



Deferral, Suspension and Cancellation Policy and Procedure

Institution	Kingsway Institute
Policy Name	Deferral, Suspension and Cancellation Policy and Procedure
Policy Governance	Principal Executive Officer
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1 Preamble

Students may, in limited circumstances, request a deferment or temporary suspension of their studies during the course.

Kingsway Institute may also suspend or cancel a student's enrolment against the student's wishes, provided that such suspension or cancellation is consistent with the Kingsway Institute policy and/or Australian Law. Before suspending or cancelling a student's enrolment the College must notify the student of its intention to take such action and allow the student 20 working days to access the complaints and appeals process (see: Complaints and Appeals Policy).

Kingsway Institute (KWAY) must in all cases, inform the student that deferment, suspension or cancellation of enrolment may affect his or her student visa.

Kingsway Institute must report any changes to the student's enrolment within 31 days to PRISMS according to Section 19 of the ESOS Act.

2 Deferral and Suspension of Studies

Requests from students for deferral and suspension of studies will only be granted in compassionate or compelling circumstances which 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
- inability to begin studying on the course commencement date due to a delay in receiving a student visa



These circumstances are an example of what may be considered a compassionate or compelling circumstances and each case will be assessed on its individual merits.

When determining whether compassionate or compelling circumstances exist, Kingsway Institute considers documentary evidence provided to support the claim, and stores copies of these documents in the student's file.

A retrospective deferment or suspension may be justified if the student was unable to contact Kingsway Institute because of a circumstance such as being involved in a car accident.

Where a student initiates deferral or suspension of enrolment and this is granted, Kingsway Institute will suspend an enrolment for an agreed period of time - to a maximum of 12 months. 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.

3 Provider Initiated Suspension or Cancellation

Kingsway Institute may suspend or cancel a student's enrolment including, but not limited to, on the basis of:

- misbehaviour by the student (including plagiarism, collusion and cheating)
- the student's failure to pay an amount he or she was required to pay the registered provider to undertake or continue the course as stated in the written agreement
- a breach of course progress or attendance requirements by the overseas student, which will occur in accordance with Standard 8 (Overseas student visa requirements)

Standards of behaviour required are outlined in the Student Handbook.

Where Kingsway Institute suspends or cancels a student's enrolment, before imposing a suspension or cancellation Kingsway Institute will inform the student in writing of that intention and the reasons for doing so and advise the overseas student of their right to appeal through the provider's internal complaints and appeals process

Under no circumstances will the suspension or cancellation of the overseas student's enrolment cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

4 Student initiated suspension

Once the course has commenced students may only request a suspension of their participation in compelling or compassionate circumstances as stated above (*2 Deferral and Suspension of Studies*). The granting of the suspension is at the discretion of the Administration Manager of Kingsway Institute. The length of time of the suspension is also at the discretion of Kingsway Institute and shall be negotiated between the student and the Administration Manager of Kingsway Institute.



Students may initiate cancellation of their studies at any time during their course, after the six-month primary course enrolment period. Students who wish to withdraw within six months of their course to transfer to another provider will be processed as per Kingsway Institute's Student Transfer Policy and Procedure.

5 Visa Status

When there is any deferral, suspension or cancellation action taken under this standard, Kingsway Institute will inform the student of the need to seek advice from the Department of Home Affairs (DHA) on the potential impact on their student visa, as well as the report the change to the overseas student's enrolment under section 19 of the ESOS Act i.e. notification via PRISMS.

6 Results of Deferral or Suspension

Students will be informed in writing of the outcome of their request for deferral, suspension or cancellation.

If a student is dissatisfied with the outcome of a request, they can access the complaints and appeals process of Kingsway Institute.

All documentation relating to deferrals, suspensions and cancellations will be kept on the student's file. All discussions will be recorded in the student's file.

Students are advised to retain their original documents for their own records and to submit certified copies with any applications for deferment or suspension.

7 Complaints and Appeals

When a student accesses the Complaints and Appeals process, Kingsway Institute will not notify the Department of Education (DET) via PRISMS until the internal appeals process is complete unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Where the student chooses to access an external appeals process, DET will still be notified via PRISMS.

8 Procedure

Student initiated deferral of enrolment

Procedure
A. Process application from student <ol style="list-style-type: none">1. Provide <i>Deferral Form</i> on request to students.2. Assist students to complete form as required.



Procedure

- B. Assess request for deferral and respond to student** (Kingsway Institute must report any changes to the student's enrolment within 31 days to PRISMS according to Section 19 of the ESOS Act.)
1. Consider reasons for request for deferral and approve cases that fall within compassionate and compelling circumstances as defined in this policy.
 2. Notify DET through PRISMS that the student will be deferring their enrolment.
 3. Where the deferral is approved, the student and the end date of the CoE is affected, a new CoE is created through PRISMS and sent to the student along with a new written agreement to reflect the new commencement date.
 4. Forward notification of decision within 10 working days of receipt of an application.
 5. Student will be required to sign and return new written agreement.
 6. Where the request for deferral is approved and does not affect the end date of the CoE (i.e. it is a short period of deferment), although a new CoE will not be required, a notice of deferral will be recorded in PRISMS.
 7. Where the request for deferral is refused, the student will be informed of the decision including the reason for refusal, as well as their right to appeal the decision within 20 working days. The refusal of the request for deferral will be entered into PRISMS and the CoE cancelled. DHA will contact the student regarding the status of their visa.
 8. A refund of fees paid will be made as per Kingsway Institute's Fees and Refund Policy and Procedure
 9. Include all documentation in the student's file.

Student-initiated suspension of enrolment

Procedure

- A. Process student request for suspension of studies**
1. Provide student the *Application for Leave* for request for suspension of studies.
 2. Provide assistance to students in completing an *Application for Leave* as required.
 3. Students wishing to suspend their enrolment must apply in writing to KWAY 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 eg. they were involved in a car accident.



Procedure

- B. Assess request for suspension of studies** (Kingsway Institute must report any changes to the student's enrolment within 31 days to PRISMS according to Section 19 of the ESOS Act.)
1. Consider reasons for request for suspension.
 2. Approve cases that fall within compassionate and compelling circumstances as defined in this policy.
 3. Notify DET via PRISMS of suspension of enrolment. Where the suspension is approved and does not affect the end date of the CoE (i.e. it is a short period of suspension), although a new CoE will not be required, a notice of suspension will be recorded in PRISMS and sent onto to DHA.
 4. Where the request for suspension is approved and affects the CoE, create a new CoE through PRISMS and send to the student, along with a new written agreement for signing to reflect the new CoE.
 5. If it is unclear when the student will return, wait until the student has advised of the intended date of return before creating a new CoE.
 6. If the student does not return after a break, it is considered that the student has 'inactively' advised KWAY that they will not be continuing their studies. DET is notified via PRISMS and student's enrolment status is recorded on PRISMS as cancelled.
 7. Inform student where the request for suspension is refused, including the reason for refusal and of their rights to access the Complaints and Appeals process.
 8. All decisions on suspension are to be advised to students within 10 working days of receipt of an application.
 9. Include all documentation in the student's file.

Student-initiated cancellation of enrolment (withdrawal)

Procedure

- A. Assess student request for suspension of studies**
1. Provide student with the *Application for Withdrawal Form*. Application for Withdrawal forms can be accessed from website and also from reception.
 2. Provide assistance to students as required to complete an *Application for Withdrawal Form*.
 3. Organise meeting with student to discuss reasons for the withdrawal.
- B. Process application for withdrawal** (Kingsway Institute must report any changes to the student's enrolment within 31 days to PRISMS according to Section 19 of the ESOS Act.)
1. Complete course variation report in PRISMS. This will result in the status of the CoE changing to cancelled.



Procedure

2. Include reason for cancellation of enrolment, date enrolment was cancelled and any other relevant information. (eg. Students Last Day of Study)
3. Process applicable refunds in accordance with Kingsway Institute's Fees and Refund Policy and Procedure.
4. Advise student in writing that their enrolment has been cancelled and that DHA has been informed via PRISMS and they will be advised of their change in visa arrangements.
5. Record cancellation of enrolment on Student Management System.
6. Include all documentation in the student's file.

Provider-initiated suspension or cancellation of enrolment

Procedure

A. Suspend student

1. Inform student in writing that they are temporarily suspended because of misbehaviour and that that they will need to continue to attend classes except where behaviour is considered to be such that the student needs to complete work outside of the class.
2. Notify DET within 14 days of the suspension via a course variation in PRISMS of the suspension as per the instructions in the PRISMS user guide.
3. Investigate student misbehaviour that led to suspension decision.

B. Decide on action and implement decision (Kingsway Institute must report any changes to the student's enrolment within 31 days to PRISMS according to Section 19 of the ESOS Act.)

1. Arrive at an appropriate decision e.g. issue a warning, charge for any damage caused, request a formal apology or suspend or cancel studies.
2. Where the decision is to cancel the student's enrolment, provide the student with a *Notice of Intention to Report* informing them of their right to access the *Complaints and Appeals Policy and Procedure*.
3. Where the student accesses the Complaints and Appeals process and the decision following the internal appeals process is to cancel the student's enrolment, DET should be informed via PRISMS.
4. Include all documentation in the student's file.