



SITS
COLLEGE

Deferral Suspension Cancellation Policy and Procedure

RTO No: 91533 | CRICOS Code: 03474G

Purpose

SITS is accountable for ensuring that this policy meets the requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 and is consistent with SITS obligations in regard to its legislative requirements as a CRICOS Provider.

This policy complies with:

- National Vocational Education and Training Regulator Act 2011
- Standards for Registered Training Organisations (RTOs) 2025
- Compliance Requirements Division 2 (9-11), Division 3 (18)
- National Code of Practice 2018 Standard 9
- ESOS Act 2000

Policy

This policy describes the international students 'deferral, suspension or cancellation processes to ensure that SITS College (SITS) meets the requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code).

Scope

This policy and procedure will apply to all international students currently enrolled at SITS College who wish to defer, suspend or cancel their enrolment.

This policy applies to all staff of SITS who are involved in the process of deferral, suspension and cancellation of a student's enrolment.

Before deferring, suspending, or cancelling from a course, we encourage students to consider:

- Their current situation and to identify reasons for considering this action – moving to a new house, struggling financially, being unwell, struggling academically, personal difficulties.
- Their prospects – the students are encouraged to get advice from a range of people including student support services like counselling, family and or the course coordinator, their trainer.
- The potential impact on their visa and should seek advice from the Department of Home Affairs www.homeaffairs.gov.au.

Definitions

Deferral	refers to the postponement of commencement date of the course and is initiated by the student.
DHA	is the Department of Home Affairs.
ESOS	is the Educational Services for Overseas Students.
International Student	is a person (whether within or outside of Australia) who holds a student visa as defined by the ESOS Act but does not include students of a kind prescribed in the ESOS Regulations.
Misbehaviour	may include but is not limited to acts of discrimination, sexual harassment, vilification, bullying, criminal offence, cheating or plagiarism.
National Code	refers to National Code of Practice for Providers of Education and Training to Overseas Students 2018.
PRISMS	is the Provider Registration and International Student Management System (PRISMS) used to process information given to the Secretary of DET by registered providers.
Suspension	refers to a temporary interruption to the study program or the student and can be initiated by either SITS College or the student.

Guidelines

- 1 An International Student can initiate deferral, suspension or cancellation of their studies during their stay in Australia only in certain limited circumstances as described in this policy.
- 2 Students may also have their enrolment suspended due to misbehaviour, and in some cases, this can also be ground for cancellation of studies.
- 3 Students have the right to appeal a decision by SITS College to defer, suspend or cancel their studies and SITS will not notify DHA of a change to the enrolment status until the internal complaints and appeals process is complete.

Procedures

Applications for student deferral, suspension or cancellation must be submitted at least 10 working days before the requested Deferral/Suspension/Cancellation date.

A student wishing to defer an enrolment must do so prior to the commencement of the course. Students who would like to defer their studies must first speak to a staff member of SITS College Student Support to ensure they understand the reasons that deferment may be granted.

SITS College is only able to temporarily suspend the enrolment of a student on the grounds of compassionate or compelling circumstances

These circumstances could include but are not limited to:

- Serious illness or injury, where a medical certificate states that the student was/is unable to attend classes;
- Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided);
- a) Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies;
- b) A traumatic experience which could include:
 - Involvement in, or the 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 SITS College is unable to offer pre-requisite unit (a specific unit required to be completed prior to commencing the qualification).

Deferral Procedures New Students

- A new student who wants to defer their course will need to inform SITS in writing by emailing to SITS on info@sits.edu.au and submitting a completed and signed application for deferment suspension cancellation withdrawal form that can be downloaded from SITS's website.
- The Student Support Officer will inform the Operations Manager (or authorised delegate). The Operations Manager (or authorised delegate) will assess the application and will make a decision.
- If the application is approved, the Operations Manager/ or other designated staff will change the student's Confirmation of Enrolment (CoE) and inform the student about the application outcome by emailing the student. The new Confirmation of Enrolment (CoE) will also be emailed to the student.
- The CRICOS Operations Managers (or authorised delegate) will ensure that the student is advised to contact the Department of Home Affairs (DHA) so that they are informed as to the impact of their deferral on their existing student visa.
- If the application is refused, the student will be informed of the reason for refusal in writing by email/mail.
- The application will be processed within 10 working days from the date the application is received by SITS. The students will be informed about the result of their application by email/mail.
- If the student is not satisfied with the application outcome, the student can access SITS's Complaints and Appeals Policy and Procedures available on SITS's website.
- All records of the request and supporting evidence are copied and placed in the student's folder by the Student Support Team.

Deferral Procedures Continuing Students

A continuing student who wants to defer their future course(s) will need to complete the application for deferral suspension cancellation withdrawal form that can be downloaded from SITS website and submit it to SITS. The application will need to be supported by documentary evidence.

The CRICOS Operations Manager (or authorised delegate) will assess and decide to approve/ refuse the application based on the grounds of the written request. In making this decision the Operations Manager may consult with other staff in SITS. The CRICOS Operations Manager (or authorised delegate) also ensures that compassionate and compelling circumstances (which are beyond control of the student) are assessed where evidence of their validity is provided.

An incomplete application (for example, an application not correctly completed, or no relevant supporting evidence is attached) will not be processed/ might be refused. The student can apply again at any time

If the application is approved, the Operations Manager (or authorised delegate) will report the student's change of enrolment via PRISMS to the ESOS Agency and Department of Home Affairs as soon as practicable after a decision on deferral has been finalised and recorded.

The CRICOS Operations Manager/Student Support Officer will send a notification email regarding the outcome of the deferral application together with the new CoE to the student. They will ensure that the student is advised to contact the Department of Home Affairs so that they are informed as to the impact of their deferral on their existing student visa.

If the application is refused, the student will be informed of the reason for refusal in writing by email.

If the application is refused, SITS will maintain the enrolment of the student, if the student decides to appeal the decision (see SITS Complaints and Appeals Policy and Procedures on SITS website).

The student's application will be processed within 10 working days from the date the application and its supporting evidence/ documents are received by SITS. The students will be informed about the result of their application by email.

If the student is not satisfied with the application outcome, the student can access SITS Complaints and Appeals Policy and Procedures from SITS website.

All records of the request and supporting evidence are copied and placed in the student's file by the Student Administration. The Student Management System will also be updated.

Deferral Initiated by SITS

If SITS defers the commencement of a course, the CRICOS Operations Manager (or authorised delegate)/student support officer will notify the student by email/mail.

The student may accept the new agreed start date. In this case, we may carry forward the initial pre-paid tuition fee to the new intake.

If the student decides not to accept the new start date, then it will be considered as a provider default. SITS will be obliged to repay all tuition fees within 14 days of the date of deferral unless alternative arrangements can be made which are acceptable to student.

SITS through the Operations Manager (or authorised delegate)/student support officer will report its deferral of commencement to the ESOS Agency and Department of Home Affairs through PRISMS which may affect the status of the student's visa.

Suspension Procedures

A student who wants to suspend their course will need to complete and sign the application for deferment suspension cancellation withdrawal form that can be downloaded from SITS's website and submit it to the Operations Manager (or authorised delegate)/student support officer. The application will need to be supported by documentary evidence showing compelling and compassionate circumstances.

The CRICOS Operations Manager (or authorised delegate)/student support officer will assess and decide to approve/ refuse the application based on the grounds of the written request. In making this decision the Operations Manager (or authorised delegate)/student support officer may consult with other staff in SITS. The Operations Manager (or authorised delegate)/student support officer also ensures that compassionate and compelling circumstances (which are beyond control of the student) are assessed where evidence of their validity is provided.

An incomplete application (for example, an application not correctly completed, or no relevant supporting evidence is attached) will not be processed/ might be refused. The student can apply again any time

Student initiated suspension of enrolment cannot be granted retrospectively (after the event) or if it was taken by the student without authorisation. If a student has taken unauthorised leave, then they will be recorded as absences and reported to the ESOS Agency and Department of Home Affairs via PRISMS if their participation falls below SITS's requirements for attendance, which ultimately affects the course progress.

If the application is approved, the CRICOS Operations Manager (or authorised delegate)/student support officer will report the student's suspension on PRISMS as soon as practicable after a decision on suspension has been finalised and recorded. If a new COE needs to be created, the Operations Manager (or authorised delegate)/student support officer will report to the ESOS Agency and Department of Home Affairs via PRISMS by changing the current CoE and issuing a new CoE.

The CRICOS Operations Manager (or authorised delegate)/student support officer will send a notification email regarding the outcome of the suspension application together with the new CoE to the student if applicable. They will ensure the student is advised to contact the Department of Home Affairs so that they are informed to the impact of their suspension on their existing student visa.

Where a suspension of enrolment is granted, SITS College will suspend an enrolment for an agreed period of time – to a maximum of six (6) months. If the suspension is longer than six (6) months, the student will need to reapply to the course and sign a new Written Agreement and Offer Letter. A new CoE will be required to be issued on PRISMS.

If the application is refused, the CRICOS Operations Manager (or authorised delegate)/student support officer will notify the student by email.

If the application is refused, SITS will maintain the enrolment of the student, if the student decides to appeal the decision (see SITS Complaints and Appeals Policy and Procedures on the website)

The student's application will be processed within 10 working days from the date the application and its supporting evidence/ documents are received by SITS. The students will be informed about the result of their application by email.

If the student is not satisfied with the application outcome, the student can access SITS Complaints and Appeals Policy and Procedures. The detailed procedures can be accessed on SITS website.

All records of the request and supporting evidence are copied and placed in the student folder by the Student Administration. The Student Management System will also be updated.

Cancellation Procedures

A student who wants to cancel an enrolment must complete and sign the application for deferment suspension cancellation withdrawal form that can be downloaded from SITS's website and submit it to the CRICOS Operations Manager (or authorised delegate)/student support officer. The application will need to be supported by documentary evidence such as a letter of offer from another provider or other documentary evidence.

Students wishing to cancel their enrolment prior to completing six (6) months of study in their principal course must provide a Letter of Offer from an alternative education provider. This is required under Standard 7 of the National Code and further information can be gained from Course Transfer Policy and Procedure. Cancellation of enrolments in the first six (6) months are at the discretion of SITS College and need to be in the best interests of the student.

The CRICOS Operations Manager (or authorised delegate)/student support officer will assess and decide to approve/ refuse the application based on the grounds of the written request. In making this decision the Operations Manager (or authorised delegate)/student support officer may consult with other staff in SITS.

The CRICOS Operations Manager (or authorised delegate)/student support officer assesses all cancellation applications based on specific factors that need to be considered. The factors are that the student requesting a transfer has an accurate understanding of what the transfer represents to their study options. The Operations Manager (or authorised delegate)/student support officer will make any final decision as to whether to refuse a request for Deferment/Suspension/Cancellation Application Form from a course of study for any student. The CRICOS Operations Manager (or authorised delegate)/student support officer will notify the student in writing of any cancellation.

The CRICOS Operations Manager (or authorised delegate)/ student support Officer will complete the TPS reporting requirements. The Operations Manager (or authorised delegate)/student support officer reports the student to the ESOS Agency and Department of Home Affairs via PRISMS within 10 days.

The student will be advised in writing of the outcome by the Operations Manager (or authorised delegate)/student support officer within 10 working days.

If the cancellation application is approved for an overseas student who has not completed at least 6 months of their principal course, the student will be released from PRISMS approving the cancellation by the Operations Manager (or authorised delegate)/student support officer. The student will be notified in writing of the approved requested and will inform the student of the necessity to contact the Department of Home Affairs on whether a new student visa is required. A release decision including the date of effect and reasons for release will be recorded in PRISMS.

If the cancellation application is rejected, the reasons for the decision will be included in the rejection notice email. The CRICOS Operations Manager (or authorised delegate)/student support officer will notify the student regarding the application outcome.

If the application is refused, reasons for the refusal will be documented in writing and the student will be informed of their rights of appeal using SITS complaints and appeals procedure located at college's website. SITS will finalise the student's refusal status in PRISMS after the appeal finds in favour of SITS, or the overseas student has chosen not to access the complaints and appeals processes within the 20-working day period, or the overseas student withdraws from the process. This is done by the CRICOS Operations Manager (or authorised delegate)/student support officer.

If a student requests the cancellation of their enrolment a refund arrangement as per the Written Agreement between SITS and the student may be triggered. Students who cancel their enrolment and believe they are eligible for a refund must also apply for a refund according to the provisions in the Written Agreement.

Fees shall be refunded in accordance with SITS's Fees and Refund Policy and Procedures that are available on SITS website.

After a decision has been made, the outcome is written and recorded and placed in the student's individual file, together with the application form. The Student Management System will also be updated by the Student Support Team.

If the student decides to return to SITS College and continue studying the course, the student must complete the enrolment process again and meet all entry requirements.

SITS College Initiated Suspension/Cancellation Procedures

Unsatisfactory Course Progress

- During course progress review, a student with unsatisfactory course progress will be sent up to 2 intervention strategies/warning letters. If the student does not respond to the intervention strategies activated to assist them, the student will be sent Notification of Intention to Report letter, this process will be done according to Monitoring course progress of overseas students Policy and Procedure.
- The Operations Manager (or authorised delegate)/Student Support Officer will ensure that the student is aware that they may access SITS internal appeals procedures and external appeals procedures (see SITS's Complaints and Appeals Policy and Procedures on SITS's website).
- If the student does not appeal within 20 working days, the student will be reported to the ESOS Agency and Department of Home Affairs through PRISMS by the CRICOS Operations Manager (or authorised delegate)/Student Support Officer. The CRICOS Operations Manager (or authorised delegate)/Student Support Officer will inform the Managing Director in writing about the reporting. This reporting may affect the status of the student's visa.
- The student will be informed in writing by email once the student's CoE is cancelled within 10 working days by the CRICOS Operations Manager (or authorised delegate)/Student Support Officer.
- All student warning letters, intention to report letters and Intervention Strategies and/or any other related documents are copied and placed in the student's file by the Student Support Team.

Non-payment of fees

- If a student does not pay the agreed fees according to the offer letter and enrolment acceptance, they will be sent up to 2 warning letters. If the student does not respond to these warning letters, the student will be sent Notification of Intention to Report letter according to the Non-payment of fees policy and procedure.



- The CRICOS Operations Manager (or authorised delegate)/Student Support Officer will ensure that the student is aware that they may access SITS internal appeals procedures and external appeals procedures (see SITS Complaints and Appeals Policy and Procedures on SITS's website).
- If the student does not appeal within 20 working days, the student will be reported to the ESOS Agency and Department of Home Affairs through PRISMS by the Operations Manager (or authorised delegate)/Student Support Officer. The Operations Manager (or authorised delegate)/Student Support Officer will inform the Managing Director in writing about the reporting. This reporting may affect the status of the student's visa.
- The student will be informed in writing by email once the student's COE is cancelled within 10 working days by the CRICOS Operations Manager (or authorised delegate)/Student Support Officer.
- All student warning letters, intention to report letters and Intervention Strategies and/or any other related documents are copied and placed in the student's file

Student Misbehaviour

SITS College may suspend or cancel a student enrolment for misbehaviour/for breaching the Student Code of Behaviour. This may include (but is not limited to):

1. Disrespecting or discriminating against other students or staff
 2. Intimidating other students or staff
 3. Refusing to study in a safe, clean, orderly and cooperative environment
 4. Damaging or misusing other students' or SITS property
 5. Refusing to have any disputes settled in a fair and rational manner
 6. Engaging in cheating or plagiarism (including unauthorised use of Generative Artificial Intelligence-GAI)
 7. Committing criminal actions
 8. Failure to maintain satisfactory course progress and attendance Requirement (if applicable)
 9. Failure to pay fees when due
 10. Other actions are deemed appropriate by the Managing Director.
- Where a student's behaviour has been found to violate SITS Student Code of Behaviour, a warning letter will be issued and sent to the student by the CRICOS Operations Manager (or authorised delegate)/Student Support Officer. A copy of the warning letter will be kept on the student's file.
 - The CRICOS Operations Manager (or authorised delegate)/Student Support Officer will ensure that the student is aware that they may access SITS internal appeals procedures and external appeals procedures (see SITS Complaints and Appeals Policy and Procedures).
 - The CRICOS Operations Manager (or authorised delegate)/Student Support Officer will inform the student in writing should a decision to suspend or cancel their enrolment be made, that they have 20 working days to appeal following the decision. (The CRICOS Operations Manager (or authorised delegate)/Student Support Officer has 10 working days to commence the process after the appeal is received)
 - If the student lodges a complaint or appeal, the suspension / cancellation cannot take effect until the internal appeal procedures have been completed, unless extenuating circumstances relating to the welfare of the student apply
 - Ensure that the student is advised to contact the office of Department of Home Affairs so that they are informed as to the impact of their suspension or cancellation on their existing student visa.
 - The CRICOS Operations Manager (or authorised delegate)/Student Support Officer will raise any issues detailing the misbehaviour in the next monthly Meeting and the way their conduct has been dealt with thus far (the report should detail dates times and persons involved).

Suspension and Cancellation Responses to Student Misbehaviour

On receiving a report of misbehaviour, the Operations Manager (or authorised delegate)/Student Support Officer will:

- Validate the actions of all staff involved seeking further advice, verbal or written.
- Where necessary, seek further advice from the student or students involved maintaining an unbiased approach to the student or students involved.
- Decide whether an enrolment suspension or enrolment cancellation is warranted.
- Ensure that in upholding the decision to suspend or cancel the student's enrolment, the student is informed in writing, stating the reason for the CRICOS Operations Manager (or authorised delegate)/Student Support Officer's decision and reaffirming the student right to appeal in line with document process within 20 working days. Maintain the student's enrolment if the student chooses to access the College's internal appeals procedures except in the case of extenuating circumstances (See some samples below).
- Only report the student's change in enrolment to the ESOS Agency and Department of Home Affairs via PRISMS if the student does not access the appeals procedures and report the student's change in enrolment to the ESOS Agency and Department of Home Affairs via PRISMS before the outcome of any internal/external appeals process if extenuating circumstances exist.
- The overseas student does not have to 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. The registered provider must keep evidence to support this.
- Extenuating circumstances relating to the welfare of the student may include but are not limited to the following. The student:
 - Refuses to maintain approved care arrangements (SITS does not have students under 18 years of age)
 - Is missing
 - Has medical concerns, severe depression or psychological issues which lead the provider to fear for the student's wellbeing
 - Has engaged or threatened to engage in behaviour that is reasonably believed to endanger other students, staff, or others; or
 - Is a risk of committing a criminal offence.

Appeals

A student may appeal against a decision made in relation to course deferral, suspension, and/or cancellation and the appeal needs be lodged in writing according to the processes for appeals as detailed in Complaints and Appeals Policy and Procedure

Responsibility

The Head of Compliance and CRICOS Operations Manager will be responsible for the implementation of this process and will ensure all requirements of this policy and procedure are met.

Review Date

12 months from the date of this version, or as required.

