



**HALLMARK
INSTITUTE**

Deferral, Suspension and Cancellation

POLICY AND PROCEDURES

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| Document ID | Deferral, Suspension and Cancellation Policy and Procedures |
| Related Documents | <ul style="list-style-type: none"> - Student Code of Conduct; - Course Progress and Intervention Policy and Procedures; - International Student Fees and Refund Policy and Procedures; - Privacy and Data Protection Policy and Procedures; - Access and Equity Policy and Procedures; - Disability and Special Needs Policy and Procedures; |
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DEFERRAL, SUSPENSION AND CANCELLATION POLICY AND PROCEDURES

I Purpose

Hallmark Institute ('the Institute') enables students to defer, temporarily suspend or cancel their studies during their enrolment at the Institute through formal agreement in certain circumstances.

This policy and procedures outline the conditions and circumstances under which the Institute or an enrolled student can initiate the deferment, suspension, or cancellation of a student's enrolment, in compliance with:

- a) The relevant standards of National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 ('the National Code 2018');
- b) The relevant standards of the Standards for Registered Training Organisations (RTOs) 2015.

2 Scope

- 2.1** This policy applies to all students as well as all staff involved either directly or indirectly with enrolment of international students at the Institute.
- 2.2** It should be noted that the procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law.
- 2.3** This document should be read in conjunction with other related policies.

3 Policy Statement

- 3.1** The Institute is committed to the welfare of its students and to ensure that appropriate support is available to all students and to ease the transition into life and study in Australia.
- 3.2** The Institute is committed to dealing with student requests for deferment, suspension, and cancellation in a fair and timely manner.
- 3.3** The Institute encourages all students to read this policy and procedures carefully if considering making an application to transfer to or from another registered provider.
- 3.4** There is no cost to a student in having a letter of release granted.

4 General Deferment, Suspension and Cancellation Principles

- 4.1** This policy and its related procedures demonstrate the Institute's commitment to the following principles:
 - a) The Institute is committed to the welfare of its students and to ensure that appropriate support is available to all students and to ease the transition into life and study in Australia.
 - b) The Institute will accept applications from international students wishing to defer, suspend or cancel their enrolment at the Institute.
 - c) The Institute will document all procedures and any outcomes related to assessing, approving, or not approving deferment of the commencement, suspension, and cancellation of study.
 - d) The Institute is committed providing students with information regarding the deferment, suspension, and cancellation of studies prior to student enrolment.

- e) The Institute is committed to documenting evidence of formal notification provided to the student who has had his or her enrolment deferred, suspended, or cancelled, including advising of the student that such deferment, suspension, or cancellation may affect their student visa.
- f) The Institute is committed to reporting any deferment, suspension, or cancellation through PRISMS.

5 Policy

- 5.1 The Institute deals with student deferral, suspension, or cancellation requests fairly and in a timely manner.
- 5.2 The Institute assesses and records all deferrals, suspensions, or cancellations of study
- 5.3 The Institute ensures that students are informed of their rights and provided with due care and where relevant opportunities for appeal.
- 5.4 Students must be informed prior to enrolment of the grounds on which their enrolment may be deferred, suspended, or cancelled.
- 5.5 Students may apply for deferral or suspension of their studies if they have good reason for doing so (compassionate or compelling circumstances).
- 5.6 The Institute may choose to approve or decline any student's request for deferral or suspension of studies, in accordance with this policy.
- 5.7 The Institute may defer or temporarily suspend the enrolment of the student on the grounds of:
 - a) compassionate or compelling circumstances (for example, illness where a medical certificate states that the student is unable to attend classes); or
 - b) misbehaviour by the student.
- 5.8 Compassionate or compelling circumstances are generally those beyond the control of the student 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
 - c) a death certificate to be provided);
 - d) Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies; or
 - e) A traumatic experience which could include:
 - I. Involvement in, or witnessing of a serious accident; or
 - II. Witnessing of being the victim of a serious crime and this has impacted on the student (this case should be supported by police or psychologists' reports);
 - f) Where the Institute was unable to offer a pre-requisite unit; or
 - g) Inability to begin studying on the course commencement date due to delay in receiving a student visa;
 - h) The Institute may suspend or cancel a student enrolment for misbehaviour / for breaching the Student Code of Conduct (refer to the Institute Student handbook). This may include (but is not limited to):
 - I. Disrespecting or discriminating other students or staff;
 - II. Intimidating other students or staff;
 - III. Refusing to study in a safe, clean, orderly and cooperative environment;

- IV. Damaging or misusing other students' or the Institute's property (including computer files and student work);
 - V. Refusing to have any disputes settled in a fair and rational manner;
 - VI. Engaging in cheating or plagiarism;
 - VII. Committing criminal actions;
 - VIII. Failure to maintain course satisfactory progress;
 - IX. Failure to pay fees when due;
 - X. Other actions deemed inappropriate by the Principal, Academic Manager or Student Support Manager.
- i) The Institute may decide to accept an application from a student for deferral of commencement or suspension of study on the following grounds:
- I. On medical grounds (a medical practitioner's certificate indicating the student is unable to attend class is required); or
 - II. In exceptional compassionate circumstances beyond the student's control, such as serious illness or death of a close family member (independent evidence of the exceptional circumstances is required);
 - III. In the event of the unavailability, in a particular study period, of key or prerequisite units resulting in a significantly reduced study load. This ground is only available if the deferral allows the student to return to the Institute with a fuller load in a subsequent study period.
- j) The Institute will consider documentary evidence provided by students to support their claim of compassionate or compelling circumstances when determining if the claim exists. Copies of these documents will be placed in the student's file.
- k) Applications for student deferral, suspension or cancellation must be submitted at least 14 working days before the requested Deferral/Suspension/Cancellation date.
- l) Deferral, suspension, or cancellation of enrolment applications will be accepted only if they are made in writing, on either the Deferral or Suspension Application Form or the Cancellation or Release Letter Application Form, signed by the student and sent to the Institute's Student Support Manager. These forms are available on the Institute website.
- m) Cancellation of enrolment may trigger a refund in accordance with the Written Agreement between the Institute and the student.
- n) Students who cancel their enrolment and believe they are due for a refund must also apply for a refund.
- o) Refund applications must be made in writing to the Institute's Student Support Manager.
- p) The student Refund Application form, available from the Institute, may be used as the written application.
- q) Written applications for refunds will also be accepted by mail or by email.
- r) Refunds that are payable will be made as per the Institute's International Student Fees and Refund Policy and Procedures.
- s) the Institute's International Student Fees and Refund Policy and Procedures is available on the Institute website on the following link:
- [TBA](#)
- t) A refund application form can be requested through Student Support Services or via the following link:
- [TBA](#)

- u) The student's application to defer, suspend or cancel their enrolment will be processed within 14 working days.
- v) The Principal, or delegate is responsible for the implementation of the policy and procedures and to ensure that staff are aware of its application and implement its requirements.

6 Procedure

6.1 Initiated by the Institute

- a) In accordance with the National Code, Institute can defer or temporarily suspend a student's enrolment on the grounds of:
 - I. Compassionate or compelling circumstances, or
 - II. Misbehaviour by the student
- b) In addition to a deferment or temporary suspension, the Institute may cancel a student's enrolment on the grounds of:
 - I. Serious misbehaviour by the student;
 - II. Failure to comply with the Offer of Terms as outlined in the Letter of Offer for Course Progress, and any formal warning issued by the Institute against these processes, and
 - III. The Non-Payment of course Fees in accordance with the Offer of Terms as outlined in the Letter of Offer and Payment Schedule.
- c) In any given situation that leads to a deferment, temporary suspension, or cancellation of studies, instigated by the Institute, formal written notification will be provided to the student. In turn, the student shall have 20 working days to access the Institute's Student Complaints and Appeals process.
- d) 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.
- e) 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, the Institute will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.

6.2 Misbehaviour

- a) 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.
- b) Examples of unacceptable behaviour include but are not limited to the following:
 - I. Continuous interruptions of the trainer;
 - II. Smoking in non-smoking areas;
 - III. Being disrespectful to other participants;
 - IV. Harassment by using offensive language;
 - V. Sexual harassment;
 - VI. Acting in an unsafe manner that places themselves and others at risk;
 - VII. Refusing to participate when required, in group activities;
 - VIII. Continued absence or late arrival at required times.

6.3 Student Initiated

- a) In accordance with the National Code 2018, student's may through formal agreement with the Institute, be given permission to defer commencement, temporarily suspend their studies during the course or be granted a leave of absence. This may only occur on the grounds of:
 - I. Compassionate or compelling circumstances; or
 - II. Student VISA delay.

6.4 Student Initiated Deferral

- a) Applications for deferral of the commencement of the course must be made by completing a Withdrawal, Deferment or Amendment Form with any additional evidence and submitting it to the Institute's Student Support Manager prior to the course commencing.
- b) The Withdrawal, Deferment or Amendment Forms can be submitted via Email, Mail or in Person.
- c) Once the Institute has processed the deferral request, the student will receive a written correspondence of the outcome:
 - I. An updated Confirmation of Enrolment letter and Enrolment Agreement will be provided to reflect the new training plan;
 - II. The Institute will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.
- d) If the request is denied, then the student may appeal the outcome in accordance with the Institute's Student Complaints and Appeals Policy and Procedures.

6.5 Student Initiated Suspension

- a) Applications for Suspension of enrolment must be made by completing an Enrolment Suspension Form with any additional evidence and submitting it to the Institute's Student Support Manager.
- b) Applications must be received at least 10 working days prior to the requested Suspension date.
- c) Applications received less than 10 working days prior to the requested Suspension date will not be processed, however:
 - I. In the event of an emergency situation requiring Suspension, the submission timeline of 10 working days may be waived by the Institute.
- d) Once the Institute has processed the Suspension request, the student will receive a written correspondence of the outcome.
- e) The Institute will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.
- f) If the request is denied, then the student may appeal the outcome in accordance with the Institute's Student Complaints and Appeals Policy and Procedures.

6.6 Student Initiated Cancellation

- a) Applications for Cancellation of enrolment must be made by completing an Enrolment Cancellation Form with any additional evidence and submitting it to the Institute's Student Support Manager.

- b) The Enrolment Cancellation Form can be submitted via Email, Mail or in Person.
- c) Once the Institute has processed the Cancellation request, the student will receive a written correspondence of the outcome.
- d) If the request is granted, the student will receive a Letter of Release.
- e) Once the Cancellation has been processed, the Institute will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.
- f) If the request is denied, then the student may appeal the outcome in accordance with the Institute's Student Complaints and Appeals Policy and Procedures.

6.7 Guidelines and Implications of Suspension or Cancellation

- a) Should a student's enrolment be temporarily suspended for a period of 28 days or longer, the student must return home, unless special circumstances exist.
- b) Students are to be made aware that:
 - I. Students can only temporarily suspend enrolment for a maximum period of six months;
 - II. Deferral, Suspension or Cancellation of enrolment may affect the student's VISA; and
 - III. If the enrolment is suspended for a period greater than six months, the student's visa may be cancelled by DIBP;
 - IV. The student is informed to contact the DIBP to discuss the impact on their visa.

7 Records

- 7.1** Records will be maintained on student files of all transfer requests and their assessment and outcomes.
- 7.2** Any discussions or correspondence 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 Student Management System.

8 Confidentiality

- 8.1** All information relating to students regarding deferral, suspension and cancellation will be treated as confidential and in accordance with the Institute's Privacy and Data Protection Policy and Procedures.
- 8.2** The Institute will maintain confidentiality to ensure that:
 - a) Only a record of when and where a debriefing took place will be kept; and
 - b) No information will be released without the agreement of the individual or group involved.

9 Appeals

- 9.1** If the student is not satisfied with any decision relating to deferral, suspension and cancellation, the student has the right to appeal the decision in accordance with the Student Complaints and Appeals Policy and Procedures. In this event, the Institute will maintain the student's enrolment in the course or courses in which he or she is enrolled to study until the appeals process is completed.
- 9.2** An appeal must be lodged in writing to the Student Support Manager within 20 working days from the date of the decision was taken.
- 9.3** The appeal should include the following details:
 - a) the student's full name (family/surname and first name), student number and contact details,

- b) the nature of the decision or matter being appealed,
- c) the basis for the appeal,
- d) details of the specific outcome sought by the student, and
- e) copies of all relevant documents.

9.4 An appeal may not proceed if:

- a) no reasonable grounds are stated for the appeal,
- b) no new or different grounds are stated for the appeal from those already considered by the Principal, or nominee,
- c) the student has not ensured that they are in a position to receive all notifications from the Institute. Late or no receipt of official letters will not be accepted as grounds for appeal if changes of address have not been notified and received by the Institute, or
- d) the appeal is lodged outside the 20-working day timeline specified above.

10 Further Information and Assistance

- 10.1** Students should seek clarification on any aspects of this Policy and its related Procedures prior to accepting an offer of admission made by the Institute.
- 10.2** Student assistance is available by contacting Institute Reception or Student Support.
- 10.3** Students may make an appointment with the Student Support Manager for assistance with their request relating to this Policy and its related Procedures.
- 10.4** Contact details for the Institute are outlined as follows:

Phone: +61 2 8937 0506

Address: Suite 603, Level 6
2 Meredith Street
BANKSTOWN NSW 2200

Email: admin@hallmarkinstitute.edu.au

NOTE: For definitions and explanation of the terms used in this policy and procedures, please refer to the document titled '*Glossary of Terms.*'