



Institution	Mercury Institute of Victoria
Policy Name	Deferral, Suspending or Cancelling Students Enrolment Policy and Procedure
Policy Governance	Compliance Manager
Reference to Standards	National Code 2018 – Standard 9 Deferring, suspending or cancelling the overseas student’s enrolment, Standard 10 Complaints and appeals
Date of Approval	April 2022
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PURPOSE

The purpose of this policy is to ensure that as per ‘*Standard 9- Deferring, Suspending or Cancelling the Overseas Student’s Enrolment*’ of National Code of Practice for Providers of Education and Training to Overseas Students 2018, Mercury Institute of Victoria has documented procedures for assessing, approving and recording a deferment or suspension of study. It covers student access to complaints and appeals mechanisms if Mercury Institute of Victoria initiates a suspension or cancellation of enrolment against a student’s wishes.

Mercury Institute of Victoria establishes this policy and procedure to:

- Comply with the requirements of the National Code 2018 – Standard 9 Deferring, suspending or cancelling the overseas student’s enrolment, Standard 10 Complaints and appeals

SCOPE

This policy applies to all Mercury Institute of Victoria students.



1. POLICY

Mercury Institute of Victoria Management and staff are committed to assessing and recording all deferrals, suspensions or cancellations of study, ensuring that in the process students are informed of their rights to appeal, and are provided with due care and support if and when required.

This policy/procedure provides information on the grounds in which an International student's enrolment may be deferred, suspended, or cancelled.

The following procedures will ensure that Mercury Institute of Victoria follows the required processes when either a student, or Mercury Institute of Victoria, wishes to defer, suspend, or cancel a student's enrolment. The procedures have been developed in line with the *ESOS National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (Standard 9)*.

Students are able to initiate deferral, suspension or cancellation of their studies only in limited circumstances or may have their enrolment suspended by Mercury Institute of Victoria due to misbehaviour. A student's enrolment may be cancelled where a serious breach of visa or enrolment conditions has occurred.

Deferral/Suspension

To *defer* or *suspend enrolment* means to *temporarily put studies on hold* (adjourn, delay, postpone). Providers do this by notifying the Department of Education, Skills and Employment through PRISMS of the deferral or suspension of enrolment.

A student may request a temporary deferral or suspension to his or her enrolment on the grounds of compassionate or compelling circumstances. A provider may also initiate suspension of a student's enrolment due to misbehaviour of the student.



2. PROCEDURE

2.1 Student Initiated Deferral or Suspension of Enrolment

Students may be able to temporarily defer the commencement of their studies or temporarily suspend their enrolment after commencement where they have a good reason to do so.

Mercury Institute of Victoria is only able to temporarily defer or suspend the enrolment of the student on the grounds of compassionate or compelling circumstances.

These circumstances could include but are not limited to:

- Serious illness or injury, where a medical certificate states that the student was / is 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; or
- A traumatic experience which could include:
 - i. Involvement in, or witnessing of a serious accident; or
 - ii. Witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports)
- Where Mercury Institute of Victoria is unable to offer a pre-requisite unit;
- Inability to begin studying on the course commencement date due to delay in receiving a student visa.

***Please note:** The above is only some of examples of what may be considered compassionate or compelling circumstances. The Administration Manager will use their professional judgment to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, Mercury Institute of Victoria will consider documentary evidence provided to support the claim, and will keep copies of these documents in the student's file.*



A student wishing to defer an enrolment must do so prior to commencement of their course.

- Students must complete a **Course Withdrawal, Deferral and Suspension Form** and submit it to the Student Support Officer. Where possible, the student should meet with the Student Support Officer to discuss the reasons for the application.
- This application to defer must include 'the compassionate or compelling circumstances' to support the temporary deferral of the start date of their studies.
- There should be no outstanding fees owing as this could result in the application being rejected.

A student wishing to temporarily suspend their studies after commencement.

- Student must complete a **Course Withdrawal, Deferral and Suspension Form** and submit it to the Student Support Officer. Where possible, the student should meet with the Student Support Officer to discuss the reasons for the application.
- This application must include the 'compassionate or compelling circumstances' to support the temporary suspension of studies.
- There should be no outstanding fees owing as this could result in the application being rejected.

All applications will be submitted to the Administration department who will then:

- 1) Review all applications for deferral or suspension and determine if the applications are to be granted or rejected.
- 2) On receiving a request for course study deferment, Mercury Institute of Victoria will ensure that the student is aware of the appeals process.

Deferment Request Responses

Following consideration of an application for deferment, the Administration department will:

- Ensure the student is informed in writing of the outcome of their application for deferral or suspension (use *'Template for Deferral, Suspension and Cancellation Letter'*). This will also inform the student that the deferment or suspension may affect their student visa and they are advised to contact Department of Home Affairs in relation to the status of



their student visa.

- In the case of a student application being rejected, the student will receive written notification (via email) within 10 working days of the application being assessed. This will also inform the student of their ability to access the appeals process if they wish to appeal the decision (please refer to *Complaint and Appeal Policy and Procedure*).
- Maintain all documentation in relation to the deferral or suspension application on the student's file.
- Notify the Department of Education via PRISMS of the decision to defer or suspend a student enrolment as a result of the student's request.

2.2 Student Initiated Cancellation of Enrolment

A student may cancel her/his enrolment where she/he has decided to discontinue studying with Mercury Institute of Victoria.

***Please note:** Students wishing to transfer their enrolment prior to completing 6 months of study in their principle course must provide a Letter of Offer from an alternative provider. Further information can be gained from the 'Student Transfer Policy and Procedure'.*

There should be no outstanding fees owing as this could result in the application being rejected.

- Students wishing to cancel their enrolment must complete a **Course Withdrawal, Deferral and Suspension Form** and submit it to the Student Support Officer. Where possible, the student should meet with the Student Support Officer to discuss the reasons for the application.

All applications will be submitted to the Administration department who will then:

- 1) Review all applications for Course Cancellation and determine if the applications are to be granted or rejected.
- 2) On receiving a request for Course Cancellation, Mercury Institute of Victoria will ensure that the student is aware of the appeals process.



Cancellation Request Responses

Following consideration of a **Course Withdrawal, Deferral and Suspension Form** for Course Withdrawal/Cancellation, the Administration department will:

- Maintain all application documentation for the cancellation of enrolment on the students file.
- Notify the Department of Education- Department of Home Affairs via PRISMS of the decision to cancel enrolment as a result of the student's request.
- Ensure that the student is informed in writing of the outcome of their application for cancellation within 10 working days of the application being assessed (use '*Template for Deferral, Suspension and Cancellation Letter*'). This written notification (via email) will also inform the student that the cancellation may affect their student visa and they are advised to contact Department of Home Affairs in relation to the status of their student visa.
- In the case of a student application being rejected, the written notification to the student will also inform of their ability to access the appeals process if they wish to appeal the decision (please refer to *Complaint and Appeal Policy and Procedure*).

Students will be required to refer to their written agreement and the *Fees, Charges and Refund Policy* for details of the refund arrangements in place where an enrolment is cancelled.

2.3 Provider Initiated Deferral of Enrolment

Mercury Institute of Victoria may defer an enrolment where the course is not being offered at the proposed date, site, or any other reason that Mercury Institute of Victoria deems necessary to cancel the course. In such cases a refund shall be processed as required, or alternative courses offered.

(Please see 'Provider Default' within the *Fees, Charges and Refund Policy*)

2.4 Provider Initiated Suspension or Cancellation of Enrolment

Mercury Institute of Victoria may suspend or cancel a student's enrolment where they have not paid fees as documented in their written agreement or has behaved in a manner that is not appropriate

for an education setting such as misbehaviour.

This may include, but is not limited to:

- Disrespecting others, including discrimination for any reason
- Intimidating students or staff
- Refusing to work in a safe, clean, smoke free, orderly and cooperative environment
- Damaging or misusing Mercury Institute of Victoria's or other students' personal property (including computer files and student work)
- Criminal actions
- Failure to pay fees when due
- Failure to make satisfactory course progress (Refer to Student Progression and Completion Policy and Procedures)
- Placing Mercury Institute of Victoria into disconcert
- Other actions deemed unsuitable by the CEO/Compliance Manager

Suspension or Cancellation Responses

In receiving a report of misconduct, the Student Support Officer or Administration Manager shall:

- Validate the actions of all staff involved seeking further advice, verbal or written.
- Where necessary, seek further advice from the student(s) involved maintaining an unbiased approach to the student(s) involved.
- Discuss with Management and decide whether an enrolment suspension or enrolment cancellation is warranted.
- Inform the student that their misconduct has resulted in a report being made to management.
- Ensure that the student is aware that they may access Mercury Institute of Victoria's internal complaints and appeals process.
- Inform the student in writing should a decision to suspend or cancel their enrolment be made, they have 20 working days to appeal following the decision.
- If the student lodges an appeal, the suspension/cancellation cannot take effect until the internal appeal process has been completed, unless extenuating circumstances relating



to the welfare of the student apply.

- Inform the student that Mercury Institute of Victoria is obliged to inform the Department of Education via PRISMS after the 20-day period of the complaints and appeals has lapsed and the student has not accessed the appeals procedure.
- Advise the student to contact Department of Home Affairs in relation to the status of their student visa. Following the suspension or cancellation of a student's CoE, the Administration department will:
 - Maintain all documentation for the suspension or cancellation of enrolment on the student's file.
 - Notify the Department of Education via PRISMS of the decision to suspend or cancel the enrolment only after the appeals period has passed. Where a student decides to access the complaints and appeals policy and procedure within 20 working days, the student must not be reported until the process has finished.

2.5 Procedure for Re-enrolment

If a student wishes to re-enrol at Mercury Institute of Victoria after they have withdrawn or been cancelled from a course, they are required to submit *Application Form* for enrolment.

Each application will be re-assessed on a case-by-case basis and the student will be informed of the decision in writing.

Administration Manager will ensure all records are kept under the *Deferral, Suspension and Cancellation Register*.