

## Deferment, Suspension and Cancellation Policy

### Purpose

This procedure is in place for the application, assessment, approval and records management of deferral, suspension and cancellation of students' studies. The procedure ensures that students are informed of the grounds on which their enrolment may be deferred, suspended or cancelled. The ESOS National Code is very specific about when Deferral or Suspension can be approved and this policy is designed to reflect the Standard 13 of the National Code. This policy applies to International students.

### Responsibility

- a. The Training Manager and Student Administration Manager is responsible for the implementation of this policy.
- b. The decision to defer commencement of studies, suspend studies or cancel enrolment will be approved by the Student Support Department.
- c. In confirming this decision, Student Support Department may consult with other relevant departments in NAHB. The Admission Department will be responsible for confirming all necessary actions required under this procedure including notification on PRISMS and other record keeping.

### Definitions

- a. Deferral means postponement of enrolment in, or the continuation of, a program of study for a period of time, initiated by the student.
- b. Withdrawal occurs when discontinuation of a program of study in which the student is enrolled is initiated by the student.
- c. Suspension is when a student, who has already started but has not completed his /her study, is given leave of absence so their training plan is suspended with the clear intention that the student will recommence at an agreed date in the future (i.e. temporary suspension).
- d. Cancellation is when a student is removed from the current students' register at NAHB before he/she has formally completed the planned training and other current qualifications. This student will not be eligible for any subsequent courses for which they may also be registered.

### Requirements / Process

- a. Students wishing to defer the commencement of studies, suspend their studies or cancel their enrolment must apply to do so in writing to NAHB. This can be done using the student deferral suspension form (for Deferral and Suspensions ) or the Enrolment cancellation form (for Cancellation of Enrolment) available from NAHB reception or the website [www.nahb.edu.au](http://www.nahb.edu.au)
- b. The form can be lodged using any one of the following methods;  
**In Person** : Level 1, 3-7 Shelley Street, Richmond VIC 3121  
**By Email**: info@nahb.edu.au  
**By Mail**: Level 1, 3-7 Shelley Street, Richmond VIC 3121
- c. Application must be submitted 10 working days prior to the requested deferral/suspension date to enable sufficient time for the assessment process.

**Please note:** Applications will not be accepted any earlier than 10 working days prior to any deferral or suspension of a course. If the application is submitted less than 5 working days prior to the requested deferment/suspension date, the processing and response may not be available at the requested time. Therefore, if the student chooses to depart, he/she is at risk of not obtaining approval from the College.

- d. If the student is granted a deferral, suspension or cancellation then they will be informed in writing and the request will be processed.
- e. If the request is denied, the student will be informed in writing and provided details of the College Complaints and Appeals procedure. Refer Complaints and Appeals Policy and Procedure
- f. This response will be issued within 5 working days after being received by the College.
- g. NAHB will report to PRISMS and renewal of eCoE (if applicable) will be issued within 5 working days after the suspension or deferment date.
- h. It is the student's responsibility to collect revised eCoE from the College for any deferral/suspension made. NAHB will advise Department of Immigration and Border Protection of the revised end date of the course via PRISMS.
- i. The student can also use the eCoE to inform Department of Immigration and Border Protection of the revised end date of the course where their Visa requires extension.
- j. NAHB will review the application and if appropriate the current student history, and financial status before making a decision. Requests for suspension will be denied for students who are subject to an intervention strategy, in the process of being cancelled for course progress, in arrears with the payments due (either as a result of payment being due under the student agreement or as a result of payment being due under an agreed payment plan) or in breach of the Student Code of Conduct.

#### **In breach of the Code of Conduct / Student written Agreement**

- a. If a student misbehaves or breaches the student code of conduct (including non-payment of fees) and this is considered to be a serious breach or there are extenuating circumstances, then NAHB may, at its discretion, immediately suspend the student (see below). The reasons for the suspension and a written notice of suspension must be clearly stated and sent to the student within one working day of the decision.
- b. A full description of the events that occur before the suspension can be lifted and detailed in the College Complaints and Appeals process.

#### **Retrospective suspension or deferment**

- a. Students are expected to apply for deferral or suspension at least 10 working days prior to the leave.
- b. If students have taken unauthorised leave, then they will be recorded as absent. It is a breach of the Student code of conduct for students to be absent, other than for medical reasons, without approval.
- c. Retrospective deferment or suspension may only be considered in the most exceptional cases. This may be due to medical emergencies and evidence may be required to support the application.
- d. The decision for granting approval is solely at the discretion of the College

#### **Suspension or Cancellation - initiated by NAHB**

- a. The College may decide to suspend or cancel a student's enrolment on its own initiative as a response to misbehaviour by the student. Student misbehaviour will be deemed to have occurred if the student breaches the requirements of the Student Code of Behaviour as defined in the Student Behaviour procedure.

- b. NAHB will inform the student of its intention to suspend or cancel the student's enrolment and inform the student that he or she has 20 working days to access NAHB Complaints and Appeals process.
- c. If the student accesses the complaints and appeals process, the suspension or cancellation of the student's enrolment will not take effect until the internal process is completed.

**Acceptable reasons for deferral or suspension – Requested by student**

- a. The College may decide to accept an application from a student for deferral of commencement or suspension of study on the following grounds:
- b. On medical grounds (with supporting documents). Further documental evidence may be requested at the discretion of the College; or
- c. In exceptional compassionate circumstances beyond the students control and which affect the student's course progress or wellbeing, such as serious illness, death of a close family member, major political upheaval or natural disaster, a traumatic experience or another exceptional event. Independent evidence of the exceptional circumstances is required for the application to be assessed.

Criteria of accessing an exceptional event would include:

- Nature of the event e.g. that it is exceptional event
- Beyond the students control – it cannot be scheduled at another time
  - Likelihood to effect student wellbeing e.g. there are compassionate circumstances - if they do not attend it will upset them and impact on their ability to study successfully
  - Impact on course progress e.g. the impact of the length of time away on course progress and how the student intends ensuring completion within duration.
- d. In exceptional circumstances NAHB may be unable to deliver a unit or units as a result of factors beyond its control. Where this situation exists (or one or more of the units that cannot be delivered is a prerequisite unit) students can have their study load adjusted and a deferral may be applied for. This basis for deferral is only available if the student can schedule units of competency so that they can complete their studies within the approved duration.

**Cancellation**

- a. Application for cancellation will not be processed if a student is undergoing another procedure – Student Transfer with NAHB. The student transfer has to be complete before the cancellation process can take place.
- b. If a student requests cancellation of their enrolment, the refund arrangements in the Written Agreement between the College and the student will be triggered. In the absence of any such terms (in older student agreements) the rules pertaining at the time of the application will apply – see website for current refund terms and conditions. [www.nahb.edu.au](http://www.nahb.edu.au)
- c. Students will need to apply for such a refund if they believe one is warranted.
- d. When a student's registration is cancelled then the current agreement is terminated. Any application to re-join NAHB is deemed to be a new application and prices and policies ruling at the time of application will apply.
- e. The applicant will have to apply as if it was their first-time enrolling.
- f. If student has unsatisfactory course progress or an intervention strategy is in place or if student is subject to other processes currently underway such as non-payment of tuition fees or breaching Student Code of Conduct, then their application for suspension will be denied.

- g.** The College at its discretion may still consider applications where there are exceptional circumstances.
- h.** The decision whether in the favor of the student or not must be communicated in writing. This will be via email and followed up in writing to the student's nominated address. The email and letter will be recorded in the student's file.
- i.** For successful applications for deferment or suspension. The letter must contain the following:
  - 1. An agreed date for the student to cease study and join / re-join NAHB and inform the student that deferring or cancelling study may affect his or her Visa.
  - 2. Successful applications for Cancellation will be notified in writing that request has been approved and must formally terminate the agreement and provide a date of that it comes into effect.
- j.** Unsuccessful applications for Deferment, Suspension or Cancellation. The letter must contain:
  - 1. The reasons for denial of request for valid and invalid applications.
  - 2. For all valid applications, the decisions that do not meet the applicant's wishes must be informed of their right to appeal and how to access the appeals process under Complaints and Appeals Policy and Procedure. For invalid applications, the student is subject to the process currently underway, for example an invention strategy.
- k.** NAHB must inform the student in all communications that it has to report the student to Department of Education and Department of Immigration and Border Protection via PRISMS and that it may affect the status of their student visa.
- l.** Where the College approves an application to defer commencement, suspend studies or cancel an enrolment or makes a decision to defer commencement, suspend studies or cancel an enrolment the Admission Department is responsible for ensuring that notification of this on PRISMS and issuing the appropriate letter to students.
- m.** All documentary evidence relating to a Deferment, Suspension or Cancellation must be placed in the student's file.
- n.** NAHB must ensure that the student is informed of the following;
  - The suspending or cancelling his or her enrolment may affect the student visa, and
  - NAHB will notify Department of Education via PRISMS as required under section 19 of the ESOS Act where the student's enrolment is deferred, suspended or cancelled.

### **Complaints and Appeals**

- a.** If the applicant chooses to enact the complaints and appeals process
- b.** This must be lodged within 20 working days from the date of issue then the decision will be held over until such time as the appeal is heard.
- c.** Students who are already enrolled will thus continue to be enrolled and their course progress will continue to be monitored.
- d.** If the appeal is not upheld or the student withdraws from the appeal process, then the College must report the student to Department of Education and Department of Immigration and Border Protection via PRISMS
- e.** The suspension or cancellation of the student's enrolment cannot take effect until the appeal process is completed unless there are extenuating circumstances relating the student's welfare.
- f.** Refer to Complaints and appeals policy and procedure.

Document History		
Version No, Date	Modification Details	Modifications made by:
1.0, June 2017	Published the first version of the policy	PG

### Related Documents

Deferment Request Form  
 Enrolment Cancellation Form  
 Complaints and appeals policy and procedure  
 Student transfer policy and procedure  
 Student Code of Conduct

### Documents where the Policy is Quoted

Website  
 Student Handbook  
 Written Agreement

**Review Date:** June 2019