

Policy name:	EN3 Withdrawal and Cancellation Policy	Version:	14.1
Policy owner:	Quality and Compliance Manager		
Approved by:	Chief Executive Officer		
Approved date:	January 2010	Review date:	November 2023

SECTION 1 - INTRODUCTION

PURPOSE

This policy outlines the RTOs consistent approach to the handling of deferrals, cancellations and withdrawals for learners to meet the SRTOs and relevant state and federal funding contracts. The RTO ensures that each enrolled learner is aware of this policy and able to access it via the website.

SCOPE

This policy applies to all employees and learners of the RTO in relation to learner deferrals, withdrawals and cancellations. This policy includes all regulatory, contractual and legislative requirements that fall under the RTOs obligations.

DEFINITIONS

Cancellation / cancelled / cancel – Withdrawal of course enrolment by RTO.

Compassionate or compelling circumstances – learner’s lack of capacity and/or ability to progress through a course. These could include:

- Serious illness or injury, where a medical certificate states that the learner was unable to attend classes
- Bereavement of close family members such as spouse, children, parents or grandparents (where possible a death certificate should be provided).
- A traumatic experience which could include but is not limited to:
 - Involvement in or witnessing of an accident; or
 - A crime committed against the learner.

Deferral / Deferred / Deferment – Temporary postponement of commencement of course.

Extenuating circumstances – Extenuating circumstances relating to the welfare of the learner may include, but are not limited to the following:

- Learner refuses to maintain approved care arrangements (only for learners under 18 years of age); or
- Learner has medical issues or concerns, whether physical, mental or psychological, which lead the provider to fear for the learner’s wellbeing; or
- Learner has engaged or threatened to engage in behaviour that is reasonably believed to endanger the learner or others; or
- Learner is at risk of committing a criminal offence.

Falling behind – refers to process of supporting learners who have missed due dates for submitting assessments.

Impracticable – means not practicable, that which cannot be put into practice with the available means.

Re-engagement – refers to process for engaging disengaged learners

RTO – means Registered Training Organisation, in this case Selmar Institute of Education (#121531).

Scheduled hours – means the actual hours taken to provide training in line with the program schedule.

SRTOs – stands for Standards for Registered Training Organisations (RTOs) 2015.

Statement of Attainment – confirms that one or more nationally recognised units or modules has been achieved by an individual but is only used where there has been partial completion of a qualification or VET accredited course.

Tuition fee – The total fees for the course.

Withdrawal – Withdrawal of course enrolment by learner.

VSL – Stands for VET Student Loans.

SECTION 2 - POLICY

A learner enrolment can be deferred, cancelled or withdrawn in certain circumstances by the RTO or the learner. The learner has the right to appeal the RTOs decision to cancel an enrolment, refer to the *SP3 Complaints and Appeals Policy*.

The RTO is committed to the fair and transparent application of fees and charges, including the processing of refunds. Learners are provided with details of all fees and charges and copies of the relevant refund policy prior to enrolment refer *EN1 Fees and Refunds Policy*.

WITHDRAWAL

- Learners may withdraw from their course at any time. Learners are required to contact their trainer via email or phone to advise of their intent to withdraw from training.
- The trainer must complete the *Enrolment Variation Form* detailing the reason for withdrawal and sign the form before sending to their Regional Manager for approval. Once approved, the *Enrolment Variation Form* is sent to the Administration Team.
- Learners that withdraw from a course may be eligible for a refund, refer to the *EN1 Fees and Refunds Policy*.
- Where a learner has withdrawn from a course after commencement and has been deemed competent in one or more units of competency, the learner is entitled to a Statement of Attainment.
- The RTO will ensure that the course withdrawal is effective from the last day of training and end date for each unit of competency matches date on last evidence of participation.
- All funding claims for withdrawn learners are signed off by the Funding Contracts Manager.
- The RTO will calculate the claimable hours using following methodology:

Number of EOP	Amount claimed	Acceptable Evidence of Participation
1	25%	- Partial or satisfactory assessment task
2	50%	- Completed workplace visit form - Completed first training session

3+	80%	- Monthly training contact (via phone or video)
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For learners funded under the **Victorian Skills First Program**:

- the RTO will only claim government funding for training and assessment that has actually occurred up to 80% of the scheduled hours. The RTO will not claim more than 80% of the scheduled hours regardless of the amount of training that has taken place.

For learners accessing **VET Student Loans** to fund their studies:

- The RTO will ensure that the withdrawal is effective from the time of notification and confirmation of withdrawal will be sent to the learner including following details:
 - Date of withdrawal; and
 - The Unit of Study or part of the course from which the learner has withdrawn from; and
 - Relevant census day; and
 - Confirmation whether the learner has incurred a debt for the unit, part of the course or the whole course (unless they withdraw before the census day in which case, they will not incur a debt for that unit of study); and
 - Information about the refund of upfront payments (if any)
- The learner can apply to re-enrol in the Unit of Study or part of the course from which they have earlier withdrawn, by contacting Selmar at 1300223040 or via email to myfuture@selmar.edu.au

DEFERRAL

- Once the learner has commenced training, they may request to have their enrolment deferred on the grounds of compassionate or compelling circumstances.
- The granting of a deferral of enrolment and the length of time of a deferral is at the discretion of the Regional Managers and will be dependent on the individual learner circumstances.
- All deferral requests must be provided to the RTO in writing by completing the *Enrolment Variation Form* with documentation attached to support the claim of compassionate or compelling circumstances.
- For VSL learners, a progression will be issued for the learner to complete the option to defer. When the learner resumes, a progression form will be issued for the learner to indicate the date of return to study.
- The Regional Managers are responsible for approving all learner deferrals. In assessing the request, the Regional Manager will consider:
 - The evidence provided by the learner to demonstrate compelling or compassionate circumstances; and
 - The impact these circumstances may have on the ability of the learner to continue with their studies and to complete the course within the expected duration of study; and
 - The duration of the deferral requested; and
 - Support options available to the learner (e.g. counselling, temporary reduction in course load, specialised trainer to attend the workplace).
- Deferral of more than 3 months will not be granted without a re-assessment of the circumstances at the 3 month mark.
- Learners will be advised by email of the outcome of their request for a deferral. If a learner is dissatisfied with the outcome of a request, they can access the complaints and appeals process.

- All documentation relating to the assessment and outcome of learner deferral applications will be kept on the SMS. All discussions undertaken with the learner during the processing of the application will be recorded on the SMS.
- Learners are advised to retain their original documents (e.g. medical certificates, police statements) for their own records and submit copies with their applications for deferment.
- A deferral does not entitle a learner to a refund.
- Learners who fail to return to study at the end of an approved deferral period and/or are unable to be contacted may have their enrolment cancelled.
- Where the learner is deferred, the RTO will suspend all funding claims until such time the learner returns to study.

FALLING BEHIND PROCESS

- The RTO closely monitors learner engagement. Where the learner does not submit work by a due date, the RTO will commence the falling behind process:
 - Trainer sets a resubmission date considering the amount of work required and personal circumstances of the learner. Trainer discusses deferral with learner if needed.
 - The due date passes but a submission is not attempted. Trainer identifies if further training is required. If yes, further training is delivered and updated due date is advised to the learner. If no, the trainer offers another week as extension.
 - If assessment is not submitted and learner is three weeks overdue, trainer provides learner details to an assigned Learner Success Advisor (LSA).
 - The LSA contacts the learner to offer support and to confirm their awareness of outstanding course work. Learner is informed that a Falling Behind Letter will be sent out after a week if submission still isn't made.
 - LSA generates first Falling Behind Letter providing 2 weeks submit overdue assessments.
 - If submission isn't attempted, LSA generates second Falling Behind Letter providing another 2 weeks to submit overdue assessments.
 - If submission still has not been attempted, LSA sends the learner details back to the trainer to initiate cancellation of enrolment.

RE-ENGAGEMENT

- The RTO attempts to reengage with learners under following circumstances:
 - Where the RTO is not able to get in contact with the learner for 4 weeks
 - Where the learner is not engaged in regular contact with the trainer for 4 weeks
 - Failure to return to study after the end of an approved deferral period.
- Trainer attempts to contact learner via phone, email, text for 3 weeks. Where the learner doesn't respond to contact attempts, the RTO will commence Re-engagement process:
 - Trainer contacts Learner Success Advisor assigned to learner. LSA attempts to contact learner for 1 week
 - After 1 week of no contact, LSA generates first Re-engagement letter advising learner to respond by 2 weeks.
 - After 2 weeks of no contact, LSA generates second Re-engagement letter advising learner to respond within 2 weeks.

- If learner doesn't respond within 2 weeks, LSA sends the learner details back to the trainer to initiate cancellation of enrolment.

CANCELLATION

- The RTO may cancel learners' enrolment in the following circumstances:
 - Learner demonstrates serious misconduct as outlined in the *Discipline and Termination* section of the *Learner Handbook*; or
 - The learner fails to return to study after the approved deferral; or
 - The learner fails to submit overdue assessments by the end of Falling Behind process; or
 - The learner fails to contact or respond to contact attempts by the end of re-engagement process.
- Where the learners' enrolment is cancelled, the RTO will issue a Statement of Attainment for any units that the learner has successfully completed, refer to the *CO1 Completions and AQF Certification Policy*.

APPEALING A CANCELLATION DECISION

- In cases where a learner's enrolment is cancelled, they will be notified in writing of the reason for the cancellation and given 20 working days to access the RTO's internal complaints and appeals process unless extenuating circumstances relating to the welfare of the learner exist. If these exist, the cancellation can be implemented prior to the 20 days appeal period passing.
- Appeals will be dealt with quickly to minimise any disadvantage to the learner in the event that their appeal is upheld. Learners are not permitted to return to training until the process has been finalised. However, at the discretion of the Head of Teaching and Learning, learners may be provided with course material and contact with a trainer to enable them to continue their studies during the appeal process.

TRANSFER

Once a course has commenced, a learner may request a transfer to a different study mode or funding type i.e., from distance to workplace or vice versa, from government funded to FFS, etc. Trainer must complete an *Enrolment Variation Form* and submit to their Regional Manager for approval. The granting of a transfer is at the discretion of the Regional Manager but if approved, it is then sent to Administration with attached supporting documentation for processing.

SECTION 3 - LEGISLATIVE CONTEXT

Name	Section/Document
Standards for RTOs 2015	Standard 5.3
VET Student Loans	Clause 4.8.7, 4.8.8
Victorian Skills First Program	Standard VET Funding Contract Skills First Program Guidelines about Fees Section 5
NSW Smart and Skilled Program	Operating Guidelines 8-10

SECTION 4 - RELATED DOCUMENTS

Name	Document Type
Student Handbook	Manual
EN3.1 Withdrawal and Cancellation Procedure	Procedure

EN1 Fees and Refunds Policy	Policy
EN4.1 Fees and Refunds Procedure	Procedure
Enrolment Variation Form	Form
Statement of Attainment	Online

SECTION 5 - VERSION CONTROL

Version	Approval Date	Approved by	Details
1	January 2010	Marcus Sellen	Document Creation
2	October 2010	Marcus Sellen	Adjustment of refund terms & conditions.
3	November 2010	Marcus Sellen	Specify refund will be via Electronic Funds Transfer.
4	January 2011	Marcus Sellen	Inclusion of cancellation without refund for breach of Discipline and Termination of Studies Policy (SMP21) Revision of refund procedure.
5	June 2012	Marcus Sellen	Revision of refund rules in line with 2012 Vic Government Guidelines about Fees.
6	August 2013	Marcus Sellen	Revision of responsibilities & retention information
7	February 2015	Marcus Sellen	Revision, change of policy title (removal of domestic), removal of reference to international & inclusion of SRTO standards.
8	July 2016	Julie Elvidge	Reviewed and updated in line with state funding contract
9	February 2017	Julie Elvidge	Annual review and updated in line with state funding contract
10	April 2018	Tash Hartig	Annual review, reformatted document, combined Deferral, Suspension, Transfer & Cancellation of Enrolment Policy and Refund Policy
11	December 2018	Marcus Sellen	Updated withdrawal information and removed Refund part
12	February 2019	Marcus Sellen	Updated Policy Owner.
13	August 2019	Marcus Sellen	Updated address
13.1	March 2020	Julie van Belkom	Updated deferral process
13.2	March 2021	Julie van Belkom	Updated to reflect current practice
14	April 2022	Aruna Joshi	Updated definition of cancellation and withdrawal Removed reference to class based Updated job title Removed suspension process Added Falling Behind and Re-engagement process
14.1	December 2022	Aruna Joshi	Removed any other references to suspension and QLD, Updated withdrawal section to include how to reapply – VSL, updated policy owner