



TRANSFER BETWEEN REGISTERED PROVIDERS POLICY AND PROCEDURE

POLICY TITLE: TRANSFER BETWEEN REGISTERED PROVIDERS POLICY AND PROCEDURE
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RESPONSIBILITY: CAMPUS MANAGER

Students and parents/guardians/carers must note:

- (i) that fees may be payable on any kind of transfer/withdrawal in accordance with West Australian Institute of Further Studies' (WAIFS') Withdrawal, Cancellation and Refund Policy. Release will not be granted where fees are owing to WAIFS.***
- (ii) If an overseas student requests a transfer which is approved by WAIFS and they intend to study at a lower Australian Qualifications Framework (AQF) level, they will need to apply for a new student visa.***

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1 Policy Background

- 1.1.1 This policy and procedure details the policy and related procedures for assessing applications to transfer either into or out of WAIFS before an overseas student has completed 6 months of their principal course in accordance with the requirements of Standard 7 of the National Code 2018.
- 1.1.2 ***After the first six months of the principal course no restrictions apply – see also exception: school sector courses below.***
- 1.1.3 Generally, overseas students cannot transfer between registered providers prior to completing six calendar months of their **principal** course. There is one exception for school sector students (see ‘Exception: school sector courses’ below).
- 1.1.4 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.
- 1.1.5 This means the transfer restriction applies to a student during all courses they undertake prior to the principal course.
- 1.1.6 For an overseas student to transfer before completing six months of their principal course, the overseas student must **either** obtain a release 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.



Exception: school sector courses

Overseas students enrolled in school sector courses cannot transfer between registered providers prior to completing six calendar months of their first **school** course (as opposed to the principal course for all other overseas students). If they wish to transfer, they must obtain a release from their registered provider or meet one of the other conditions listed above.

If the overseas student has to complete a non-school sector course prior to their first school sector course, for example ELICOS, they are restricted from transferring during this course.

Overseas students can transfer without needing a release or meeting one of the above conditions after completing six calendar months of their first registered school course.

2. WAIFS' Broad Policy on issuing letters of release - students requesting transfer OUT of WAIFS

2.1.1 WAIFS' broad policy is to agree to transfer requests if they meet the requirements for release of this policy and procedure.

2.1.2 WAIFS will generally not release a student who does not:

- (i) Meet the requirements of this policy and procedure;
- (ii) Supply a fully and accurately completed enrolment variation form (EVF) to WAIFS which meets all of the requirements in section 3 "Procedure for assessing Students wishing to transfer OUT OF WAIFS" and of this policy and procedure as a whole.

2.1.3 WAIFS will always release students in the following circumstances

- WAIFS, or the course in which the overseas student is enrolled, has ceased to be registered
- WAIFS has had a sanction imposed on its registration by the ESOS agency that prevents the overseas student from continuing his or her course at WAIFS
- WAIFS 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.

2.1.4 WAIFS will approve transfer requests in the following circumstances, such transfers being considered **in the best interests of the students** (*subject to Notes 1-4 as applicable*):



1. 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 that registered provider's intervention strategy to assist the overseas student in accordance with Standard 8 (Overseas student visa requirements) *See Note 1 below.*
2. There is evidence of compassionate or compelling circumstances – *See Note 4 below.*
3. WAIFS fails to deliver the course as outlined in the written agreement
4. There is evidence that the overseas student's reasonable expectations about their current course are not being met. *See Note 2 Below.*
5. There is evidence that the overseas student was misled by WAIFS or an education or migration agent regarding WAIFS or its course and the course is therefore unsuitable to their needs and/or study objectives. *See Note 3 Below.*
6. An appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student.

NOTES:

Note 1 – An overseas student will only be released to another provider in these circumstances if they have done everything they reasonably could to progress in the course. When WAIFS considers this they look at a number of issues such as:

- (i) Did the student have at least 80% attendance in their course? This is the benchmark attendance outlined by the National Code 2018 for ELICOS attendance and is therefore considered a reasonable attendance benchmark for all students. If they did not do they have genuine medical certificates for their absence? Have the medical certificates only just been obtained and are they dated sometime after some or all of the periods of absence (irrespective of whether the medical certificate comes from a General Practitioner)
- (ii) Did the student actively take part in classes and try to progress? Indicators of this could be:
 - (a) The student submitted plagiarised work;
 - (b) the student submitted work which is at a level not consistent with their history of academic results and or stated/proven English ability.
- (c) Did the student submit any assessments?
- (d) Any other matter considered relevant by WAIFS.



WAIFS' intent is to only release students who have genuinely made every reasonable effort to engage in and succeed in their studies and cannot do so. WAIFS will not release students it believes are trying to use this as a means to receive a non-genuine release.

Note 2 - An overseas student will only be released to another provider in these circumstances if they have verifiable proof of this. An expectation is something the student believed through marketing of a course by WAIFS or its education/migration agents before enrolling into the course. For example:

- (i) The course was advertised as being for 20 hours per week and is for 25
- (ii) The course was described as being delivered predominantly in the classroom and is delivered predominantly in the workplace.

International students are required to research their course and their provider in Australia. This therefore cannot be a vague "it was not what I was expecting".

Note 3 – The student must be able to provide physical proof of this that would have resulted in the student being significantly misled. The student must not have reasonably been able to verify the details themselves in order to have been misled. If a student has reasonably had access to the internet and/or other means to contact WAIFS themselves to clarify the information, WAIFS is unlikely to approve release for this reason.

Note 4 – WAIFS' will use their professional judgement to assess each transfer request it receives on its own merits (where a student states the reason for the transfer request is a compelling and/or compassionate one). Students should note that it is unlikely that a transfer request will be approved if there is no third part evidence to support the claim being made.

For example:

A student may provide a transfer request to WAIFS stating the reason for the request is the death of a close family member – e.g. a parent. The student provides a death certificate for the parent and proof of the relationship. WAIFS would be unlikely to approve a transfer request to a different course/different state/different provider for this reason alone. The student would be required to show why the death of the parent means that they have to study a different course at a different college (potentially in a different state).

However, if the student has a close relative in another state in Australia (parent/sibling/aunt/uncle/cousin/grandparent) and the student can provide:

- proof of relationship
- proof of support in that state from the relative (emotional support is adequate for this purpose)

the approval will likely be granted. Each case is assessed on its own individual merits.



Students should note that a course “dropping off” a list which a student believed (before, at or post enrolment) may lead to a migration outcome in Australia will not be considered a compassionate or compelling reason for release.

2.1.5 In general, WAIFS will not grant release a student from studies at WAIFS if any of the following apply:

- (i) WAIFS has reason to believe that the student requesting a transfer does not have an accurate understanding of what the transfer represents to their study options;
- (ii) transfer may jeopardise the student’s progression through a package of courses;
- (iii) the student owes tuition and/or other fees to WAIFS;
- (iv) the new course/(s) suggested will take longer or cost more for the student and WAIFS does not consider the outcome will be more beneficial for the student;
- (v) the student has only recently applied for a student visa with WAIFS as the principal course provider and the student has not been studying the course for an amount of time considered reasonable to make the decision to change;
- (vi) the student’s request is based on reasons such as “my spouse has been offered a potential sponsorship in another state” and they are the principal visa holder;
- (vii) the student request includes reasons such as “I cannot find work” – they have stated they can afford to live and work in Australia for their course duration at WAIFS. This is particularly relevant for requests made in the first 12 months of their courses at WAIFS;
- (viii) the student has only recently started studying the course and the full range of support services are yet to be provided or offered to the student;
- (ix) WAIFS considers the transfer to be not in the best interests of the student– reasons for this need to be documented and retained along with any transfer refusal email which is issued (if appropriate);

3. Procedure for assessing Students wishing to transfer OUT OF WAIFS

3.1.1 A WAIFS student makes a written request BY EMAIL to admissions@waifs.wa.edu.au requesting a transfer to another provider.

3.1.2 WAIFS requires all requests to be emailed/scanned by the student to admissions@waifs.wa.edu.au so that there can be no disagreement about whether an EVF has been lodged with WAIFS and what supporting documents have been provided (if any).



- 3.1.3 The Request MUST be completed on an Enrolment Variation Form “EVF” which is available from WAIFS’ Reception or WAIFS’ website.
- 3.1.4 The student must complete the reason for their request for a transfer on the EVF form. Appropriate supporting evidence must be included.
- Note:** A Letter of Offer from another provider MUST be provided by a student when they are requesting transfer to another provider and are on a subclass 500 student visa. All applications are incomplete without this.
- 3.1.5 Students must supply additional supporting evidence with the EVF to enable WAIFS to make an assessment of their stated reasons for a transfer request. If no additional documentation is supplied the EVF may be declined.
- 3.1.6 Students should always request a Delivery and/or Read Receipt from WAIFS to ensure their EVF and supporting documents (if any) have been received. Without a delivery receipt, a student cannot prove that WAIFS has received the EVF and supporting documents (if any) if there is a subsequent disagreement;
- 3.1.7 If a student does not have access to scanning facilities, they can hand the EVF and supporting documents to WAIFS’ reception to scan on their behalf.
- 3.1.8 In these cases, a WAIFS’ staff member must ensure that the EVF and supporting documents are all numbered and each page is signed by the student.

For example:

A student provides a hard copy EVF and letter of offer from a new provider to WAIFS’ reception as they do not have access to a scanner.

In total they submit 6 pages: 2 pages of EVF and 4 pages of new letter of offer.

The student must number each of the pages and sign each page.

In this case, the student would write 1/6, 2/6, 3/6, 4/6, 5/6, 6/6 and sign each page.

Note: if paperwork is double-sided, each side of the page must be numbered and signed.

- 3.1.9 WAIFS’ staff member then scans the documents to admissions@waifs.wa.edu.au and CC’s the student so that all parties have a full copy of all submitted documents.
- 3.1.10 Within ten (10) working days of receipt (**sooner is better**), the EVF (and supporting documents, if applicable) is reviewed by the Campus Manager (or appropriate other staff member):
- (i) Review the EVF form and ensure it has been completed properly. For example:
- Has the student put the correct date on the form
 - Has the student put their full name, student number, contact details and correct address (if any address/contact details have changed, email the student for confirmation of the change and update it in the student management system once confirmed by the student).



- Has the student provided a written reason for the transfer request as required by the EVF form
- Has the student provided a letter of offer from another registered provider?
- Has the student provided additional supporting documentation for any other statements made in the EVF? E.g. provided a death certificate and proof of relationship where the death of a close relative has been claimed.

3.1.11 After the review, there are then the following options:

- (i) Email that information is missing and request it – **See Example 1 in Appendix A;**
- (ii) Email requesting a meeting to discuss further (no additional information needed) **See Example 2 in Appendix A;**
- (iii) Email requesting a meeting to discuss further (and bring additional information) **See Example 3 in Appendix A;**
- (iv) Email that the request is approved and decision has been recorded in PRISMS **See Example 3 in Appendix A;**
- (v) Email that the request is declined and that the student can appeal – Appendix A (Refusal 1 Email template)

3.1.12 If the Campus Manager or appropriate alternative consider the reasons for the request to be unclear or believes an interview with the student would assist in reaching a decision, the Campus Manager or an appropriate administration or marketing person will be requested to interview the student in person (and to request additional information by email, if applicable) to gain a fuller understanding of the circumstances.

3.1.13 When the Campus Manager (or suitable alternative) is in a position to make a decision the transfer request will be assessed in accordance with this policy and procedure – this will either be when the EVF application is considered complete or when inadequate information has been provided and no further information is being provided;

3.1.14 If the complete application meets the requirements for transfer release, the letter of release will be granted at no charge to the Student and issued by the Campus Manager (or suitable alternative). This is also CC'd to the Manager, Student Administration Services (or suitable alternative staff member) and they use this email as the trigger to cancel the CoE's in PRISMS and record in PRISMS that a release has been approved (with the appropriate reason) – **See Appendix A, Example 3.**

3.1.15 The Manager, Student Administration Services (or appropriate alternative staff member) then accesses PRISMS and reports the Student's termination of studies through PRISMS and that a release has been granted to the student.



- 3.1.16 If the Campus Manager (or appropriate alternative) believe the request should be refused, this should be discussed with another appropriate staff member e.g. MD, CEO, Head of Student Administration Services, Marketing Manager.
- 3.1.17 If a decision is made to decline the request:
- the reason for the decision must be maintained by WAIFS for at least 2 years
 - the student must be notified in writing per **Appendix A, example 5**. An email is adequate for this purpose.
 - Any correspondence with the student must include the reason for the decision and that the Student can access the Student appeal process as detailed in WAIFS' policy on appeals.
 - The student must be notified they have the right to access the WAIFS internal appeal policy first and then the external appeal policy if required.
 - An email should also be sent to the trainer (CC HoD) to inform them the refusal request was declined at external appeal and the student should be attending classes.
 - The trainer should be asked to liaise with their Head of Department if any support/extension is required for the student. This should be dealt with following normal procedures in the training departments.
- 3.1.18 ***WAIFS cannot finalise a decision in PRISMS and state that release has been refused until all appeals have been exhausted and the external appeals body has found in WAIFS' favour or 20 working days have passed since the original refusal and the student has not confirmed to WAIFS that they will access the external appeals process.***
- 3.1.19 If a student is released on internal appeal, the Campus Manager (or appropriate alternative) sends the release approved email and follows the steps taken in any normal release i.e. CC email to Head of Student Administration Services (or appropriate alternative), CoE's cancelled, Inform PRISMS of release and reason through PRISMS.
- 3.1.20 If a student is released after EXTERNAL appeal the Campus Manager (or appropriate alternative) sends the release approved email and follows the steps taken in any normal release i.e. CC email to Head of Student Administration Services (or appropriate alternative), CoE's cancelled, Inform PRISMS of release and reason through PRISMS.
- 3.1.21 If a student's release is DECLINED after INTERNAL appeal the Campus Manager (or appropriate alternative):
- emails the student informing them the appeal has been denied and the reasons for it (in accordance with WAIFS' complaints and appeals policy)
 - the student is informed they can access the external appeals system outlined in WAIFS' complaints and appeals policy and that no amendments will be made to PRISMS during this period and CoE's will remain active.
 - Ensures the student is also be informed they remain a current student of WAIFS and should attend classes and progress in their course and pay fees.



- d) Emails the trainer (CC HoD) to inform them the refusal request was declined at external appeal and the student should be attending classes. The trainer should be asked to liaise with their Head of Department if any support/extension is required for the student. This should be dealt with following normal procedures in the training departments.

3.1.22 If a student's release is DECLINED after EXTERNAL appeal the Campus Manager (or appropriate alternative) sends an email to Head of Student Administration Services (or appropriate alternative). The Head of Student Administration Services (or appropriate alternative) informs PRISMS of REFUSAL for release and reason through PRISMS.

3.1.23 The Head of Student Administration Services (or appropriate alternative):

- a) emails the student and informs them that their EXTERNAL appeal has been DECLINED
- b) Informs the student that their release refusal has been recorded in PRISMS and the reason for it.
- c) Informs the student that their CoE's remain active
- d) Informs the student they remain a current student of WAIFS and should attend classes and progress in their course and pay fees.
- e) An email should also be sent to the trainer (CC HoD) to inform them the refusal request was declined at external appeal and the student should be attending classes.
- f) The trainer should be asked to liaise with their Head of Department if any support/extension is required for the student. This should be dealt with following normal procedures in the training departments.

4. Policy and Procedure for assessing Students wishing to transfer INTO WAIFS

The policy of **WAIFS** is to ensure that it does not enrol any transferring international Student prior to the 6 months of their principal course being completed, unless that Student has a valid letter of release agreeing to such a transfer or specific circumstances apply which enable enrolment without a letter of release (see 4.1.3).

The procedure is as follows:

- 4.1.1 Marketing/Student Administration/Admissions receives an application from a Student who is on-shore and who has indicated that they are currently studying at another institution.
- 4.1.2 WAIFS Admin will assess the application for all normal entrance requirements and for whether the student requires a letter of release if the student is requesting release before 6 months of their principal course have been completed.
- 4.1.3 If the student has provided genuine evidence of any of the following:
 - 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. *If the Student is in receipt of a Government scholarship, they should provide written support from their government agreeing to the change which will stand in lieu of any letter of release.*

Then WAIFS proceeds with the application as normal as the transfer requirements are met.

- 4.1.4 The student application form asks if the student is currently enrolled with another provider in Australia.
- 4.1.5 The student application form asks the student if they require a letter of release from their current provider.
- 4.1.6 WAIFS' admin should access the specific student details in PRISMS and see if there is a record of a student release from the registered provider. If there is then the enrolment can continue.
- 4.1.7 If no release is recorded in PRISMS for the student then WAIFS must ask the student to go back to their registered provider and request a release.
- 4.1.8 If WAIFS is satisfied that it has the information it needs to confirm that WAIFS can proceed with the enrolment, the enrolment continues. **(Note: if a student provides a cancelled COE, this is not equivalent to a letter of release)**
- 4.1.9 A registered provider will generally require a student to show them a "conditional" letter of offer for a course at another registered provider which clearly states that an offer of a place is contingent on their obtaining a letter of release.
- 4.1.10 A registered provider cannot consider release without this. WAIFS should provide such a conditional offer letter where it is able to do so (i.e. where all conditions of enrolment have been met or where the conditions of what is required to be met are all listed on the conditional letter of offer).
- 4.1.11 If the other registered provider confirms a letter of release has been issued (and WAIFS Admin can confirm this in PRISMS) the application proceeds as normal.
- 4.1.12 If no satisfactory letter of release can be obtained from the other registered provider, the application process is halted and the Student should be informed that they are unable to transfer at this time. They are welcome to re-activate their application when the 6 month period has passed or they are able to obtain a valid letter of release.



5. Under-18 students

- 5.1.1 Under-18 students must have written confirmation from their **legal guardian or parent** to transfer (this may not be the person they are living with in Australia).
- 5.1.2 If the student is not being cared for in Australia by a parent or suitable nominated relative, the receiving registered provider must accept responsibility for approving the student's accommodation, support and general welfare arrangements as per [Standard 5](#). The letter of offer must note this responsibility.
- 5.1.3 A release must **not** be confirmed in PRISMS for a student who is under 18 without all of the above being received by WAIFS.
- 5.1.4 A student under-18 should not be enrolled by WAIFS on a transfer from another provider unless the transferring provider has confirmed a letter of release in PRISMS and WAIFS has sighted approval for the transfer from the parent/legal guardian (not necessarily the same person they are living with in Australia).
- 5.1.5 If WAIFS is the receiving provider, WAIFS is responsible for ensuring continuity of support and welfare arrangements – see WAIFS policy for under-18's for further information.

6. Important Administration Requirements including EVF register

- 6.1.1 The above assessment ***procedure should not take more than 10 working days*** once the Student has provided ALL of the necessary documentation requested (if applicable) and attended the meeting with WAIFS (if requested). There may be occasions when this is not possible.
- 6.1.2 All requests, considerations, decisions and supporting documentation should be placed on the Student's file, and **maintained by WAIFS for 2 years. The preference is for this to be maintained in the student database under the student's name.**
- 6.1.3 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 which is independent of this policy.
- 6.1.4 WAIFS maintains an EVF register which is available at: [EVF Register](#) (if this link changes, it is in Shared/Admin/Enrolment Variations Spreadsheet/
- 6.1.5 Reception are responsible for inputting all initial details of an EVF on receipt.
- 6.1.6 Any WAIFS staff member who works on an EVF is responsible for updating the EVF register accordingly and should familiarise themselves with its requirements.
- 6.1.7 The Campus Manager (or appropriate person) is responsible for ensuring close off of all EVF's within the desired WAIFS' time frame.



7. Policy and Procedure Dissemination to staff and students

7.1.1 To staff:

- At induction
- Throughout employment on shared drive and at www.waifs.wa.edu.au
- By email – notifications of changes

7.1.2 To students:

- At induction
- Before, during and after enrolment at www.waifs.wa.edu.au
- By email – notifications of significant changes



Note: For all of the examples in Appendix A, the Campus Manager (or appropriate other staff member) may amend the wording to be more appropriate. However, no wording must be amended or deleted which would cause the email to not meet the requirements of this policy and procedure or the ESOS Act or the National Code 2018. If the Campus Manager (or other appropriate staff member) is uncertain, do NOT change the wording/request approval from the CEO or MD for the change in writing.

Example 1 – Email student that EVF is not completed accurately and/or supporting information is missing with timeframe for submission of missing docs/information

Insert Date

Student Name:

Student No:

Course:

Dear (Insert first name) – **this should be the student’s legal name and not their “nick name”**.

Thank you for your Enrolment Variation Form (EVF) which was received by WAIFS on (insert date). We are sorry to see that you are considering release from WAIFS and will work with you to make this assessment process as smooth as possible for all parties.

When a student requests a release from their provider before completing 6 months of their principal course, WAIFS is required by the ESOS Act and National Code 2018 to assess the request against our “Transfer Between Registered Providers Policy and Procedure”.

Please ensure you now read the attached document “Explanatory Notes on Requesting Release from WAIFS before the end of six (6) months of your principal course” which should answer any questions you may have about this process.

Findings of WAIFS’ EVF Review

WAIFS has undertaken a review of the EVF and supporting documentation you submitted (if applicable).

WAIFS is currently unable to finalise an assessment of your EVF as it is incomplete for the following reasons:



LIST ERRORS on EVF form

LIST OMISSIONS (E.g. no letter of offer from another provider)

Please amend the errors and/or provide the documentation requested (as applicable) for WAIFS to be able to consider your EVF as complete and be able to fully assess your release request.

I would request that you supply all information requested as soon as possible and (wherever possible) within 20 working days.

If you do not supply the additional information requested, WAIFS will finalise a decision based on the information it has received. WAIFS will email you stating our decision (with reasons - for refusals only) and what happens next.

If you do not supply any of the additional information requested, your EVF may be declined.

I also take this opportunity to remind you that WAIFS will not consider your EVF request as received for cancellation fee calculation purposes (if applicable) until all documents required have been provided and a fully completed form has been received. See the attachment for further guidance.

Please note that you remain a current, enrolled student of WAIFS while this matter is being reviewed and finalised and you should attend your classes, progress in your course and pay your fees in accordance with the legally binding, signed letter of offer you have with WAIFS.

If you have any questions/queries in relation to this matter or require further explanation, please do not hesitate to contact WAIFS on admissions@waifs.wa.edu.au or + 61 (0)8 6200 6200.

Note: If you call with a query, WAIFS will make a record of the date, the query and the information provided to you (and who provided it) in the student management database.

Kind regards

Insert Name

Insert Position at WAIFS.



Example 2 – Email requesting a meeting with the student – supporting information supplied:

Insert Date:

Student Name:

Student No:

Course:

Dear **(Insert first name)** – *this should be the student’s legal name and not their “nick name”*.

Thank you for your Enrolment Variation Form (EVF) which was received by WAIFS on **(insert date)**. We are sorry to see that you are considering release from WAIFS and will work with you to make this assessment process as smooth as possible for all parties.

When a student requests a release from their provider before completing 6 months of their principal course, WAIFS is required by the ESOS Act and National Code 2018 to assess the request against our “Transfer Between Registered Providers Policy and Procedure”.

Please ensure you now read the attached document “Explanatory Notes on Requesting Release from WAIFS before the end of six (6) months of your principal course” which should answer any questions you may have about this process.

Before WAIFS can finalise a decision on this EVF request, you are requested to attend a meeting with **(Insert Name), (Insert Position)** on **(insert date)** at **(Insert time)**.

DELETE ONE OPTION BELOW AS APPLICABLE

(i) The meeting has been arranged to take place during lunch break when you are attending classes at WAIFS.

(ii) The meeting has been arranged during WAIFS’ normal working days and hours of 8.30 a.m.to 5.30pm Monday to Friday.

We would be grateful if you could confirm your acceptance of this meeting by return.

If you are not able to make this time and date, please advise when you are available and we will endeavour to meet your requirements.

WAIFS notes that you have provided supporting documentation with your EVF request. You do not need to bring any additional information with you unless you believe it would assist WAIFS further to understand the reason for your withdrawal request.

If your request is approved, cancellation fees will be calculated from the date of submission of your EVF and documents, which was received **(insert date)**. See the attachment for further guidance.



Please note that you remain a current, enrolled student of WAIFS while this matter is being reviewed and finalised and you should attend your classes, progress in your course and pay your fees in accordance with the legally binding, signed letter of offer you have with WAIFS.

If you have any questions/queries in relation to this matter or require further explanation, please do not hesitate to contact WAIFS on admissions@waifs.wa.edu.au or + 61 (0)8 6200 6200.

Note: If you call with a query, WAIFS will make a record of the date, the query and the information provided to you (and who provided it) in the student management database.

Kind regards

Insert Name

Insert Position at WAIFS.

Example 3 – Email requesting a meeting with the student – supporting information NOT supplied:

Insert Date:

Student Name:

Student No:

Course:

Dear (Insert first name) – ***this should be the student’s legal name and not their “nick name”.***

Thank you for your Enrolment Variation Form (EVF) which was received by WAIFS on ***(insert date)***. We are sorry to see that you are considering release from WAIFS and will work with you to make this assessment process as smooth as possible for all parties.

When a student requests a release from their provider before completing 6 months of their principal course, WAIFS is required by the ESOS Act and National Code 2018 to assess the request against our “Transfer Between Registered Providers Policy and Procedure”.

Please ensure you now read the attached document “Explanatory Notes on Requesting Release from WAIFS before the end of six (6) months of your principal course” which should answer any questions you may have about this process.



Before WAIFS can finalise a decision on this EVF request, you are requested to attend a meeting with **(Insert Name)**, **(Insert Position)** on **(insert date)** at **(Insert time)**.

DELETE ONE OPTION BELOW AS APPLICABLE

(i) The meeting has been arranged to take place during lunch break when you are attending classes at WAIFS.

(ii) The meeting has been arranged during WAIFS' normal working days and hours of 8.30 a.m.to 5.30pm Monday to Friday.

We would be grateful if you could confirm your acceptance of this meeting by return.

If you are not able to make this time and date, please advise when you are available and we will endeavour to meet your requirements.

WAIFS notes that you did not provide adequate supporting documentation with your EVF request and that your stated reason for requesting withdrawal is: ***(Insert Reason)***.

In order to fully assess your request, please bring the following with you to the meeting:

WAIFS List what WAIFS would reasonably request, for e.g.:

- (i) A letter of offer from another provider - this is a specific requirement under the National Code 2018 and your EVF cannot be assessed further without it. Additionally, your cancellation fees cannot be calculated until this is received (if your withdrawal is approved).
- (ii) Any other third party evidence you consider would reasonably support your request for release to another provider.

If you are unable to bring the information with you to the meeting, I would request that you supply it within 20 working days from today.

If you do not supply the additional information requested at the meeting within 20 working days from today, WAIFS may finalise its decision based on the information it has received up to that date and the meeting held with you (if you attend).

WAIFS will email you stating our decision (with reasons - for refusals only) and what happens next.

If you do not supply any of the additional information requested, your EVF may be declined.

I also take this opportunity to remind you that WAIFS will not consider your EVF request as received for cancellation fee calculation purposes (if applicable) until



all documents required have been provided and a fully completed form has been received. See the attachment for further guidance.

Please note that you remain a current, enrolled student of WAIFS while this matter is being reviewed and finalised and you should attend your classes, progress in your course and pay your fees in accordance with the legally binding, signed letter of offer you have with WAIFS.

If you have any questions/queries in relation to this matter or require further explanation, please do not hesitate to contact WAIFS on admissions@waifs.wa.edu.au or + 61 (0)8 6200 6200.

Note: If you call with a query, WAIFS will make a record of the date, the query and the information provided to you (and who provided it) in the student management database.

Kind regards

Insert Name

Insert Position at WAIFS.

Example 4 – Transfer Release Approved – Email to send to student

Dear [Student name] **Full Proper Name, Not Nickname**

WAIFS has received your application for a Letter of Release. As the reasons stated in your application fall within the Institute's *Transfer between Registered Providers Policy*, your request has been approved.

WAIFS must inform you that ELICOS providers, Registered Training Organisations and Universities in Australia no longer provide letters of release to students.

Under the National Code 2018:

- (i) WAIFS will now enter into PRISMS that you have been granted release from your current (and future – if applicable) course/s at WAIFS. We anticipate that this will be completed within 5 working days, although it may be sooner.
- (ii) Your CoE's will be cancelled.
- (iii) The Department of Immigration and Border Protection will email you directly confirming the approval of their release.



It is important that you comply with the requirements of your student visa in Australia at all times.

The National Code 2018, Standard 7, 7.4 requires that WAIFS informs you:

You should now contact the Department of Immigration and Border Protection to ask them whether you are required to lodge a new visa application because of your course change. Contact details can be found at

<https://www.border.gov.au/about/contact/offices-locations/australia> .

In particular, Standard 7 states the following (which may or may not be applicable to you):

*“If the overseas student subsequently intends to study at a lower Australian Qualifications Framework (AQF) level, **they will need to apply for a new student visa**”.*

You should also ensure that you read and understand the information provided by DIBP at:

<https://www.border.gov.au/Trav/Stud/More/Changing-courses> .

It was a pleasure to have you as a student at WAIFS and we wish you all the best for your future. If we can ever be of any further assistance, please do not hesitate to contact us at:

admissions@waifs.wa.edu.au

Yours sincerely

WAIFS Administration Department

Example 5 – Transfer Release Declined– Email to send to student

Student Name:

Student No:

Course:

Dear (Insert first name) – ***this should be the student’s legal name and not their “nick name”.***

Thank you for your Enrolment Variation Form (EVF) which was received by WAIFS on ***(insert date)***. When a student requests a release from their provider before completing 6 months of their principal course, WAIFS is required by the ESOS Act and National Code 2018 to assess the request against our “Transfer Between Registered Providers Policy and Procedure”.

WAIFS has now completed its assessment of your EVF Transfer request and can confirm that your request has been **DECLINED**.

The reasons for refusing to grant your request are (insert reasons).



(i) To (v) is an example only and the Campus Manager/suitable alternative should amend as appropriate:

- (i) You submitted your EVF by email to admissions@waifs.wa.edu.au on 01 January 2018*
- (ii) On 03 January 2018 the Campus Manager (Tracy THOMAS) emailed you stating that no information was supplied to support your transfer request and that this is a requirement of the EVF process. The Campus Manager requested that you email:
 - (a) A letter of offer from another registered provider*
 - (b) Information explaining why you were looking to study a different course at a different provider – such information to be 3rd party information that can be verified.**
- (iii) On 11 January 2018, the Campus Manager emailed again as no response had been received from you.*
- (iv) On 03rd February 2018 the Campus Manager noted that she had checked VEVO and could see that you are still in Australia. She also noted that 20 working days had passed since her initial email on 03 January requesting additional information and that no information had been received from you. The Campus Manager asked you to urgently email/call the campus (and most specifically within 2 working days).*
- (v) No response was received.*

As no information has been received from you, WAIFS has made a decision on your transfer request based on the information you did supply – in this case an EVF only. The decision was made to decline your request as no evidence supporting a reasonable transfer request was received.

You are able to appeal this decision within the next 20 working days if you do not agree with the decision made and/or believe that you can submit additional evidence which should be taken into consideration. For further information, please see the complaints and appeals policy at WAIFS' website – www.waifs.wa.edu.au

You can also contact the Conciliator at any stage of the internal complaints procedure. The Conciliator will not become involved until the parties have attempted to resolve the dispute themselves and the attempt has failed. The International Education Conciliation Service does not:

- replace the provider's internal appeal process
- provide an external appeal mechanism

You can contact the International Education Conciliator by telephone on 08 9441 1900, facsimile 08 9441 1901 or email conciliation@des.wa.gov.au.



Please note that you remain a current, enrolled student of WAIFS while this matter is being reviewed and finalised and you should attend your classes, progress in your course and pay your fees in accordance with the legally binding, signed letter of offer you have with WAIFS.

If you wish to discuss this matter further, please make an appointment to see me.

You can bring a support person with you to this meeting if you wish.

Yours sincerely,

Insert Name

Insert Position



Explanatory Notes on Requesting Release from WAIFS before the end of six (6) months of your principal course

1. Why do I need to complete an EVF and provide supporting Documents – Why can't I just leave if I want to?

Under the ESOS Act, the purpose of the National Code 2018 is to set nationally consistent standards and procedures for registered providers (this includes all ELICOS providers, universities and registered training organisations).

The National Code 2018 sets standards for WAIFS to follow in its interactions with international students on student visas. One of the areas the National Code 2018 governs is how a training provider and student must act when an international student requests to be released from a training provider without having completed 6 months of their principal course. The specific guidance is contained in the National Code 2018, standard 7.

When a student requests a release from their provider before completing 6 months of their principal course, WAIFS is required by the ESOS Act and National Code 2018 to assess the request against our “Transfer Between Registered Providers Policy and Procedure”.

2. What is a Principal Course?

The National Code 2018 defines a principal course as: “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. *This means the transfer restriction applies to a student during all courses they undertake prior to the principal course*”.

3. Where do I have access to the Transfer Between Registered Providers Policy?

The policy and procedure has been available to you before and during your enrolment and is available at:

- (i) <http://waifs.wa.edu.au/policies-procedures/>
- (ii) “MYWISENET” - if you log in you will see all relevant policies and procedures
- (iii) from WAIFS’ reception
- (iv) by emailing admissions@waifs.wa.edu.au and requesting a copy be emailed to you.



4. **Why can't I just send you an email/write a note/phone you? Why do I have to fill in an EVF?**

WAIFS has a policy and procedure that meets the requirements of the ESOS Act and National Code 2018. An essential part of this policy and procedure is the EVF. If a student does not fill in an EVF, provide adequate supporting documentation to WAIFS to assess the request and attend a meeting with WAIFS (if requested), the transfer request cannot be approved. Where a policy and procedure exists, all parties have clarity over the requirements. Where ad-hoc applications come in to WAIFS, assessment cannot be equal and fair for all.

5. **What kind of supporting information should I provide with my EVF?**

Apart from a letter of offer (see below) the other information will depend on the circumstances of your request.

As a guide, you should provide any and all information a reasonable person would need to be able to make the correct decision based on the reasons you have stated for your release request. *This will not necessarily be the same as the information you may consider to be adequate.*

What you need to remember is:

- You enrolled at WAIFS, in some cases for multiple courses.
- Your visa may well have been granted for several years in Australia based on your course selection at WAIFS. (Your visa may not have been granted based on a different course selection.)
- If something happens that you could not reasonably have foreseen which changes your study plans, you need to explain that to WAIFS. You also need to provide adequate supporting information to prove this to WAIFS. This may sound heartless but WAIFS needs to be able to provide the Department of Immigration and Border Protection (DIBP), on request, the reason for an approved transfer (with the supporting information).
- Be sensible and reasonable and provide proof. If you have had a parent die and now want to go and live near to relatives in another state, provide WAIFS with the proof. That would reasonably be, a death certificate, proof the parent is your parent, proof you have a blood relative interstate, proof you will be gaining support from them (for example you may be going to live with them for some time while you are grieving). WAIFS would generally say yes in these circumstances (though each case is assessed on its own merits).
- WAIFS will generally not approve a transfer where you have not provided all appropriate evidence or none at all.



- WAIFS will generally not support transfers because an occupation you thought your qualification would lead to for permanent residency has dropped off some list or other with DIBP. You are on a student visa and you entered Australia to study your specific course selection at WAIFS on a temporary basis and then to return to your home country. WAIFS will not release a student for perceived migration purposes.

You must always provide a letter of offer from another provider if you are looking to study another course at another provider. This is a specific requirement of the National Code 2018, Standard 7 as outlined in the fact sheet.

6. How much time to do I have to supply additional information to WAIFS if they ask for it?

WAIFS requests that you supply all information requested as soon as possible and (wherever possible) within 20 working days.

If you are not able to provide information to WAIFS within that timeframe please ensure you notify WAIFS of this within the 20 working day period stating the reason why (with proof of delay if possible).

WAIFS will then inform you whether we will wait to receive your additional information before making a decision on your EVF.

7. Will WAIFS approve a time extension request for more than 20 working days to submit additional documents?

WAIFS will not necessarily agree to extend the 20 working day period. This decision will depend on the reason for your request.

For example:

- (i) if a student cannot supply the information because they are overseas on holiday and they should be in class at WAIFS, they will generally not receive approval for an extension beyond 20 working days as this is not considered reasonable.
- (i) If a student cannot supply the information because they have moved interstate without informing WAIFS and they should be in class at WAIFS, they will generally not receive approval for an extension beyond 20 working days as this is not considered reasonable.
- (ii) If a student needs to get documents translated and sent from overseas and the relative who would do this is sick, WAIFS will generally agree to extend



the period. This would be subject to obtaining information from the student confirming the relative's illness and its expected duration.

8. **What happens if I do not supply the additional documents requested by WAIFS?**

If WAIFS does not receive any additional information from the student within 20 working days (or an approved extended period) WAIFS will inform the student stating that:

- (i) The student submitted an incomplete EVF on (insert date);
- (ii) WAIFS requested the EVF be corrected and/or additional information be submitted on (insert date)
 - (a) The student has not submitted the corrected EVF and/or any additional information (as applicable) and the student has not requested an extension to the 20 working day period; **OR (delete as appropriate)**
 - (b) The student requested an extension to the 20 working day period which was approved. The student has not submitted the corrected EVF and/or any additional information (as applicable) within the agreed period; **OR (delete as appropriate)**
 - (c) The student has requested an extension to the 20 working day period which was declined for the reasons stated in WAIFS' email of (insert date). The student has not submitted the corrected EVF and/or any additional information (as applicable) within the 20 working day period. **OR (delete as appropriate).**

WAIFS has therefore made a decision on the EVF based on the EVF form provided and any supporting documentation the student did supply (if applicable).

We will then state our decision (with reasons - for refusals only) and what happens next. This may include access to the complaints and appeals process.

Note: If the student has not supplied any of the additional information requested, your EVF may be declined.

9. **From what date does WAIFS calculate Cancellation Fees?**

WAIFS will not consider an EVF as received for cancellation fee calculation purposes until all documents required have been provided and a fully completed form has been received.

Once WAIFS has approved your request, cancellation fees are calculated from the date the information that enabled WAIFS to make that decision was received.



WAIFS will tell a student the date that was and why when WAIFS emails the student the cancellation fees calculation.

10. What if I do not agree with the information WAIFS is asking for?

WAIFS aims to ask for reasonable and independent evidence to verify and support your claims for a transfer release. There may be times when we disagree on what that should be. WAIFS recommends you email the Campus Manager or Operations Manager before submitting your EVF and ask for specific guidance on what you should provide. At the end of the day, if the disagreement cannot be resolved, what WAIFS asks for is what will be required.

For WAIFS to be able to provide you with a complete list of supporting information that will be required with your EVF, you must fully and accurately explain the reason for the transfer request that you will provide on your EVF.

If the reason changes or was incomplete or inaccurate, WAIFS may need to ask you for further additional information. This will be your responsibility and your EVF will not be considered complete until the additional information is provided.

Please note that if you do not provide all information required with your EVF (and you did not contact WAIFS for clarification on the supporting documentation requirements before lodging your EVF/you provided and inaccurate or incomplete reason/your reason changes), WAIFS will not make any adjustment to the date that cancellation fees are calculated from:

- (1) For disagreements in what should or should not be provided to WAIFS
- (2) For the time it reasonably takes WAIFS to contact you with a full list of requirements to support your submitted EVF and for you to then provide them.

11. Can I ask for Cancellation Fees to be waived and when would that be successful?

Yes you can – you would then have to prove financial hardship that could not have been foreseen and or compassionate and compelling circumstances.

What is financial hardship? – Financial hardship is when a student cannot afford the daily expenses of life such as food and basic shelter. When a student applies for a student visa, they state they have enough money to live and study in Australia without having to work in Australia. Losing a part time job in Australia would therefore not normally be a reason for financial hardship.



What is a compassionate/compelling reason?

Something that could not reasonably have been expected and which impacts a student's ability to pay fees. For example the parent who was paying your fees from overseas has been hospitalised (due to a previously unknown illness) for some time. Savings meant for your education in Australia have been used for medical treatment.

How does a student prove either of these?

Paperwork from 3rd parties would act as proof. For example:

- a) bank statements from visa application date and now
- b) Medical letter from hospital confirming in-patient treatment and duration
- c) Proof of medical bill payment

Simply put: Information WAIFS can independently verify. If a student cannot give WAIFS permission to contact the 3rd parties to confirm the document/s WAIFS may not be able to grant a compelling/compassionate waiver.

Can cancellation fees be calculated from the date we submitted the EVF only or EVF with partial documents?

No.

Students should note the wording prominently displayed on the EVF form they sign and submit. This confirms the student has read, understood and agreed to these terms by signing and on submission of the EVF to WAIFS:

NOTICE – TO BE READ AND UNDERSTOOD BY ALL EVF APPLICANTS:

Enrolment variation forms will only be considered as received from the date:

- (i) A complete and accurate EVF Form is received by WAIFS
- (ii) ALL supporting documentation is provided to WAIFS' administration. Forms lodged with no/incomplete supporting documentation will be considered pending.
- (iii) If you are not sure what documents you are required to submit with your EVF Form, please email admissions@waifs.wa.edu.au for advice.

Where cancellation fees will be payable by a student at withdrawal cancellation fees will be calculated from the date (i) and (ii) above are received by WAIFS and not from the date an EVF form was submitted with no/incorrect/partial supporting documents.

Students requesting release may be required to attend a meeting with a WAIFS staff member before a decision can be finalised. Where a meeting is requested by WAIFS, cancellation fees will be calculated from the date all supporting documents are received at WAIFS and not the meeting date (unless the meeting date is when they were received by WAIFS). A fee of \$50 is applicable for all Enrolment Variation Requests.

Can I say that my education/migration agent/ someone else with my approval submitted the EVF on my behalf and forgot to submit supporting documents to reduce my cancellation fee?

Can I say that my education/migration agent/ someone else with my approval submitted the EVF on my behalf but forgot to submit the supporting documents?

No. A student (or their parent/guardian) is over 18 years of age and, as an adult, is responsible for ensuring the completeness and accuracy of documents given/sent to



WAIFS on their behalf. A student (or their parent/guardian) cannot not submit what is needed (through any means/channel) and then expect the fault to lie with WAIFS.

What if my education/migration agent/someone else with my approval does not tell me that they have not submitted the documents WAFIS needs, including if I supplied them to them and if I did not.

Again, a student (or their parent/guardian) is responsible for ensuring the completeness and accuracy of information given to WAIFS. If a student (or their parent/guardian) approve an education agent/migration agent/someone else you approve to deal with WAIFS on your behalf in relation to your EVF, WAIFS will do so. If a student's (or their parent/guardian) education agent/migration agent/someone else they approve sends an EVF and supporting documents (or later submits supporting documents only to WAIFS), this is taken, reasonably, as a student (or their parent/guardian) giving WAIFS the student's (or their parent/guardian) permission to deal with that person in relation to the student's withdrawal. If a student (or their parent/guardian) subsequently considers that an education agent/migration agent/someone else with their approval has not dealt with things in a timely manner or has not provided what should have been provided when it should have been provided (whether WAIFS asked for it or not) the cancellation fees calculated by WAIFS will not be amended. A student (or their parent/guardian) is over 18 and personally responsible for the information they provide to WAIFS and the means in which they choose to provide it. A student (or their parent/guardian) is over 18 and must accept that the choice they made is one they are/were responsible for overseeing and ensuring the effectiveness of it.