

# STUDENT TRANSFER STATEMENT

This statement sets out the INTO University Partnerships (“INTO”) position on the facilitation and limitation of student transfers.

## Overview

The Higher Education and Research Act (2017) included a provision to ensure that the OfS monitors schemes that are provided by the Higher Education sector to facilitate the transfer of students between courses offered by separate Higher Education Providers (HEPs). Students must be informed of their ability to do this, and have any prior learning or other attainment recognised by a ‘receiving’ HEP upon their transfer to study with them.

The applicability of these requirements to INTO’s provision is limited, for the following reasons:

- Since 1<sup>st</sup> January 2021, when the UK left the European Union (EU) and EU citizens became ‘visa nationals’ on the same basis non-EU citizens had previously been, INTO’s student body is almost entirely composed of migrants who require a visa to live, work or study in the UK for a period of 6 months or more. It is not possible for students who require a visa to study in the UK to transfer between HEPs during their course of study. Whilst a student doesn’t have to remain studying with their initial Sponsor, leaving a course would invalidate their leave to remain in the UK, which is tied to continuing to study a specific course with a specific HEP as per their visa application. Transferring from this initial provider to a new course with a different HEP would necessitate them leaving the UK and making a new visa application, sponsored by the new HEP, from outside the UK.
- The vast majority of INTO’s courses only last for a single academic year, or part of a single academic year. However, where students leave courses part way through and obtain an offer to study a course at an alternate HEP, an INTO centre may be able to provide students with a letter confirming the number of credits the student has achieved at the point they left their course. This will of course depend on the specific nature of the course being studied, and when assessed coursework or exams are completed etc. INTO students studying ‘integrated’ courses, which involve the student studying the first year of their study plan as preparation for a related period of study with a HEP (who will be an INTO Joint Venture partner university), may also become eligible for credit recognition in the event they want to change course or HEP during their study plan, once they have already completed the INTO-led portion of their study plan. These students could also still need to leave the UK in order to make a new visa application to facilitate a course transfer to a new HEP.

INTO complies with, the principles of facilitating student course transfers and mutual credit recognition, as set out in section 38 of the Higher Education and Research Act (2017) as set out above.

## Appendix: Text of Section 38 of the Higher Education and Research Act (2017), on student transfers

### 38 Duty to monitor etc the provision of arrangements for student transfers

(1) The OfS—

(a) must monitor the availability of schemes or other arrangements provided by registered higher education providers for student transfers,

(b) must monitor the extent to which the arrangements monitored under paragraph (a) are utilised by students generally or students of a particular description,

(c) must include in its annual report a summary of conclusions drawn by it, for the financial year to which the report relates, from its monitoring under paragraphs (a) and (b), and

(d) may facilitate, encourage, or promote awareness of, the provision of arrangements by registered higher education providers for student transfers.

(2) For the purposes of this section, “a student transfer” is where—

(a) a student transfers from a higher education course (“course X”) provided by a UK higher education provider (“the transferring provider”) to a different higher education course (“course Y”) provided by the same or a different UK higher education provider (“the receiving provider”),

(b) the receiving provider recognises, or takes account of, the study undertaken, or a level of achievement attained, by the student—

(i) on course X, or

(ii) on another higher education course provided by the transferring provider,

when the receiving provider is determining the study to be undertaken, or the level of achievement attained, by the student on course Y, and

(c) either the transferring provider or the receiving provider is a registered higher education provider, or both are registered higher education providers.

(3) For the purposes of subsection [\(2\)](#), there may be an interval between the student ceasing to undertake course X and starting to undertake course Y.

(4) The duty under subsection [\(1\)\(a\)](#) may be discharged by the OfS monitoring, as described in that provision—

(a) arrangements for student transfers provided by all registered higher education providers or a particular description of such provider;

(b) all such arrangements for student transfers or a particular description of such arrangement or student transfer.

(5) In this section—

- “annual report” means the annual report under paragraph 13 of Schedule 1;
- “financial year” has the same meaning as in that Schedule (see paragraph 12(6));
- “higher education course”—
  - (a) in the case of a provider in England or Wales, has the meaning given in section 83(1);
  - (b) in the case of a provider in Scotland, means a course falling within section 38 of the Further and Higher Education (Scotland) Act 1992;
  - (c) in the case of a provider in Northern Ireland, means a course of any description mentioned in Schedule 1 to the Further Education (Northern Ireland) Order 1997 ([S.I. 1997/1772 \(N.I. 15\)](#));
- “UK higher education provider” means an English higher education provider or a higher education provider in Wales, Scotland or Northern Ireland.

(6) For the purposes of applying the definition of “higher education provider” in section 83(1) to the reference in the definition of “UK higher education provider” in subsection (5) to a higher education provider in Wales, Scotland or Northern Ireland, the reference to “higher education” in the definition of “higher education provider” in section 83(1)—

(a) in the case of an institution in Wales, has the meaning given in section 83(1);

(b) in the case of an institution in Scotland, has the same meaning as in section 38 of the Further and Higher Education (Scotland) Act 1992;

(c) in the case of an institution in Northern Ireland, has the same meaning as in Article 2(2) of the Further Education (Northern Ireland) Order 1997 ([S.I. 1997/1772 \(N.I. 15\)](#))

Date of review: February 2021

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