Transfer Between Providers Policy

1.Purpose

The purpose of this policy is to streamline the process of transfer of international students between the registered providers and to comply with Standard 7 of the National Code 2018.

Worldwide Skills Development Pty Ltd t/a The Future Culinary Academy (herein referred to as "FCA") will not knowingly enrol a vet student seeking to transfer from another registered provider's course prior to the student completing 12 months of his or her principal course as per Standard 7 of the National Code 2018.

Temporary Transfer Restriction:

From 2 October 2026, the transfer restriction period for non-school overseas students is temporarily extended from 6 months to 12 months. This temporary arrangement applies until 30 June 2027, unless otherwise extended or amended by the Australian Government.

Reference: https://www.education.gov.au/esos-framework/changes-legislative-framework-overseas-students#toc-extension-of-the-transfer-restriction-period-for-non-school-students

Future Culinary Academy will follow this policy when assessing student transfer requests made before the student has completed 12 calendar months of their principal course.

This policy outlines the procedures for assessing applications to transfer within this period.

Note: After completing 12 months of their principal course, a student may transfer without needing to meet any of the conditions outlined in this policy.

2.Scope

This policy applies to all students currently studying or formally enrolled at FCA and prospective students wishing to transfer to FCA from another provider.

3.Responsibility

The Academic Coordinator will be responsible for the implementation of this policy and procedures and to ensure that the staff members and students at FCA are aware of its application and that staff implement its requirements.

4. Definitions

Education Services for Overseas Students Act 2000 (ESOS Act): The Education Services for Overseas Students Act 2000 (ESOS Act) and related legislation are designed to protect the interests of vet students coming to Australia on student visas. The legislation aims to protect and enhance Australia's reputation for quality education, to provide tuition protection and to support the integrity of the student visa program.

National Code of Practice for Providers of Education and Training to Overseas Students 2018: Under the ESOS Act, the purpose of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) is to set nationally consistent standards and procedures for registered providers and for persons who deliver education services on behalf of registered providers.

The National Code 2018 sets standards to ensure education services meet the needs and expectations of vet students who come to Australia and satisfy the objectives of the ESOS Act.

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

'Compassionate or compelling' circumstances: Circumstances that are generally those beyond the control of the vet student and which have an impact upon the vet student's course progress or well being. These could include circumstances such as:

- serious illness or injury, where a medical certificate states that the vet 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 vet 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 the vet student (these cases should be supported by police or psychologists' reports)
- where the registered provider was unable to offer a prerequisite unit, or the vet student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enroll.

5. Procedures

Any request that is received in relation to a student wishing to transfer education providers shall be the responsibility of the Academic Coordinator. The Academic Coordinator or representative will assess and reply to the application transfer request and will conclude an outcome based on the following procedures within 7 working days or as soon as possible.

Students wanting to apply for a release from Future Culinary Academy to another provider

Students wanting to apply for a course from FCA 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 to contact@thefca.edu.au to request a release from FCA.

If release is granted, FCA may provide students with PRISMS generated report for release.

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.

Students wanting to apply for a release from another provider to Future Culinary Academy

Students wanting to apply for a course at FCA from another provider can do so by completing an application form and by providing a valid release document (e.g., an email confirming enrolment, Offer Letter) from another provider. PRISMS will be checked to ascertain if the student has been released from their current provider.

FCA's Academic Coordinator or representative will access the students' information via PRISMS. It will be ascertained if the length of studies completed in their current principal course of study is greater than 12 months. A copy of the student visa can also be used to ascertain what the principal course is and when the student arrived in Australia.

After completing this process, the Academic Coordinator or representative will print a copy of the PRISMS record and attach it with the student application.

If a student has completed more than 12 months, the enrolment will proceed as applicable. However, if a student has not completed more than 12 months of their course, PRISMS will be checked.

If the current provider provides a release on PRISMS, the application will proceed accordingly.

6. Providing release from Future Culinary Academy

FCA may grant a transfer request or release because the transfer is in the vet student's best interests in circumstances including, but not limited to, where FCA has assessed that:

- students will be reported due to not being able to achieve satisfactory course progress at the level they are studying, even after the implementation of an intervention strategy to assist the student. In such circumstances, if a student requests for a release for another college by presenting an offer letter of another suitable course, FCA will grant the release in the student's best interest.
- There is evidence of compassionate or compelling circumstances.
- If a student is moving to another state that imply the condition, the student will not be able to attend his/her classes or continue the course with FCA.
- FCA fails to deliver the course as outlined in the written agreement.
- There is evidence that the student's reasonable expectations about their current course are not being met.
- There is evidence that students were misled by FCA, an education or migration agent regarding FCA, 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 vet 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 FCA, it will be at no cost to the vet students. It is further advisable that students should contact the Department of Home Affairs to seek advice on whether a new student visa is required.

Refusing release from Future Culinary Academy

Circumstances under which release will not be granted to 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 students is not up to date, i.e., the vet student has been unable to achieve satisfactory course progress at the level they are studying, and an intervention strategy has not been implemented to assist the student. In this case, FCA 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.

If Future Culinary Academy 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 FCA's feedback complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.

FCA will not finalise the student's refusal status in PRISMS until the appeal is in favour of FCA, or the student has chosen not to access the feedback complaints and appeals processes within the 20 working days period, or the vet student withdraws from the process.

FCA's Academic Coordinator or representative will maintain records of all requests from students for release and the assessment of, and decision regarding, the request for two years after the student ceases to be an accepted student.

Transfer from another provider

Future Culinary Academy will not knowingly enrol a student prior to completing 12 months of their principal course, unless the student has obtained a release from their original provider, or meets one of the following conditions:

- The releasing registered provider, or the course in which the 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 student from continuing his or her course at that registered provider.
- Any government sponsor of the student considers the change to be in the student's best interests and has provided written support for the change.

After completing 12 months of their principal course, a student can transfer without needing to meet one of these conditions.

Note:

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

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