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## DEFERAL, SUSPENSION, CANCELLATION AND WITHDRAWAL POLICY

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**POLICY TITLE:** DEFERAL, SUSPENSION, CANCELLATION AND WITHDRAWAL POLICY  
**POLICY NUMBER:** WIP0910 - 006  
**RESPONSIBILITY:** MANAGER STUDENT ADMINISTRATION

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### Background

The National Code Standard 13 (part D) relates specifically to international students who are deferring, suspending or cancelling their enrolment.

To *defer or suspend enrolment* means to *temporarily put studies on hold* (adjourn, delay, postpone). Providers do this by notifying the Department of Education (DoE) through Provider Registration and International Student Management System (PRISMS) of the deferment or suspension of enrolment.

Specifically,

- A student may defer or suspend his or her enrolment on the grounds of compassionate or compelling circumstances;
- A provider can **only** defer or suspend a student's enrolment in limited circumstances:
  - Compassionate or compelling circumstances, or
  - Misbehaviour by the student.
- In granting a student's deferment, suspension or cancellation of enrolment, the provider must:
  - Notify the Secretary of the DoE (via PRISMS), and
  - Inform the student that deferring, suspending or cancelling their enrolment may affect their student visa.
- If a provider initiates the termination, suspension or cancellation of a student's enrolment:
  - The student must be informed that they have 20 days to access the provider's internal complaints and appeals process (Standard 8)
  - Until the internal process is completed, the termination, suspension or cancellation cannot take effect unless there are extenuating circumstances relating to the welfare of the student.

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## Purpose

The purpose of this policy is to ensure that WAIFS outlines the procedures which are applicable (and their effects) when an enrolment is deferred, suspended or cancelled.

## Scope of Policy

This policy applies to all students enrolled at WAIFS.

## Deferral or suspension of study

WAIFS can only enable students to defer or temporarily suspend their studies, including granting a leave of absence, through formal agreement in certain limited circumstances:

- (i) Unavailability of a course;
- (ii) Delay in the processing of a visa application, or;
- (iii) Compassionate or compelling circumstances.

Students can only apply for suspension or deferral of enrolment based on the conditions above and supporting written third party evidence **MUST** be attached to the request.

*Generally, applications with no written third party supporting evidence attached will not be considered.*

*Compassionate and compelling* circumstances are defined as unexpected events which have occurred and which are having such an impact upon the student that they are currently unable to effectively continue their course of studies.

Examples of compassionate or compelling circumstances include (but are not limited to):

- (i) Serious illness or injury (where a medical certificate states that the student is unable to attend classes);
- (ii) Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- (iii) Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies;
- (iv) Or a traumatic experience which could include involvement in, or witnessing of a serious accident; or witnessing or being the victim of a serious crime.

Once an application has been made, WAIFS must then determine whether approve or reject the application.

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## Reporting to DOE

International students should note that:

- a. Deferring, suspending or cancelling an enrolment may affect their student visa, and
- b. WAIFS is required to notify the Secretary of DOE via PRISMS, under section 19 of the ESOS Act when any student's enrolment is deferred, temporarily suspended or cancelled.

### **Deferral**

- (i) Enrolment variation form must be completed by the student
- (ii) Send form and any supporting documents along with translation of key points if documents are not originally in English (documents not originally in English must be translated by a registered translator) to Manager, Student Administration Services.

Information on NAATI translators can be found at:  
<http://www.naati.com.au/>

- (iii) Manager, Student Administration Services (or suitable alternative) will compare the information (and supporting documentation) to the limited circumstances in which deferral can be granted:

- Unavailability of a course
- Delay in the processing of a visa application
- Compassionate or compelling circumstances

and decide to approve or decline application by email within 5 working days.

- (iv) If deferral is approved, the Manager, Student Administration Services (or suitable alternative) will prepare a letter of deferral approval, issue this to the student and place a copy of this letter, the initial form and any supporting documents on the students file.
- (v) Manager, Student Administration Services (or suitable alternative) will update Letter of Offer and eCoE and advise the student of these changes by mail or email.
- (vi) If the application is rejected, the Manager, Student Administration Services (or suitable alternative) will issue a letter of refusal to the student and a copy of this letter, along with a copy of the initial form (and any supporting documentation) will be placed on the student's file. The student will be informed in the letter of refusal that they can access the WAIFS' complaints and appeals process as detailed in the WAIFS' complaints and appeals policy and procedure and will be provided with information on how to obtain a copy of the policy and procedure.

### **Suspending Enrolment**

Students who wish to suspend their enrolment must complete a Enrolment Variation Form with all supporting documents attached (documents not in English must be translated by a registered translator). **Information on NAATI translators can be found at:** <http://www.naati.com.au/>

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All applications must be submitted at least 14 days prior to suspension date.

Approval will only be given in the limited circumstances described previously.

### **Suspending Enrolment Procedure**

- (i) Deferral/Suspension/Cancellation of Enrolment Form must be completed by the student
- (ii) Send form and any supporting documents along with translation of key points if documents are not originally in English (documents not originally in English must be translated by a registered translator) and send to Manager, Student Administration Services.

**Information on NAATI translators can be found at:**

<http://www.naati.com.au/>

- (iii) Manager, Student Administration Services (or suitable alternative) will compare the information (and supporting documentation) to the limited circumstances in which suspension can be granted:
  - Unavailability of a course
  - Delay in the processing of a visa application
  - Compassionate or compelling circumstancesand decide to approve or decline application by email within 2 working days.
- (iv) If suspension is approved, the Manager, Student Administration Services (or suitable alternative) will prepare a letter of suspension approval, issue this to the student and place a copy of this letter, along with the initial form and any supporting documents, on the students file.
- (v) Manager, Student Administration Services (or suitable alternative) will update Letter of Offer and eCoE and advise the student of these changes by mail or email.
- (vi) If the application is rejected, the Manager, Student Administration Services (or suitable alternative) will issue a letter of refusal to the student and a copy of this letter, along with the initial form (and any supporting documentation) will be placed on the student's file. The student will be informed in the letter of refusal that they can access the WAIFS' complaints and appeals process as detailed in the WAIFS' complaints and appeals policy and procedure and will be provided with information on how to obtain a copy of the policy and procedure.

*Letters required to be sent by this policy and procedure can be sent as emailed pdf attachments.*

### **Cancelling Enrolment**

If the student (who wishes to transfer to an alternative provider) has not completed the first six (6) months of their principal course, they must provide a letter of offer from an alternative provider therefore complying with the conditions of Standard 7 of the National Code.

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For more information go to:

<https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/nationalcodepartd/Pages/ExplanatoryguideD7.aspx>

*If the reason for cancellation is to go to another education provider refer to the WAIFS policy on transferring between registered providers.*

## **WAIFS-initiated deferral, suspension or cancellation**

### ***Procedural Fairness***

Procedural fairness will apply in all cases:

1. Students must be treated fairly, with dignity and with due regard to their privacy
2. Students are to be regarded as innocent of the alleged misconduct until they have either admitted to or been found by proper inquiry to have so behaved
3. Past misconduct is not evidence that a student has behaved in the same manner again
4. Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.
5. Students will be informed that their student visa may be affected.

### ***Penalties***

1. Penalties imposed will take into account the nature and the extent of the misconduct.
2. A student's second offence is penalised more severely than their first offence
3. The CEO may impose the penalty of permanent exclusion from WAIFS in the case of physical or verbal abuse of students, visitors or staff of WAIFS, repeated or severe misconduct, or in the case of criminal acts.

### ***Access to Course During this period***

WAIFS aims to ensure that students continue to have access to their course throughout this process. However, WAIFS reserves the right to exclude a student from attending classes during this period. In all cases, WAIFS will approach this process with the best interests of all parties and will endeavour to provide course materials/assessments to any student excluded from attending classes.

### ***Deferral of Enrolment***

WAIFS may defer the student's enrolment for a course when a course is not currently offered.

### ***Suspension of Enrolment***

WAIFS may suspend a student's enrolment for:

- Compelling or compassionate circumstances

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- Misbehaviour by a student, where misbehaviour includes (but is not limited to):
  - (a) behaviour such as acts of discrimination, sexual harassment, vilification or bullying as well as acts of cheating or plagiarism.(Students should also refer to the anti-bullying and harassment policy.)

### **Cancellation of Enrolment**

WAIFS may cancel a student’s enrolment for:

- breach of enrolment conditions
- where WAIFS becomes aware that fraudulent documents or statements were submitted
- where a student is considered to provide a threat to the wellbeing of other students or staff
- student misconduct or misbehaviour (students should also refer to the anti-bullying and harassment policy.)
- failing to meet the requirements of the course progress policy
- non-payment of tuition fees.
- cheating or plagiarism in submitted assessments on more than one occasion.

Where deferral, suspension or cancellation is initiated by WAIFS, students will receive a notice of *Intention to Defer, Suspend or Cancel Enrolment*. This notice will clearly identify that a student will be given 20 working days to access the Institute’s internal complaints and appeals process.

***In accordance with standard 8.1e, a student has 20 working days to access the complaints and appeals process. The formal complaints and appeals process must then commence within 10 days of the formal lodgement of the complaint/appeal. There is no assumption that the process will be fully completed within 20 working days.***

When the appeals process is initiated, the student's enrolment will be maintained until the internal appeals process is complete, unless *extenuating circumstances* apply.

### ***Extenuating Circumstances Relating to the Welfare of a Student***

Extenuating circumstances relating to the welfare of a student may include, but are not limited to:

The student:

- (a) is missing
- (b) Has medical issues/severe depression/psychological issues which lead WAIFS to be concerned for their well-being
- (c) Has engaged/threatened to engage in behaviour which it is reasonably considered, may endanger the student themselves or others
- (d) Is at risk of committing a serious criminal offence.

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**Procedure for WAIFS to cancel, suspend or defer a student's enrolment:**

- (i) CEO, Manager, Student Administration Services or appropriate alternative will approve or not approve an intention to cancel, suspend or defer enrolment and delegate responsibility for continuing the process to the Manager, Student Administration Services (or suitable alternative).
- (ii) If CEO, Manager, Student Administration Services or appropriate alternative does not approve the intention to cancel, suspend or defer enrolment no further action will be taken and the reason for the non-approval will be noted and filed on the individual student file.
- (iii) If CEO, Manager, Student Administration Services or appropriate alternative does approve the application, the Manager, Student Administration Services (or suitable alternative) will contact the student to discuss the reasons for the intention to cancel, defer or suspend enrolment.  
This may be done face to face, by email, through the student portal or via telephone.
- (iv) The Manager, Student Administration Services (or suitable alternative) will then issue the notice of *Intention to Defer, Suspend or Cancel Enrolment* to the student. The student will be informed in the notice that they can access the WAIFS' complaints and appeals process as detailed in the WAIFS' complaints and appeals policy and procedure and will be provided with information on how to obtain a copy of the policy and procedure.
- (v) If, after 20 days, no appeal has been made by student, the Manager, Student Administration Services (or suitable alternative) will notify DEEWR of the deferral, suspension or cancellation of the student's enrolment and send a confirmation of suspension, deferral or cancellation of enrolment to the student (an email is adequate for this purpose).
- (vi) The Manager, Student Administration Services will update the student register and print all emails and letters relating to this decision and file in the student's records.

*If an appeal has been made:*

- (vii) If the student submits evidence why their enrolment should not be suspended, deferred or cancelled or wishes to access WAIFS's appeal process, this application will be considered in accordance with WAIFS' complaints and appeals policy.
- (viii) If the outcome of this appeal is that the student's claims are upheld the Manager, Student Administration Services (or suitable alternative) will advise the student in writing of the withdrawal of the notice of intention to cancel, defer or suspend the enrolment and a copy will be included on the student's file.
- (ix) If the outcome of the appeal is not in the student's favour the Manager, Student Administration Services (or suitable alternative) will notify DEEWR of the Deferral, suspension or cancellation of the student's enrolment and send a confirmation of suspension, deferment or cancellation of enrolment to the student. An email is adequate for this purpose.
- (x) The Manager, Student Administration Services will update the student register and print all emails and letters relating to this decision and add to the students records.

*Students may access WAIFS external appeals process; however, DOE may be notified prior to the outcome of this appeal.*

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