

Deferral, Leave of Absence, Withdrawal and Suspension Procedure



Institute of Health and
Nursing Australia

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1. Purpose and Scope

This policy describes the strategies in place at IHNA for deferral, withdrawal, leave of absence and suspension from courses or units of competency for any enrolled students at IHNA.

This policy/procedure supports “Standard 13” of the National Code and SRTO’s 5.2. The following procedures will ensure IHNA follows the required process when a student wishes to defer, suspend, or cancel their enrollment with IHNA.

2. Responsibility

The IHNA Academic Board is accountable for ensuring that this policy meets the requirements of the Standards for Registered Training Organisations and is consistent with the IHNA obligations regarding the principles of access and equity.

Course Coordinators is responsible for implementing the process in accordance with this policy.

3. Definitions

- 3.1. **Cancellation:** to cease enrolment permanently, this can be initiated by the student or the College
- 3.2. **CoE:** Confirmation of Enrolment is a document registered with DIBP to confirm a student’s acceptance into a particular course for a specified duration.
- 3.3. **Deferral:** To delay commencement or continuation of course studies normally to the start of the next study period.
- 3.4. **Enrolment in a Program:** Occurs at the point the Letter of Acceptance has been signed
- 3.5. **ESOS:** The Education Services of Overseas Students Act 2007. This Act regulates the delivery of education services to international students.
- 3.6. **Immigration:** Refers to the Department of Home Affairs, which is the Australian government agency responsible for multicultural affairs, immigration and border-related functions and agencies. The Department of Home Affairs is responsible for issuing and monitoring Student visas.
- 3.7. **International Student:** For the purpose of this policy, an International student is defined as one who is not an Australian or New Zealand citizen or the holder of a permanent residency or humanitarian visa. For the purposes of this policy, students who are in Australia, as a result



of their parents/legal guardians being on a temporary business visa are regarded as local students but are required to pay international tuition fees.

- 3.8. **Letter of Offer:** A formal offer of place at IHNA in your nominated course.
- 3.9. **National Code:** The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (amendment effective January 2018).
- 3.10. **PRISMS:** The Provider Registration and International Student Management System is the database system that is owned and maintained by the Department of Education for the purpose of administering the 'ESOS Act'.
- 3.11. **Course:** A formal course of education and/or training made up of study components known as units
- 3.12. **Provider:** Any Registered Training Organisation (RTO) or Higher Education Provider within Australia.
- 3.13. **Student Default:** Where an international student does not start a course, cancellation from a course, fails to pay tuition fees, and breaches a condition of their student visa or misbehaviour by student.
- 3.14. **Study Period:** A discrete period of study within a course, namely a semester or trimester, in which a student undertakes and completes units of study.
- 3.15. **Suspension:** to temporarily place a student's studies on hold (adjourn, delay, postpone), due to misconduct/misbehaviour.
- 3.16. **Tuition Protection Services:** Is an initiative of the Australian Government to assist international students whose education providers are unable to fully deliver their course of study. 3.21. Unit: A study component of a program.
- 3.17. **Deferral (also referred to as 'Deferment'):** applies to students who have enrolled into a course offered by IHNA but wish to commence their studies at a later date. Students who have deferred their offer / enrolment will have a place held for them for a maximum of 12 months, once only. Deferral is also applicable if a student is enrolled in a program that has multiple semesters and wish to commence their studies of a semester later after completing the previous semester.
- 3.18. IHNA is only able to temporarily suspend the enrollment of the student on the grounds of **compassionate or compelling circumstances**. Compelling and Compassionate Circumstances



which IHNA will consider.

- 3.19. **Provider Deferral** IHNA may defer an enrollment where the course is not being offered at the proposed date, site, or any other reason the college deems necessary to cancel the course.
- 3.20. **Leave of Absence:** Applies to enrolled students who wish to seek approval for a period of absence from study after they had commenced their studies.
- 3.21. **Suspension:** Refers to the temporary removal of a student from IHNA. The purpose of the suspension is to seek a solution for an alleged incidence of student misconduct.
- 3.22. **Expulsion:** Refers to the removal of the student from IHNA and the termination of their enrolment. Students who are expelled are not eligible for a refund of their fees. Students who have been expelled may not enroll in an IHNA program of study for a period of two years.
- 3.23. **KH** means Knowledge Hub
- 3.24. **Withdraw:** There are four possible scenarios by which a student withdraws from a Subject Enrolment:
- the student has engaged in some learning activity, and has then notified the training provider of their withdrawal before engaging in all of the assessment criteria ('Formal Withdrawal');
 - the student has engaged in some learning activity, and then stopped attending or submitting assessments (i.e. discontinued) for two months, without notifying the training provider;
 - the student has not engaged in any learning activity for the subject; or
 - the student is in arrears and the training provider cannot come to an acceptable financial arrangement with the student (per the Standards for Registered Training Organisations (RTOs) 2015 - 3.3).
- 3.25. **Formal Withdrawal (Victoria funding only) according to Withdrawn FACT SHEET:** If a student advises a training provider (verbally or in writing) that they will not be continuing in an enrolled subject, this constitutes a formal withdrawal. Training providers may elect to document their own formalised withdrawal process (e.g. via an internal 'Withdrawal Form'), providing that any such document encompasses all requirements under the Contract and the Statistical

Guidelines.

3.26. Reporting A Subject Withdrawal: Where a student has ceased engagement in a subject, as per Schedule 1, Clause 13.28 of the Contract, the student must be reported in the SVTS as withdrawn no later than two months from the date of last engagement. When this two month period occurs across a collection year (for example the last EOP available is for December but the student is withdrawn after the close of the collection year), a dated file note should be appended to the last point of EOP and the subject end date should be changed to 01/01 of the new collection year. When reporting a withdrawal, regardless of whether or not the student has notified the training provider of their withdrawal

4. Procedure

4.1. Deferral

A student seeking to defer a place before commencing a course must complete the 'Withdrawal/Deferral from a Course Request Form' available from the Institute. The permission to defer a place cannot be granted for more than one year and is granted at the discretion of the Course Coordinator (or delegated nominee).

Deferral is also applicable if a student is enrolled in a program that has multiple semesters and wish to commence their studies of a semester at a later date after completing the previous semester before the semester commencement date.

Only one deferral per student per course is allowed. Students will be notified in writing of the approval of their deferral application.

A student must also notify the Institute of his/her intention to take up his/her deferred place at least two months before the commencement of his/her course of study or the offer will lapse.

Students will be informed of the outcome of the deferral request by the Registrar. All the deferral documents submitted will be stored in the IHNA KH.

4.2. International Student Deferral:

Standard 13 of the ESOS National Code requires that for International Students deferment of course commencement can only be granted for compassionate or compelling circumstances.



Those beyond the control of the student and they have an impact on the student's capacity and/or ability to progress through a course. These could include:

- 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 their emergency travel and this has impacted on their studies
- A traumatic experience which could include but is not limited to:
 - Involvement in or witnessing of an accident or
 - A crime committed against the student or
 - The student has been a witness to a crime
- And this has impacted on the student (these cases should be supported by police or psychologists' reports).

Students will be required to complete an 'Application to defer, suspend or cancel enrolment' in and submit to the Student Admissions. Students will also be required to provide evidence of the compassionate or compelling circumstances in their application. (I.e. a medical certificate or police report, etc.)

Students who would like to defer their studies must first speak to a staff member in the Student Admissions to gain an application form and to ensure they understand the reasons that deferment may be granted. An 'application to defer' form must be completed which will need to be approved by the Director of Studies. This application to defer must include in detail the 'compassionate or compelling circumstances'.

Where a suspension of enrolment is granted, IHNA will suspend an enrolment for an agreed period of time – to a maximum of 12 months. If the suspension is required for longer than 12 months the student shall have to re-apply once the initial suspension period has expired.

DIBP's policy is that if a student's enrolment is suspended for a period of 28 days or longer, the student must return home (unless special circumstances exist). Please refer all questions

about whether students may remain in Australia during a period of suspension of enrolment to DIBP.

Students are to be informed in writing of the outcome of their application for suspension and informed that it may affect their student visa.

All application documentation for the suspension will be kept on the students file and DIBP shall be notified via PRISMS of the decision to suspend the enrolment as a result of the student's request.

****Where your education provider has let you take a leave of absence for compassionate or compelling reasons, they will enter your information in a system so that we can see the approval.**

Your education provider can cancel your Confirmation of Enrolment (CoE), and your visa may be cancelled, if:

- You gave false documents to defer your course
- The situation for deferring has passed and you have not resumed your studies

You can remain in Australia or travel overseas if you have deferred your course for compassionate and compelling reasons and still

remain enrolled. <https://immi.homeaffairs.gov.au/change-in-situation/study-situation>

4.3. Student Cancellation

Students wishing to cancel their enrolment must complete an 'Application to defer, suspend or cancel enrolment' and submit to the Student Admissions.

Students wishing to cancel their enrolment prior to completing 6 months of study in their principle course must provide letter of offer from an alternative provider. This is required under Standard 7 of the National Code and further information can be gained from the 'Transfer between Providers Policy / Procedure'.

All application documentation for the cancellation will be kept on the students file and DIBP shall be notified via PRISMS of the decision to cancel the enrolment as a result of the student's request.

4.4. Provider Cancellation

In some cases where the student's misconduct is severe, IHNA has the right to cancel the enrolment.

Where the Director of Studies has decided the misconduct is severe enough for cancellation the following must occur:

- The student must be informed in person (where possible), and in writing of the decision of IHNA to cancel the student's enrolment
- They must be informed of the fact they have the right to appeal the decision by accessing the relevant procedures and completing this appeal within 20 working days of the notification
- Students must also be informed that IHNA is obliged to inform DET/ DIBP via PRISMS after the 20 day period and that they will be at risk of having their Visa cancelled.

4.5. Leave of Absence

A student wishing to apply for leave of absence after the commencement of a course must forward the completed 'Leave of Absence Form' to the Registrar. Leave of Absence shall be granted at the discretion of the Course Coordinator (or delegated nominee):

The Course Coordinator or Training Manager will take into consideration the reasons for the leave of absence, the nature of the course and the student's progress to date in considering whether permission is granted to take leave of absence.

Leave of absence application must be submitted no later than census date. Application received after census date will be considered and have to pay the applicable fees. This will follow the procedure similar to the withdrawal and re-enrolment.

The permission to take leave of absence will normally be granted for up to one year, after which a student must apply to re-enter and re-enrol into the course. Leave of absence is granted to a student, subject to the availability of that course in the following year. The student must meet the admissions and Course Entry requirements at the time of re-enrolment.

A student must normally notify the Institute of his/her intention to recommence his / her course of study at least two months before commencement of classes.

An appeal to extend the maximum period of one year of Leave of Absence will only be considered in exceptional circumstances. Students must appeal in writing to the Course Coordinator detailing their circumstances. Support documents must be attached. Students will be notified of the decision in writing by Registrar or Student Admin.

4.6. Withdrawal from a Course

Students seeking to withdraw from a course must complete the 'Withdrawal/Deferral from a Course Request Form' available from the IHNA Campus / Website and submit it to the Course Coordinator. Census date is applicable for calculating the fees liabilities of the student while withdrawing. If the student withdraw on or before the census date, is not liable for the tuition fees; and if the student withdrawn after census date they will incur the fees liabilities.

Students must fill all the evaluation forms before the approval of their withdrawal from the course and must settle all the liable fees they are owing to IHNA. Refunds of the fees will be calculated based on the Refund Policy.

Students will be informed of the outcome of the withdrawal request by the Registrar or Student Admin. All the withdrawal documents submitted will be stored in the IHNA KH.

4.7. Suspension and Expulsion

IHNA has a desire and a responsibility to provide a safe learning environment for its students and staff, and recognise excellence in good behaviour and academic performance. As a consequence, when guidelines about what constitutes misconduct, unacceptable behaviour, or poor academic progress are not followed, students may be suspended or expelled from a course or unit of study.

The Course Coordinator (or delegated nominee) may suspend a student or recommend expulsion as part of the Academic Participation and Progress Policy and Code of Behaviour Policy. Each participant's case will be assessed on an individual basis by the Course Coordinator (or delegated nominee).

- Suspension:
- Where the Course Coordinator (or delegated nominee) is of the opinion that a student should be temporarily suspended from a Course or Unit of study, the Course



Coordinator (or delegated nominee) will inform the student in writing. The letter must specify the dates for suspension as either:

- A specific time period including a date when the student should return to class; or
- A time period linked to an event, i.e. a decision being made as part of the Academic Participation and Progress Policy or Code of Behaviour Policy. The letter will also include details on how the student is expected to maintain course progression during the period of suspension.
- The Course Coordinator (or delegated nominee) will enter details of the suspension as a journal entry for the student in Knowledge Hub and all the documents will be stored into IHNA KH
- **Expulsion:**
 - a. Where the Course Coordinator (or delegated nominee) is of the opinion that a student should be expelled, the Course Coordinator (or delegated nominee) may put a report recommending expulsion to the Campus Manager/ Training Manager/Director of Studies/ Chief Operating Officer (COO). The penalty will be expulsion from the course and results based on academic progress completed for the study term.
 - b. The above Team will review the report and may approve or reject expulsion of the student. Generally, expulsion here means exclusion from any IHNA course for a minimum of two years. The Management Team may decide that the student should be put on probation for two years. If the student is found to have committed significant general misconduct once more during this period, then expulsion will be automatic. Once the Team reaches a decision, he/she will notify the Course Coordinator (or delegated nominee).
- The Course Coordinator (or delegated nominee) will issue one of the following:
 - a. If the student is expelled, Course Coordinator (or delegated nominee) issues an Expulsion Letter to the student copied to the Campus Manager / Training Manager.
 - b. If the student is not expelled, Course Coordinator (or delegated nominee) will issue an Outcome Letter to the student copied to the Campus Manager / Training Manager outlining the decision.

- c. The Course Coordinator (or delegated nominee) will enter details of the expulsion as a journal entry for the student in Knowledge Hub and all the documents will be stored into the IHNA KH.

4.8. Informing Authorities

IHNA is obliged and will inform the outcomes of the Deferral, Leave of absence, Withdrawal and Suspension outcomes of its enrolled students to its regulatory and funding bodies if required.

4.9. Re-enrolling after Deferral or Leave of Absence

Students are required to apply for Re-enrolment after the completion of approved Deferral or leave of Absence time period using Re-enrolment Form.

Associated Information

Related Internal Documents	IHNA Refund Policy IHNA Academic Participation and Progress Policy Student Code of Conduct IHNA Student Complaints and Appeals Policy
Related Legislation, Standards, and Codes	<ul style="list-style-type: none"> • <i>National Vocational Education and Training Regulator Act 2011</i> • Standards for Registered Training Organisations 2015 • <i>ESOS Act 2000</i> • <i>The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (The National Code).</i>
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Change History



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	02/03/2020	Developed the procedure in accordance with the National Delivery arrangement and technology-enhanced framework