



**Deferment, Suspension &
Cancellation Policy**

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Policy Content

Aspect	Details
Regulator	Australian Skills Quality Authority (ASQA)
Standards Referenced	
Legislation / Requirements	

Policy Statement

The Deferment, Suspension, and Cancellation Policy is designed to ensure compliance with the **ESOS 2025 amendments** and the National Code of Practice for Providers of Education and Training to Overseas Students 2018. This policy outlines the conditions under which a student's enrolment may be deferred, suspended, or cancelled, and the procedures for managing these events. It also ensures that the institution's responsibilities towards student welfare and visa compliance are met.

Objectives

- To ensure that deferments, suspensions, and cancellations are handled in compliance with **ESOS 2025 amendments**.
- To outline the process for requesting and approving deferrals, suspensions, and cancellations.
- To ensure that students are fully informed of their rights, obligations, and the potential impact on their student visa status.
- To provide clear procedures for managing enrolment changes while maintaining the integrity of the institution's compliance with regulatory requirements.

Scope

This policy applies to all international students enrolled in **CRICOS**-registered courses at the institution. It outlines the circumstances under which a student's enrolment may be deferred, suspended, or cancelled, and sets out the roles and responsibilities for handling such matters in accordance with regulatory requirements.

Procedure

5.1. Deferment of Enrolment

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Definition of Deferment:

Deferment refers to the temporary postponement of a student's enrolment in a course. This allows a student to delay the start of their studies or pause their current studies for a specified period due to personal, academic, or visa-related reasons. The ESOS 2025 amendments stipulate that deferment must be appropriately managed and in compliance with the student's visa conditions to avoid affecting their enrolment status or visa.

Eligibility for Deferment:

A student can request deferment under the following circumstances:

- **Serious illness or injury:** If the student experiences health issues that impede their ability to attend classes.
- **Compassionate or compelling circumstances:** Such as family emergencies, natural disasters, or other situations that affect the student's ability to study.
- **Visa delays:** If the student experiences delays in obtaining their visa or other related documentation needed to commence their studies.

According to **ESOS 2025**, the institution must evaluate the validity of the deferment request, ensuring that it is not detrimental to the student's academic progress or their ability to maintain compliance with visa conditions.

Deferment Request Process:

- **Step 1:** The student submits a written request detailing the reason for the deferment along with necessary supporting documentation (e.g., medical certificates, visa status, etc.).
- **Step 2:** The **Compliance Officer** reviews the request to ensure that it aligns with the deferment criteria set out by the institution and in compliance with the **ESOS 2025 amendments**.
- **Step 3:** The Compliance Officer will decide whether the request meets the conditions and whether it impacts the student's visa status. If approved, the student's enrolment status will be updated in **PRISMS**.

Outcomes of Deferment:

- If approved, the student receives a written confirmation of deferment, with new enrolment dates or terms provided.
- If the deferment is denied, the student will be informed of the decision, including their rights to appeal as per **ESOS 2025**.

Impact on Visa Status:

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- Under **ESOS 2025**, the institution must notify the **Department of Home Affairs** (DHA) about the deferment and explain how it impacts the student’s visa conditions. If the deferment extends beyond what is allowable under their visa conditions, the student may need to apply for a new visa.
- Students must be clearly informed of the visa implications of deferment, including the fact that deferring their enrolment might affect their ability to remain in Australia on their current visa.

5.2. Suspension of Enrolment

Definition of Suspension:

Suspension refers to the temporary removal of a student from their course due to non-compliance with institutional policies or visa conditions. The suspension is a formal action, which prevents the student from attending classes for a specified period. According to **ESOS 2025 amendments**, the institution must ensure that the suspension is handled according to the guidelines provided by the **National Code 2018**, ensuring the student's rights are respected.

Eligibility for Suspension:

A student may be suspended for the following reasons:

- **Failure to comply with the institution’s code of conduct or policies:** This could include academic misconduct or violation of behavioural guidelines.
- **Non-compliance with visa conditions:** If a student fails to meet academic progress requirements (e.g., not attending classes regularly or not completing assessments) or other visa conditions like maintaining a full-time study load, they may face suspension.
- **Breach of ESOS 2025 regulations:** If a student is found to be in violation of the ESOS Act or regulations, such as falsifying documents or engaging in illegal work practices.
- **Serious academic or welfare concerns:** If the institution believes that a student's actions or behaviour pose a risk to their welfare or the safety of others in the institution, suspension may be necessary.

Suspension Request Process:

Suspension may be initiated by the institution if:

1. The student does not meet course or visa requirements.
2. Misconduct or non-compliance is identified.

Step 1: Student Notification – The student will be informed in writing about the suspension, detailing:

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- The reasons for the suspension.
- The potential impact on their enrolment status and visa.
- Any appeal rights available to the student.

Step 2: Opportunity for Appeal – The student must be informed of their right to appeal the decision of suspension, as per **ESOS 2025**. They will have access to a formal appeal process within a set timeframe, as stipulated by the institution’s policies.

Step 3: Compliance Officer’s Role – The Compliance Officer will oversee the suspension process, ensuring that it complies with **ESOS 2025 amendments** and the **National Code 2018**. They will also ensure that the student receives clear communication on the suspension’s impact, including any changes to their visa status.

Impact on Visa Status:

- The institution must notify the **Department of Home Affairs** about the suspension, which may affect the student’s visa status.
- Suspension might lead to the cancellation of the student’s visa if it is due to non-compliance with visa conditions, such as academic progress or attendance requirements.
- Students will be informed of the visa implications of suspension, including potential steps to take to maintain their visa or resolve the issue that led to suspension.

Key Points on ESOS 2025 Amendments for Suspension:

- **Visa implications:** The institution must ensure that any suspension is in compliance with the student visa conditions, including full-time study load and attendance requirements.
- **Transparency:** The suspension must be handled transparently, with proper documentation and clear communication regarding the impact on the student’s enrolment and visa status.
- **Right to appeal:** Under **ESOS 2025**, students must be given the right to appeal the suspension decision. This ensures that the student’s rights are respected and that they have an opportunity to resolve any issues that led to the suspension.

5.3. Cancellation of Enrolment

Definition of Cancellation:

Cancellation refers to the permanent termination of a student’s enrolment in a course. This can either be initiated by the student or the institution. Under **ESOS 2025**

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amendments, the institution must comply with the standards set out in the **National Code 2018** when considering enrolment cancellation, ensuring that the student's rights are protected throughout the process.

Eligibility for Cancellation:

Enrolment may be cancelled for the following reasons:

- **Failure to meet attendance requirements:** For international students, failing to meet the required 80% attendance threshold is grounds for cancellation.
- **Failure to meet academic progress requirements:** Students who consistently fail assessments or do not meet course progression milestones may face cancellation of their enrolment.
- **Violation of visa conditions:** If a student breaches their student visa conditions, such as working beyond the allowed hours or not maintaining a full-time enrolment, their enrolment may be cancelled.
- **Student-initiated cancellation:** If the student wishes to withdraw from the course for personal reasons, such as transferring to another provider or leaving the course early, they may request to cancel their enrolment.

Cancellation Request Process:

For **Student-Initiated Cancellation:**

1. **Formal Request:** The student must submit a written request to cancel their enrolment, stating the reason for cancellation (e.g., personal, academic, or visa-related issues).
2. **Verification:** The Compliance Officer will review the student's record, including attendance, academic progress, and any violations of visa conditions, before proceeding with the cancellation.
3. **Notification:** The student will be informed of the decision in writing, including any impact on their visa status and the next steps they should take.

For **Provider-Initiated Cancellation:**

1. **Institution's Role:** The institution may initiate cancellation if the student is found to be in breach of the terms of their enrolment agreement, such as failing to meet the minimum attendance or academic requirements.
2. **Student Notification:** The student will be notified in writing of the cancellation and the reasons for the decision.
3. **Appeal Rights:** Students will be informed of their right to appeal the decision. The appeal process will be outlined, and students will be given an opportunity to resolve the issue before the final cancellation.

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Impact on Visa Status:

- The institution must notify the **Department of Home Affairs** if the student's enrolment is cancelled, especially if the cancellation impacts the student's visa status.
- The student will be advised of the potential impact on their student visa, including whether they need to apply for a new visa or leave Australia.
- If the cancellation is due to non-compliance with visa conditions, the student may face a visa cancellation or be prohibited from re-entering Australia.

Key Points on ESOS 2025 Amendments for Cancellation:

- **Visa implications:** The cancellation of enrolment must be reported to the **Department of Home Affairs** under the **ESOS 2025 regulations**. The student's visa may be cancelled if they are found to be in breach of their visa conditions.
- **Student rights:** Students must be informed of their right to appeal any cancellation decision, as required under **ESOS 2025**. The institution must provide a clear process for students to challenge the cancellation decision.
- **Refund Policy:** If the cancellation is initiated by the institution, the refund policy outlined in the written agreement must be followed, including any applicable refund conditions related to tuition fees.
- **Regulatory Compliance:** The institution must comply with all regulatory reporting and documentation requirements under **ESOS 2025**. All actions related to cancellations, including reasons and student notifications, must be fully documented.

5.4. Monitoring and Compliance**Purpose of Monitoring and Compliance:**

To ensure that all deferment, suspension, and cancellation processes are in strict compliance with **ESOS 2025 amendments**, institutional policies, and regulatory requirements. This procedure is essential for upholding the integrity of the enrolment process, protecting student rights, and ensuring compliance with the **National Code 2018** and student visa conditions.

Ongoing Monitoring of Deferments, Suspensions, and Cancellations:

- The **Compliance Officer** will be responsible for overseeing all deferment, suspension, and cancellation cases to ensure they adhere to the regulations set out in the **ESOS 2025 amendments**.

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- This includes monitoring compliance with attendance, academic progress, and visa conditions, as well as reviewing student requests and any institutional decisions related to enrolment changes.
- All cases involving deferment, suspension, and cancellation must be carefully reviewed to determine whether the action is warranted, appropriate, and compliant with the **ESOS 2025 amendments** and **National Code 2018** standards.

Key Monitoring Areas:

1. **Student Progress and Attendance:** Regular reviews of student progress and attendance records to ensure that the institution is complying with the required thresholds (80% attendance for international students, satisfactory academic progress).
2. **Regulatory Compliance:** The Compliance Officer will ensure that all actions are documented, tracked, and reported to relevant regulatory authorities, including **ASQA**, the **Department of Home Affairs**, and **ESOS agencies**, in line with **ESOS 2025**.
3. **Student Welfare:** Ensuring that students' welfare is prioritized during any period of deferment, suspension, or cancellation, with appropriate support provided to them, especially in cases of visa implications, mental health concerns, or academic difficulties.

Compliance Audits and Reporting:

- **Audits:** The Compliance Officer will conduct periodic audits of all enrolment records related to deferments, suspensions, and cancellations to ensure they are accurately documented and compliant with the **ESOS 2025 amendments**.
- **Regulatory Reporting:** The institution will ensure timely and accurate reporting of all deferments, suspensions, and cancellations to the **Department of Home Affairs** and **PRISMS**, as required under the **ESOS 2025 amendments**.
- **Documentation:** All communications, decisions, and actions related to deferments, suspensions, and cancellations will be documented and securely stored for a minimum of **five years**, in compliance with **ESOS 2025** regulations. This includes student communications, reasons for the decisions, and any reports submitted to regulatory bodies.

Appeals Process:

- **Student Rights:** In compliance with **ESOS 2025**, students will be informed of their right to appeal decisions related to deferments, suspensions, and

cancellations. The appeals process will be clearly outlined and communicated to the student in writing.

- **Appeal Review:** The **Compliance Officer** will review appeals in a timely manner and ensure that students are provided with an opportunity to present their case, while also considering their rights under the **National Code 2018**.
- **Final Decision:** Following the appeal, if the decision is upheld, the student will be notified in writing, including the next steps they must take to resolve their situation.

Impact of Non-Compliance:

- **Reporting and Rectification:** If it is determined that a student’s deferment, suspension, or cancellation is non-compliant with **ESOS 2025** or other regulatory requirements, the institution will immediately take corrective actions.
- **Regulatory Notifications:** In cases of non-compliance, the institution must inform relevant authorities such as **ASQA** and **Department of Home Affairs** of the issue, and remedial steps will be implemented.
- **Penalties for Non-Compliance:** Failure to comply with **ESOS 2025 amendments** can result in penalties for the organisation, including regulatory scrutiny or the potential loss of CRICOS registration.

Role and Responsibility

Role	Responsibility
Compliance Officer	<ul style="list-style-type: none"> - Oversee and manage the deferment, suspension, and cancellation processes to ensure compliance with ESOS 2025 amendments and the National Code 2018. - Maintain records of all decisions and actions related to deferments, suspensions, and cancellations for audit and compliance purposes. - Notify the Department of Home Affairs and update PRISMS as required by regulatory requirements. - Review and approve student transfer and appeal requests related to deferment, suspension, or cancellation.

Academic Advisors/Support Staff	<ul style="list-style-type: none"> - Assist students with understanding their rights, obligations, and any impacts related to deferment, suspension, or cancellation of their enrolment. - Provide guidance on alternative course options, visa implications, and welfare services.
Registrar/Enrolment Staff	<ul style="list-style-type: none"> - Ensure that all deferment, suspension, and cancellation requests are processed in accordance with institutional policies and ESOS 2025 amendments. - Ensure that all necessary documentation is submitted to PRISMS and other regulatory bodies in compliance with ESOS 2025 regulations.
Senior Management	<ul style="list-style-type: none"> - Provide final approval for any suspension or cancellation decisions and ensure that these actions align with the institution's policies and regulatory requirements.

Confidentiality

- **Protection of Student Information:** All information related to deferment, suspension, and cancellation of enrolment will be treated as confidential. The organisation will ensure compliance with the **Australian Privacy Principles (APPs)** and any relevant data protection laws.
- **Restricted Access:** Only authorised personnel (Compliance Officer, academic advisors, senior management) will have access to sensitive student information related to deferment, suspension, and cancellation.
- **Secure Storage:** All records of student enrolment, deferment, suspension, and cancellation, including communications, will be securely stored in physical or electronic formats, ensuring that data is protected from unauthorised access, loss, or breach.

Continuous Improvement

- **Regular Reviews:** The institution will regularly review its deferment, suspension, and cancellation policies and procedures to ensure compliance with the **ESOS 2025 amendments** and to improve student experience and satisfaction.
- **Feedback Integration:** Feedback from students, staff, and regulatory audits will be used to identify areas for improvement. Adjustments will be made to policies and procedures based on the feedback.

- **Staff Training:** Academic staff and the Compliance Officer will undergo ongoing training to remain updated on any changes to **ESOS 2025 regulations** and institutional policies, ensuring that the organisation remains in compliance with the latest standards.

Retention of Records

- **Retention Period:** All records related to deferment, suspension, and cancellation of student enrolment will be retained for a minimum of **five years** as required by **ESOS 2025 amendments** and institutional policies.
- **Record Documentation:** This includes written requests, approval or denial documents, communication records, and any related student or compliance records.
- **Audit and Compliance:** These records will be made available for audits or regulatory reviews, ensuring transparency and accountability in the student management process. The Compliance Officer is responsible for ensuring that records are accessible for both internal and external audits.