

Responsible officer	RTO Administrator Compliance Coordinator Head of Studies
Compliance	Policy adheres to compliance with RTO standards 2015 Standards 5 & 6 clauses
	Smart and Skilled Contract Terms & conditions 2018- Section 15 -15.4 'discontinue or defer', Smart and Skilled Operating guidelines 2018- Section 5 –5.2 (information regarding deferring or discontinuing subsidised training) Section 8 -Deferring students, Section 9- Discontinuing students, Section 10- Transferring students

### 1. Scope

This policy ensures that ASTAR Training Institute meet its legal and ethical requirements in regard to the collection, storage and disclosure of the personal information of individuals.

### 2. Purpose

The purpose of this policy is to outline the circumstances in which a student can defer, suspend or cancel their enrolment with ATI and where as an RTO ATI can initiate the suspension or cancellation of the student’s enrolment.

#### Definitions

**CoE** means Confirmation of Enrolment

**Compassionate or compelling circumstances** are generally those 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:

- serious illness or injury, where a medical certificate states that the 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 student’s studies
- a traumatic experience that has impacted on the student which could include involvement in or witnessing of a serious accident or witnessing or being the victim of a serious crime. Such cases supported by police or psychologists’ reports
- where ATI is unable to offer a pre-requisite unit

**DET** means Department of Education

**Department** means Department of Industry

**Deferral** means to postpone commencement of studies.

**Suspension** is a temporary postponement of studies.

### 3. Guidelines

#### **Policy principles for deferment , cancellation and suspension for Domestic Students**

##### **a. Deferral and suspension of studies**

- Deferral and suspension of studies will **ONLY** be granted in the situation of compassionate or compelling circumstances as included in the definitions above. The circumstances listed are example of what may be considered compassionate or compelling circumstances and each case will be assessed on its individual merits.
- When determining whether compassionate or compelling circumstances exist, ATI considers evidence of documents have been provided to support the claim, and copies of these documents have been stored in the student's file.
- A retrospective deferment or suspension may be justified if the student was unable to contact ATI because of a circumstance such as being involved in an accident.
- Where a student initiated a deferral or suspension of enrolment and it is **granted**, ATI will suspend an enrolment for an agreed period - to a maximum of 12 months. Will provide you with additional academic and learning support services.
- If the deferral is required for longer than 12 months, the student's application will be re-assessed. If the suspension period has expired and the student does not return, the student's enrolment will be cancelled.

##### **b. Cancellation of studies**

- At any time, students may initiate cancellation of their studies during their course. Students who wish to withdraw within six months of their course to transfer to another provider will be processed as per ATI Course Transfer Policy and Procedure.
- For Domestic students ATI may initiate suspension or cancellation of a student's enrolment on the grounds of misbehavior or for non-payment of fees. The Student Handbook describes the behavior expected by students, as well as information on plagiarism, collusion and cheating.
- Cancellation of the student's enrolment due to unsatisfactory course progress or attendance will be handled as per ATI Course Progress and Attendance Monitoring Policy and Procedures

## Procedure

### 1. Student initiated deferral of enrolment

#### a. Process application from student

- An *Application for Deferral Form* will be provided on request to students and if required, assistance will be provided.

#### b. Assess request for deferral and respond to student

- Reasons regarding the request will be considered for deferral and approve cases that fall within compassionate and compelling circumstances as defined in this policy.
- A notification of decision will be forwarded within 10 working days of receipt of an application.
- Student will be required to sign and return the new written agreement.

A refund of fees paid will be made as per ATI's *Fees, Refunds and Charges Policy*.

### 2. Student initiated suspension of enrolment

#### a. Process student request for suspension of studies

- Administration will provide to the student the *Application for Leave of Absence Form* for request for suspension of studies.
- Assistance will be provided to the students in completing an *Application for Leave of Absence Form* as required.

Students wishing to suspend their enrolment must apply in writing to ATI a minimum ten (10) working days prior to the requested suspension date. Note, however, that suspension may be granted retrospectively where the student was unable to contact the organisation to inform them of the suspension in their studies e.g. they were involved in a car accident.

#### b. Assess request for suspension of studies

The Head of studies is responsible for the following:

- Reasons for requesting a suspension of their course will be considered.
- Approve cases that fall within compassionate and compelling circumstances as defined in this policy.
- Where the request for suspension is refused the student will be informed including the reason for refusal and of their rights to access the *Complaints and Appeals process*.
- All decisions on suspension are to be advised to students within 10 working days of receipt of an application.

### **3. Provider initiated suspension or cancellation of enrolment**

#### **a. Student suspension**

Head of studies is responsible to:

- Inform the student in writing that they are suspended because of misbehavior and that that they will need to continue to attend classes except where behavior is considered to be such that the student needs to complete work outside of the class.
- Student misbehavior will be investigated, which led to a suspension decision.

#### **Decide on action and decision implementation**

- Head of studies and Compliance Coordinator are responsible of the following:
- Arrive at an appropriate decision e.g. issue a warning, charge for any damage caused, request a formal apology or suspend or cancel studies.
- If a cancellation of enrolment has been decided, the student will be provided with a *Notice of Intention to Cancel Enrolment Letter* informing them of their right to access the Complaints and Appeals Policy and Procedure
- Students can access the Complaints and Appeals process and the decision following the internal appeals process is to be updated in the Complaints & Appeals Register.

#### **Policy guidelines for Smart and Skilled students**

##### **Deferring students**

- If an enrolled student proceeds with deferral of subsidised training in an approved qualification, ATI will only permit deferrals with definitions such as above and totalling 12 months from the date of receipt of notice from the student
- ATI advises student of the fee implications of deferring their Subsidised Training in accordance with the fee administration Policy
- ATI RTO Administrator must notify the training activity data when student do not recommence the studies must be reported as discontinuing students (with outcome code 70 and start and end dates of the unit of competency which has not been commenced)
- A student who wishes to recommence the training after discontinuing an Approved qualification must be treated as a new student and the Notification of Enrolment process must be carried out

## **Discontinuing students**

- ATI will have to ascertain the reasons for discontinuation of the course is it due to performance of training and assessment services, when the reasons are not around this support will be provided based on the reason provided by student.
- Students commence the course discontinuation process by submitting a course discontinuation form, where the student meets the conditions of discontinuation and provided with documentation. This documentation is kept in student file and file noted on RTO data.
- ATI obtains the formal notification from the enrolled student including the date the training will end using smart and skilled discontinuation request form
- ATI to comply with Fee Administration policy including the refund of any applicable fee
- For any training completed and competencies achieved ATI will issue Statement of Attainment for completed units of competencies within 30 days of notification of the discontinuance including the Training activity data reporting code TNC and will not report UOC outcome code 40 (withdrawn for any Unit of competency in which the enrolled student did not participate in subsidised training).

## **Transferring students**

- ATI complies with the process of process of transferring students both into and out of ATI using relevant forms and collection of documentation as evidence, process and actions.
- Transfer out process
- ATI will advise the Enrolled student transfer out process as soon as practicable

As set out in Smart and Skilled Operating guidelines

- ATI provides information and assistance to student
- Review student's records and determine whether they are entitled to receive credit transfer policy of any UOC's previously completed and if eligible as set out in ATI credit Transfer policy will grant such credit and
- Follow recognition process in relation to the student's current competencies and /or prior learning and provide student a reasonable opportunity for a Recognition of Prior Learning according to ATI RPL policy
- ATI to comply with respect of any transferring student and transfer of student relevant to financial cap where relevant

#### Transferring in process

- A student transferring into ATI will be treated as a new student and carry out the Notification of Enrolment process (the transfer in process), where a student may be eligible for a course credit for training and assessment completed at previous RTO, student will be required to also complete the credit transfer application form
- Where applicable ATI will contact Department to determine the fee as per the Fee Administration Policy
- Where possible ATI will follow the process required for the change of RTO names on the Training contract

#### Transfer Out Process

- ATI may advise to an enrolled student that required a transfer out process as practicably as possible and commences with the student submitting the smart and skilled Course Discontinuation form
- ATI will advise the enrolled student the forth coming terminating of the contract or of ending of the delivery of subsidised training as indicated in Course Discontinuation Form
- Enrolled student will be assisted to continuing training
- Referring the enrolled student to the Smart and Skilled website to identify an alternative RTO who can provide subsidised training
- Referring the enrolled student to the Training services NSW Regional office for assistance
- An enrolled student may have an option of continuing training on a fee for service basis (without the benefit of subsidies)
- ATI may suggest an alternative provider
- Fee arrangements for transferring enrolled students will in processed in accordance with fee administration policy
- Issuing of Statement of Attainment / Qualification credential reflective of their actual training and assessment progress to date
- Issuing of current statement of Fees and receipts of payments
- ATI will issue the Training plan with all units of competencies where an outcome has been achieved, commenced but not completed and /or not commenced
- Ensuring all enrolled student in training receive any refunds owed in accordance with fee administration policy
- Ensuring any refunds for current enrolled students in training receive any refunds owed in accordance with Fee Administration Policy
- Ensure to return all the results of any outstanding completed training activities and or assessments to the Enrolled student and
- Submit Training Activity Data to finalise the record and if eligible, receive any further payments of Subsidies and Loadings

- ATI must submit relevant training data (reporting TNC report code if applicable). If the enrolled student is an Apprentice or Trainee, the provider must follow the process required for the change of RTO named on the Training Contact
- All requests and Course Discontinuation Form must be kept in student file and file noted, ATI to keep all requests/notices made including provider fulfilled its obligations as above must be kept.
- Student not satisfied with above processes may seek Complaint and Appeal process.

Ref:

[https://www.training.nsw.gov.au/forms\\_documents/smartandskilled/contract/operating\\_guidelines\\_2019.pdf](https://www.training.nsw.gov.au/forms_documents/smartandskilled/contract/operating_guidelines_2019.pdf)

### Relevant Policies and Forms

Access & Equity

Student Handbook

Deferral Form

Absence of Leave Form

Version dates	Policy Version approved 1 2014 / Policy Version 2.0 approved 15 November 2017, Version 2.1 approved 17 September 2018
Review date	Version 2.1 will be reviewed as policies are updated
Version History	2.1 – Added new format, RTO Standards 2015, role titles changes, added Smart and Skilled contract policy guidelines.
Approved by	CEO
Relevant to	All staff; trainers and assessors; students

<b>Risk Rating (the rating will be highlighted bold)</b>
5- High Risk
4- Medium Risk
<b>3-Medium to low risk</b>
2- Low Risk
1-Very Low Risk or N/A