

## Statutory and regulatory compliance

- National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standard 7, 8, 9, 10
- ELICOS Standards 2018

## Related Policies

- Student Support and Welfare Services Policy
- Refunds
- Enrolment Offer and Acceptance Agreement
- Welfare of Younger Students
- Grievance, Complaints and Appeals Policy
- Application for Deferment or Suspension of Studies

## Related Documents

- Enrolment Offer and Acceptance Agreement
- Information Provided to Applicants Prior to Enrolment
- MEE Portal
- Application for Deferment or Suspension of Studies Form
- Notification of rejection of application for release
- Release notification
- Register of provision of release notifications
- Register of requests for release

## Policy

This policy applies only to international students enrolled at Embassy English according to the provisions of a student visa.

Standard 7 of the National Code restricts the movement of students to an alternative provider during the first six calendar months of the student's principal course, except in cases where the course may have been ceased to be delivered by Embassy; or Embassy English has a sanction placed on its registration by the

Study Group Australia Pty Limited trading as Embassy English ACN: 070 919 327  
CRICOS Provider Code 01682E website: [www.embassyenglish.com](http://www.embassyenglish.com)

ESOS agency; or Embassy English agrees to the release of the student's transfer and records the date of effect and reason of release on PRISMS; or any government sponsor of the student considers the change to be in the best interests of the student. Students must, except under exceptional circumstances, complete six months of their principal program of study before changing providers. If a request for a release is refused, the student will be advised of the reasons for the refusal and informed of his or her right of appeal in writing.

## Procedures

### Application for a release

A student who wishes to request a transfer to another provider should first make an appointment to discuss the matter with the Academic Manager. Students can make appointments with the Academic Manager by enquiring at the Student Services desk.

A student may request release from Embassy English by completing an application for release (available from the Student Services desk) and submitting it to the Student Services Representative. The application for a release must be accompanied by a valid enrolment offer letter from another registered provider.

To obtain a release from a provider other than Embassy English, the student should contact the other provider. Embassy English Student Services staff are available to assist students with this.

### Outcome of application for release

The outcome of the application for release will be available to the student within ten working days.

### Register of requests for a release

For each application for a release, an entry is placed in the register of requests for release.

### Provision of release

A release to allow a transfer to another provider will be provided during the first six calendar months of a student's course at Embassy English only under exceptional circumstances, where it is considered in the best interest of the student, academically and/or personally.

### Release based on exceptional circumstances

- Exceptional circumstances in this context are defined as circumstances in which the student can provide evidence that:
- it is in the best interest academically of the student to transfer to another provider
- the course the student wishes to transfer to better meets the study capabilities of the student
- the course the student wishes to transfer to better meets the long term goals of the student, relating to future work, education, or personal aspirations
- the student will be provided with access to greater support
- the student's expectations about the current course are not being met
- the student was misled by Embassy English or an education or migration agent regarding Embassy English or the course in which the student is enrolled, which constitutes a breach of the ESOS Act

Study Group Australia Pty Limited trading as Embassy English ACN: 070 919 327  
CRICOS Provider Code 01682E website: [www.embassyenglish.com](http://www.embassyenglish.com)

### **Letter of Offer from alternative provider to be provided**

A letter of offer from another provider must be provided in support of an application for release.

### **Notification of release at no cost to the student**

If a release notification is provided, it will be at no cost to the student.

### **Filing documents**

A copy of the release notification and a copy of the “assessment of application for release” will be filed in the student’s file, or central file. The Student Services Representative is responsible for ensuring that the documents are filed correctly and in a timely fashion.

### **Register of provision of release notifications**

If a release notification is provided, the Student Services Representative is responsible for ensuring that an entry is made in the register of provision of release notifications and a file note placed on the students profile on Embassy’s student management system.

### **Advising the student of the need to contact the Department of Home Affairs for visa advice**

If a release notification is provided in order for a student to change provider, the student will be advised of the need to contact the Department of Home Affairs (DHA; [www.homeaffairs.edu.au](http://www.homeaffairs.edu.au)) to seek advice on whether a new student visa is required.

### **Rejection of application for release**

A request for release to allow a student to transfer to another provider may be refused for the following reasons:

- the proposed transfer may jeopardise the student’s progression through a packaged set of courses
- the student has not utilised the support services available from Embassy English
- the student is attempting to avoid being reported to DHA for failing to meet the attendance or academic progress requirements of Embassy English
- the student is attempting to avoid being reported to DHA for a breach of visa conditions
- the student owes course fees to Embassy English
- the student has provided as a reason for the request for transfer matters related to permanent residency

### **Notification of rejection of application for release**

If a student’s application for a release is refused, the student will be sent notification of rejection of application for a release. The notification of rejection and the completed assessment of application for release provide detailed explanations for the refusal of Embassy English to provide release.

### **Documents to be filed in the case of rejection of an application for release**

A copy of the notification of rejection of request for release and the completed copy of the “assessment of application for release” form will be placed in the student’s file, or central file.

Study Group Australia Pty Limited trading as Embassy English ACN: 070 919 327  
CRICOS Provider Code 01682E website: [www.embassyenglish.com](http://www.embassyenglish.com)

## Register of rejection of applications for release

An entry will be placed in the in the student's file.

## Appealing the decision to deny an application for release

A student who is denied an application for release has 20 working days to appeal (from a date specified in the notice which provides sufficient time to allow 20 working days after the notice has been delivered) using the Embassy English complaints and appeals procedure.

## Students seeking to transfer from another provider within the first six months of their program

Students seeking to transfer from another provider within the first six calendar months of their program are able to do so only in the following special circumstances:

- The registered provider has ceased to be registered or the course in which the student has enrolled has ceased to be registered.
- The original registered provider has indicated agreement to such a transfer by a written notification of release and/or indicating in PRISMS that the student has been released,
- 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 his or her principal course, or
- Any government sponsor of the student considers the change to be in the student's best interest and has provided written support for that change.

Students of another provider seeking to transfer to Embassy English will be required to provide evidence of one or more of the above circumstances with their application to be enrolled at Embassy English.

## Transfer between Embassy English campuses

In a circumstance where a student wishes to transfer between Embassy English campuses due to moving interstate or any other personal circumstances, the following process will be followed.

The student will meet with the Centre Director or Academic Manager to determine why transfer between the Embassy campuses is necessary. An Embassy English transfer form will be filled and supplied to the Student Services Representative. This form will contain details of why the student wishes to transfer between the Embassy campuses and will be signed and authorised by the Centre Director or Academic Manager.

## On receipt of the form, the Student Services Representative will

- transfer fees for new course

If the student is under-18 years of age, there must be written evidence that the student's parent or legal guardian supports the transfer AND written confirmation that the new campus will accept responsibility for approving a student's accommodation, support and general welfare arrangements as per Embassy English Student support and welfare policy and Standard 5 of The National Code 2018 before the application can be considered. The period nominated by the campus must be a least the length of the student's CoE plus seven days at the end of the CoE or until the student turns 18.

- add the course onto Study Global

Study Group Australia Pty Limited trading as Embassy English ACN: 070 919 327  
CRICOS Provider Code 01682E website: [www.embassyenglish.com](http://www.embassyenglish.com)

- upload the transfer form to Study Global & inform the receiving campus by email
- notify receiving campus to change location (via PRISMS) on COE once the student arrives
- diary note the transfer info
- check attendance/progress and notify receiving centre if there have been concerns
- Note on Study Global re transfer completion
- issue notification of transfer to the student

Student Services Representatives at the campuses will ensure that there are no outstanding tuition fees that the student needs to pay, the new CoE issued to the student is corrected and reflects the new delivery site and the students name is added to the “New Starters List”.

Policy Version Details	
Approved by:	Regional Director - Australia and New Zealand, Embassy English
Date:	28 August 2018
Date Commencing	31 August 2018

#### Document History

Commencing Date	Summary of Changes	Next Review Date
December 2017	V4.0 Review, minor amendment and approval	December 2022
06 April 2018	v4.1 Review and amendment to maintain currency with business and regulatory changes	December 2022
31 August 2018	V4.2 Administrative amendments	December 2022

Study Group Australia Pty Limited trading as Embassy English ACN: 070 919 327  
CRICOS Provider Code 01682E website: [www.embassyenglish.com](http://www.embassyenglish.com)