

1. Purpose

The purpose of this Policy and Procedure is to ensure that Australian Institute of Hospitality and Management (AIHM) does not enroll transferring students prior to the student completing six months of their principal course of study except for the circumstances outlined in this Policy and Procedure.

This Policy and Procedure also ensures that when a student wishes to transfer from Australian Institute of Hospitality and Management (AIHM) before completing six months of their principal course, Australian Institute of Hospitality and Management (AIHM) assesses this request according to this Student Transfer Policy. This ensures compliance with Standard 7 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018.

2. Related Documents

Complaints and Appeals Policy and Procedure
 Refund and Cancellation Policy and Procedure
 Course Variation Application Form
 Application to Transfer Providers
 Letter granting transfer request
 Letter refusing transfer request
 Complaints and Appeal Form
 Complaints and Appeals Outcome Form
 PRISMS User Guide

3. Related Legislation

National Code of Practice for Providers of Education and Training to Overseas Students 2018
 Education Services for Overseas Students (ESOS) Act 2000

4. Scope

- 4.1 This policy applies to:
- 4.1.1 all international students studying a course at Australian Institute of Hospitality and Management (AIHM); and
 - 4.1.2 all staff involved in the assessment of transfer requests.

5. Responsibility

- 5.1 The Supervisor Student Services is responsible for the assessment of transfer requests.

6. Definitions

ASQA	Australian Skills Quality Authority, the national VET regulator and the RTO's registering body.
CoE	For international students, the CoE is issued by Australian Institute of Hospitality and Management (AIHM) as proof of enrolment in a course at Australian Institute of Hospitality and Management (AIHM). Students can apply or renew their student visa

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	with the CoE.
Compassionate or Compelling Circumstances	Circumstances generally out of the control of the student which will have an impact upon the student's wellbeing or program progress.
Course	The program of study which leads to a qualification or reward.
Course Progress	The period of study underway and Australian Institute of Hospitality and Management (AIHM) supports the students who are at risk of failing or are making unsatisfactory results to completing the course.
CRICOS	The Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).
DET	Department of Education and Training
Department of Home Affairs	Is a central policy agency, providing coordinated strategy and policy leadership for Australia's national and transport security, federal law enforcement, criminal justice, cyber security, border, immigration, multicultural affairs, emergency management and trade related functions
ESOS Act	The Education Services for Overseas Students Act 2000 of the Commonwealth of Australia.
International Student Intervention Strategy	A student studying in Australia on an international student visa. Assists the student to improve their academic performance through the use extra activities or tasks as required.
National Code	The National Code of Practice for Providers of Education and Training to Overseas Students 2018, established pursuant to Part 4 of the ESOS Act
Non-AQF Degree	The AQF is the national policy for regulated qualifications in Australian education and training in Australia. It comprises different qualification levels. Non-AQF courses do not lead to a qualification or award that is covered by the AQF.
PRISMS	Provider Registration and International Students Management System: the Australian Government database that provides Australian education providers with Confirmation of Enrolment facilities required for compliance with the ESOS legislation.
PRINCIPAL COURSE	The principal course refers to the main course of study to be undertaken by the international student where a student visa has been issued. The principal course of study is typically the final course of study where the international student is granted a student visa to study multiple courses in Australia.
Standards	<p>The Council of Australian Governments (COAG) Industry and Skills Council agreed to new regulatory standards for training providers and regulators—the Standards for Registered Training Organisations (RTOs) 2015.</p> <p>The Standards to ensure nationally consistent, high-quality training and assessment across Australia's vocational education and training (VET) system. Compliance with the Standards is a requirement for all ASQA registered training organisations and for applicants seeking registration.</p> <p>ASQA uses the Standards to protect the interests of all students in Australia's VET system. The Standards guide nationally consistent, high-quality training and assessment services in the vocational education and training system.</p>
Study Period	A period of study within a course, namely term, semester, trimester, short course of

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	similar or lesser duration, or as otherwise defined by Australian Institute of Hospitality and Management (AIHM).
Unsatisfactory Course Progress	A student who is at risk of failing a grade point average (pass grade); or failing more than 50% of units attempted within a semester; or failing the same unit for a second time.

7. Policy Provisions

7.1 Australian Institute of Hospitality and Management (AIHM)'s process for transfers is applied fairly and consistently to all students.

7.2 Australian Institute of Hospitality and Management (AIHM)'s Student Transfer Policy and Procedure are in accordance with the National Code 2018, which prescribes the requirements education providers must follow when assessing transfer requests.

7.3 Transferring from another Provider to Australian Institute of Hospitality and Management (AIHM)

7.3.1 Australian Institute of Hospitality and Management (AIHM) will not enroll students transferring from another provider prior to the student completing six months of their principal course of study.

7.3.2 Exceptions to this are:

7.3.2.1 the provider is no longer registered to deliver courses to international students, or the course in which the student is enrolled has ceased to be registered;

7.3.2.2 the provider has been sanctioned by an Australian, State or Territory Government Department that prevents the student from continuing their course;

7.3.2.3 the course is no longer available to international students;

7.3.2.4 the provider has issued a Letter of Release; or

7.3.2.5 the student's Government sponsor has provided a written letter to support the change of provider.

7.3.3 International Students with a valid student visa and who have studied longer than six months within their principal course can enroll without a letter of release.

7.4 Transferring from Australian Institute of Hospitality and Management (AIHM) to another Provider

7.4.1 Any Australian Institute of Hospitality and Management (AIHM) student who wishes to transfer to another provider must have completed more than six months of their principal course at Australian Institute of Hospitality and Management (AIHM).

7.4.2 If a student has not completed more than six months of their principal course, Australian Institute of Hospitality and Management (AIHM)

will only grant the transfer request if it is in the student's best interests including but not limited to:

7.4.2.1 the student will be reported to DoHA for unsatisfactory course progress at the level they are studying. In order to consider these circumstances, the student must have engaged in Australian Institute of Hospitality and Management (AIHM)'s Intervention Strategy;

7.4.2.2 the student is not coping in the program, and has sought academic assistance from Australian Institute of Hospitality and Management (AIHM). The student has not improved their academic performance;

7.4.2.3 there is evidence of compassionate and compelling circumstances that suggests transferring to

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another Provider is in student's best interest.

7.4.2.4 Australian Institute of Hospitality and Management (AIHM) is unable to deliver the course, as outlined in the Offer Letter;

7.4.2.5 evidence has been provided of the student's reasonable expectations of the course are not being met;

7.4.2.6 Documentary evidence has been provided that the student was misled by Australian Institute of Hospitality and Management (AIHM) or an education agent regarding Australian Institute of Hospitality and Management (AIHM) or course and is therefore unsuitable to their needs and/or study objectives; or

7.4.2.7 an appeal (either internal or external) on another matter results in a decision or recommendation to release the student;

7.4.2.8 a sponsor of the student considers the change to be in the student's best interest and has provided written, authorised support for that change; and the student has a valid unconditional offer letter from the receiving provider

7.4.2.9 The student is genuinely unable to achieve satisfactory course progress, even after engaging with Australian Institute of Hospitality and Management (AIHM)'s intervention strategies and support systems.

7.4.3 Circumstances where Australian Institute of Hospitality and Management (AIHM) will refuse a request for transfer prior to completing the

first six months of the Principal Course of study:

7.4.3.1 if the student does not have a valid unconditional Offer Letter from another provider;

7.4.3.2 the student is transferring to a non-AQF level course;

7.4.3.3 student is experiencing Course schedule conflict with personal, work, or other non-study related commitments;

7.4.3.4 Student has been warned for non-attendance or failed to meet minimum attendance requirements set by their visa.

7.4.3.5 Australian Institute of Hospitality and Management (AIHM) forms the view that the student is trying to avoid being reported to Immigration for failure to meet the Provider's attendance and/or academic progress requirements

7.4.3.6 Student changes his/her mind about the Course – students may apply to transfer to another Course within Australian Institute of Hospitality and Management (AIHM), but will not be granted a

release on the basis of a change of mind;

7.4.3.7 Student expresses difficulty with Course material and/or has been identified as being "at risk" of failing, but has not availed themselves of any Intervention Strategy or academic support services;

7.4.3.8 there are outstanding fees owing to Australian Institute of Hospitality and Management (AIHM).; or

7.4.3.9 Australian Institute of Hospitality and Management (AIHM) believes the transfer will be detrimental to the student. This could include, but are not limited to, the following circumstances:

7.4.3.9.1 the transfer will not aid their progress through a set package of courses;

7.4.3.9.2 the student has not highlighted to Australian Institute of Hospitality and Management (AIHM) the actual benefits they will attain from making the transfer;

7.4.3.9.3 the student has recently had an intervention strategy put in place and there has been

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insufficient time to assess whether or not this will be an effective solution for the student; or

7.4.3.9.4 the Australian Institute of Hospitality and Management (AIHM) forms the view that the student is avoiding being reported to DoHA for breaching any student obligations or student visa conditions.

7.4.4 The approval of transfer of a student to another institution does not remove the requirement for the student to pay any outstanding fees nor does it indicate the agreement to provide any refund. The *Refund and Cancellation Policy*, independent of this policy, govern the calculations of cancellation fees and refunds.

7.4.5 After six months within the principal course, no restriction for transferring to another provider applies.

7.5 Application Requirements

7.5.1 The following will need to be provided to apply for a transfer:

7.5.1.1 A Course Variation Application Form;

7.5.1.2 Evidence to demonstrate the student meets one of the requirements previously outlined and

7.5.1.3 A valid unconditional offer Letter from the new provider.

7.6 Timeframes

7.6.1 Australian Institute of Hospitality and Management (AIHM) will process the transfer request and provide the outcome within 14 working days of a complete application to transfer has been received.

7.7 Approved Transfer Requests

7.7.1 If the transfer request has been approved, Australian Institute of Hospitality and Management (AIHM) will:

7.7.1.1 Issue a Letter of Release at no cost to the student;

7.7.1.2 Cancel the student's enrolment and undertake their regulatory obligations in PRISMS and

7.7.1.3 Notify the student of their responsibility to contact DHA to seek advice on whether or not a new visa is required.

7.8 Refused Transfer Requests

7.8.1 If Australian Institute of Hospitality and Management (AIHM) refuses the request to transfer, Australian Institute of Hospitality and Management (AIHM) will:

7.8.1.1 Issue a written response to the student outlining the reasons for the refusal; and

7.8.1.2 Inform the student of their right to appeal the decision within 20 working days of being sent a notification that their transfer has been refused, as per *Student Complaints and Appeals Policy and Procedure*.

7.9 Record Keeping

7.9.1 Australian Institute of Hospitality and Management (AIHM) will record the following information for two years after the student ceases to be a Australian Institute of Hospitality and Management (AIHM) student:

7.9.1.1 applications for release;

7.9.1.2 the assessment of the release request; and

7.9.1.3 the decision of the release request.

7.10 Review of Decisions and Appeals

7.10.1 Applicants may seek a review of a selection decision if they are dissatisfied with the transfer request

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outcome. Refer to the Student Complaints and Appeals Policy and Procedure.

7.10.2 This policy and the availability of complaints and appeals procedures do not remove the rights of the student to take action under Australia's consumer protection laws (including the *ESOS Act 2000*) or to pursue other legal remedies.

7.11 Refunds

7.11.1 If the student is granted a Letter of Release and is entitled to a refund, the refund will be assessed in accordance with Australian Institute of Hospitality and Management (AIHM)'s *Refund and Cancellation Policy*.

8. Policy Information

Authorised Officer	CEO
Supporting documents, procedures & forms of this policy	Complaints and Appeals Policy and Procedure Refund and Cancellation Policy and Procedure Course Variation Application Form Application to Transfer Providers Letter granting transfer request Letter refusing transfer request Complaints and Appeal Form Complaints and Appeals Outcome Form PRISMS User Guide
Related Legislation and Codes of Practice	National Code of Practice for Providers of Education and Training to Overseas Students 2018 Education Services for Overseas Students (ESOS) Act 2000
Audience	Public

9. Procedure

9.1 Transfers to Australian Institute of Hospitality and Management (AIHM) from another Registered Provider

9.1.1 Where six months has not elapsed in the student's principal course, the student must be referred to the principal course provider and is subject to the other providers release policy in most cases this is identified as part of the Application for Enrolment Process,

9.1.2 If the other provider indicates it will release the student, Australian Institute of Hospitality and Management (AIHM) will assess the application and determine if it will issue an offer letter;

9.1.3 Where six months has not elapsed in the student's principal course, the student must provide a letter of release from the previous 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);

9.1.4 Where a student is eligible to transfer to Australian Institute of Hospitality and Management (AIHM), no application for enrolment will be accepted unless all required documentation is provided.

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9.1.5 Where a student is subject to provide a Release Letter, and cannot obtain the required release, the application or enrolment will be cancelled, and the student informed.

9.2 Transfers FROM Australian Institute of Hospitality and Management (AIHM) to another Registered Provider

9.2.1 Student submits Request for Transfer, with required Letter of Offer from new provider.

9.2.2 Request submitted to Supervisor Student Services for review, student will be advised of the outcome of their request within 10 working days of the request in writing;

9.2.3 Where a transfer request has been approved, the student's enrolment at Australian Institute of Hospitality and Management (AIHM) will be cancelled (all steps detailed on Course Variation Application Checklist completed).

9.2.4 As the releasing registered provider, Australian Institute of Hospitality and Management (AIHM) must record the date of effect and reason for release in PRISMS.

9.2.5 Where a Student Transfer Request has been declined, the student's enrolment will remain current and the student will be advised of the reason for the refusal of the request in writing

9.2.6 Where a student request for a letter of release has been declined, the student has access to the Australian Institute of Hospitality and Management (AIHM) complaints and appeals process.

9.3 Letter of Release

9.3.1 Where Australian Institute of Hospitality and Management (AIHM) is required to provide a Letter of Release to a student, the letter is to be generated via the Student Management System (Newberry)

9.3.2 Letter of Release, together with all relevant documentation provided to the for signing, and releasing to student. Signed released letter will be emailed to the student.

9.3.3 The Letter of Release will specify the name of the provider Australian Institute of Hospitality and Management (AIHM) has released the student to, and the course they will undertake.

9.3.4 **Note:** The letter of release is at No Cost to the student.

9.4 How to Manage a Student Transfer in PRISMS

9.4.1 As of 1 January 2018, releases under Standard 7 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 must be recorded in PRISMS by the releasing provider.

9.4.2 Australian Institute of Hospitality and Management (AIHM) has the ability to record releases and the refusal of releases in PRISMS for any of its transfer restricted enrolments in a student's visa transfer restriction period. When a provider releases a student from their transfer restricted enrolment, it allows a new provider to enrol the student without breaching Standard 7.

9.4.3 View your transfer restricted enrolments

9.4.3.1 Step 1: Search for Student

9.4.3.1.1 Locate the student you wish to view

9.4.3.1.2 For Instruction on how to search for a Student please refer to section 4.27 of the PRISMS

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9.4.3.2 Step 2: View the student's enrolments

9.4.3.2.1 Once the student has been located proceed to the 'CoE(s)' tab

9.4.3.2.2 On the CoE listing, you will find a 'Release' column and a 'Transfer Restricted' Column

9.4.3.2.3 Transfer restricted enrolments will have a 'Y' against the corresponding column

9.4.4 Enrolments no longer restricted due to a 'release' being recorded in the system will have a 'Y' against the 'Release' column

View/Edit Student

Use this page to view student details and edit provider-specific student information. Most student details may only be edited during the initial creation of a new Student / CoE. Please contact the Department of Education and Training to have any read-only details modified.

Student Summary

Student Contacts

CoE(s)

Current Provider's Confirmation of Enrolment(s) for this Student:

CoE Code	Course	Starts	Ends	CoE Status	Principal Course	Released	Transfer Restrictio
██████████	██████████	██████████	██████████	Finished			Y
██████████	██████████	██████████	██████████	Studying		Y	
██████████	██████████	██████████	██████████	Visa Granted	Y		Y

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Add CoE to Student

9.5 Release a student from transfer restricted enrolment

9.5.1 Step 1: Search for CoE/Student

9.5.1.1 Locate the transfer restricted CoE that you wish to release the student from

9.5.1.2 For Instruction on how to search for a CoE please refer to section 4.27 of the PRISMS Provider user guide

9.5.2 Step 2: Record the release

9.5.2.1 Once the CoE has been located proceed to the 'Course Variation/Defaults' tab

9.5.2.2 Select 'Student Release' button which will navigate you to the Student Release screen.

9.5.2.3 Select 'Grant Student Release' when asked to 'Select if you are granting or refusing a student release'

9.5.2.4 Select the appropriate release type

9.5.2.5 Provider agreed to student's release (National Code Standard 7.1.3)

9.5.2.6 Government sponsor has provided written support of the change (National Code Standard 7.1.4)

9.5.2.7 Enter the Date of Effect

9.5.2.8 Enter Provider Name or Provider Code (optional)

9.5.2.9 If Release Type is 'Provider agreed to the student's release (National Code Standard 7.1.3)', you will be provided to record the reason you are releasing the student from their enrolment

9.5.2.10 There is evidence of compassionate or compelling circumstances

9.5.2.11 appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student

9.5.2.12 There is evidence that the overseas student's reasonable expectations about their current course are not being met

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9.5.2.13 The overseas student will be reported because they are unable to achieve the satisfactory course progress at the level they are studying, even after engaging with that Australian Institute of Hospitality and Management (AIHM)'s intervention strategy to assist the overseas student in accordance with Standard 8 of the National Code (Overseas student visa requirements)

9.5.2.14 Australian Institute of Hospitality and Management (AIHM) has failed to deliver the course as outlined in the written agreement

9.5.2.15 There is evidence that the overseas student was misled by the Australian Institute of Hospitality and Management (AIHM) or an education or migration agent regarding Australian Institute of Hospitality and Management (AIHM) or its course and the course is therefore unsuitable to their needs and/or study objectives

9.5.2.16 Other, comments will be required

9.5.2.17 Click 'Save'. This will complete the release process

Student Release

Student XXXXXXXXXX

CoE Code XXXXXXXXXX

* Select if you are granting or refusing a student release Grant Student Release

* Release Type Provider agreed to the student's release (Standard

* Date of Effect 15/12/2017

Provider Name/Provider Code of written offer (optional)



* Reason

- ☐ There is evidence of compassionate or compelling circumstances
- ☐ An appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student
- ☐ There is evidence that the overseas student's reasonable expectations about their current course are not being met
- ☐ 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)
- ☐ The registered provider fails to deliver the course as outlined in the written agreement
- ☐ There is evidence that the overseas student was misled by the registered provider or an education or migration agent regarding the registered provider or its course and the course is therefore unsuitable to their needs and/or study objectives
- ☐ Other

Save
Cancel

Figure 2 Releasing a student under 7.1.3 of the National Code

Student Release

Student 
 CoE Code 

* Select if you are granting or refusing a student release

* Release Type

* Date of Effect

Provider Name/Provider Code of written offer (optional)

Figure 3 Releasing a student under 7.1.4 of the National Code

9.6 Refuse a student's transfer request

9.6.1 Step 1: Search for CoE/Student

9.6.1.1 Locate the transfer restricted CoE that you wish to release the student from

9.6.1.2 For Instruction on how to search for a CoE please refer to section 4.27 of the PRISMS Provider User Guide.

9.6.2 Step 2: Record the release refusal

9.6.2.1 Once the CoE has been located proceed to the 'Course Variation/Defaults' tab

9.6.2.2 Select 'Student Release' button which will navigate you to the Student Release screen

9.6.2.3 Select 'Refuse Student Release' when asked to 'Select if you are granting or refusing a student release'

9.6.2.4 Enter the Date of Effect

9.6.2.5 Provide comments on why you are refusing the release

9.6.2.6 Check that you have issued the student with the required written notice of intention of intention to refuse the release, and that appeals process has found in in favour of Australian Institute of Hospitality and Management (AIHM), or the overseas student has chosen not to access the complaints and appeals processes within the 20-working day period, or the overseas student has withdrawn from the process

9.6.2.7 Click 'Save'. This will complete the refusal to release

9.7 Grant or refuse the release of a student enrolment through the SCV process

9.7.1 After terminating a transfer restricted enrolment through a student course variation with one of the following reasons, you will be given the option to grant or refuse the release of the enrolment:

9.7.1.1 Student Did NOT Commence Course

9.7.1.2 Unsatisfactory attendance

9.7.1.3 Student Left Provider (Transferred to course at another provider)

9.7.1.4 Unsatisfactory course progress

9.7.1.5 Deferring/Suspending student enrolment – Compassionate or compelling circumstances (*only if CoE is cancelled and new CoE isn't created*)

9.7.1.6 Student Notified Cessation of Studies/Enrolment Cancelled

9.7.1.7 Non-payment of fees

9.7.1.8 Disciplinary reasons

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9.7.1.9 Deferring/suspending student enrolment – student misbehavior (*only if CoE is cancelled and new CoE isn't created*)

9.7.2 You will be given the option to grant or refuse the release on the Student Course Variation screen. Clicking on the link will navigate you to the Student Release screen. Recording the release or release refusal will be as described above.

Student Course Variation Confirmation



The **Student Course Variation** has been successfully saved.

If you wish to grant or refuse the student a release from this enrolment, please click [here](#).

To continue using PRISMS please select a menu option from the left of this page. When you have finished using PRISMS, please remember to select the Logout

Figure 4 Option given to grant or refuse a student release after SCV

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Record of updates and changes

Version	Creation/ Revision Date	Comments	Created/ Revised By
1.0	May 23	Student Transfer policy and procedure approved	CEO
2.0	May 24	Review and update: added RTO and CRICOS Code, format review	CEO
3.0	11 Feb 25	Added new RTO code, review and updates	CEO