

Version	4.0
Last Amended	23 February 2018
Approved By	CEO
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Reference	Deferment, suspension or cancellation of study during enrolment Policy and Procedures v4.0

## Deferment, suspension or cancellation of study during enrolment Policy and Procedures

### 1 Purpose

A. To enable students to:

- defer their enrolment prior to the course start date
- suspend their studies during the course through formal agreement in certain limited circumstances
- request for cancellation of their enrolment.

B. To enable Windsor to:

- defer an enrolment where the course is not being offered at the proposed date, site, or any other reason the Windsor deems necessary to cancel the course
- suspend a student's studies on the grounds of misbehaviour or in any breach of Student Code of Conduct
- cancel a student's enrolment where breach of Student Code of Conduct is severe

In provider (Windsor) initiated deferment, suspension or cancellation, students are able to access the Complaints and Appeals procedure if they feel that the decision is unfair or they have other grounds to appeal the decision.

### 2 Policy Statements

- 2.1 Windsor has and implements this 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.
- 2.2 Windsor may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.
- 2.3 Windsor may suspend or cancel a student's enrolment including, but not limited to, on the basis of:
- a. misbehaviour by the student
  - b. the student's failure to pay an amount he or she was required to pay Windsor to

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- undertake or continue the course as stated in the written agreement
- c. a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 of the National Code 2018 (Overseas student visa requirements).
- 2.4 If Windsor initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation Windsor will:
- a. inform the overseas student of that intention and the reasons for doing so, in writing
- b. advise the overseas student of their right to appeal through Windsor's internal complaints and appeals process, in accordance with Standard 10 of the National Code 2018 (Complaints and appeals), within 20 working days.
- 2.5 When there is any deferral, suspension or cancellation action taken under Standard 9 of the National Code 2018, Windsor will:
- a. inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa
- b. report the change to the overseas student's enrolment under section 19 of the ESOS Act.
- 2.6 The suspension or cancellation of the overseas student's enrolment under Standard 9.3 of the National Code 2018 cannot 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.

### 3 Scope

This policy applies to:

- Students enrolled at Windsor
- Windsor Marketing, Admissions, Academic, Student Services and Administrative staff.

All staff are made aware of the requirements of this policy through staff induction, regular meetings, staff updates and continuous improvement practices. Students are made aware of this policy through the Student Prospectus, College's website, Student Handbook, and during the enrolment and orientation processes.

### 4 Key Requirements

- Windsor will inform the student that deferment, suspension or cancellation of enrolment may affect his or her student visa.
- Where Windsor decides to initiate the suspension or cancellation of a student's enrolment, it must notify the student of its intention and allow the student 20 working days to access the college's internal complaints and appeals process, unless circumstances relating to the student's welfare apply.
- If the student appeals against the provider's decision to suspend or cancel his/her studies using Windsor's complaints and appeals form, Windsor will not report student's course variation to the

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ESOS Agency and Department of Home Affairs via Provider Registration and International Students Management System (PRISMS) until the complaints and appeals process is completed.

- Windsor will report student's course variation via Provider Registration and International Students Management System (PRISMS) when a student's enrolment is deferred, suspended or cancelled.
- For the purposes of this policy –

Compassionate or compelling circumstances include but are not limited to:

- Serious illness or injury, where a medical certificate states that the student was / is unable to attend classes or unfit for regular occupation;
- Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided);
- Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies; 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, and this has impacted on the student (these cases should be supported by police or psychologists' reports)
- Where the Windsor is unable to offer a pre-requisite unit

**Note:**

- a. The above are only some of examples of what may be considered compassionate or compelling circumstances. The Director of Studies will use his professional judgment and to assess each case on its individual merits. When assessing the existence of compassionate or compelling circumstances, Windsor will consider documentary evidence provided to support the claim, and should keep copies of these documents in the student's file.
- b. All students' requests for deferment / suspension / cancellation must be made using "**Application to Defer, Suspend or Cancel enrolment Form**". Only forms completely filled and forwarded along with the supporting documents to administration department will be processed.

## 5 Procedure

### 1. Student Initiated Deferral, Suspension or Cancellation of Enrolment

#### 1.1 Student Deferral

- A student wishing to defer his/her enrolment must do so prior to the commencement of the course only. Students must complete an 'Application to defer, suspend or cancel enrolment Form' and submit to the reception.
- Students may apply for deferment in compassionate or compelling circumstances or where there is delay in granting of student visa from the Department of Home Affairs.

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- All documents related to the student’s suspension are kept on the students file and the decision to defer the enrolment as a result of the student’s request reported via Provider Registration and International Students Management System (PRISMS).

### 1.2 Student Suspension

- Students who would like to suspend their studies must first speak to a Student support officer to gain an application form and to ensure they understand the implications of suspension of enrolment.
- An **‘Application to Defer, Suspend or Cancel enrolment Form’** must be completed which will need to be approved by the Director of Studies. This application must include in detail the ‘compassionate or compelling circumstances’.
- Where a suspension of enrolment is granted, the Windsor will suspend an enrolment for an agreed period of time - to a maximum of 12 months. If the suspension is required for longer than 12 months the student will be required to re-apply once the initial suspension period has expired.
- Students are to be informed in writing of the outcome of their application for suspension and informed that it may affect their student visa status.
- All documents related to the student’s suspension are kept on the students file and the decision to suspend the enrolment as a result of the student’s request reported via Provider Registration and International Students Management System (PRISMS).
- Student has 20 working days to access the Windsor’s Complaints and Appeal process if they are not satisfied with the Windsor’s assessment of their application.

### 1.3 Student Cancellation

- Students wishing to cancel their enrolment must complete an **‘Application to Defer, Suspend or Cancel enrolment Form’** and submit to the reception.
- Students wishing to cancel their enrolment prior to completing 6 months of study in their principle course must be granted a release from an alternative provider and the release decision must be entered in PRISMS by the provider. This is required under Standard 7 of the National Code 2018 and Windsor’s Transfer between Registered Providers Policy and Procedures.
- All documents related to the student’s cancellation are kept on the student's file and the decision to cancel the enrolment as a result of the student’s request is reported via Provider Registration and International Students Management System (PRISMS).

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- Student Deferral, Suspension or Cancellation of Enrolment requests will be processed in 10 working days.

## 2. Provider Initiated Deferral, Suspension or Cancellation of Enrolment

### 2.1 Provider Deferral/Provider Default

- Windsor may defer an enrolment where the course is not being offered at the proposed date, site, or any other reason the Windsor deems necessary to cancel the course. Refer to Windsor's Refund policy for information regarding refunds in case of provider initiated deferral.

### 2.2 Provider Suspension

- Windsor has the ability to suspend a student's enrolment on the grounds of misbehaviour or in any breach of Student Code of Conduct. This misbehaviour may include but is not limited to acts of discrimination, sexual harassment, and vilification or bullying as well as acts of cheating or plagiarism.
- Where there is a violation of Student Code of Conduct by a student, the Director of Studies shall be informed and will make a decision on the penalty and the severity of the penalty. The Director of Studies may take into account the type of misconduct that has occurred and the level of misconduct that occurred when deciding penalties.
- Where a student has been identified in breach of Student Code of Conduct, Windsor shall ensure the following:
  - Students must be treated fairly, with dignity and with due regard to their privacy
  - Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry by the Director of Studies to have so behaved.
  - Past misconduct is not taken as evidence that a student has behaved in the same manner again.
  - 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.
- Students are able to access the Complaints and Appeals policy and procedures if they feel that the decision is unfair or they have other grounds to appeal the decision.
- Student has 20 working days to appeal Windsor's decision of suspending the enrolment due to misbehaviour.
- The penalties which may be imposed by the Director of Studies are:
  - A warning, deemed NYC in the unit, or suspension of enrolment in the acts of cheating or plagiarism

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- A charge for any costs that the general misconduct may have caused
  - Temporary exclusion from Windsor in the form of suspending enrolment for a period of time.
- The Department of Home Affairs' policy is that if a student's enrolment is suspended for a period of 28 days or longer, the student must return home (unless special circumstances exist).
  - Where the severity of misconduct is severe, the Director of Studies may decide to cancel the enrolment

**Note:** Students are advised to contact the Department of Home Affairs immediately to work out their obligations and further visa related alternatives.

### 2.3 Provider Cancellation

In some cases, where the student's misconduct is severe, Windsor has the right to cancel the enrolment.

Where the Director of Studies has decided the misconduct is severe enough for cancellation, the following must occur:

- The student must be informed in person (where possible), and in writing of the decision of the Windsor to cancel the student's enrolment along with the grounds of decision
- They must be informed about their right to appeal the decision by accessing the relevant procedures and completing this appeal within 20 working days of the notification
- Students must also be informed about Windsor's intention to notify the ESOS Agency and Department of Home Affairs of the change of enrolment status

### 3. Recording and reporting deferrals, suspension or cancellation of enrolments

- All applications of deferment and outcomes are to be kept on the student's file.
- All reports of misconduct, decisions and actions taken in relation to misconduct, and other related documentation must be kept on file.
- Any decisions to initiate deferral, suspension or cancellation of an enrolment must be reported to the ESOS Agency and Department of Home Affairs via PRISMS.
- Students are to be kept informed in writing of any decisions or outcomes that relate to a deferment, suspension, or cancellation of enrolments.
- All students are to be given the opportunity to access the complaints and appeals policy and procedures before reporting any provider initiated suspensions or cancellations of enrolments via PRISMS occurs. The students have 20 working days to lodge an appeal.

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Where a student decides to access this procedure within 20 working days of notification, the Windsor must wait until the appeal process has finished before going ahead with the reporting of the student's enrolment changes via PRISMS.

## 6 Related Standard

This policy and procedure supports 'Standard 9' of the ESOS National Code 2018.

## 7 Related Documents/Forms

1. Application to Defer, Suspend or Cancel Enrolment Form
2. Complaints/Appeal Form

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