



PP015 Withdrawals, Deferments and Refunds Policy and Procedure

Version Control

Version	Date	Description
1	August 2015	Updated to align with Standards for RTOs (2015)
2	30 June 2020	The Policy and Procedure was improved by distinguishing between funded and fee for service students.
3	06/11/2020	Clarified the timing of contact of non-active students.
4	20 November 2020	Traineeship requirements included in preparation for 2021 delivery.
5	13/5/2022	Corrected Policy number
6	2/2/2023	Logo Change
7	22/8/2023	Minor wording changes

POLICY

Norgrove Training acknowledges that there are times whereby students cannot engage in their studies or do not wish to continue their studies. Norgrove Training is committed to providing quality customer service, however if required, the RTO provides students with the ability to withdraw from a course, with as little inconvenience to the student as possible. This Policy and Procedure outlines how Norgrove Training defines the various circumstances, where a student opts to withdraw from their studies, for a short period of time (deferral) or permanently (withdrawal), as well as Norgrove Training's policy about refund entitlements in these circumstances. It also outlines how, when required, Norgrove Training opts to remove a student from study (suspension) or permanently (cancellation), or when a course does not commence as scheduled (deferral) and the impact of fees, inclusive of any refund entitlements.

It also addresses how Norgrove Training administers refunds, based on the various circumstances of the individual student, in a transparent and fair manner, taking into consideration the level of committed resources that it has put in place for each student.

Norgrove Training does not put in place financial or administrative barriers, for any student wishing to withdraw from their course.

SCOPE

This Policy and Procedure covers all Norgrove Training's training services.

The RTO Manager, all trainers and assessors and Administration staff, must adhere to this Policy and Procedure.

RESPONSIBILITIES AND ACCOUNTABILITIES

This version of the Policy and Procedure and any amendments to related documents, have been authorised by Norgrove Training's Chief Executive Officer (CEO). The RTO Manager, as delegated by the CEO, is responsible for ensuring this Policy and Procedure is always implemented. The RTO Manager is also responsible for ensuring this Policy and Procedure is maintained and up to date through an annual revision, as well as through any ongoing quality activities, including audits and feedback.

PROCEDURES

Students are advised that there is no application fee charged for requests for deferment or withdrawal from their enrolled course, through the **Student Induction Handbook**.

Where a student withdraws or their enrolment is cancelled by Norgrove Training, a Statement of Attainment will be issued for all units of competency achieved (deemed as Competent by the assessor) subject to all pro-rata fees being paid and a USI provided.

The following circumstances apply and are strictly followed by Norgrove Training staff:

RTO-Initiated Deferral, Suspension or Cancellation of Enrolment

The RTO may *defer* student's commencement on the following grounds:

- When a course is not offered at the scheduled commencement date.

The student will be offered the opportunity to transfer to an alternative course, where appropriate, or receive a full refund.

The RTO may *suspend* a student enrolment on the following instances:

- When a student is deemed to be in breach of the **Student Code of Conduct** (available in the **Student Handbook and Student Induction Handbook**).
- When a student is deemed to be not making satisfactory course progress and fails to comply with their study requirements, such as the agreed **Training Plan**) and/or the agreed **Structured Mentoring Plan**.

The student is not entitled to a refund, as it is assumed that the student will return to their studies at an agreed time.

The RTO may *cancel* a student enrolment on the following instances:

- When a student misbehaves (refer below) and/or demonstrates serious breach of the **Student Code of Conduct**.
- When a student is in breach of the **Progression and Intervention Policy and Procedure**, as they are continually absent from scheduled course hours.
- Non-payment of outstanding fees.

The student is not entitled to a refund.

The decision to suspend, defer or cancel a student's enrolment, is at the discretion of Norgrove Training's RTO Manager.

In cases where suspension or cancellation of the student's enrolment is initiated by Norgrove Training, the student will be notified, referred to and given 10 working days to access the RTO's internal complaints and appeals process (refer to **Complaints and Appeals Policy and Procedure**).

Student Misbehaviour

To ensure all students receive equal opportunity to gain the maximum benefit from their training, any person(s) displaying the following behaviour may be asked to leave the session (and their enrolment will be suspended) and/or the course (and their enrolment will be cancelled). The decision to suspend or cancel, is at the discretion of Norgrove Training's RTO Manager.

Examples of unacceptable behaviour include but are not limited to the following:

- continuous interruptions of the trainer
- smoking in non-smoking areas
- being disrespectful to other participants or staff
- harassment by using offensive language
- sexual harassment
- acting in an unsafe manner that places themselves and others at risk
- refusing to participate when required, in group activities, and/or
- continued absence or late arrival at required times.

Where an enrolled student is not attending/submitted assessments and has not notified Norgrove Training, Norgrove Training's Student Support Officers will attempt to make contact with the student and document these attempts in the student file. After three attempts at contact which have all resulted in a lack of student response, Norgrove Training's RTO Manager will be alerted by the Student Support team and will undertake the following procedure, as an RTO initiated withdrawal:

- for students who have completed some of the course requirements, the RTO Manager will cancel the student and advise the student in writing. Where relevant, the student's employer or employment services agency, will also be notified by being copied into the email. The student will be expected to pay any outstanding fees, prior to receipt of any Statement of Attainment being issued for any units that are deemed as competent.
- for students who have completed the course's training but not submitted all assessments, the RTO Manager will forward a reminder email, which advises of the cut-off date for assessment submission which will always be for a period of 12 months from the related workshop. Where relevant, the student's employer or employment services agency, will also be notified by being copied into the email. Should the student not submit the outstanding assessments by the due date, the RTO Manager will cancel the student. No refund will be provided.
- At all times, Norgrove Training will advise the impacted student of its **Complaints and Appeals Policy and Procedure**, in the event that they wish to appeal the decision.

Student-Initiated Withdrawal of Enrolment

Students may initiate a withdrawal of their enrolment prior to commencement of or during the course through formal agreement with Norgrove Training's RTO Manager. All requests for a withdrawal must be made on a **Withdrawal and Deferment Form** (available in the **Student Induction Handbook**) and be received at least 10 working days prior to the proposed date of withdrawal. The request will be considered by the RTO Manager.

The outcome of the request will be in writing to the student and always within 5 working days of the lodgement of the **Form**. Dependant on the circumstances, the student may be eligible for a full or partial refund (refer **Refund Business Rules** (refer below)).

An organisation, such as an employment service agency or employer, may substitute another participant prior to the course commencement date, should the nominated person be unable to attend or opts to withdraw. The replacement student will also be required to meet any pre-requisites including suitability to being accepted.

No student substitution is permitted for students where a course has commenced. In this instance, a refund will be considered in line with the **Refund Business Rules** (refer below).

Student-Initiated Deferral of Enrolment

Enrolled students may initiate a deferral of their enrolment for up to 6 months, through formal agreement with Norgrove Training's RTO Manager. All requests for a deferral must be made on a **Withdrawal and Deferment Form** (available in the **Student Induction Handbook**), which is considered by the RTO Manager. The outcome of the request will be in writing to the student and always within 5 working days of the lodgement of the **Form**.

A deferral may be made on the grounds of compassionate or compelling circumstances: conditions which are beyond the control of the student, which may impact on the student's course progress or wellbeing. These may include, but may not be limited to the following:

- Serious illness or injury – where a medical certificate states the student was unable to attend classes.
- Bereavement of close family members such as parents or grandparents.
- A major political upheaval or natural disaster, in a home country requiring emergency travel which will impact the student's studies.
- A traumatic experience i.e. involvement in or witness a serious crime, or accident and has impact on the student.
- Other reasons may be considered, but must have compelling documentary evidence to support the request.

Any other ground of compassionate or compelling circumstances will be reviewed and considered by the RTO Manager. When determining whether compassionate or compelling circumstances exist, the RTO Manager considers documentary evidence provided to support the claim, and stores copies of these documents in the student's file.

A retrospective deferment may be justified, if the student was unable to contact the RTO, because of a circumstance, such as being involved in a car accident.

The RTO's Administration team will notify the student one month in advance of the scheduled date of re-commencement of studies and unless it hears otherwise from the student, or the student does not return, the student's enrolment will be cancelled. If the deferral is required for longer than 6 months, the student **must reapply** within the one month notification period and at least 10 working days prior, to their scheduled date of recommencement, so that the RTO Manager may reassess the new application.

Suspended Students

Where a student is suspended from their enrolled course and wishes to withdraw, a partial refund, based on the balance of fees remaining, will apply, and be determined by the RTO Manager. If Norgrove Training and the student decides for the student to continue (no fees will be refunded) subject to **Refund Business Rules** (see below).

RPL-RCC Students

Students who applied for and have submitted evidence against specific units for the purposes of the assessment of Recognition of Prior Learning (RPL) and/or Recognition of Current Competencies (RCC), will be required to pay all RPL/RCC fees for the units in which they marked in their **RPL-RCC Applicant Tool Kit** as requiring an assessment, regardless of if they opt to withdraw from these units.

Ceasing to Offer a Qualification – Enrolled Students

In instances where Norgrove Training ceases to offer a qualification, it will ensure that all impacted and enrolled students receive Statements of Attainments for all completed Units of Competency (where deemed as Competent) and be offered either credit transfer into a replacement course where appropriate and relevant or be offered a refund for the balance of their initial enrolled course, unless the student is funded and only paid the co contribution.

Should a student elect to enrol in an alternative course at Norgrove Training, Norgrove Training will only accept the student's application, with clear written permission from the student. The student will also be required to meet any pre-requisites, including suitability for the alternative course, prior to being accepted. Any due refund will be issued within 10 days of the date of course cancellation.

In this instance, for units attended by the enrolled student in the qualification which has ceased to be offered, any outstanding assessments must be submitted for marking within 6 months of the student's last date of attendance in these unit/s. Should Norgrove Training not receive the assessments within this period, it will charge the student an assessment fee of \$250 per unit. Payment must have been received before the marking process will begin.

Refund Business Rules

Norgrove Training maintains a fair and reasonable refund policy to ensure that refunds are made available to students entitled to receive them. The refund business rules are applied to all students equally, to ensure transparency and fairness for all, and take into consideration any funding arrangements, as well as Norgrove Training's committed levels of resources, to an enrolling or enrolled student.

It is the policy of Norgrove Training, that all applicable refunds for fees, are paid to students who pay fees directly to Norgrove Training. Where a third party has paid the student's fees and charges eg. an employer, in the instance of withdrawal from the course, the third party only, will receive any eligible refund – no refund will be provided to the student in any circumstances.

It is the policy of Norgrove Training, that all applicable refunds are paid to applicants/third party within 20 working days, from the time when notification has been made by the applicant to Norgrove Training through submitting a **Withdrawal and Deferment Form** and where it is accepted by the RTO Manager.

Subsidised Students

A full refund will be given of any pre-paid fees where an enrolled and funded student has not yet commenced study and decides that they are no longer interested in commencing this course. The student must provide Norgrove Training with notice of withdrawal from the course, via submitting a **Withdrawal and Deferment Form**. The advice must be received at least 10 working days PRIOR to course commencement date, or the student will forfeit the admin fee. Where the student has enrolled within 10 days of commencement, the RTO Manager is responsible for making the decision whether a full refund will be given.

Where an enrolled and funded student opts to withdraw from the course, after the course commencement date due to circumstances that are not resulting from any non-performance by Norgrove Training, no refund will be provided.

Where an enrolled and funded student opts to withdraw from the course after the course commencement date, due to any non-performance by Norgrove Training and where the student submits evidence, of Norgrove Training's failure to provide the agreed services on their completed **Withdrawal and Deferment Form**, a full refund will be provided.

Fee for Service Students

Where a fee for service student opts to withdraw from the course due to circumstances that are not resulting from any non-performance by Norgrove Training, the following refund rules will apply:

- Pre-course commencement: any pre-paid fees will be reimbursed minus the enrolment fee of \$150
- After course commencement and within the initial first week of the course: any pre-paid fees will be reimbursed for training services not delivered to date, minus the enrolment fee of \$150
- After the initial first week of the course commencement: no refund will be provided.

Where a fee for service student opts to withdraw from the course, due to any non-performance by Norgrove Training and where the student submits evidence of Norgrove Training's failure to provide the agreed services, on their completed **Withdrawal and Deferment Form**, a full refund will be provided.

RPL-RCC Students

Students who applied for and have submitted evidence, for the purposes of Recognition of Prior Learning (RPL) and Recognition of Current Competencies (RCC) assessment against specific units, will not be provided a refund for these units should they opt to withdraw.

Suspended Students

No refund will be provided.

RTO-Initiated Student Withdrawal

No refund will be provided.

Ceasing to Offer a Qualification – Enrolled Students

In instances where Norgrove Training ceases to offer a qualification, and the student opts to withdraw, a refund for the balance of their course will be provided. Norgrove Training will withhold pro-rata fees, for any training services provided, including classroom based workshops and reimburse the balance.

Termination as an RTO

In the event Norgrove Training cannot complete the training and/or assessment, once the student has commenced study, it will provide a refund for any services not provided for both subsidised and fee-for-service students. This includes the unlikely event that Norgrove Training withdraws from the training market and terminates as a Registered Training Organisation.

This includes the unlikely event that Norgrove Training withdraws from the training market and terminates as a Registered Training Organisation, where all students, both enrolling and commenced will receive a pro-rata refund (ie. consisting of a full refund for enrolling students who did not commence with their studies and a pro-rata refund to the enrolled students for any services not provided).

Transparency of Refunds

All refunds will include a statement explaining how the refund amount was calculated.

Issuing Qualification Certification

Norgrove Training will not issue parchments nor Statements of Attainments or Attendance, until all outstanding fees have been received.

Student Right to Appeal

All students have the right to appeal any RTO initiated withdrawal or suspension decision made, but it must be done within 10 days of the date of the date of Norgrove Training's decision and using the **Complaints and Appeals Form** (available in the **Student Induction Handbook**).

Should a **Complaints and Appeals Form** be lodged, the withdrawal/suspension of the student's enrolment will not take effect until the internal appeals process is completed, unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Where it does not take effect, the student must continue to pay any due fees, which will be taken into consideration at the time of the final decision and may result in a fee reimbursement, subject to Norgrove Training's **Refund Business Rules**.

SOUTH AUSTRALIAN FUNDING REQUIREMENTS

Deferral of Funded Studies

Norgrove Training allows any funded student, on application through the **Withdrawal and Deferment Form**, to take leave from enrolment for a period of up to 6 months. Norgrove Training keeps the **Training Account** active during the period of leave, with the Administration Team amending the status of the **Training Account**, to indicate that the student has taken leave from enrolment.

Reporting Student Withdrawals

Norgrove Training's Administration team, reports the student withdrawal through the student's **Training Account**, which is rendered inactive or closed, within 20 working days of when the student withdrew from a course. This process is confirmed as completed through the **Issuing AQF Certification Checklist**.

TRAINEESHIP FUNDING REQUIREMENTS

Trainee Request to Suspend (or Defer)

A suspension is a temporary cessation of a Training Contact for a period of time agreed by the trainee and the employer, and approved by Traineeship and Apprenticeship Services, or by a decision of the SA Employment Tribunal.

Norgrove Training considers traineeship suspensions as similar to 'deferral'.

Examples of non-business related reasons for a suspension include where the trainee:

- Suffers an injury
- Requires maternity leave, or
- Requests absence for personal reasons (the trainee will apply through completing and submitting the **Withdrawal and Deferment Form** in the first instance).

Examples of business related reasons for a suspension may include:

- Relocation of the business or
- Damage to the premises.

An application for a suspension for a business related reason, can be for a period of up to 30 days. It must be an action of last resort and the employer must provide evidence that they have exhausted other avenues, to avoid the need for a suspension, including:

- Allowing the trainee to complete outstanding off-the-job training, or to bring forward off-the-job training. NOTE: The employer is responsible for paying wages, if the trainee attends training while on suspension, or
- Negotiating a reduction in hours, if it is possible under the industrial award or agreement, and the Training and Skills Commission's hours of employment and training guideline, and varying the Training Contract accordingly, or
- Asking the trainee to take accrued leave, for example, annual leave and rostered days off.

There must be a clear understanding, that the Training Contract will be continued after the suspension. A period of suspension will alter the nominal completion date of the Training Contract. Off-the-job training may continue during the suspension period, in special circumstances.

Norgrove Training's RTO Manager will contact the Skilling SA on **1800 673 097** to seek instruction on any suspension requests from either a trainee or employer.

RTO or Employer-Initiated Suspension (Deferral) of a Trainee

A suspension will not be approved where the employer has issues or concerns about the trainee's performance or behaviour. Norgrove Training's RTO Manager will contact the Skilling SA for instructions on **1800 673 097**.

If an employer has reasonable grounds to believe a trainee is guilty of wilful and serious misconduct, they can suspend the trainee from employment, under the Training Contract, for up to seven working days, and must notify the South Australian Employment Tribunal of a suspension of a trainee, for wilful and serious misconduct **immediately** by phoning the Registry of the SA Employment Tribunal, or email or personally attending the Registry at the following address:

SAET Registrar
Level 6, Riverside Centre, North Terrace
ADELAIDE SA 5000
Email: saet@sa.gov.au
Ph: (08) 8207 0999
Fax: (08) 8115 1380

The employer must confirm the suspension in writing, **within 3 days** of the suspension. The SAET will arrange a compulsory conciliation conference, to be held between the parties within 7 working days of the suspension. If the matter is not resolved at conciliation, it will proceed to a full hearing at a later date. The SAET may confirm or extend the suspension.

The trainee has the right to dispute a suspension, if they believe that the suspension is unjust, or the length of the suspension is unreasonable.

Trainee-Initiated Termination (or Withdrawal)

Generally, Traineeship and Apprenticeship Services will approve the termination of a Training Contract, if it is assured both the trainee and employer have freely agreed to the termination. Norgrove Training refers any trainee or employer to contact the Skilling SA on **1800 673 097** for advice if an agreement cannot be reached between the two parties.

A **Termination Application Form** must be submitted to Traineeship and Apprenticeship Services through the Apprenticeship Network Provider (APN), before a Training Contract can be finalised. This Form is obtained through the trainee's APN and must have an agreed termination date and be signed by both parties.

Trainee-Initiated Transfer to Another Employer

A Training Contract may be transferred to another registered employer, with the agreement of the current employer, the new employer, and the trainee. A transfer can only occur if there is no break in service between employers. It is not possible to transfer a South Australian Training Contract to an interstate employer.

SUPPORTING DOCUMENTS

D015-01	Withdrawal and Deferment Form
D002-05	Registration Form
D002-08	Participant Commencement Form (gov issued)
D002-12	Student Induction Handbook
D002-16	Training Plan Template
D007-03	Structured Mentoring Plan
D004-02	RPL-RCC Applicant Tool Template
D007-01a)	Pre-Enrolment Foundation Skills Assessment Tool
D007-02a)	Pre-Assessment Verbal Skills Assessment Tool
D011-01	Complaints and Appeals Form

SUPPORTING CHECKLISTS

C002-01	Pre-Enrolment Document Checklist
C002-02	Student Application and Enrolment Checklist
C002-03	Student Induction Checklist
C016-01	Issuing of AQF Certification Checklist

RELATED POLICIES AND PROCEDURES

PP005	Fees and Charges Policy and Procedure
PP002	Application and Enrolment Policy and Procedure
PP004	Recognition of Prior Learning (RPL) and Credit Transfer Policy and Procedure
PP008	Progression and Intervention Policy and Procedure
PP013	Fair Treatment and Equal Opportunity Policy and Procedure
PP003	Privacy Policy and Procedure