



CRICOS Provider Number: 02915G

Deferring, Suspending & Cancellation

POLICY & PROCEDURE GUIDELINE

Governance	NC- Standard 9		
Policy Reference No:	DIC-031	Version No:	2.5
Commencement Date:	January 2008	Review Date:	July 2026
Persons/Areas affected	All staff		
Purpose	The purpose of this policy and procedure is to outline the process for assessing, approving and recording an enrolment cancellation (withdrawal), deferral or suspension, including keeping documentary evidence on the student's file of the assessment of the application.		
Definitions	<p>Cancellation(Withdrawal) (Also known as Student Default under the ESOS Act): Where a student does not start a course (cancellation) or withdraws from a course (enrolled students)</p> <p>Suspension: Temporary postponement of enrolment during course.</p> <p>Deferral: Postponement of commencement of course or study period by prospective students, who have been offered a place in courses offered by DIC</p> <p>Compassionate or compelling circumstances</p> <p>Compassionate or compelling circumstances are usually circumstances that are beyond the control of the student. Examples of such circumstances are set out below</p> <ul style="list-style-type: none"> • Where a student does not receive their student visa in time to arrive at DIC to commence study • Illness, injury, or serious illness or death in the family. <ul style="list-style-type: none"> ○ The following documents should be attached, or provided as soon as possible after application, when applying on the above mentioned grounds <ul style="list-style-type: none"> - Medical certificates • Major political upheaval or natural disaster in home country requiring emergency travel and this has impacted on the student's studies. • A traumatic experience i.e. involvement in or witnessing of a serious crime or accident and this has impacted on the student (police or psychologists report to be provided). • Where the Registered provider was unable to offer a pre requisite course/unit. • Other reasons may be considered but must have documentary evidence to support the claim. It would not be generally regarded as a compassionate or compelling circumstance where a student wishes to travel overseas to visit members of his or her family. This situation may be otherwise, for example, if the student is to be married or engaged overseas, or is attending the 		

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Definitions	<p>Marriage or engagement of a close family member. The following documents should be attached, or provided as soon as possible after the application, when applying on the abovementioned grounds</p> <ul style="list-style-type: none"> ○ Statutory Declaration If a student has, or intends, to travel overseas; ○ A copy of any itinerary, or air ticket, should be attached to the application, or as soon as possible after the application. Although, in most circumstances, it will be necessary to show evidence of a return flight, there may be situations where this is not possible. <p>Student Misbehaviour</p> <ul style="list-style-type: none"> • Students are identified as having unsatisfactory course progress as set out in the Durban Student Academic Monitoring Progress Policy. • Students are identified as having poor attendance as set out in the Durban Student Attendance Monitoring Policy and Procedure. • Where a student has found to be cheating as identified in Durban Plagiarism Policy and Procedure. • Where fees is overdue for more than set days as mentioned in Fees Policy; or where any amount payable under a fee agreement remains outstanding for more than 14 days. • Swearing, fighting, aggressive behaviour and abusive language, whether to other students, staff members, or any other person on the DIC premises. Conduct that is discriminatory and /or threatening on the basis of religion, culture, race, sexual differences, age, disability, or socio-economic status, whether to other students, staff members, or any other person on the Institutes premises. <p>Extenuating Circumstances</p> <ul style="list-style-type: none"> • The student is missing. • Has medical concerns, severe depression or psychological issues which lead DIC to fear for the student's wellbeing • Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others. • Is at risk of committing a criminal offence.
Policy	<p>This policy/procedure supports 'Standard 9 – Deferring, suspending or cancelling the student's enrolment' of the 'National Code of Practice for Registration Authorities & Providers of Education & Training to Overseas Students 2018' which states:</p> <p><i>'Registered providers may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.'</i></p> <p>The following procedures will ensure that DIC follows the required process when a student wishes to defer, suspend, or cancel their enrolment with DIC.</p> <p>Students are able to initiate deferral, suspension or cancellation of their studies during their stay in Australia only in certain limited circumstances as described below.</p>

Policy	<p>Students may also have their enrolment suspended due to misbehaviour which can also be grounds for cancellation of studies.</p> <p>Students have the right to appeal a decision by the DIC to defer, suspend or cancel their studies and the DIC will not notify DHA via PRISMS of a change to the enrolment status until the internal complaints and appeals process is completed.</p>
Procedure	<p><i>2.1 Student Initiated Deferral, Suspension or Cancellation of Enrolment</i></p> <p><i>Student Deferral</i></p> <ul style="list-style-type: none"> • A student wishing to defer an enrolment must do so prior to the commencement of the course. Students must complete an 'Application to defer, suspend or cancel enrolment' and submit to the Student Administrations Department. • All application for deferral documentation will be kept in the students file and DHA shall be notified via PRISMS of the decision to defer the enrolment as a result of the student's request. <p><i>Student Suspension</i></p> <ul style="list-style-type: none"> • The DIC is only able to temporarily suspend the enrolment of the student on the grounds of compassionate or compelling circumstances. These circumstances could include but are not limited to: <ul style="list-style-type: none"> - 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); - 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: <ul style="list-style-type: none"> ❖ 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 DIC is unable to offer a pre-requisite unit - Inability to begin studying on the course commencement date due to delay in receiving a student visa. <p><u>Please Note:</u> The above are only some of examples of what may be considered compassionate or compelling circumstances. The CEO will use his professional judgment to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, the DIC will consider documentary evidence provided to support the claim, and should keep copies of these documents in the student's file.</p> <ul style="list-style-type: none"> • Students will be required to complete an 'Application to defer, suspend or cancel enrolment' in and submit to the Student Administrations Department. Students will also be required to provide evidence of the compassionate or compelling circumstances in their application. (I.e. a medical certificate or police report, etc.)

- Students who would like to defer their studies must first speak to a staff member in the Student Administration to gain an application form and to ensure they understand the reasons that deferment may be granted. An 'application to defer' form must be completed which will need to be approved by the CEO. This application to defer must include in detail the 'compassionate or compelling circumstances'. In case of any emergency issue, students must apply for deferment before leaving Australia and submit all the documentation for e.g. Medical Certificate, copy of their travel tickets.
- (Please note that the Applications submitted without the required supporting documentation will be rejected).**
- Where a suspension of enrolment is granted, the DIC 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 shall have to re-apply once the initial suspension period has expired.
 - DHA's 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). Please refer all questions about whether students may remain in Australia during a period of suspension of enrolment to DHA.
 - Students are to be informed in writing of the outcome of their application for suspension and informed that it may affect their student visa.
 - All application documentation for the suspension will be kept on the students file and DHA shall be notified via PRISMS of the decision to suspend the enrolment as a result of the student's request.

Student Cancellation

- Students wishing to cancel their enrolment must complete an 'Application to defer, suspend or cancel enrolment' and submit to the Student Administrations Department.
- Students wishing to cancel their enrolment prior to completing 6 months of study in their principle course must provide a letter of offer from an alternative provider. This is required under Standard 7 of the National Code and further information can be gained from the 'Transfer between Providers Policy and Procedure'.
- All application documentation for the cancellation will be kept on the students file and DHA shall be notified via PRISMS of the decision to cancel the enrolment as a result of the student's request.

2.2 Provider Initiated Deferral, Suspension or Cancellation of Enrolment

Provider Deferral

- The DIC may defer an enrolment where the course is not being offered at the proposed date, site, or any other reason the DIC deems necessary to cancel the course.

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<p>Procedure</p>	<p><i>Provider Suspension</i></p> <p>The DIC has the ability to suspend a student's enrolment on the grounds of misbehaviour. 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. Such acts of misbehaviour will be classified into one of two categories.</p> <p><u><i>Academic Misconduct</i></u></p> <p>The following gives an indication to the types of behaviour that constitute 'Academic Misconduct' within the DIC:</p> <p><u><i>Examinations</i></u></p> <ul style="list-style-type: none"> a. Students must not help or receive assistance from other students b. Students must not request the loan of or lend materials or devices to other students c. Students must not bring any materials into the examination room other than those specified for that examination d. Students must not use computer software or other devices during an examination other than those specified. <ul style="list-style-type: none"> • A student may be excluded from a final examination in a unit for any of the following reasons: <ul style="list-style-type: none"> - unauthorised absence from class - failure to meet unit requirements, for example non-submission of assignments or failure to attend class - academic misconduct - general misconduct (see below) • <i>Other assessment tasks</i>(See <u>DIC-091 Durban Plagiarism Policy</u>) <ul style="list-style-type: none"> - Students must not copy or paraphrase any document, audio-visual material, computer-based material or artistic piece from another source except in accordance with the conventions of the field of study - Students must not use another person's concepts, results or conclusions and pass them off as their own - In cases where the assessment task is intended to be individual work not group work, students must not prepare an assignment collaboratively and then submit work that is substantially the same as another student's assessment. • Students must not ask another person to produce an assessable item for them. <p><u><i>General Misconduct</i></u></p> <p>General misconduct is where a student: acts dishonestly; harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements; misuses, damages or steals an DIC's property or the property of others; alters/defaces the DIC documents or records; prejudices the good name of the DIC, or otherwise acts in an improper manner.</p>
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<p>Procedure</p>	<p>The following examples indicate the kinds of behaviour which constitute student misconduct. They are for illustrative purposes and are not intended to be exhaustive. Student misconduct occurs when a student:</p> <ul style="list-style-type: none"> a) contravenes any rules or acts; b) prejudices the good name or reputation of the DIC; c) prejudices the good order and governance of the DIC or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of the DIC; d) fails to comply with conditions agreed in the contract; e) wilfully disobeys or disregards any lawful order or direction from DIC personnel; f) refuses to identify him or herself when lawfully asked to do so by a staff member of the DIC; g) fails to comply with any penalty imposed for breach of discipline; h) misbehaves in a class, meeting or other activity under the control or supervision of the DIC, or on DIC premises or other premises to which the student has access as a student of the DIC; i) obstructs any member of staff in the performance of their duties; j) acts dishonestly about admission to the DIC; k) knowingly makes any false or misleading representation about things that concern the student as a student of the DIC or breaches any of DIC rules; l) alters any documents or records; m) harasses or intimidates another student, a member of staff, a visitor to the DIC, or any other person while the student is engaged in study or other activity as a COLLEGE student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason; n) breaches any confidence of the DIC; o) Misuses any facility in a manner which is illegal or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the DIC premises while acting as an the DIC student, in a manner which is illegal or which is or will be detrimental to the rights or property of others; p) steals, destroys or damages a facility or property of the DIC or for which the DIC is responsible; or q) Is guilty of any improper conduct.
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<p>Procedure</p>	<ul style="list-style-type: none"> Where a student has been identified of Academic or General Misconduct the CEO shall be informed and will make a decision on the penalty and the severity of the penalty. The CEO 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 with Academic or General Misconduct the DIC shall ensure the following: <ul style="list-style-type: none"> 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 CEO to have so behaved. Past misconduct is not 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 procedure if they feel that the decision is unfair or they have other grounds to appeal the decision. The penalties the CEO can impose are: <ul style="list-style-type: none"> Academic Misconduct could include a warning, a reduction in grades, receiving zero for an assessment, deemed NYC in the unit, or suspension of enrolment A charge for any costs that the general misconduct may have caused Temporary exclusion from the DIC in the form of suspending enrolment for a period of time. DHA's 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). Please refer to all questions about whether students may remain in Australia during a period of suspension of enrolment to DHA. Where the severity of misconduct is severe, the CEO may decide to cancel the enrolment <p>Provider Cancellation</p> <p>In some cases where the student's misconduct is severe, the DIC has the right to cancel the enrolment.</p> <ul style="list-style-type: none"> Where the CEO has decided the misconduct is severe enough for cancellation the following must occur: <ul style="list-style-type: none"> The student must be informed in person (where possible), and in writing of the decision of the DIC to cancel the student's enrolment
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Procedure	<ul style="list-style-type: none">○ They must be informed of the fact that they have the right to appeal the decision by accessing the relevant procedures and completing this appeal within 20 days of the notification○ Students must also be informed that the DIC is obliged to inform DHA via PRISMS after the 20 day period and that they will be at risk of having their Visa cancelled <p>2.3 Recording and reporting deferments, suspension or cancellation of enrolments</p> <ul style="list-style-type: none">● All applications of deferment and outcomes are to be kept on the students 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 DHA via PRISMS.● Students are to be kept informed 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 procedure before reporting any provider initiated suspensions or cancellations of enrolments via PRISMS occurs. The students have 20 days to lodge an appeal.● Where a student decides to access this procedure within 20 days of notification the DIC must wait until the process has finished before going ahead with the reporting of the student's enrolment changes via PRISMS.
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Approval Authority:

Chief Executive Officer

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SUMMARY OF CHANGES:

ISSUE DATE	CHANGE
April - 2008	Version 1.1 - Partial Revision
August - 2012	Version 2.0 - Full Revision
March – 2013	Version 2.1 – Partial Revision
April – 2015	Version 2.2 – Partial Revision
April – 2018	Version 2.3 – Partial Revision
June-2024	Version 2.4-Full revision
July-2025	Version 2.5-Full revision