



Skilled Up Institute

unfold your career

RTO Number: 40471 | CRICOS Code: 03666M

Deferment/Suspension or Cancellation Policy and Procedure

Table of Contents

Deferment/Suspension or Cancellation Policy	2
1. Purpose	2
2. Scope	2
3. Policy	2
4. Procedure.....	3
Document Control:.....	11

Deferment/Suspension or Cancellation Policy

1. Purpose

This policy establishes principles and processes to monitor the assessments of international students studying VET courses. It allows Skilled Up Institute (SUI) as the registered provider to meet its obligations under:

Statutory and regulatory compliance

- Standards for RTOs 2015
 - Clause 1.8
 - Clause 6.1 – 6.6
- National Code 2018
 - Standard 9 – Deferring, Suspending or Cancelling
 - Standard 8 – Visa requirements
 - Standard 10 – complaints and appeals

2. Scope

1. The CEO/RTO manager is responsible for the implementation of this policy and procedure to ensure that staff are aware of its application and implement its requirements

3. Policy

- 3.1 Skilled Up Pty Ltd T/A Skilled Up Institute (**SUI**) implements a documented process for assessing, approving and recording a deferment of the commencement of study or suspension of study requested by a student, including maintaining a record of any decisions.
- 3.2 Skilled Up may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances (see definition)
- 3.3 Skilled Up may suspend or cancel a student's enrolment including, but not limited to, on the basis of:
 - 3.3.1 misbehaviour by the student (see student code of conduct)
 - 3.3.2 the student failure to pay an amount he or she was required to pay the registerer provide to undertake or continue the course as stated in the written agreement.
 - 3.3.3 a breach of course progress or attendance requirements by the student, which must occur in accordance with monitoring course and attendance policy.
- 3.5 Skilled Up Institute will inform in writing via email and text message, if Skilled Up Institute initiates a suspension or cancellation of the student's enrolment and the reasons for doing so.

3.6 Skilled up Institute advises students of their right to appeal through the Skilled Up internal complaints and appeals process, in accordance with the Complaints and Appeals policy, within 20 working days

3.7 Skilled Up Institute will inform the student of the need to seek advice from Immigration on the potential impact on his/her student visa, when there is any deferral, suspension or cancellation action taken under this policy.

3.8 Skilled Up Institute will report the change to the student's enrolment under section 19 of the ESOS act

3.9 The suspension or cancellation of the student's enrolment under Skilled Up policy 3.3 cannot take effect until the internal appeals process is completed, unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

4. Procedure

4.1 Deferment or suspension of enrolment by a student.

Students who wish to defer or temporarily suspend their enrolment can apply to do so only if

- the course in which they were enrolled is unavailable,
- their visa is delayed or there are compassionate or,
- compelling circumstances (as defined in the Compassionate or Compelling Circumstances Policy).

4.1.1 Supporting Documents

Supporting documents must be provided by a student to support an application for deferment, suspension or cancellation. Supporting documents include medical certificates, death certificates, police reports, psychologists' reports or any other relevant documents.

Supporting documents must be original documents or certified copies of original documents.

4.1.2 Student application for deferment prior to commencement

A request by a student for a deferment prior to course commencement must be made using the Withdraw/Suspension or Cancellation Form. The application must be accompanied by supporting documents. When the application is processed, and if a deferment is granted, the student will receive a revised eCoE (if effected the course duration).

Notifying a student of the outcome of an application for deferment prior to enrolment

An application for deferment prior to commencement of course, will have written notification of the result of the application available within 10 working days of lodgement of the application.

The student will be notified of the outcome of the application for deferment by use of either the:

- "Notice of approval for deferment, suspension or cancellation of enrolment", or the
- "Notice of rejection of application for deferment, suspension or cancellation of enrolment".

4.1.3 Student application for suspension

A request for temporary suspension of enrolment must be made using the "Withdraw/Suspension or Cancellation Form". The application must be accompanied by supporting documents.

An application for suspension must be submitted at least 10 working days before the date of the requested suspension. A student may request a suspension of up to six months. The admission manager will update the eCoE as per student request. Updated eCoE will be send to student for his record if deferment/suspension or cancellation is for one term and duration of the eCoE is changed.

Notifying a student of the outcome of an application for suspension of enrolment

An applicant for a suspension of enrolment will have written notification of the result of the application available within 10 working days of lodgement of the application.

The student will be notified of the outcome of the application for suspension by use of either the:

- "Notice of approval for deferment, suspension or cancellation of enrolment", or the
- "Notice of rejection of application for deferment, suspension or cancellation of enrolment".

4.1.4 Assessing a student application for deferment or temporary suspension of enrolment

Each application made by a student for deferment or temporary suspension of enrolment will be considered by the Admission Manager. The Skilled Up Admission Manager will consider the documents provided by the student in support of the application and, in the case of a request for suspension, seek to interview the student. The Skilled Up may request input from the admission manager, the Academic Director or delegated trainer/assessor, or any other member of staff in assessing a student's application for deferment or suspension.

In the case of an application for temporary suspension, Skilled Up delegated staff may refer to external support services to which the student has been previously referred. In any such case, the confidentiality of the student will be maintained.

4.1.5 Application for a suspension which would cause the duration of a course to be longer than that specified on the CoE

If a temporary suspension of enrolment, for which a student is applying, would cause the duration of a course to be longer than that specified on the CoE, the student must also make an

application for course extension. (Please refer to the Monitor Course Progress and Attendance policy). The student will be assisted with this by the Academic Director/Delegate/Admission Manager. In this instance, if the application for a suspension is approved, the application for course extension will also be approved. The student will be advised to check with the nearest Department of Home Affairs (DoHA) office for information about the impact of the extension of the course duration on the student's visa or contact DoHA.

4.1.6 Outcomes for the student's Confirmation of Enrolment

There are three possible outcomes for the CoE of a student whose enrolment has been deferred or suspended by Skilled Up.

Deferment or suspension without affecting the end date of the CoE

In this case, Skilled Up notifies the Department of Education through PRISMS that it is deferring or suspending a student's enrolment for a period without affecting the end date of the eCoE. In this case, there is no change to the eCoE or the student's enrolment status on PRISMS. The student's eCoE status will still be listed as "studying". The notice of deferment or suspension will, however, be recorded in PRISMS and sent to DoHA. This information will be kept by DoHA for future reference.

Deferment or suspension which affects the end date of the CoE

In this case, Skilled Up notifies the Department of Education through PRISMS that it is deferring or suspending a student's enrolment for a period which will affect the end date of the eCoE. In such situations, PRISMS will cancel the original eCoE and immediately offer Skilled Up the opportunity to create a new eCoE with a more appropriate end date. If Skilled Up does not know when the student will return, the PEO will choose to not create a new eCoE at this point, but to wait to issue the new eCoE until the student has provided notification of the intended date of return.

Advice to contact the Department of Education (DoHA)

Students whose enrolment is to be suspended by Skilled Up are advised to refer to the DoHA website or helpline (131 881) for information, and the local DoHA office for advice, on how the potential change to enrolment status may impact upon his or her visa.

4.1.7 Register of applications to defer, suspend or cancel enrolment

Details of applications for deferment or temporary suspension are recorded in the "Register of applications to defer, suspend or cancel enrolment". This register is maintained by the Admission Manager.

The register of applications to defer, suspend or cancel enrolment records the student name and number, the course in which the student is enrolled, the reasons for the application, information about the supporting documentation provided by the student, and the reasons the application was accepted or rejected. Each entry in the register is signed by the admission manager. This register is considered by each meeting of Skilled Up Management as part of the continuous improvement process.

4.1.8 Documents to be filed

All documentation about the deferment or temporary suspension granted to a student is filed in the student's file.

The following documents will be kept in the file of a student who has applied to defer or suspend enrolment.

- the application for deferment or suspension of enrolment
- if the application was approved, a copy of the application for deferment or suspension approval form
- if the application was rejected, a copy of the application for deferment or suspension rejection form
- copies of all documents tendered in support of the application.

4.2 DEFERMENTS, SUSPENSIONS OR CANCELLATIONS BY Skilled Up

Under certain circumstances, Skilled Up may initiate the deferment, suspension or cancellation of a student's enrolment.

4.2.1 Deferment

Skilled Up Institute may defer the commencement of a course if the course is not offered. Should this occur, students enrolled in the course will be offered a refund of all the course money they have paid to date. The refund will be paid within 28 days on which the course ceased being provided. Alternatively, such students may be offered enrolment in an alternative course by Skilled Up Institute at no extra cost to the student. Students have the right to choose whether they would prefer a full refund of course fees, or to accept a place in another course. If they choose placement in another course, Skilled Up Institute will ask them to sign a document to indicate that they accept the placement.

If Skilled Up is unable to provide a refund or place a student in an alternative course, the Tuition Protection Scheme will provide assistance to the student in obtaining a place in a suitable alternative course.

4.2.2 Suspension

Skilled Up Institute may temporarily suspend a student's enrolment if the student's behaviour is assessed as unacceptable for an educational setting. The Skilled Up Institute is responsible for making this assessment. This is referred to as suspension of enrolment due to misbehaviour.

Grounds for suspending a student for misbehaviour

Skilled Up Institute may suspend the enrolment of a student due to misbehaviour if the student:

- has been in breach of the Skilled Up Institute Student Code of Conduct
- is assessed by the Admission Manager/Academic Director as providing a threat to the well-being of other students or staff
- has been assessed as behaving in a way such as to constitute serious misconduct

Applicants are advised of each of these grounds for suspension due to misbehaviour prior to signing the Enrolment Offer and Written Agreement.

4.2.3 Outcomes for the student's Confirmation of Enrolment

There are three possible outcomes for the CoE of a student whose enrolment has been deferred or suspended by Skilled Up Institute (SUI).

Deferment or suspension without affecting the end date of the CoE

In this case, Skilled Up Institute notifies the Department of Education through PRISMS that it is deferring or suspending a student's enrolment for a period without affecting the end date of the eCoE. In this case, there is no change to the eCoE or the student's enrolment status on PRISMS. The student's eCoE status will still be listed as "studying". The notice of deferment or suspension will, however, be recorded in PRISMS and sent to DoHA. This information will be kept by DoHA for future reference.

Deferment or suspension which affects the end date of the CoE

In this case, Skilled Up Institute notifies the Department of Education through PRISMS that it is deferring or suspending a student's enrolment for a period which will affect the end date of the eCoE. In such situations, PRISMS will cancel the original eCoE and immediately offer Skilled Up Institute the opportunity to create a new eCoE with a more appropriate end date. If Skilled Up Institute does not know when the student will return, the PEO will choose to not create a new eCoE at this point, but to wait to issue the new eCoE until the student has provided notification of the intended date of return.

Advice to contact the Department of Home Affairs (DoHA)

Students whose enrolment is to be suspended by Skilled Up are advised to refer to the DoHA website or helpline (131 881) for information, and the local DoHA office for advice, on how the potential change to enrolment status may impact upon his or her visa.

4.2.4 Cancellation

Skilled Up may cancel the enrolment of a student if the student:

- is in breach of a condition of ongoing enrolment, including:
 - the requirement to attend at least 80% of all scheduled classes every study period
 - the requirement to not plagiarise, collude or cheat
 - the requirement to pay agreed tuition fees by the dates agreed in the Enrolment Offer and Written Agreement
- has been in breach of the Skilled Up Institute Student Code of Conduct
- is assessed by the Academic Director/Delegate as providing a threat to the well-being of other students or staff
- has being assessed as behaving in a way such as to constitute serious misconduct
- fails to meet the requirements of the course progress policy
- fails to pay tuition fees

Applicants are advised of each of these grounds for deferment, suspension or cancellation prior to signing the Enrolment Offer and Written Agreement.

4.2.5 Notice of intention to defer, suspend or cancel enrolment

Where a deferment, suspension or cancellation is initiated by Skilled Up Institute, the student will receive a notice of intention to defer, suspend or cancel enrolment.

4.2.6 Appealing against Skilled Up Institute's intention to suspend or cancel enrolment.

A notice of intention to defer, suspend or cancel enrolment will clearly identify that the student receiving the notice will be given 20 working days to access Skilled Up Institute's internal complaints and appeals process. The 20 working days begins from a date specified in the letter which allows for reasonable time for delivery of the letter. Notices of intention to defer, suspend or cancel enrolment are sent by registered mail to the address on the student's file and by email to the email address on the student's file.

Contacting the student within the 20 working days available to appeal

If no appeal is received, then the Admissions Manager/Delegate/Operations Manager is responsible for contacting the student on the 19th working day following the date specified in the letter in order to provide the student with a final opportunity to lodge an internal appeal. Contact will be made by telephone and email.

For more information, please refer to the Skilled Up Institute Complaints and Appeals Policy.

Maintaining enrolment in the case of an appeal

If an appeal against a deferment, suspension or cancellation by Skilled Up is lodged by the student, Skilled Up Institution will maintain the student's enrolment until the internal appeals process is complete, unless there are extenuating circumstances relating to the student's welfare.

4.2.7 Extenuating circumstances relating to the student's welfare

Extenuating circumstances relating to the welfare of a student may include, but are not limited to, the following. The student:

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

The Admissions Manager/Delegate/Operations is responsible for ensuring that claims by Skilled Up of extenuating circumstances relating to the welfare of the student are supported by appropriate evidence. All such documentary evidence is filed in the student's file.

4.2.8 Reserving the right to not provide learning opportunities

Skilled Up reserves the right to not provide learning opportunities during throughout the 20 working days provided to a student to make an appeal and throughout the appeals process should it be deemed appropriate. The CEO is responsible for making this determination.

The suspension or cancellation will be notified to Department of Education on completion of the 20 working days if there is no appeal, or at the completion of the appeals process if there is an appeal and the appeal is not upheld, or if there is an appeal and the appeal is withdrawn.

4.2.9 Opportunity for external appeal

A student may choose to appeal against a decision with the Overseas Students Ombudsman, but Skilled Up is not required to wait for the outcome of an external appeal before notifying Department of Education of the change to the student's enrolment status. Students will be provided with counselling and advice about external appeal opportunities. This counselling and advice will be free of any additional fee for the student.

A student wishing to access an external appeals process must contact DoHA and provide evidence of having accessed an external appeals process within 28 days of Skilled Up notifying Department of Education of the cancellation of enrolment. DoHA will then consider the student's individual circumstances and whether to cancel or maintain the student's visa.

Notice of suspension or cancellation

If there is no appeal against a decision by Skilled Up to suspend or cancel a student's enrolment, or an appeal is lodged and the outcome supports Skilled Up's intention to suspend or cancel the student's enrolment, or an appeal lodged and then withdrawn, Skilled Up will issue a notice of deferment, suspension or cancellation. The notice of deferment, suspension or cancellation will indicate that the deferment, suspension or cancellation is to be initiated.

The Admission Manager is responsible for ensuring that the notice of intention to defer, suspend or cancel enrolment is attached to the notice of deferment, suspension or cancellation of enrolment and provided to the CEO/Delegate. The CEO/Delegate and Data Admin Coordinator will then authorise the necessary changes to the student's enrolment details in the student database and PRISMS.

4.2.10 Filing documents

All documentation about the deferment or temporary suspension, cancellation by Skilled Up of a student's enrolment are filed in the student's file.

Document Control:

Policy ID (Document No):	
Delegate person:	CEO/RTO manager
Contact Officer:	RTO Manager
Endorsed BY:	Chief Executive Officer
Endorsement Date:	Chief Executive Officer
Implementation Date:	January 2023
Approved for Circulation:	Chief Executive Officer
Policy Circulation Date:	January 2023
Current Version:	20230101
Version Details	<p>Date Written: March 2019</p> <p>Date Reviewed: September 2019</p> <p>Date Changed of Version: September 2019</p> <p>Last Update Version On: December 2019.</p> <p>Last Update Version On: January 2022</p>
Next Review Date:	December 2023
Latest Change Details	<p>Updated the enrolment process. Version and document control procedure (2019)</p> <p>Updated position, Version and document control procedure (2022)</p> <p>Updated position, Version and document control procedure & new logo (2023)</p>
For Staff access Document Location	Saved on Skilled Up Server: Compliance/policy