



Cancel-Defer-Suspend policy

Purpose

The purpose of this document is to inform all employees and students of the AIAC student Cancellation, Deferment and Withdrawal policy and associated procedures. This policy will outline conditions for a student or AIAC deferring, cancelling or suspending training.

National Code 2018, Standard 9 - <https://internationaleducation.gov.au/Regulatory-Information/Documents/National%20Code%202018%20Factsheets/Standard%209.pdf>

Scope

Applies to all students enrolled in a Nationally Accredited training program at AIAC.

Responsibility:

The RTO CEO takes responsibility for the implementation of this policy and ensuring all staff of AIAC are fully advised of the policy and have easy access to it at all times.

The RTO Compliance Officer is responsible for maintaining the policy and compliance against regulatory agencies and reporting students to DoHA.

Definitions:

Defer: Refers to deferring or delaying the course start date.

Suspend: Refers to 'pausing' training for a period of time.

1 Cancel-Defer-Suspend policy

1.1 Student Initiated

All applications for Deferment or Suspension from a student will be assessed prior to approval. Supporting evidence will be required.

AIAC is able to suspend or defer studies due to compassionate or compelling circumstances. Compassionate or Compelling circumstances refers to circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing. Circumstances may include, but not limited to;

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

There is no time limit as to how long a course can be deferred or suspended. Each application will be assessed individually and a timeframe for return or commencement established during the application assessment. The following should be used as a guide:

- Deferments: up to 6 months
- Suspensions: up to 2 months

A student may at anytime chose to cancel his/her enrolment at AIAC.

1.2 AIAC initiated

AIAC may suspend or cancel a student's enrolment on the basis of, but not limited to:

- misbehaviour by the student;
- Failure to pay the course deposit before arrival into Australia (overseas student)



- the student's failure to pay the required amount to undertake or continue the course as stated in the written agreement; or
- a breach of course progress or attendance requirements by the overseas student in accordance with the National Code, standard 8 and AIAC's Attendance and Progress policies and procedures
- a breach of visa obligations.

1.2.1 Student Intervention

Prior to suspending or cancelling enrolment, the student should be given access to the AIAC Student Intervention Strategy, unless the cancellation relates to gross misconduct or other grounds for immediate cancellation. The student may also request additional support (internal or external) at any time. Refer to the Student intervention strategy policy and procedure.

1.2.2 Warning letters

If AIAC has decided to cancel or suspend enrolment due to **poor attendance** or **poor progress** (as per the related policies and procedures), AIAC is required to send a first and second warning letter to the student. Poor progress/attendance is not grounds for immediate termination and the correct processes must be followed. Refer to the relevant policy and procedure for more information. The first warning letter will activate the Student Intervention Strategy (if not already activated). The second warning letter may include a Notice of Intent to Report and Cancel-Suspend (document no. AIAC-RTO-FRM-013_v1).

1.3 Cancelling or suspending enrolment

If AIAC initiates the suspension or cancellation of a student, before imposing the suspension or cancellation, AIAC will;

- issue a Notice of Intent to Report to the student as soon as possible outlining the reasons for reporting, and
- advise the student of his/her rights to access the company's internal complaints and appeals process within 20 working days.

Suspensions of training should not exceed 2 months.

AIAC cannot suspend/cancel enrolment until after the internal appeals process (if used) is completed, unless there is evidence that (or AIAC reasonably suspects that) the students health or wellbeing or the wellbeing of others is at risk. If AIAC intends to proceed with the cancellation/suspension, AIAC will;

- inform the student of his/her need to seek advice from DoHA regarding the impact on his/her visa, and
- report the change in enrolment details to DoHA through PRISMS, and
- Update the student register and training file.

1.4 Student Transfer

The student may be able to transfer to another provider. Refer to the Student Transfer policy and procedure.

2 Financial Policy

Refer to the company refund policy and procedure for more information.

2.1 Cancellations

Refunds will be issued as per our refund policy and procedure. In summary;

- Student initiated: Cancellations or transfers will incur a 10% administrative fee of any unused pre-paid fees.
- AIAC initiated: Students will be repaid all unused pre-paid fees unless the cancellation is due to misconduct.
- Unused fees will be refunded if AIAC defaults, closes or cannot provide the course offered.
- Students expelled from AIAC for visa breaches or mis-conduct will not be entitled to refunds.
- Administration fees, application fees, licensing fees and test/assessment fees will not be refunded.
- Fees paid to third-parties cannot be refunded by AIAC.
- The student will receive his/her refund within 20 days of submitting a refund request.
- AIAC will not issue refunds for any requests made within 14 days of the course start date.



- Refunds can only be issued to the original bank account or credit card. Refunds will not be issued to third parties.

2.2 Deferment-Suspension

Any pre-paid fees will remain with AIAC during the deferment or suspension period. The student will not be required to pay any further tuition fees during this period. Some incidental costs, such as rent, will still need to be paid by the student.

3 Extension of course duration

It is expected that all students will complete their course within the timeframe that AIAC advise upon enrolment. It is a condition of a CRICOS student that they finish the course within the time frame as set out in their CoE. However, under certain circumstances, AIAC may need to extend a student's period of study. The following will apply to all students (though reporting to PRISMS applies to CRICOS students only).

AIAC will consider extending the period of study for a learner if/for:

- Compelling or compassionate reasons
- Through the intervention strategy, it is recognized that a student will need extra time to complete their studies to meet course requirements
- A period of suspension or deferment, approved by the CEO/HOO, was granted under section 9 of the National Code.

The student may need a new CoE. Refer to the extensions policy for more information.

4 Reporting cancellations, suspensions, deferrals to PRISMS

AIAC can only report unsatisfactory course **progress** or unsatisfactory course **attendance** in PRISMS if:

- [8.14.1] the internal and external complaints processes have been completed and the decision or recommendation supports AIAC, or
- [8.14.2] the overseas student has chosen not to access the internal complaints and appeals process within the 20-working day period, or
- [8.14.3] the overseas student has chosen not to access the external complaints and appeals process, or
- [8.14.4] the overseas student withdraws from the internal or external appeals processes by notifying the registered provider in writing.

Evidence relating to the above points will need to be recorded and added to the student file.

AIAC is required to inform the student of the need to seek advice from the Department of Home affairs regarding the potential impact on his/her visa. The suspension or cancellation of the overseas student's enrolment under Standard 9.3 cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Refer to the Defer, Cancel, Withdrawal policy and procedure for more information.

5 Complaints and Appeals

Student will be able to access the company's complaints and appeals policy at any time. They will have 20 working days to do so after a formal warning or notice of intent.

The student does not have to be given the opportunity to appeal a provider-initiated deferral, suspension or cancellation of enrolment when the student's health or wellbeing, or the wellbeing of others, is likely to be at risk. The registered provider must keep evidence to support this.

This may include, but is not limited to when the student:

- is missing;
- has medical concerns, severe depression or psychological issues which lead the provider to fear for the overseas student's wellbeing;
- has engaged or threatens to engage in behaviour that is reasonably believed to endanger the overseas student or others; or
- is at risk of committing or has committed a criminal offence.

6 Record keeping

Copies of all correspondence, approvals, application forms, supporting evidence etc. are to be placed in the student file. Details of any decision are to be entered into the Student register.

7 Review of policy and procedures

The Cancel-Defer-Suspend policy and procedure will be reviewed 12 months from the date of implementation or after any significant change in regulation by the Compliance officer. The document map and control register (AIAC-QHS-RG-006_V1) will be used to manage the review schedule.

Date implemented	15/03/2021	Review date:	01/03/2021
Authorised by:	D. Murray	New version no.	0.1 (draft)

7.1 Amendments and Version history

Version no.	Amendment date	Amendment details	Amended by	Date of inclusion
1.0		Original document created and released	D. Murray	15/03/2021



8 Related documents to the Attendance policy

- Attendance procedure -----AIAC-QHS-PP-014_v1
- Attendance policy -----AIAC-QHS-PP-013_v1
- Student intervention policy-----AIAC-QHS-PP-015_v1
- Student intervention procedure-----AIAC-QHS-PP-016_v1
- Part 142 Exposition – Volume 4B3.7
- Complaints and Appeals register -----AIAC-QHS-RG-007_v1
- Complaints and Appeals Policy -----AIAC-QHS-PP-001_v1
- Complaints and Appeals Procedure-----AIAC-QHS-PP-002_v1
- Complaints and Appeals form (students) -----AIAC-RTO-FRM-001_v1
- Student Support Policy -----AIAC-RTO-PP-009_v1
- Student Support Procedure -----AIAC-RTO-PP-010_v1
- Student Support Request Form -----AIAC-RTO-FRM-006_v1
- Student Support/Intervention Plan-----AIAC-RTO-FRM-031_v1
- Extension Policy-----AIAC-RTO-PP-015_v1
- Extension Procedure -----AIAC-RTO-PP-016_v1
- Extension Application -----AIAC-RTO-FRM-017_v1
- Defer/Suspend/Cancel Application -----AIAC-RTO-FRM-004_v1
- Refund Request form -----AIAC-RTO-FRM-009_v1
- Student warning letter 1 (attendance) -----AIAC-RTO-FRM-011_v1
- Student warning letter 2 (attendance) -----AIAC-RTO-FRM-012_v1
- Student warning letter 1 (progress)-----AIAC-RTO-FRM-014_v1
- Student warning letter 2 (progress)-----AIAC-RTO-FRM-015_v1
- Notice of Intent to Report and Cancel-Suspend-----AIAC-RTO-FRM-013_v1