

# Deferral, Suspension and Cancellation Policy

## PURPOSE:

1. To provide a documented process for assessing, approving and recording a deferment of the commencement of study or suspension or cancellation of study for the student, including keeping documentary evidence on the student's file of the assessment of the application.

## SCOPE:

2. Superior Training Centre may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.
3. Superior Training Centre:
  - Will notify the overseas student in writing of the intention to suspend or cancel their enrolment
  - Will tell the overseas student to seek advice from the Department of Home Affairs on the potential impact on their visa if enrolment has been deferred, suspended or cancelled
  - Will not let a suspension or cancellation take effect until the overseas student has been given a chance to complete an internal appeals process, unless their health or wellbeing, or the wellbeing of others, is likely to be at risk.

This policy outlines Superior Training Centre procedure for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student in accordance with the requirements of the National Code 2018 Standard 9 and ESOS Act.

## DEFINITIONS:

**Deferral:** means to delay the commencement of a course.

**Suspension:** means to temporarily delay the enrolment once the course has commenced.

**Cancellation:** means the cessation of an enrolment on a course.

**Misbehaviour:** is defined as students who display unacceptable behaviour in accordance with the Student Handbook and Code of Conduct

**Compassionate or Compelling circumstances:** is defined as circumstances beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:

- a) Serious illness or injury, where a medical certificate states that the student was unable to attend classes,
- b) Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided),
- c) Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies,
- d) 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 these experiences have impacted on the student (cases should be supported by police or psychologist's reports)
- e) Inability to begin studying on the course commencement date due to delay in receiving a Student visa
- f) Inability to begin studying on the course due to international and state border closures and health restrictions imposed by Australian or overseas governments.

## **PROCEDURE:**

### **SUPERIOR TRAINING CENTRE INITIATED**

4. In accordance with the National Code, Superior Training Centre can cancel, defer or suspend a student's enrolment on the grounds of:
  - a) Compassionate or compelling circumstances,
  - b) Emergency conditions such as the COVID-19 pandemic or,
  - c) Misbehaviour by the student
  
5. In addition to a deferment or temporary suspension, Superior Training Centre may cancel a student's enrolment on the grounds of:
  - a) Serious misbehaviour by the student
  - b) Failure to comply with the Contract Agreement for Course Progress and Attendance, and any formal warning issued by Superior Training Centre against these processes, and
  - c) The non-payment of course fees in accordance with the Contract Agreement and Payment Schedule.
  - d) Inability of the student to travel to Australia to begin the course.
  
6. In any given situation that leads to a deferment, temporary suspension or cancellation of studies, instigated by Superior Training Centre, formal written notification will be provided to the student. In turn, the student shall have 20 working days to access Superior Training Centre's Internal Complaints and Appeals process.

The deferment, temporary suspension or cancellation of studies cannot take effect until the Internal Complaints and Appeals process has been completed, unless extenuating circumstances relating to the welfare of the student apply.

  - a) In the case of students under the age of 18, a copy of the formal notification will be forwarded to the Parent or Legal Guardian and a resolution formulated
  
7. At the completion of the complaints and appeals process, should the deferment, temporary suspension or cancellation of studies be upheld by the complaints and appeals hearing, Superior Training Centre will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.

### **Misbehaviour**

8. To ensure all students receive equal opportunity to gain the maximum benefit from their training, any person(s) displaying the following dysfunctional or disruptive behaviour may be asked to leave the session and/or the course.

Examples of unacceptable behaviour include but are not limited to the following:

- a) Continuous interruptions of the trainer.
- b) Smoking in non-smoking areas.
- c) Being disrespectful to other participants.

- d) Harassment by using offensive language.
- e) Sexual harassment.
- f) Acting in an unsafe manner that places themselves and others at risk.
- g) Refusing to participate when required, in group activities.
- h) Continued absence or late arrival at required times.

## **STUDENT INITIATED**

9. In accordance with the National Code, student's may through formal agreement with Superior Training Centre, be given permission to defer commencement, suspend their studies during the course or be granted a leave of absence. This may only occur on the grounds of:
- a) Compassionate or compelling circumstances, or
  - b) Student visa delay

### **Deferral**

10. Applications for deferral of the commencement of the course must be made by completing a DSC Form with any additional evidence and submitting it to Superior Training Centre Administration Staff prior to the course commencing.
- a) The DSC Form can be submitted via Email, Fax and Mail or in Person.
11. Once Superior Training Centre has processed the deferral request, the student will receive a written correspondence of the outcome.
- a) An updated Confirmation of Enrolment letter and Enrolment Agreement will be provided to reflect the new schedule.
  - b) Superior Training Centre will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.

### **Suspension**

12. Applications for Suspension of enrolment must be made by completing a DSC Form with any additional evidence and submitting it to Superior Training Centre Administration Staff.
- a) Applications must be received at least 10 working days prior to the requested Suspension date.
  - b) Applications received less than 10 working days prior to the requested Suspension date will not be processed.
    - i. In the event of an emergency requiring Suspension, the submission timeline of 10 working days may be waived by Superior Training Centre.
13. Once Superior Training Centre has processed the Suspension request, the student will receive a written correspondence of the outcome.
- a) Superior Training Centre will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.

## **Cancellation**

14. Applications for Cancellation of enrolment must be made by completing a DSC Form with any additional evidence and submitting it to Superior Training Centre Administration Staff.
  - b) The DSC Form can be submitted via Email, Fax and Mail or in Person.
15. Once Superior Training Centre has processed the Cancellation request, the student will receive a written correspondence of the outcome.
  - a. If the request is granted, the student will receive a Letter of Release
    - i. Once the Cancellation has been processed, Superior Training Centre will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.
  - b. If the request is denied, then the student may appeal the outcome in accordance with the Complaints and Appeals Policy.

## **GUIDELINES AND IMPLICATIONS OF DEFERRAL, SUSPENSION OR CANCELLATION**

16. In the circumstances of international border closures:
  - a. a student who is overseas and has not commenced studies can have their enrolment cancelled by STC 6 weeks before the commencement date where there is no chance of arriving in Australia.
  - b. STC will inform the student and education agent prior to the enrolment cancellation.
  - c. There will be a full refund less the Enrolment Fee to the student according to the refund policy.
17. Should a student enrolment be suspended for a period of 28 days or longer, the student must return home, unless special circumstances exist.
18. Students are to be made aware that:
  - a) Students can only suspend enrolment for a maximum period of six months,
  - b) Deferral, Suspension or Cancellation of enrolment may affect the student's visa, and
  - c) If the enrolment is suspended for a period greater than six months, the student's visa may be cancelled by DHA.

## **ROLES AND RESPONSIBILITIES**

19. All documentation relating to deferment, temporary suspension or cancellation of studies will be held in the student's file.
20. In addition, any discussions with the student and relevant staff members relating to the deferment, temporary suspension or cancellation of studies will be recorded and placed as minutes in the student's file as well as being noted in the Training Management System.

## **REPORTING PROCESS**

### **Superior Training Centre Initiated**

- a) Superior Training Centre staff member completes and submits a DSC Form with any supporting evidence to Superior Training Centre Administration Staff
- b) Administration Staff record the DSC Form in the DSC Register and then forward the form to the Director
- c) The Director will then assess the request and evaluate any supporting evidence, considering the current academic progress of the student
- d) The Administration Staff will inform the student of the decision and intended course of action along with the student's right to appeal the decision in accordance with the Complaints and Appeals Policy
  - i. At the completion of the complaints and appeals process, should the deferment, temporary suspension or cancellation of studies be upheld by the complaints and appeals hearing, or 'extenuating circumstances relating to the welfare of the student apply', then Superior Training Centre will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act
- e) Administration Staff are to place all documents on the student's file and record the result in the Training Management System

### **Student Initiated**

- a) Student completes and submits a DSC Form with any supporting evidence to Superior Training Centre Administration Staff
- b) Administration Staff record the DSC Form in the DSC Register and then forward the form to the Director
- c) The Director will then assess the request and evaluate any supporting evidence, considering the current academic progress of the student
- d) The Director will then respond in writing to the student to confirm the decision
  - i. The student has the right to appeal the decision in accordance with the Complaints and Appeals Policy
- e) Administration Staff are to place this letter on the students file and to record the outcome within the Training Management System

