

Course Variation Policy & Procedure

Deferral, Suspension, Extension, Transfer & Discontinuation/ Cancellation

Purpose:

The purpose of this policy and procedure is to describe Real Estate Training Solutions (RETS) processes for managing student deferral, extension, transfer, and discontinuation/ cancellation requests.

This policy and procedure also address' the requirements of:

- *Smart & Skilled Operating Guidelines, Standards 8, 9, 10*
- *ACT Standards (and Compliance Guide) for Delivery of Subsidised Training:*
 - Suspend a Training Contract requirements
 - Cancellation of Training Contract requirements
 - Extension of Training Contract requirements
 - Internet & temporary transfer requirements

Policy:

Definitions:

Deferment: The student has enrolled in a course but wishes to postpone their commencement date.

Suspension: The student has commenced their course, and they wish to suspend their studies for a specified period of time.

Discontinuation/ cancellation: The student is currently studying and wishes to withdraw completely ending their enrolment.

Transfer: The student wishes to end their studies at one training provider or in one course and transfer to another provider or course.

Extension: The student is unable to complete their course by the agreed course end date and wishes to add additional time to complete their course.

Provision of information:

- RETS ensures that, prior to enrolment, students have access to information about:
 - course deferment and related processes
 - course discontinuation/ cancellation and related processes
 - transfer to another provider and related processes
 - course extensions and suspensions and related processes
- Information is provided to students via the Student Handbook.

Smart & Skilled subsidised students:

Deferment:

- It is RETS policy that a student cannot enrol and then immediately defer unless:
 - The request to defer is supported by medical evidence which explains the reasons why the student's medical condition prohibits the student from commencing training.
- If RETS approves a deferral application, the student must commence their studies within 12 months of the student's original agreed enrolment date.

Suspension:

- If a student requests a suspension to their course, RETS makes every effort to:
 - establish the reason(s) why the student wishes to suspend their studies
 - assist the student to reconsider and commence training where possible
- If the student wishes to proceed with their cancellation request, RETS will:
- request formal notification from student of training end date by completion of Smart & Skilled Form VT13 – suspension.
- If approved, RETS will only approve a suspension request with the total duration does not exceed 12 months from the date the suspension request was submitted by the student.
- If the student has paid the Student Fee, no refund is applicable for approved suspension application.
- If a suspension application is approved, the student must recommence their studies within 12 months from the date the suspension request was submitted by the student.
- If the student does not recommence within this 12-month timeframe, RETS will report the student as 'discontinuing subsidised training' via the STS portal.
- In addition, RETS will submit the relevant Training Activity Data including:
 - reporting Code D (Deferred)
 - update the end dates for any Unit of Competency for which a UoC Outcome Code of 70 (Continuing enrolment) has been reported
 - the start date and end date for any Unit of Competency which has not been Commenced.
- RETS will keep records including supporting evidence of all suspension requests

Discontinuation:

- If a student wishes to discontinue their course without completing, RETS will attempt to find the reasons for the intention to cancellation.
- In particular, RETS will investigate if the reasons for the student's cancellation request relates to RETS performance regarding training delivery and services provision.
- If the cancellation request is a result of the student's dissatisfaction with any aspect of RETS service provision, RETS will identify the reason(s) for the withdrawal and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.
- If the student wishes to proceed with their cancellation request, RETS will:
 - request formal notification from student of training end date by completion of Smart & Skilled Form VT16 – cancellation

- Provide a refund to the student, if applicable and in accordance with RETS Fees Charges & Refunds Policy & Procedure
- Issue A Statement of Attainment to the discontinuing student within 30 days of the student's discontinuation notice for all units of competency completed.
- RETS will update the student's Training Plan to list units of competency where outcomes have:
 - been achieved
 - commenced,
 - commenced but not completed
 - not commenced
- RETS will provide an updated copy of Training Plan to the cancelling student.
- RETS will return any outstanding assessments to student.
- RETS will, within 14 days:
 - notify Training Services NSW Regional Office (for traineeships or apprenticeships) of the approved cancellation
 - Submit training delivery data to finalise record using reporting code TNC
 - RETS must not report the UoC Outcome Code 40 (Withdrawn) for any Unit of Competency in which the student did not participate.
- RETS will keep records of all requests for/notices of discontinuation in addition to evidence that the RETS has complied with the above requirements.
- A student who wishes to recommence training after discontinuing an Approved Qualification must be treated as a new student and the Notification of Enrolment Process must be completed.

Extension:

- RETS courses have a specific duration and timeframe for completion.
- If a student's course is nearing expiration and the student requires additional time, they students may request an extension to their course duration.
- RETS may grant up to a maximum of six (6) months extension for all courses offered.
- Extension durations are applied on a month-by-month basis and will incur a fee of \$110 (incl. GST) per month of extension.
- Where a course enrolment expires and a student has not extended their enrolment prior to its expiration, they may be required to re-enrol into the course (and incur repeat course fees).
- Applications for extensions are subject to approval and MUST be applied for prior to the expiry of your course.

Transfers:

Transfer-out: The student transfers from RETS to another training provider.

- If the event that RETS Smart & Skilled contract is terminated or suspended, the Transfer-Out process must be commenced before termination or the contract and/ or the ending of training delivery to the student.
- In the event of contract termination or suspension, RETS will comply with all directions from the Department regarding the transfer-out of students.
- If there is to be a transfer out of students, RETS will provide advice to the students as soon as practically possible.
- The advice provided by RETS will include:
 - the date of the forthcoming termination of the S&S contract or of ending the delivery of Training

- options for continuing training available to the student including:
 - referring the student to the Smart and Skilled website to identify an alternative RTO who can provide Subsidised Training
 - referring the student to the local Training Services NSW Regional Office for assistance
 - the student's opting to remain with RETS and continue training on a "fee-for-service" basis without the benefit of Smart & Skilled subsidies
 - RETS suggests an alternative provider to the student
 - fee arrangements for transferring enrolled students (in accordance with the Smart & Skilled) Fee Administration Policy)
 - issuing of AQF documentation reflective of their actual completed training and assessment progress to date
 - issuing a current statement of fees and receipts of payments
 - issuing an updated Training Plan listing all Units of Competency where an outcome has been achieved, commenced but not completed and/or not commenced
 - ensure all current students in training receive any refunds owed in accordance with the Fee Administration Policy
 - return results of any outstanding completed training activities and/or assessments to the Enrolled Student; and
 - submit Training Activity Data to finalise the record and, if eligible, receive any further payments of Subsidies and Loadings.
- For Transfer-Out students, RETS has the following reporting obligations:
 - RETS must submit the relevant Training Activity Data (including reporting Code TNC if applicable).
 - If the student is an Apprentice or Trainee, RETS must follow the process required for the change of RTO named on the training contract.
 - RETS must keep records of all notices of discontinuation together with evidence of all discontinuations made including evidence that RETS has fulfilled its obligations above.

Transfer-in: the student transfers from another provider to RETS.

- The transfer-in student should be treated as a new student.
- Therefore, the usual Notification of Enrolment process on the STS Portal occurs.
- Any fees associated with a transfer-in are determined by the Smart & Skilled Administration Policy and RETS Fees Charges & Refunds Policy & Procedure.
- If the student is an apprentice or trainee, RETS must follow the process required for the change of RTO named on the Training Contract as part of its transfer-in process.

ACT Under Choice Trainees (Australian Apprenticeships - AA) subsidised students:

All course variation requests are managed through AETARS.

Suspension:

Suspensions cover extended absences, such as maternity leave, sick leave, workers compensation arrangements or other significant periods during which the trainee is usually unable to attend the workplace and/or the Structured Training.

- RETS must submit a request to 'suspend the training contract' in AVETARS stating the dates requested and reasons for the suspension.
- RETS must submit the request in AVETARS before the suspension commences (RETS cannot submit a suspension request retrospectively).
- A suspended status is considered 'active' in the ACT.
- The trainee's training contract is suspended for an approved period and resumes when the trainee returns to work and/or training.
- RETS will discuss the impact of the suspension with the employer.
- RETS will not continue the training during the suspension unless prior approval has been received from the Directorate after discussion with RETS.
- RETS will change the trainee's training contract expected completion date to reflect the length of the suspension once a return-to-work date has been confirmed.
- RETS will advise the Directorate by email when they are aware of return or non-return to work date.
- All parties, including RETS, will be advised by email of the approval or rejection of a suspension application.
- If approved, a new completion date will be calculated when the trainee returns to work and/or training.
- If a trainee does not return to work following a suspension, then RETS will initiate the cancellation process.
- The cancellation date is the last day the trainee was at work or training.
- The Directorate may request copies of pay slips or RETS attendance evidence if a dispute arises regarding the cancellation date.

Discontinuation/ Cancellation (of Training Contract):

During probationary period:

- RETS adheres to the ACT Standards for Australian Apprenticeships' General Direction about Training contract probationary period – the period of time after the training contract is signed, which allows either the employer or the apprentice/trainee to terminate the training contract agreement for any reason.
- The following probationary periods apply:
 - for a training contract of 24 months duration or less, the probationary period is 60 calendar days
 - for a training contract of over 24 months duration, the probationary period is 90 calendar days.
- During the probationary period, an Australian Apprenticeship training contract may be withdrawn by either party (without requiring the consent of the other party).
- Once the probationary period has lapsed the Australian Apprenticeship training contract may only be cancelled:
 - by the mutual consent of both parties, or
 - in the absence of mutual consent, by the Directorate

Outside probationary period:

- Where a trainee ceases employment or withdraws from training prior to completion of the qualification, RETS must initiate the cancellation within 30 calendar days of notification of cancellation by the student.

- If RETS identifies that the trainee has already withdrawn from training or changed employers, RETS will initiate the variation notification process in AVETARS within 10 business days.
- RETS must cancel the training contract when the employer and no longer wish to continue an Australian Apprenticeship training contract.
- A training contract may also be cancelled by the Directorate for specific reasons.
- When RETS cancels a training contract, it cannot transfer the training contract to a new employer, even though the trainee may continue to undertake Training with RETS.
- When a training contract has been cancelled, RETS must:
 - assist the employer and trainee to initiate a request to 'cancel the training contract' through RETS AVETARS portal.
 - The training contract cancellation date is the last day the trainee was in the workplace (if ceasing employment), or the last day of involvement with RETS if still employed but ceased training.
 - Mutual consent for cancellation of the training contract must be revived by RETS from both the student and employer (except where the training contract is cancelled within the probationary period).
- RETS will contact the Apprenticeship Network Provider to arrange a new training contract.

Extensions:

- Training contracts can only be extended before the due to complete date
- RETS will submit an extension form to the Directorate to request an extension.
- RETS will submit the extension variation request at least 10 business days prior to the original due to complete date on the training contract.
- Extensions to training contracts will only be granted when it is clear the trainee will not achieve the required competencies on or before the training contract due to complete date.
- In this circumstance RETS will must assist the employer to initiate a request to 'extend the training contract'.
- All relevant parties must validate the extension request before the extension application is made.
- All parties, including the Training Provider, will be advised by email notification of the approval or rejection of the application for extension.
- If approved the notification will include the new due to complete date.

Transfer:

- Trainees moving to the ACT from another state or territory can recommence a qualification and apply for a reduction of the training contract duration for ongoing training as a trainee.
- The maximum duration of credit adjustment that may be applied to an ACT training contract is three (3) years and six (6) months.
- RETPS will treat transferring trainees a new enrolment.

Temporary transfers

- If a trainee is temporarily (up to 90 calendar days) mobile across state/ territory borders but remains with same employer, the Training Contract will continue, and a cancellation or recommencement is not required.
- If RETS is unable to provide the training, the employer will need to engage a new provider.
- The employer, trainee and new provider is required to submit a 'Change of RTO' application.

- Employer may be required to engage a new provider under a Fee for Service arrangement: the FFS provider must be approved have the qualification on the AQF Qualification Register in AVETARS.

Procedure:

- Contact RETS for details of internal enrolment variation procedures.

Pro-forma and supporting documents:

- Fees Charges & Refunds Policy & Procedure
- Notification of Enrolment Policy & Procedure
- Course Extension Request Form
- Enrolment Variation Form

Version Control:

Title	Enrolment Variation Policy and Procedure v1.0			
Description	Describes processes used by RETS to manage variation in enrolments including deferrals, cancellations and cancellations			
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