

DEFERRAL, SUSPENSION AND CANCELLATION REQUEST FORM			
	Request	Student	Staff
DSC No (Admin Staff):	<input type="checkbox"/> DEFERRAL		
Date Raised:	<input type="checkbox"/> SUSPENSION		
Name of Person:	<input type="checkbox"/> CANCELLATION		
SECTION 1			
<b>Reason: (Please attach any supporting documentation)</b>			
<b>Acknowledgement (Student Only)</b>			
<p>I am aware that should they request to grant my deferral, suspension, or cancellation of enrolment be approved, then my student visa may be affected. Where no enrolment exists for any course for a period of more than 28 days, I may be required to return to my home country unless approved by the Department of Home Affairs (DHA). I am also aware that should my request be denied, I can appeal to the Complaints and Appeals process.</p>			
STUDENT		STAFF	
Print Name		Print Name	
Signature		Signature	
Date		Date	
Commencement Date		Commencement Date	
Resumption Date		Resumption Date	

Authorisation			
SECTION 2			
Action to be taken:	DEFERRAL	SUSPENSION	CANCELLATION
Granted			
Denied			
Commencement Date:		Resumption Date:	
Comments:			
Who:		When:	
Signed:		Position:	
Required By:			

Admin Use Only			
DSC Register			
Logged in DSC Register:	<input type="checkbox"/> Yes,	<input type="checkbox"/> No	Date:
Logged By:		Signature:	
Formal Correspondence			
Formal Letter Sent:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	Date:
Sent By:		Date:	
Appeal of Decision			
Appeal Lodged:	<input type="checkbox"/> Yes,	<input type="checkbox"/> No	Date:
CAF Number:		Date:	

## Deferral, Suspension And Cancellation

### Purpose:

To provide a documented process for assessing, approving, and recording a postponement of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student's file of the application's assessment.

An overseas student's enrolment can be deferred, suspended, or cancelled. The process is initiated by either the overseas student for compassionate and compelling circumstances, an overseas student's breach of visa conditions, failure to pay fees, misbehaviour, or other requirements listed in the RTO Policy procedure manual for RTO CRICOS. We will manage overseas students' enrollment and maintain up-to-date enrolment information in the RTO student management system and International Student Management System (PRISMS) database.

### Standard reference:

Standard 9: Deferring, suspending, or cancelling the overseas student's enrolment - National Code of Practice for Providers of Education and Training to Overseas Students 2018

### Who is responsible:

CEO

### Review date:

Every 12 months

### Definitions:

**Deferral:** means to delay the commencement of a course.

Withdrawal occurs when the student initiates discontinuation of a program of study in which the student enrolled.

**Suspension:** means to temporarily delay the enrolment once the course has commenced.

**Cancellation:** means the cessation of enrolment on a course.

**Misbehaviour:** is defined as students who display unacceptable behaviour per the Student Handbook and Code of Conduct

**Compassionate or Compelling circumstances** are defined as circumstances beyond the student's control and impact their course progress or well-being. These could include, but are not limited to:

- Severe illness or injury, where some states that the student was unable to attend classes,
- Bereavement of close family members such as parents or grandparents (Where possible, a death certificate provided)
- Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies,

A traumatic experience could include:

- Involvement in or witnessing a severe accident. or
- Witnessing or being the victim of a severe crime and these experiences have impacted the student (police or psychologists' reports should support cases)
- Inability to begin studying on the course commencement date due to delays in receiving a Student VISA

### Policy:

Document: Deferral, Suspension and Cancellation Request Form & P and P	Date Created	26 June 2022	Page   3 of 9
Woodstock International College / RTO: 45824 CRICOS: 03999A		Version	2.0

We may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through a formal agreement in certain limited circumstances.

This policy outlines the procedure for assessing, approving and recording a postponement of the commencement of study or suspension of study for the student

We will:

- Have a documented process for assessing, approving and recording a postponement, suspension or cancellation of the study
- notify the overseas student in writing of the intention to suspend or cancel their enrolment
- tell the overseas student to seek advice from the Department of Home Affairs on the potential impact on their visa if enrolment deferred, suspended or cancelled
- not let a suspension or cancellation take effect until the overseas student given a chance to complete an internal appeals process, unless their health or well-being, or the well-being of others, is likely to be at risk

We will maintain a record of any decisions to defer or suspend an overseas student's enrolment. If we defer or discontinue an overseas student's enrollment, we will notify the Department of Education and Training through PRISMS. The Department of Home Affairs is told of a student whose course has been deferred, suspended, or cancelled through PRISMS.

Under no circumstances is an international student's visa cancelled if the deferral is for compassionate or compelling reasons. Suppose we defer or suspend a student's studies for compassionate or compelling reasons. In that case, we will ensure the student visa holder has a valid COE in PRISMS with a start date that reflects the student's intended date of return to studies.

There is no maximum period for a deferral under compassionate or compelling reasons; assess the deferral as per this policy.

However, an international student's visa cancelled if the deferral or suspension:

- due to inappropriate student conduct
- for reasons other than compassionate or compelling circumstances
- compassionate or compelling circumstances which warranted the deferral or suspension of studies cease to exist
- based on fraudulent evidence or documents given to the registered provider.

We only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through a formal agreement in certain limited circumstances.

This policy outlines our procedure for assessing, approving, and recording a postponement of study or suspension of study for the student per the National Code and ESOS Act requirements.

#### Effect on Confirmation of Enrolment (COE)

We will tell overseas students that deferring, suspending, or cancelling their enrolment on any grounds may affect their student visa. Under this standard of the National Code, there are three possible outcomes for an overseas student's COE:

- We notify the Department of Education and Training through PRISMS that they are deferring or suspending an overseas student's enrolment for a period without affecting the end date of the COE.
- There will be no change to the COE on PRISMS – the overseas student listed as studying. However, the notice of postponement or suspension recorded in PRISMS.
- We notify the Department of Education and Training through PRISMS that they are deferring or suspending an overseas student's enrolment for a period that will affect the end date of the COE. PRISMS will cancel the original COE and immediately offer the registered provider the opportunity to

Document: Deferral, Suspension and Cancellation Request Form & P and P	Date Created	26 June 2022	Page   4 of 9
Woodstock International College / RTO: 45824 CRICOS: 03999A		Version	2.0

create a new COE with a more appropriate end date. Do not issue a new COE until information the overseas student has notified us of the intended date of return is received

- Suppose we notify the Department of Education and Training through PRISMS that it wishes to cancel (terminate) the overseas student’s enrolment permanently; then, this process is complete, and the overseas student’s COE status listed as ‘cancelled’.

NOTE: We do not offer training and assessment services to overseas students under the age of 18 and therefore has removed any references in the national code 2018 made regarding under 18s from this policy

**Student-initiated deferrals, suspensions, or cancellations of their enrolment**

According to the National Code 2018, students may formally agree with our RTO, be permitted to defer commencement, temporarily suspend their studies during the course, or granted a leave of absence. This process may only occur on the grounds of:

- Compassionate or compelling circumstances, or
- Student VISA delay

Compassionate or compelling circumstances are generally beyond the overseas student’s control and impact the overseas student’s course progress or well-being. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
- bereavement of close family members such as parents or grandparents (where possible, a death certificate provided)
- major political upheaval or natural disaster in the home country requiring emergency travel, and this has impacted the overseas student’s studies

A traumatic experience, which could include:

- involvement in, or witnessing of a serious accident; or
- witnessing or being the victim of a severe crime, and this has impacted on the overseas student (police or psychologists’ reports should support these cases)
- where we are unable to offer a pre-requisite unit or the overseas student has failed a pre-requisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol

These are only some examples of what may be considered compassionate or compelling circumstances.

Outlined in this policy is what we consider compassionate or compelling circumstances. We will use professional judgement to assess each case’s merits based on documentary evidence to support the claim. Copies of these documents will be kept in the overseas student file.

**Deferral**

Applications for deferral of the course’s commencement must be made by completing a DSC Form with any additional evidence and submitting it to Administration Staff before commencing. Submit the DSC Form via Email and Mail or in Person.

Once we have processed the deferral request, the student will receive a written outcome correspondence.

- An updated Confirmation of Enrolment letter and Enrolment Agreement provided to reflect the new schedule.
- We will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.

**Suspension**

Applications for suspension of enrolment must be made by completing a DSC Form with any additional evidence and submitting it to our Administration Staff.

- Applications must be received at least ten working days before the requested Suspension date.
- Applications received less than ten working days before the requested Suspension date will not be

Document: Deferral, Suspension and Cancellation Request Form & P and P	Date Created	26 June 2022	Page   5 of 9
Woodstock International College / RTO: 45824 CRICOS: 03999A		Version	2.0

processed.

- In an emergency requiring suspension, the submission timeline of 10 working days waived by us. Once we have processed the Suspension request, the student will receive a written outcome correspondence. We will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.

### **Cancellation**

Applications for cancellation of enrolment must be made by completing a DSC Form with any additional evidence and submitting it to the Administration Staff.

- The DSC Form submitted via Email, and Mail or in Person
- Once we process the cancellation request, the student will receive a written correspondence of the outcome.
- If the requests granted, the student will receive a Letter of Release
- Once the cancellation process, we will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act.
- If the requests denied, then the student may appeal the outcome per the Complaints and Appeals Policy.

### **Provider-initiated deferrals, suspensions, or cancellations of enrolment**

We will suspend or cancel an overseas student's enrolment based on, but not limited to:

- misbehaviour by the overseas student.
- The overseas student's failure to pay the required amount to undertake or continue the course as stated in the written agreement; or
- a breach of course progress or attendance requirements by the overseas student.
- For any deferral, suspension or cancellation of enrolment initiated by us, the overseas student is given a notice of intention to report and 20 working days to access our internal complaints and appeals process. This process applies even if an overseas student's misbehaviour is grounds for immediate expulsion, unless the overseas student's health or well-being, or the well-being of others, is likely to be at risk (as outlined below).

Generally, we may proceed with the deferral, suspension, or cancellation after the internal complaints handling and appeals process has been completed – for example, in cases of misbehaviour and non-payment. We need to wait for both the internal and external complaints handling and appeals processes to be completed for course progress and attendance breaches.

The overseas student will not get the opportunity to appeal a provider-initiated deferral, suspension, or cancellation of enrolment when the overseas student's health or well-being, or the well-being of others, is likely to be at risk. We will keep evidence to support this. This process may include, but is not limited to when the overseas student:

- is missing
- has medical concerns, severe depression or psychological issues, which lead the provider to fear for the overseas student's well-being
- has engaged or threatens to engage in behaviour reasonably believed to endanger the overseas student or others; or
- is at risk of committing a criminal offence
- Per the National Code 2018, we can defer or temporarily suspend a student's enrolment on the grounds of:
  - Compassionate or compelling circumstances, or
  - Misbehaviour by the student

In addition to a deferment or temporary suspension, we may cancel a student's enrolment on the grounds of:

- Serious misbehaviour by the student
- Failure to comply with the Contract Agreement for Course Progress and Attendance, and any formal

Document: Deferral, Suspension and Cancellation Request Form & P and P	Date Created	26 June 2022	Page   6 of 9
Woodstock International College / RTO: 45824 CRICOS: 03999A		Version	2.0

warning issued by our RTO against these processes, and

- The Non-Payment of course Fees per the Contract Agreement and Payment Schedule

In any given situation that leads to a deferment, temporary suspension or cancellation of studies, we will provide formal written notification to the student. In turn, the student shall have 20 working days to access our Internal Complaints and Appeals process.

The deferment, temporary suspension or cancellation of studies cannot take effect until the Internal Complaints and Appeals process completed unless extenuating circumstances relating to the student's welfare apply.

Note: We do not offer training and assessment services to overseas students under 18, so all references in the national code 2018 removed.

After the complaints and appeals process, should the deferment, temporary suspension or cancellation of studies upheld by the complaints and appeals hearing, we will inform the Department of Education via PRISMS as required by the ESOS Act.

#### Misbehaviour

To ensure all students receive an equal opportunity to gain the maximum benefit from their training, any person(s) displaying the following dysfunctional or disruptive behaviour asked to leave the session and/or the course.

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

- Continuous interruptions of the trainer.
- Smoking in non-smoking areas.
- Disrespectful to other participants
- 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
- Continued absence or late arrival at required times
- Plagiarism, cheating

#### Guidelines and Implications of Deferral, Suspension or Cancellation

In summary, we implement a documented process for assessing, approving, and recording a deferment of the commencement of study or suspension of study requested by an overseas student, including maintaining a record of any decisions. We may defer or suspend an overseas student's enrollment because we believe there are no compassionate or compelling circumstances. We may suspend or cancel an overseas student's enrolment including, but not limited to, based on:

- misbehaviour by the student
- the student's failure to pay an amount he or she was required to pay us to undertake or continue the course as stated in the written agreement
- a breach of course progress or attendance requirements by the overseas student must occur per Standard 8 (Overseas student visa requirements).

When we initiate a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation, we will:

- inform the overseas student of that intention and the reasons for doing so in writing
- advise the overseas student of their right to appeal through the provider's internal complaints and appeals process, per Standard 10 (Complaints and appeals), within 20 working days.

When there is any deferral, suspension or cancellation action taken under this standard, we will:

- inform the overseas student of the need to seek advice from Immigration on the potential impact on

Document: Deferral, Suspension and Cancellation Request Form & P and P	Date Created	26 June 2022	Page   7 of 9
Woodstock International College / RTO: 45824 CRICOS: 03999A		Version	2.0

his or her student visa

- report the change to the overseas student’s enrolment under section 19 of the ESOS Act.

NOTE: The suspension or cancellation of the overseas student’s enrolment under Standard 9.3 cannot take effect until the internal appeals process completed unless the overseas student’s health or well-being, or the well-being of others, is likely to be at risk.

Should a student enrolment be temporarily suspended for 28 days or longer, the student must return home unless exceptional circumstances exist. Students are to be made aware that:

- Students can only temporarily suspend enrolment for a maximum period of six months,
- Deferral, Suspension or Cancellation of enrolment may affect the student’s VISA, and
- If the enrollment suspended for a period greater than six months, the student’s visa cancelled by DHA.

### **Roles and Responsibilities**

All documentation relating to deferment, temporary suspension or cancellation of studies are held in the student’s file. Also, any discussions with the student and relevant staff members relating to the deferment, temporary suspension or cancellation of studies recorded and placed as minutes in the student’s file as noted in the Training Management System.

### **Reporting process**

For DSCs initiated by us:

- Our staff member completes and submits a DSC Form with any supporting evidence to the Administration Staff
- Administration Staff record the DSC Form in the DSC Register and then forward the form to the CEO
- The CEO will then assess the request and evaluate any supporting evidence, considering the current academic progress of the student
- The CEO will inform the student of the decision and intended course of action along with the student’s right to appeal the decision per the Complaints and Appeals Policy
- After the complaints and appeals process, should the deferment, temporary suspension or cancellation of studies be upheld by the complaints and appeals hearing, or ‘extenuating circumstances relating to the welfare of the student apply’, then we will inform the Secretary of the Department of Education via PRISMS as required under the ESOS Act
- Administration Staff are to place all documents on the student’s file and record the result in the Training Management System

### **Student-Initiated**

- Student completes and submits a DSC Form with any supporting evidence to our Administration Staff
- Administration Staff record the DSC Form in the DSC Register and then forward the form to the administrator
- We will then assess the request and evaluate any supporting evidence, taking into account the current academic progress of the student
- We will then respond in writing to the student to confirm the decision
- The student has the right to appeal the decision per the Complaints and Appeals Policy
- Administration Staff are to place this letter on the student’s file and to record the outcome within the Student Management System

### **Complaints and Appeals (Refer to complaints and appeals policy)**

If the applicant chooses to enact the complaints and appeals process, then:

- Lodged within 20 working days from the date of issue, the decision held until the appeal hearing.
- Students who are already enrolled will continue to be enrolled, and their course progress will continue monitoring

Document: Deferral, Suspension and Cancellation Request Form & P and P	Date Created	26 June 2022	Page   8 of 9
Woodstock International College / RTO: 45824 CRICOS: 03999A		Version	2.0



- Suppose the appeal is not upheld or the student withdraws from the appeal process. In that case, we must report the student to the Department of Education and the Department of Immigration and Border Protection via PRISMS (applicable only to international students).

NOTE: The suspension or cancellation of the student’s enrolment cannot take effect until the appeal process completed unless there are extenuating circumstances relating to the student’s welfare.

**Records management:**

**Forms**

- DSC Request

**Letters**

- DSC letter

**Registers**

- DSC

**Policies and Procedure**

- Complaints and appeals policy and procedure
- Student transfer policy and procedure

Document: Deferral, Suspension and Cancellation Request Form & P and P	Date Created	26 June 2022	Page   9 of 9
Woodstock International College / RTO: 45824 CRICOS: 03999A		Version	2.0