

Policy name:	EN3 Withdrawal and Cancellation Policy	Version:	7.1
Policy owner:	Head of Governance, Risk and Compliance		
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 deferral, suspension, cancellation and withdrawal for learners to meets the Standards for Registered Training Organisations and State funding contracts. In line with the Standards for Registered Training Organisations (RTOs) 2015 and State Funding contract requirements the RTO ensures that each enrolled learner is aware of this policy via the website.

SCOPE

This policy applies to all employees of Practical Outcomes (21857) in relation to learner deferrals, withdrawals and cancellations. This policy includes all regulatory requirements that fall under the RTOs obligations as a registered training organisation.

DEFINITIONS

Cancellation - 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:
 - o Involvement in or witnessing of an accident or
 - o A crime committed against the learner

Deferral - Temporary postponement of enrolment during 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);
- Learner has medical concerns, severe depression or psychological issues which lead the provider to fear for the learner's wellbeing;
- Learner has engaged or threatens 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 Practical Outcomes (21857)

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

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.

SECTION 2 - POLICY

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 suspend or 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, then send the signed Enrolment Variation to Regional Manager for approval. Once approved, the Enrolment Variation Form is sent to Administration.
- 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 have been deemed competent in one or more units of competency, the learner is entitled to a *Statement of Attainment*.
- 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. 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
3+	80%	- Completed first training session
		- Monthly training contact (via phone or Skype)

- For learners accessing government funding, Practical Outcomes 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.

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 is at the discretion of the Regional Manager (RM). The length of time a learner may have their enrolment deferred is also at the discretion of the Regional Managers and will depend 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 their claim of compassionate or compelling circumstances.
- The Regional Managers are responsible for approving all learner deferrals. In assessing the request the Regional Manager will consider:
 - a. The evidence provided by the learner to demonstrate compelling or compassionate circumstances
 - b. 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.
 - c. The duration of the deferral requested
 - d. 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.
- 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 in the learner's file. All discussions undertaken with the learner during the processing of the application must be recorded on the student management system.
- 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.
- Deferral does not entitle the learner to a refund.
- Learners who fail to return to study at the end of an approved deferral period 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

- The RTO closely monitors learner engagement. Where the learner does not submit work by the 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 assigned Learner Success Advisor (LSA) who then contacts the learner to offer support and to confirm they are aware the work is outstanding. Learner is informed that Falling Behind Letter will be sent out after a week if submission isn't made.
- LSA generates first Falling Behind Letter providing 2 weeks' time to submit overdue assessments
- If submission isn't attempted, LSA generates second Falling Behind Letter providing 2 weeks' time to submit overdue assessments.
- If submission isn't 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:
 - a. Where the RTO is not able to get in contact with the learner for 4 weeks
 - b. Where the learner is not engaged in regular contact with the trainer for 4 weeks
 - c. 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:
 - a. Learner demonstrates serious misconduct as outlined in the Discipline and Termination section of the Learner Handbook.
 - b. The learner fails to return to study after the approved deferral.
 - c. The learner fails to submit overdue assessments by the end of Falling Behind process.
 - d. 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 learner's enrolment is cancelled, learners 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 'Extenuating Circumstances' exist, the cancellation suspension can be implemented prior to the 20 days appeal period passing.
- Appeals will be dealt with expeditiously 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 off-campus during the appeal process

Transfer

- Once a course has commenced, a learner may request a transfer to a different study mode i.e. distance or workplace. Trainer must complete and submit an *Enrolment Variation Form* to Administration with documentation attached to support their student's claim of a transfer.
- The granting of a transfer is at the discretion of the Regional Manager.

SECTION 3 - LEGISLATIVE CONTEXT

Name	Section/Document
Standards for RTOs 2015	Standard 5.3
Victorian Skills First Program	Standard VET Funding Contract Skills First Program Guidelines about Fees Section 5

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	4 February 2015	Marcus Sellen	Document creation
2	28 July 2016	Julie Elvidge	Reviewed and updated in line with state funding contract
3	24 February 2017	Julie Elvidge	Annual review and updated in line with state funding contract
4	27 April 2018	Tash Hartig	Annual review, reformatted document, combined Deferral, Suspension, Transfer & Cancellation of Enrolment Policy and Refund Policy
5	5 November 2018	Tash Hartig	Updated withdrawal information and removed Refund part
6	February 2019	Marcus Sellen	Updated Policy Owner
7	October 2019	Marcus Sellen	Updated address
7.1	November 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