

**Barton College**
**Policy Number: BP14**
**Policy: Deferral, Suspending or Cancelling the Students Policy and Procedure**

RTO Name: Barton College

RTO Number (TOID): 22048

CRICOS Number: 02908F

Contact Officer: Student Administration Manager

Version Number: 5.0

Refer to "review processes" section below for information on the process for policy review.

**Policy context:** This policy relates to:

Registration Manager	Australian Skills Quality Authority (ASQA)
Conditions of Registration	VET Quality Framework (VQF)
SRTOs 2015	Standard One (Clause 1.3);  SUPPORT LEARNERS (CLAUSE 1.7);  Standard Two (Clause 2.2 b)
Context	<p>Clause 1.3 The RTO has, for all of its scope of registration, and consistent with its training and assessment strategies, sufficient:</p> <ul style="list-style-type: none"> <li>a. trainers and assessors to deliver the training and assessment;</li> <li>b. educational and support services to meet the needs of the learner cohort/s undertaking the training and assessment;</li> <li>c. learning resources to enable learners to meet the requirements for each unit of competency, and which are accessible to the learner regardless of location or mode of delivery; and</li> <li>d. facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment.</li> </ul> <p>Clause 1.7 - The RTO determines the support needs of individual learners and provides access to the educational and support services necessary for the individual learner to meet the requirements of the training product as specified in training packages or VET accredited courses.</p> <p>Clause 2.2 b. systematically evaluates and uses the outcomes of the evaluations to continually improve the RTO's training and assessment strategies and practices. Evaluation information includes but is not limited to quality/performance indicator data collected under Clause 7.5, validation outcomes, client trainer and assessor feedback and complaints and appeals.</p>
ESOS/National Code	<p>For International Students:</p> <p>National Code 2018; Standard 9</p>
Legislation or other requirements	National Vocational Education and Training Regulator Act 2011

## ***Purpose***

The purpose of this policy is to ensure that as per Standard 9 of National Code 2018, Barton College (BC) has documented procedures for assessing, approving and recording a deferment or suspension of study. It covers student access to complaints and appeals mechanisms if BC initiates a suspension or cancellation of enrolment against a student's wishes.

## ***Objective***

The objective of this Policy and Procedure for Barton College (BC) is to ensure that BC:

- Provides guidelines for suspending, deferring or cancelling student enrolment with the Institute in accordance with standard 9 of National code 2018.
- outline the relationship between the BC and the enrolled student, and define the obligations of both parties for the duration of the enrolment
- Provide policy and procedure for assessing, approving and recording a deferment of the commencement of study or suspension of study for an overseas student.
- Inform overseas students before the enrolment about grounds on which their enrolment is deferred, suspended or cancelled.

For the purposes of this policy, the term "BC" refers to Barton College.

## ***Scope***

This policy applies to all the prospective and enrolled students.

## ***Terms and definitions***

**ASQA** means Australian Skills Quality Authority, the national VET regulator and the BC's registering body

**Standards** means the Standards for Registered Training Organisations (BCs) 2015 from the VET Quality Framework which can be accessed at [www.asqa.gov.au](http://www.asqa.gov.au)

**DHA** Department of Home Affairs.

**ESOS Act:** The Education Services for Overseas Students Act 2000 of the Commonwealth of Australia, as amended from time to time.

**National Code:** The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, established pursuant to Part 4 of the ESOS Act 2000, as amended from time to time.

**CRICOS:** Commonwealth Register of Institutions and Courses for Overseas Students.

**International Student:** A person holding an Australian student visa, enrolled in a CRICOS registered course at BC onshore.

**PRISMS:** Provider Registration and International Students Management System.

**Course:** Program of Education or Training defined as a course in the ESOS Act.

**Cancellation** A cessation or end of enrolment in a course

**Deferral** Postponement of studies

**Leave of Absence** Temporary postponement of studies after commencement of studies

**Suspension** Temporary putting on hold studies during the course after which the student may recommence study. Suspension may not necessarily come as a consequence of misbehavior. Will not necessarily push out the completion date.

**Compassionate & compelling circumstances** Conditions which are beyond the control of the student which may impact on the student's course progress or wellbeing.

Examples of these circumstances are as follows:

- Serious illness or injury – where a medical certificate states the student was unable to attend classes.
- Bereavement of close family members
- A traumatic experience i.e. involvement in or witness a serious crime or accident and has impact on the students
- Where the Registered provider was unable to offer a prerequisite unit.
- Other reasons may be considered but must have compelling documentary evidence to support the request.

## ***Student Misbehavior***

- Where a student has failed to attend classes for 3 consecutive sessions without prior approval, or without a medical certificate from a registered medical practitioner.

- Where a student has found to be cheating/plagiarizing as identified in Student Code of Conduct, under "Course Study Conduct".
- Swearing, fighting, aggressive behaviour and abusive language, whether to other students, staff members, or any other person at the BC premises.
- Conduct that is discriminatory and /or threatening on the basis of religion, culture, race, sexual differences, age, disability, or socio-economic status, whether to other students, staff members, or any other person at the BC premises.

#### Extenuating Circumstances

- The student is missing.
- Has medical concerns, severe depression or psychological issues which lead BC to fear for the student's well being
- 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.

#### Policy statement: Our commitment

BC is committed to maintaining compliance with all regulatory, legislative and contractual requirements.

Specifically, we will:

- *Ensure that all students complete their course within the CRICOS registered time;*
- *Extend the student's course for compassionate or compelling circumstances;*
- *Implement intervention strategy for students at risk of not meeting satisfactory course progress; or*
- *Comply with the requirements of granting of an approved deferment or suspension of study as per Standard 13 (Deferring, suspending or cancelling the student's enrolment)*

#### General Processes

Policy aspect	BC Implementation
Compliance with legislation and general requirements	<p>BC Management and staff are committed to assessing and recording all deferments, suspensions or cancellations of study, ensuring that in the process students are informed of their rights to appeal and provided with due care and support if and when required.</p> <p>This policy/procedure provides information on the grounds in which an International student's enrolment may be deferred, suspended, or cancelled.</p> <p>The following procedures will ensure that BC follows the required processes when either a student or BC, wishes to defer, suspend, or cancel a student's enrolment. The procedures have been developed in line with the ESOS National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (Standard 9).</p> <p>Students are able to initiate deferral, suspension or cancellation of their studies only in limited circumstances or may have their enrolment suspended by BC due to misbehavior. A student's enrolment may be cancelled where a serious breach of visa or enrolment conditions has occurred.</p>
Deferment/Suspension	<p>To defer or suspend enrolment means to temporarily put studies on hold (adjourn, delay, postpone). Providers do this by notifying the Department of Education through PRISMS of the deferment or suspension of enrolment.</p> <p>A student may request a temporary deferment or suspension to his or her enrolment on the grounds of compassionate or compelling circumstances. A provider may also initiate suspension of a student's enrolment due to misbehavior of the student.</p>
Student Initiated Deferral, Suspension or Cancellation of Enrolment	<p>Students may be able to temporarily defer the commencement of their studies or temporarily suspend their enrolment after commencement where they have a good reason to do so.</p> <p>BC is only able to temporarily defer or suspend the enrolment of the student on the grounds of compassionate or compelling circumstances.</p> <p>These circumstances could include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Serious illness or injury, where a medical certificate states that the student was / is unable to attend classes;</li> <li>• Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided);</li> <li>• Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies; or</li> <li>• A traumatic experience which could include: <ul style="list-style-type: none"> <li>o involvement in, or witnessing of a serious accident; or</li> </ul> </li> </ul>



	<p>o witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports)</p> <ul style="list-style-type: none"> <li>• Where the BC is unable to offer a pre-requisite unit</li> <li>• Inability to begin studying on the course commencement date due to delay in receiving a student visa</li> </ul> <p>Please Note: The above are only some of examples of what may be considered compassionate or compelling circumstances. The PEO/Principal Executive Officer will use their professional judgment to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, BC will consider documentary evidence provided to support the claim, and should keep copies of these documents in the student's file.</p> <ul style="list-style-type: none"> <li>• A student wishing to defer an enrolment must do so prior to commencement of their course.</li> </ul> <p>o Students must complete a Deferment/Leave application and submit to the Student Support Officer (SSO). Where possible, the student should meet with the SSO to discuss the reasons for the application.</p> <p>o This application to defer must include 'the compassionate or compelling circumstances' to support the temporary deferral of the start date of their studies.</p> <p>o There should be no outstanding fees owing as this could result in the application being rejected.</p> <ul style="list-style-type: none"> <li>• A student wishing to temporarily suspend their studies after commencement must complete a Deferment/ Leave application and submit to the SSO. Where possible, the student should meet with the SSO to discuss the reasons for the application.</li> </ul> <p>o This application for suspension of study (leave of absence) must include the 'compassionate or compelling circumstances' to support the temporary suspension of studies.</p> <p>o There should be no outstanding fees owing as this could result in the application being rejected.</p> <p>The SSO will submit all applications to the Admissions department who will then:</p> <ol style="list-style-type: none"> <li>1. Review all applications for deferral or suspension and determine if the applications are to be granted or rejected.</li> <li>2. On receiving a request for course study deferment, BC will ensure that the student is aware of our appeals process.</li> </ol>
Deferment Request Responses	<p>Following consideration of an application for deferment, the Admissions department will:</p> <p>Ensure the student is informed in writing of the outcome of their application for deferral or suspension (leave of absence). This will also inform the student that the deferment or suspension may affect their student visa and they are advised to contact the Department of Immigration and Border Protection (DIBP) in relation to the status of their student visa.</p> <p>In the case of a student application being rejected, the student will receive written notification (via email) within 10 working days of the application being assessed. This will also inform the student/ or his agent or representative of their ability to access the appeals process if they wish to appeal the decision.</p> <p>Maintain all documentation in relation to the deferral or suspension application on the students file.</p> <p>Notify the Department of Education via PRISMS of the decision to defer or suspend a student enrolment as a result of the student's request.</p>
Student Initiated Cancellation	<p>A student may cancel her/his enrolment where s/he has decided to discontinue studying with BC.</p> <p>Please note: Students wishing to transfer their enrolment prior to completing 6 months of study in their principle course must provide a letter of offer from an alternative provider. Further information can be gained from the 'Transfer between Providers Policy and Procedure'.</p> <p>There should be no outstanding fees owing as this could result in the application being rejected.</p> <p>Students wishing to cancel their enrolment must complete a 'Course Withdrawal - and submit to the SSO. Where possible, the student should meet with the SSO to discuss the reasons for the application.</p> <p>The SSO will submit all applications to the Admissions department who will then:</p> <ol style="list-style-type: none"> <li>1. Review all applications for Course Withdrawal/Cancellation and determine if the applications are to be granted or rejected.</li> <li>2. On receiving a request for Course Withdrawal/Cancellation, BC will ensure that the student is aware of our appeals process.</li> </ol>



Cancellation Request Responses	<p>Following consideration of an application for Course Withdrawal/Cancellation, the Admissions department will:</p> <ul style="list-style-type: none"> <li>• Maintain all application documentation for the cancellation of enrollment on the students file.</li> <li>• Notify the Department of Education-DIBP via PEO &amp; International student contact of the decision to cancel the enrolment as a result of the student's request.</li> <li>• Ensure the student is informed in writing of the outcome of their application for cancellation within 10 working days of the application being assessed. This written notification (via email) will also inform the student that the cancellation may affect their student visa and they are advised to contact DIBP in relation to the status of their student visa.</li> <li>• In the case of a student application being rejected, the written notification to the student will also inform of their ability to access the appeals process if they wish to appeal the decision.</li> </ul> <p>Students will be required to refer to their written agreement and the Refunds Policy and Procedure for details of the refund arrangements in place where an enrolment is cancelled.</p>
Provider Initiated Deferral, Suspension or Cancellation of Enrolment	<p>Provider Initiated Deferral</p> <p>BC may defer an enrolment where the course is not being offered at the proposed date, site, or any other reason that BC deems necessary to cancel the course. In such cases a refund shall be processed as required or alternative courses offered.</p> <p>Provider Initiated Suspension or Cancellation</p> <p>BC may suspend or cancel a student enrolment where they have not paid fees as documented in their written agreement or has behaved in a manner that is not appropriate for an education setting, such as misbehavior.</p> <p>This may include (but is not limited to):</p> <ul style="list-style-type: none"> <li>• Disrespecting others including discrimination for any reason</li> <li>• Intimidating students or staff</li> <li>• Refusing to work in a safe, clean, smoke free, orderly and cooperative environment</li> <li>• Damaging or misusing BC or other students' personal property (including computer files and student work)</li> <li>• Criminal Actions</li> <li>• Failure to pay fees when due</li> <li>• Failure to make satisfactory progress (Refer to Student Progress Policy &amp; Procedures)</li> <li>• Placing BC into disconcert</li> <li>• Other actions deemed unsuitable by the PEO/Principal Executive Officer.</li> <li>● If a student did not turn up for the orientation, BC will inform the agent and send the warning letter to the student; if student did not respond in 14 days, then BC can cancel the student enrolment.</li> </ul>
Suspension or Cancellation Responses	<p>In receiving a report of misconduct, the SSO or PEO shall:</p> <ul style="list-style-type: none"> <li>• Validate the actions of all staff involved seeking further advice, verbal or written.</li> <li>• Where necessary, seek further advice from the student(s) involved, maintaining an unbiased approach to the student(s) involved.</li> <li>• Discuss with Management and decide whether an enrolment suspension or enrolment cancellation is warranted.</li> <li>• Inform the student that their misconduct has resulted in a report being made to management.</li> <li>• Ensure that the student is aware that they may access BC's internal complaints and appeals process.</li> <li>• Inform the student in writing should a decision to suspend or cancel their enrolment be made, they have 20 working days to appeal following the decision.</li> <li>• If the student lodges an appeal, the suspension / cancellation cannot take effect until the internal appeal process has been completed, unless extenuating circumstances relating to the welfare of the student apply.</li> <li>• SSO will Inform the student that BC is obliged to inform the Department of Education via PRISMS after the 20 working days period of the suspension or cancellation and this may affect their student visa.</li> </ul>

	<ul style="list-style-type: none"> <li>Advise the student to contact DIBP in relation to the status of their student visa.</li> </ul> <p>Following the suspension or cancellation of a student's CoE, the Admissions department will:</p> <ul style="list-style-type: none"> <li>Maintain all documentation for the suspension or cancellation of enrollment on the students file.</li> <li>Notify the Department of Education via PRISMS of the decision to suspend or cancel the enrolment only after the appeals period has passed. Where a student decides to access the complaints and appeals policy and procedure within 20 working days, the student must not be reported until the process has finished.</li> </ul>
Procedure for Re-enrolment	<p>If a student wishes to re-enrol at BC after they have withdrawn or been cancelled from a course, they are required to submit an application for enrolment to the Student Support Officer.</p> <p>Each application will be re-assessed on a case by case basis and the student will be informed of the decision in writing.</p>

## Procedures

	Procedure Steps	Responsibility	Reference
1	<p>The evidence will vary according to the situation and the Student support officer/Administration must use their best judgment in determining what is sufficient.</p> <p>In the event of uncertainty, they should seek advice from a senior member of staff.</p> <p>For example, a student requesting to defer as a result of close family illness (e.g. Mother) must produce a medical certificate showing illness is legitimate and an intention to return.</p> <p>When the cancellation relates to changing from one course to another, then the process will also include processing a new enrolment form as per the Enrolments and Admissions Policy.</p> <p>Before making a decision, the Student support officer/Administration should consult with PEO at BC to confirm that all payments are up to date or acceptable arrangements have been made.</p> <p>All documentation including the request, the supporting evidence and the outcome must be printed and filed in the google drive.</p> <p>The process, once sufficient evidence is supplied, should take no more than 7 working days, preferably less.</p> <p>If the request is denied, then the student must be advised in writing and also informed of their right to appeal in accordance with the Policy - Complaints and Appeal</p>	Student Administration Manager	In discussions with PEO
2	All requests and the outcome of that request must be recorded in the Student Management System on the server.	Student Administration Manager	

## Continuous Improvement

A summary of all deferral, suspension, cancellation related matters and concerns will be presented as a part of the Continuous Improvement policy and procedure at the Management Meeting for review. The purpose of this is to ensure management become aware of:

- repeat issues
- Common threads relating to compliance and quality assurance.
- (when viewed collectively) any general adverse trend that needs correcting

## Confidentiality and Privacy Statement

For more Information, please refer to our Privacy and Confidentiality Policy. You can obtain this policy by contacting us at [admissions@barton.edu.au](mailto:admissions@barton.edu.au) or read it online via our website [www.barton.edu.au](http://www.barton.edu.au).

## Publication

This policy, once approved, will be available to all students by contacting BC and by accessing it from the College website.

This policy and procedure will form part of the information distributed and communicated during student orientation.

### ***Other related policies and procedures***

Related policies	Refund Policy and Procedure Student Progress Policy and Procedure Enrolment and Admissions Policy
Forms or other organisational documents	
Documents related to this policy	Course Withdrawal/Cancellation Form Deferment/Leave Application Form

### ***Review processes***

Policy review frequency: Annually	Responsibility for review: Student Administration Manager
Documentation and communication: Describe how the policy decisions will be documented and communicated	
Version 3.0 <ul style="list-style-type: none"> <li>• Policy is reviewed for grammatical errors</li> <li>• Policy is uploaded on the college website.</li> </ul>	