary and Management

ACCM

Australian College of Culinary and Management Pty Ltd (ACCM)

RTO-45886-CRICOS-04038J

Transfer between Registered Providers Policy & Procedure

ESOS/NCP	<ul style="list-style-type: none"> • ESOS Act (2000), Education for Overseas Students Amendment Act 2014 National Code of Practice for Providers of Education and Training to Overseas Students • National Code 2018: Standard 1.5 and 7
SRTOs 2015	<ul style="list-style-type: none"> • Standards 1.7, 5.2 (2) • http://www.asqa.gov.au/users-guide-to-the-standards-for-registered-training-organisations-2015/users-guide-to-the-standards-for-registered-training-organisations-2015.html
Legislative Context	<ul style="list-style-type: none"> • National Vocational Education and Training Regulator Act 2011 (Cth) • The ESOS Act 2000 • The National Code 2018 • ESOS Regulations 2001 • Privacy Act 1988 (Cth) • Equal Opportunity Act 1995 • Overseas Students Ombudsman at Website: http://www.oso.gov.au
Related Policies and forms	<ul style="list-style-type: none"> • Student Handbook • Complaints and Appeals Policy and Procedure • Student Admissions and Enrolment Policy • Advertising and Marketing Policy • Students Fees and Refund Policy Procedure • Withdrawal Form

Table of Contents

1. Policy	3
2. Purpose	3
3. Scope	3
4. Definition	3
5. Requirements, Process and Procedures	3
5.1 Student Request to Transfer from ACCM to another Registered Provider	3
5.2 Student Request to enrol at ACCM from another Registered Provider	5
5.3 Education Agents	5
5.4 Fee Refunds	5
6. Procedures	5
6.1 Procedure for assessing students wishing to Transfer Into ACCM	5
6.2 Procedure for assessing transfer applications from students wishing to transfer OUT of ACCM	6
7. Records	7
8. Version History	7

1. Policy

ACCM Pty Ltd **RTO-45886-CRICOS-04038J** will comply to the requirement under Standard 7 of The National Code 2018 which states that registered providers are restricted from enrolling a student into a course of study, where that student is transferring from another provider and has not yet studied six months of their principal course of study.

2. Purpose

The purpose of this policy is to ensure ACCM meets the requirements of the Education Services for Overseas Students (ESOS) Act 2000 and Standard 7 of the National Code of Practice 2018 (The National Code) in the respect of managing requests from international students who seek to transfer between CRICOS registered providers of education and training services (registered providers).

3. Scope

This policy applies to all the current international students of ACCM studying onshore, holding a student visa.

4. Definition

International student: Refers to an overseas student who is studying onshore in Australia on a student visa.

ECOE: Refers to an electronic Confirmation of Enrolment. Defined in The National Code 2018 as a document, provided electronically to students, which is issued by ACCM to international students who intend to study onshore.

CRICOS: The Commonwealth Register of Institutions and Courses for Overseas Students. Education providers who wish to provide education services to international students must be formally registered on CRICOS.

ESOS Act: The Education Services for Overseas Students Act 2000

Principal Course of Study: Is defined in The National Code 2018 as the “main course of study” that is or is due to be undertaken by an international student. This is generally the final program or highest qualification in a package of courses.

Registered Provider: An organisation that is registered as a provider of education and training services to international students on CRICOS.

Transfer between Registered Providers: A request from a student to transfer from or to another CRICOS registered provider

5. Requirements, Process and Procedures

5.1 Student Request to Transfer from ACCM to another Registered Provider

5.1.1 An overseas student cannot transfer between registered providers prior to completing **six calendar**

months of their principal course.

- 5.1.2 The principal course is the main course of study to be undertaken by an overseas student where the student visa has been issued for multiple courses 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. This means the transfer restriction applies to a student during all courses they undertake prior to the principal course.
- 5.1.3 For an overseas student to transfer before completing six months of their principal course, the overseas student must either obtain a release on PRISMS from their registered 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 their course with that registered provider;
 - 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. This usually applies where the overseas student's study in Australia is sponsored by the government of another country.

After completing six calendar months of the principal course, an overseas student can transfer without needing to meet one of these conditions.

- 5.1.4 In accordance with Standard 7 of The National Code 2018, and recognising student's right to exercise freedom of choice as consumers, as a principle, ACCM will grant a student's request to transfer to another provider, where it will not be detrimental for the student.

ACCM considers the following factors as detrimental to the student, and therefore, as reasonable grounds for refusing a transfer request:

- The request is considered detrimental to the student's wellbeing;
 - The student has not started studying or has studied with ACCM (attending and participating in the classes) for less than four (4) weeks and has not had an opportunity to experience the program of study, and/or the range of support services available at ACCM . In this situation ACCM will re-visit the issue within a timeframe negotiated with the student;
 - The student has requested a transfer to a course with another registered provider that is considered by ACCM to be unsuited to student's academic capabilities, study plans or career aspirations. This includes where a student wishes to transfer from a higher-level qualification to a lower level qualification (e.g. Diploma to Cert IV);
 - The transfer may jeopardise the student's progression through a package of courses;The intended course will not provide adequate preparation for further study, and/or is not recognised by higher education or VET providers as meeting their entry requirements;
 - ACCM forms the view that the student is trying to avoid being reported to the Department of Home Affairs (Formally DIBP) for failure to meet the academic progress requirements;
 - The student is indebted to ACCM and/or has outstanding disciplinary issues.
- 5.1.5 ACCM may agree to approve a request for a release if the student can demonstrate that the transfer would be in their best interests. If approved by CEO, changes to student enrolment will be updated in PRISMS.

- 5.1.6 Where appropriate ACCM will counsel students, to consider their personal or academic reasons for transferring. Outcomes of counselling may include the identification of alternative academic programs within ACCM , and/or the recommendation of appropriate student support or study skills support as an alternative to the transfer. Where the student is eligible for a release, this will not affect their right to transfer.
- 5.1.7 Where ACCM does not grant a student’s request for a release, ACCM will provide written reasons for refusing the request. In accordance with Standard 10 of the National Code, the student will be informed of their rights of appeal against the decision. All appeals will be carried out in line with ACCM ’s *Complaints and Appeals Policy and Procedure*.

5.2 Student Request to enrol at ACCM from another Registered Provider

As outlined under Standard 7 of the National Code, ACCM will not actively recruit or enrol a student wishing to transfer from another registered provider’s course prior to the student completing six (6) months of their principal course of study, except in limited circumstances. These are as follows;

- The original registered provider has approved the release, or
- The course in which the student is enrolled has ceased to be registered by another registered provider on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS), or
- 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.

5.3 Education Agents

In accordance with Standard 4.6 of The National Code 2018, ACCM will not accept students from, or enter in to an agreement with an education agent, where it knows or suspects that the education agent has attempted to recruit a student where this conflicts with the obligations under Standard 7.

5.4 Fee Refunds

Where a student is granted a release, their entitlement to a refund of course fees will be assessed in accordance with ACCM ’s *Students Fees and Refund Policy Procedure*

6. Procedures

6.1 Procedure for assessing students wishing to Transfer Into ACCM

- The Student Admissions Department receives an application from a student who is onshore and who has indicated that they are currently studying at another institution.
- The Student Admissions Officer uses PRISMS to decide if the student has completed 6 months of their principal course.
- If they have completed the 6 months of their principal course, the application process proceeds as for all onshore students.
- If they have not, they can be provided with a “conditional” offer which clearly states that an offer of a place

is contingent on their obtaining a release on PRISMS system from their current provider.

- If no satisfactory release information is obtained from such students, the application process is halted and the student informed that they are unable to transfer at this time. They are welcome to re-activate their application when the six (6) month period has passed.
- 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 release evidence on PRISMS is required.

6.2 Procedure for assessing transfer applications from students wishing to transfer OUT of ACCM

- Students make a written request (e-mail is satisfactory) using *Request for a Withdrawal Form* to the Student Admissions Department to transfer to another provider.
- The student is asked to provide a valid offer of enrolment from the new institution.
- With these documents sighted, the Student Admissions Officer will forward this application with evidence to the CEO.
- The CEO will assess the transfer request considering the following criteria:
 - The student requesting a transfer has an inaccurate understanding of what the transfer represents to their study options;
 - The student still owes ACCM course fees or other fees;
 - It is suspected that the student is seeking transfer only to avoid being reported to Department of Home Affairs (Formally DIBP) for failure to meet academic progress requirements;
 - ACCM considers this transfer to be detrimental to the student's interests;
 - The reasons stated for the request to transfer have not been adequate;
 - The transfer does not appear to be for the purpose of an educational or career-oriented benefit;
 - The course you have requested transfer to is the same as your currently enrolled principal course;The primary reason for a transfer request is for a different class schedule which is more suited to the student's current or anticipated work commitments;
 - It appears the primary reason for a transfer request is to achieve or avoid a migration outcome.
- If the answers to all of the above statements is "No" and are satisfactory and in accordance with this policy, **the release will be granted on PRISMS at no charge to the student**. The student will also be advised of the need to contact DHA (Formally DIBP) and obtain a new visa if the course they transfer to is not a Higher Education/VET course.
- Registered providers should still advise overseas students of the outcome of the transfer request. This can be done via email: **a formal letter of release is not required**. The registered provider must also encourage the overseas student to consider whether a change in enrolment breaches a visa condition.
- The Student administration reports students' termination of studies through PRISMS.
- If a transfer will affect the start dates of any subsequent courses covered by the visa, the overseas student must be released from those courses, or gain the subsequent registered providers' agreement to delay the start of those courses.

- ACCM advises the students that changes to their preliminary courses may have ramifications for their admission to their principal course, for example if a preliminary course is a prerequisite entry requirement to the principal course.
- If any of the answers to the criteria statements is “Yes”, the release is not granted according to this policy and the Student administration sends the student a *Denial of Release email* with the reasons for denial and if the student is not satisfied with the outcome, then an appeal can be given by the student as per the ACCM Complaints and Appeals Policy & Procedure.
- If any of the answers to the criteria statements are unclear, they should be referred to the CEO by phone or email, so the CEO can interview the student and gain a fuller understanding of the circumstances.

7. Records

- The above assessment procedure should not take more than 48 hours once the student has provided the necessary documentation.
- All requests, considerations, decisions and copies of emails of release should be placed on student’s file;
- The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. Refunds are governed by the refund policy of ACCM .

ACCM will maintain records of all requests from students for withdrawal and release and the assessment of, and decision regarding, the request on the student’s file. All records will be kept for a minimum of two years from the date student has ceased to be an enrolled student

For more information please ACCM website- <https://www.accm.vic.edu.au/policies>

8. Version History

Version	Date	Reason for upgradations	Approved By
1.0	Oct 2021	Initial Document	CEO/Director
1.1	August 2022	Updated on registration	CEO/Director