



Deferral, Suspension or Cancellation Policy & Procedure

Policy Details	
Quality Standard Area	National Code of Practice
Relevant Standard(s)	<i>National Code of Practice for Providers of Education and Training to Overseas Students 2018</i> <ul style="list-style-type: none">Standard 9 – Deferring, suspending or cancelling the overseas student enrolment

A. Purpose:

Sydney College appropriately manages the enrolment of the overseas students and ensures all necessary information about enrolments has been provided to the relevant government department by maintaining updated information in the Provider Registration and International Student Management System (PRISMS) database.

B. Policy Statement:

Sydney College ensures that an overseas student's enrolment can be deferred, suspended or cancelled. This may be initiated by either the overseas student for compassionate and compelling circumstances, or Sydney College for an overseas student's breach of visa conditions, failure to pay fees, misbehaviour, or other condition listed in Sydney College policies.

Sydney College manages the enrolment of overseas students and maintain up-to-date enrolment information in the Provider Registration and International Student Management System (PRISMS) database.

This policy outlines Sydney College requirements for the following:

- Conditions for deferral, suspension or cancellation of overseas student enrolments
- Effect on the overseas student's Confirmation of Enrolment (CoE) and Student Visa
- Student-initiated deferrals, suspensions or cancellation of enrolment
- Process for applying for student-initiated deferral, suspension or cancellation of enrolment
- Provider-initiated deferrals, suspensions or cancellation of enrolment
- Process for applying for student-initiated deferral, suspension or cancellation of enrolment

C. Procedures:

Conditions for deferral, withdrawal, suspension or cancellation of overseas student enrolments

Sydney College ensures it:

- Implements 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



- May defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances
- May suspend or cancel a student's enrolment including, but not limited to, on the basis of:
 - Misbehaviour by the student
 - Failure to pay an amount he or she was required to pay to undertake or continue the course as stated in the written agreement
 - Any breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 Overseas student visa requirements
- In the event Sydney College initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation it must:
 - 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 internal complaints and appeals process, in accordance with Standard 10 Complaints and appeals, within 20 working days
- When there is any deferral, suspension or cancellation action taken under this standard, Sydney College must:
 - Inform the overseas student of the need to seek advice from Immigration and/or Department of Home Affairs on the potential impact on his or her student visa
 - Report the change to the overseas student's enrolment under section 19 of the ESOS Act
- The suspension or cancellation of the overseas student's enrolment under Standard 9.3 will not take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk
- Notifies the Department of Education and Training through PRISMS
- Maintains a record of all decisions to defer or suspend an overseas student's enrolment in the student management system and student file

Effect on Confirmation of Enrolment (CoE) and Visa

Sydney College ensures it:

- Informs overseas students that deferring, suspending or cancelling their enrolment on any grounds may affect their student visa
- Makes clear that under Standard 10 National Code 2018, there are three possible outcomes for an overseas student's CoE
 1. Sydney College notifies 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 will still be listed as studying



- The notice of deferment or suspension will still be recorded in PRISMS
- 2. Sydney College notifies the Department of Education and Training through PRISMS that they are deferring or suspending an overseas student's enrolment for a period which will affect the end date of the CoE
 - PRISMS will cancel the original CoE and immediately offer Sydney College the opportunity to create a new CoE with a more appropriate end date
 - In the event that Sydney College does not know when the overseas student will return, it will not create a new CoE, but to wait until the overseas student has notified Sydney College of the intended date of return before creating a new CoE
- 3. Sydney College notifies the Department of Education and Training through PRISMS that it wishes to permanently cancel/terminate the overseas student's enrolment
 - Once this process is complete, the overseas student's CoE status will be listed as 'cancelled'
 - In the event the overseas student is under the age of 18, the cancellation of a CoE does not cancel a Confirmation of Appropriate Accommodation and Welfare (CAAW), and Sydney College is still responsible for welfare arrangements until one of the conditions of Standard 5.6 are met
- Makes clear that regardless of the reason, if an overseas student's enrolment is deferred or suspended the period of suspension of enrolment as entered in PRISMS will not be included in attendance monitoring calculations

Student-initiated deferrals, suspensions or cancellations of their enrolment

Sydney College ensures:

- Withdrawal requests are assessed individually in accordance with policies and procedures. The college may approve students' withdrawal requests, if:
 - There are compassionate or compelling circumstances,
 - Student is returning home country for good
 - Student has been granted another visa other than student visa
- In either case, Sydney College assesses all requests based on evidence provided by the student.
- Defers or suspends the enrolment of an overseas student if there are compassionate or compelling circumstances
- Assesses the deferral of commencement of study or suspension of study for the overseas student in accordance with documented procedures for assessing and approving changes to enrolment
- Accepts compassionate or compelling circumstances as generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing



- Compassionate or compelling circumstances 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 a death certificate must be provided;
 - Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on 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 serious crime, and this has impacted on the overseas student
 - ✓ these cases must be supported by police or psychologists' reports
 - inability to begin studying on the course commencement date due to delay in receiving a student visa
- When determining whether compassionate or compelling circumstances exist, Sydney College considers documentary evidence provided to support the claim, and maintains copies of these documents in the overseas student's file

Process for implementing student-initiated deferral, suspension or cancellation of enrolment

Sydney College ensures that procedures for processing deferral, suspension and cancellation requests are in place:

- Assessment of requests
 - Students need to fill Course Variation form along with other supporting documents.
 - Students need to pay relevant fees if any apply.
 - Student submits the signed Course Variation to the student service. The request will be assessed by the College based on the evidence provided.
- Approval or Rejection
 - The College will inform the student of the outcome of the application within 10 working days after receiving the application.
 - If the application is approved, the student will be notified of the approval and any other actions, such as change in CoE or course time, which need to be implemented
- Recording requests and outcomes
 - All deferral, suspension or cancellation requests and outcomes of approval or rejection are recorded in shared folder on Sydney College database and individual student folders.

Provider-initiated deferrals, suspensions or cancellations of enrolment

Sydney College ensures:

- An overseas student's enrolment may be suspended or cancelled on the basis of, but not limited to:
 - Misbehaviour by the overseas student;



- Overseas student's failure to pay the required amount to undertake or continue the course as stated in the written agreement; or
- Any breach of course progress or attendance requirements by the overseas student
- For any deferral, suspension or cancellation of enrolment initiated by Sydney College, the overseas student will
 - Be given a notice of intention to report
 - 20 working days to access Sydney College internal complaints and appeals process
 - This applies even if an overseas student's misbehaviour is grounds for immediate expulsion, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk
- Sydney College may proceed with the deferral, suspension, or cancellation after the internal complaints handling and appeals process has been completed such as:
 - misbehaviour
 - non-payment
- Sydney College will wait for both the internal and external complaints handling and appeals processes to be completed in the case of:
 - course progress breaches and/or
 - attendance breaches
- The overseas student may not be given the opportunity to appeal a provider-initiated deferral, suspension or cancellation of enrolment when the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk
- In the event the overseas student is not given an opportunity to appeal, Sydney College will maintain evidence to support this when the overseas student:
 - Refuses to maintain approved care arrangements, if they are under 18 years of age;
 - Is missing;
 - Has medical concerns, severe depression or psychological issues which leads to fear for the overseas student's wellbeing;
 - Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the overseas student or others; or
 - Is at risk of committing a criminal offence

Process for implementing provider-initiated deferral, suspension or cancellation of enrolment

Sydney College ensures:

- Assessment of cases
 - The cases are assessed based on the type of deferral, suspension or cancellation.
 - Cases of non-payment will be assessed and handled by marketing officers and account team.
 - Cases of misbehaviour and breach of visa conditions will be assessed by the Academic Manager in accordance with the relevant Sydney College policies and procedures.



- Approval of the cases
 - The Academic Manager and the Marketing Manager will be responsible for approving deferrals or cancellations initiated by Sydney College.
- Recording:
 - All deferral, suspension or cancellation decisions are recorded in shared folder on Sydney College database and individual student folders.

D. Pro-forma and supporting documents:

- Course Variation Form