

1. PURPOSE

The purpose of this policy is to outline the requirements, responsibilities and processes for managing the deferral, suspension and cancellation of enrolment for international students enrolled at The Quality Training and Hospitality College, trading as Quality College of Australia (QCA).

QCA is committed to managing changes to an international student's enrolment fairly, consistently and in accordance with the Education Services for Overseas Students Act 2000 (ESOS Act), the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) and other applicable legislative and regulatory requirements.

This policy establishes a documented process for:

- Assessing and recording student-initiated requests for deferral or suspension;
- Managing student-initiated cancellation of enrolment;
- Managing provider-initiated deferral, suspension or cancellation;
- Considering compassionate or compelling circumstances;
- Providing students with appropriate information about the potential impact on their student visa;
- Providing students with access to QCA's complaints and appeals process where required; and
- Maintaining accurate enrolment information in the Provider Registration and International Student Management System (PRISMS).

2. SCOPE

This policy applies to all international students enrolled in a CRICOS-registered VET course at QCA who hold a CoE.

It applies to relevant QCA Management, Trainers and Assessors, Administration staff, International Student Support Officers (ISSO), Compliance Manager, Placement Coordinator and other staff involved in managing international student enrolments.

This policy applies where an enrolment is:

- Deferred before the student commences their course;
- Suspended after the student has commenced their course;
- Cancelled at the student's request; or
- Suspended or cancelled by QCA.

This policy should be read in conjunction with:

- The student's Letter of Offer;
- CoE and enrolment information;
- Course Progress and Attendance Policy - International Students;
- Feedback, Complaints and Appeals Policy;
- Refund and Cancellation Fee Policy;
- Transfer of Provider Policy;
- Student Code of Conduct; and
- Student Support and Wellbeing Policy.

3. DEFINITIONS

3.1 Cancellation

The permanent termination of an overseas student's enrolment with QCA.

3.2 CoE

Confirmation of Enrolment issued through the Provider Registration and International Student Management System (PRISMS).

3.3 Compassionate or Compelling Circumstances

Circumstances which are generally beyond the student's control and which have a significant impact on the student's course progress, wellbeing or ability to continue their studies.

QCA will assess compassionate or compelling circumstances on a case-by-case basis, having regard to the individual circumstances and any supporting evidence provided.

Examples may include, but are not limited to:

- Serious illness or injury;
- Bereavement of a close family member;
- Major political upheaval or natural disaster;
- Traumatic experiences or serious personal circumstances;
- Circumstances significantly affecting the student's wellbeing; or
- Circumstances where QCA is unable to provide a required prerequisite unit or the student is unable to progress because a prerequisite unit has not been successfully completed.

These examples are not exhaustive.

3.4 Deferral

A postponement of the commencement of an overseas student's course.

3.5 PRISMS

Provider Registration and International Student Management System.

3.6 Suspension

A temporary interruption to an overseas student's enrolment after the student has commenced their course.

3.7 International Student

A student who is an overseas student within the meaning of the ESOS Act.

4. GENERAL REQUIREMENTS

QCA will manage all deferrals, suspensions and cancellations of international student enrolments in accordance with the ESOS Act, National Code and QCA's documented policies and procedures.

QCA will:

- Assess each request or proposed action on its individual circumstances;
- Maintain appropriate records of decisions and supporting evidence;
- Provide students with written information about decisions affecting their enrolment;
- Advise students to seek advice from the Department of Home Affairs regarding the potential impact on their student visa;
- Update PRISMS as required;
- Maintain accurate student enrolment records;
- Provide students with access to QCA's complaints and appeals process where required; and
- Ensure decisions are made by authorised QCA personnel.

Deferral, suspension or cancellation of enrolment may have consequences for a student's student visa. QCA does not provide immigration advice, and students will be directed to seek advice from the Department of Home Affairs or an appropriately qualified immigration adviser for advice regarding their individual circumstances.

5. STUDENT-INITIATED DEFERRAL

An international student may request to defer the commencement of their course where compassionate or compelling circumstances affect their ability to commence their studies as scheduled.

Requests must be submitted to QCA using the Course Variation Form and must include:

- The reason for the request;
- The proposed deferral period;
- Relevant supporting evidence; and
- Any other information reasonably required by QCA.

QCA will assess the request on its individual circumstances.

Where the request is approved, QCA will:

- Record the decision and reasons;
- Advise the student in writing;

- Update PRISMS as required;
- Amend or cancel and reissue the CoE where required; and
- Advise the student to seek advice from the Department of Home Affairs regarding the potential impact on their student visa.

Where the student has not yet commenced their course, QCA will assess the request in accordance with the student's enrolment circumstances, the Refund and Cancellation Fee Policy, and applicable ESOS requirements.

6. STUDENT-INITIATED SUSPENSION

An international student who has commenced their course may request a suspension of enrolment where compassionate or compelling circumstances prevent them from continuing their studies.

Requests must be submitted to QCA in writing using the Course Variation Form and must include:

- The reason for the requested suspension;
- The proposed period of suspension;
- Supporting evidence where available; and
- Any other information reasonably required by QCA.

QCA will assess whether the circumstances support the requested suspension.

Where the suspension is approved, QCA will:

- Document the decision and reasons;
- Notify the student in writing;
- Advise the student of any relevant fees, refunds or outstanding obligations;
- Advise the student that suspension may affect their student visa;
- Update PRISMS as required;
- Manage the student's CoE in accordance with the applicable ESOS requirements; and
- Advise the student to seek advice from the Department of Home Affairs, or an appropriately qualified immigration adviser, regarding the potential impact on their student visa.

The period of suspension recorded in PRISMS will not be included in attendance monitoring calculations where attendance monitoring is applicable.

7. COMPASSIONATE OR COMPELLING CIRCUMSTANCES

QCA will assess compassionate or compelling circumstances on a case-by-case basis.

When considering whether circumstances are compassionate or compelling, QCA may consider:

- The nature and severity of the circumstances;
- The impact of the circumstances on the student's studies or wellbeing;
- The timing and duration of the circumstances;
- Supporting documentary evidence;
- Whether the circumstances were beyond the student's reasonable control; and
- Any other relevant information available to QCA.

Supporting evidence may include, where appropriate:

- Medical documentation;
- Death certificates or other evidence of bereavement;
- Police or other official reports;
- Evidence relating to natural disasters or major political events; or
- Other relevant documentation.

QCA will retain copies of relevant supporting evidence and the decision made.

Compassionate or compelling circumstances do not automatically result in approval of a deferral or suspension. Each request will be considered on its individual circumstances.

8. STUDENT-INITIATED CANCELLATION

An international student may request cancellation of their enrolment at any time by submitting a written request to QCA using the Course Variation Form.

QCA will:

- Confirm the student's request;
- Advise the student of any relevant fees, refunds or outstanding obligations;
- Advise the student that cancellation may affect their student visa;
- Direct the student to seek advice from the Department of Home Affairs, or an appropriately qualified immigration adviser, regarding their visa;
- Update PRISMS as required; and
- Retain records of the cancellation and relevant communications.

Where appropriate, QCA may also provide the student with information about transferring to another registered provider in accordance with the applicable ESOS requirements and QCA's Transfer of Provider Policy.

A cancellation requested by the student is not a provider-initiated suspension or cancellation under Standard 9.4. QCA will process the student's written cancellation request in accordance with the ESOS Act, applicable refund requirements and PRISMS requirements.

9. PROVIDER-INITIATED DEFERRAL, SUSPENSION OR CANCELLATION

QCA may defer or suspend an international student's enrolment where QCA considers that compassionate or compelling circumstances exist, or may suspend or cancel an international student's enrolment where permitted under the ESOS framework and QCA's policies.

QCA will assess the circumstances on a case-by-case basis and maintain records of the assessment, decision and supporting evidence.

Reasons for provider-initiated suspension or cancellation may include, but are not limited to:

- Serious or repeated misconduct;
- Failure to pay required fees or other amounts specified in the Letter of Offer;
- Failure to achieve satisfactory course progress;
- Breach of student visa conditions where applicable;
- Providing fraudulent, false or misleading information or documentation;
- Failure to comply with an agreed intervention strategy;
- Behaviour that presents a risk to the health, safety or wellbeing of the student or others; or
- Other circumstances permitted under the ESOS framework and QCA's documented policies.

Where a proposed suspension or cancellation relates to course progress or attendance, QCA will manage the matter in accordance with the QCA Course Progress and Attendance Policy - International Students and the applicable requirements of Standard 8 of the National Code.

Where an attendance matter is subject to an attendance monitoring requirement imposed as a condition of QCA's CRICOS registration, QCA will manage the matter in accordance with the applicable requirements of Standard 8.

Any suspension, cancellation or reporting to PRISMS arising from a course progress or attendance matter will also be managed in accordance with the applicable requirements of Standards 8 and 9 and QCA's complaints and appeals process.

10. NOTICE OF INTENTION TO DEFER, SUSPEND, CANCEL OR REPORT

Except where immediate action is permitted under Standard 9 due to a risk to the student's health or wellbeing, or the health, safety or wellbeing of others, QCA will provide the student with written notice before taking provider-initiated action to defer, suspend or cancel the student's enrolment.

The notice will inform the student of QCA's intention and the reasons for the proposed action and advise the student of their right to access QCA's internal complaints and appeals process within 20 working days of receiving the notice.

Where the proposed action relates to unsatisfactory course progress or attendance, the notice will also state that QCA intends to report the student to the Australian Government through PRISMS in accordance with Standard 8 and section 19 of the ESOS Act.

The written notice will include:

- The proposed action and the reasons for the proposed action;
- The reasons for any proposed reporting to PRISMS, where applicable;
- Relevant information or evidence supporting the proposed action;
- Any applicable fees, refunds or outstanding obligations;
- Advice that the proposed suspension, cancellation or reporting may affect the student's student visa;
- Information about the student's right to access QCA's internal complaints and appeals process;
- The timeframe for accessing the internal complaints and appeals process; and
- Advice that the student should contact the Department of Home Affairs for information about the potential impact on their student visa.

The student will have 20 working days from receiving the written notice to access QCA's internal complaints and appeals process.

QCA will not impose a provider-initiated suspension or cancellation until the applicable internal complaints and appeals process has been completed, unless an exception under Standard 9 applies.

For course progress or attendance matters, QCA will not report the student through PRISMS until the requirements of Standard 8 regarding internal and external complaints and appeals have been satisfied.

11. MISCONDUCT

QCA may suspend or cancel a student's enrolment because of serious or repeated misconduct where permitted under the ESOS framework and QCA's policies.

Misconduct may include:

- Serious breaches of the Student Code of Conduct;
- Behaviour that threatens the health, safety or wellbeing of the student or others;
- Serious or repeated breaches of QCA policies;
- Academic or assessment misconduct;
- Fraudulent or misleading conduct; or
- Other serious conduct that warrants suspension or cancellation.

Allegations of misconduct will be managed in accordance with QCA's applicable disciplinary, complaints and appeals processes.

Where QCA proposes to suspend or cancel a student's enrolment due to misconduct, the student will generally be provided with written notice and an opportunity to access the internal complaints and appeals process before the action takes effect.

12. NON-PAYMENT OF FEES

QCA may suspend or cancel an international student's enrolment where the student has failed to pay the required fees or other amounts in accordance with the student's Letter of Offer and QCA's Refund and Cancellation Fee Policy.

Before provider-initiated suspension or cancellation, QCA will:

- Identify the outstanding amount;
- Provide the student with appropriate notice;
- Advise the student of the consequences of non-payment;
- Provide information about available payment arrangements where applicable; and
- Provide information about the student's right to access QCA's complaints and appeals process.

Where suspension or cancellation is proposed, QCA will follow the applicable notice and appeals requirements under Standard 9.

13. HEALTH, SAFETY OR WELLBEING EXCEPTION

Where QCA reasonably believes that the student's health or wellbeing, or the health, safety or wellbeing of others, is likely to be at risk, QCA may suspend or cancel the student's enrolment before the student has completed the internal complaints and appeals process, where permitted under Standard 9.

The student will still be provided with access to QCA's internal appeals process after the suspension or cancellation has taken effect.

If the internal appeal determines that the decision should be reversed, QCA will immediately reverse the suspension or cancellation, notify the student and take any necessary corrective action.

Examples may include circumstances where a student:

- Is missing or cannot be located;
- Refuses to maintain required approved care arrangements where the student is under 18;
- Presents serious health or wellbeing concerns; or
- Engages in or threatens behaviour that may endanger themselves or others.

QCA may take immediate action where it reasonably considers that the student's health or wellbeing, or the health, safety or wellbeing of others, is likely to be at risk. Any immediate action will be documented, and the student will continue to have access to QCA's internal complaints and appeals process.

QCA will document the circumstances, decision and actions taken.

14. PRISMS AND CONFIRMATION OF ENROLMENT

QCA will maintain accurate and current enrolment information in PRISMS.

Where a deferral, suspension or cancellation is approved or initiated, QCA will report required changes to a student's enrolment through PRISMS within the applicable timeframe prescribed by section 19 of the ESOS Act and any applicable PRISMS requirements.

Depending on the circumstances and period of the deferral or suspension, the original CoE may remain unchanged or may be cancelled and replaced with a new CoE.

Where the student's intended return date is known, QCA will manage the student's CoE through PRISMS in accordance with applicable requirements and, where required, issue a new CoE reflecting the approved enrolment period.

Where the student's intended return date is not yet known, QCA will manage the CoE in accordance with applicable PRISMS requirements and will issue or arrange a new CoE when the student's intended return date is known and a new CoE is required.

Students must notify QCA as soon as practicable when their intended return date becomes known or changes.

Where a deferral or suspension results in an extension of the student's course duration, QCA will ensure the extension is permitted under Standard 8. This may include where:

- Compassionate or compelling circumstances have been assessed and supported by demonstrable evidence;
- QCA has implemented, or is in the process of implementing, an intervention strategy because the student is at risk of not meeting course progress requirements; or
- An approved deferral or suspension of the student's enrolment has occurred under Standard 9.

Where QCA extends the duration of a student's enrolment, QCA will advise the student to seek advice from the Department of Home Affairs regarding any potential impact on their student visa, including whether a new student visa may be required.

QCA will not provide immigration advice and is not responsible for determining the effect of an enrolment change on a student's visa.

15. TRANSFER OF PROVIDER

15.1 Students Seeking to Transfer from QCA

International students who wish to transfer from QCA to another registered provider must follow QCA's transfer request process.

Where the student has not completed six months of their principal course, QCA will assess the request in accordance with Standard 7 of the National Code and this policy.

A student seeking to transfer must submit a written request to QCA using the Course Variation Form and provide:

- A valid enrolment offer from the proposed registered provider;
- The reason for requesting the transfer;
- Any relevant supporting evidence; and
- Any other information reasonably required by QCA to assess the request.

QCA may require the student to attend a meeting with the ISSO or other authorised QCA staff member to discuss the proposed transfer, the student's circumstances and any potential impact on their studies.

QCA will assess each request against the requirements of Standard 7, including whether the circumstances demonstrate that granting the transfer is in the student's best interests.

15.2 Students Under 18 Years of Age

Where the student is under 18 years of age, QCA will not approve the transfer unless:

- QCA has received written confirmation that the student's parent or legal guardian supports the transfer; and
- Where the student is not being cared for in Australia by a parent or suitable nominated relative, the proposed receiving provider has confirmed that it accepts responsibility for approving the student's accommodation, support and general welfare arrangements in accordance with Standard 5 of the National Code.

15.3 Circumstances in which QCA may approve a transfer

Circumstances in which QCA may grant a transfer because it is in the student's best interests include, but are not limited to:

- The student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with QCA's intervention strategy.
- Compassionate or compelling circumstances affecting the student's ability to continue their course;
- QCA has failed to deliver the course as outlined in the student's written agreement;
- There is evidence that the student's reasonable expectations about their current course are not being met;
- There is evidence that the student was misled by QCA or an education or migration agent regarding QCA or its course and the course is therefore unsuitable to the student's needs and/or study objectives;
- An internal or external appeal on another matter results in a decision or recommendation to release the student; or
- Other circumstances that QCA reasonably considers relevant to determining whether the transfer is in the student's best interests, having regard to Standard 7.

QCA will consider relevant evidence provided by the student when assessing the request.

Where the student has completed six months of their principal course, the transfer restriction under Standard 7 no longer applies. QCA will nevertheless process the student's request in accordance with applicable PRISMS requirements and QCA's enrolment and cancellation processes.

15.4 Reasonable Refusal Grounds

Where a student has not completed six months of their principal course, QCA will not approve a transfer request unless the requirements of Standard 7 are satisfied.

QCA may refuse a transfer request where:

- The student has not provided a valid enrolment offer from another registered provider;
- The circumstances provided do not establish that the transfer is in the student's best interests under Standard 7;
- The student has not provided information or evidence reasonably required by QCA to assess the request; or
- Other reasonable grounds exist for refusing the transfer, having regard to the requirements of Standard 7 and the student's individual circumstances.

Where QCA intends to refuse a transfer request, the student will be provided with written reasons and advised of their right to access QCA's complaints and appeals process within 20 working days.

QCA will not finalise the student's refusal status in PRISMS until the applicable complaints and appeals process has been completed, or the student has chosen not to access the process within the 20-working day period, or the student withdraws from the process.

15.5 Decision and Processing

QCA will assess a completed transfer request and provide the student with a written decision within 10 business days, where practicable.

Where the transfer request is approved, QCA will:

- Record the release in PRISMS, including the applicable date of effect and reason for the release;
- Cancel the student's QCA CoE in accordance with applicable PRISMS requirements; and
- Advise the student to contact the Department of Home Affairs to obtain advice regarding any potential impact of the transfer on their student visa.

Where a release is approved, QCA will provide the release at no cost to the student.

QCA will not knowingly enrol an international student transferring from another registered provider before the student has completed six months of their principal course unless the requirements of Standard 7 are satisfied.

These circumstances include where:

- The releasing provider or the course in which the student is enrolled has ceased to be registered;
- The releasing provider has had a sanction imposed that prevents the student from continuing their course;
- The releasing provider has agreed to the transfer and recorded the release in PRISMS; or
- A government sponsor considers the transfer to be in the student's best interests and has provided written support.

Students seeking to transfer to QCA from another registered provider must disclose their current enrolment and provide any information reasonably required by QCA to establish their eligibility for transfer.

QCA will not pay or provide an education agent commission where prohibited under Standard 4 of the National Code, including in relation to the recruitment of an overseas student who has commenced studying with another registered provider, subject to any applicable exceptions.

15.6 Records

QCA will maintain records of all requests from international students for a transfer or release, including:

- The student's written request;
- The valid enrolment offer from the proposed registered provider;
- Supporting evidence;
- Any required parent or legal guardian confirmation for students under 18;
- Assessment and decision-making records;
- Correspondence with the student;
- Complaints and appeals records; and
- Any PRISMS actions taken.

Records relating to transfer requests and the assessment and decision regarding the request will be retained for at least two years after the student ceases to be an accepted student, in accordance with the requirements of Standard 7 of the National Code.

16. APPEALS

International students affected by a provider-initiated deferral, suspension or cancellation will be provided with access to QCA's internal complaints and appeals process in accordance with Standard 9 and Standard 10 of the National Code.

The student will be advised of:

- The decision and reasons;
- Their right to appeal;
- How to access the internal appeals process;

- The applicable timeframe; and
- Any relevant external complaints and appeals options.

The internal appeals process will be conducted fairly and in accordance with QCA's Complaints and Appeals Policy.

For a QCA-initiated suspension or cancellation, the student will have 20 working days from receiving the written notice to access QCA's internal complaints and appeals process.

For matters involving unsatisfactory course progress or attendance, QCA will report the student through PRISMS only where:

- The internal and external complaints and appeals processes have been completed and the decision or recommendation supports QCA's decision to report the student;
- The student has chosen not to access QCA's internal complaints and appeals process within the 20-working-day period;
- Following an unsuccessful internal appeal, the student has chosen not to access the available external complaints and appeals process; or
- The student withdraws from the internal or external complaints and appeals process in writing.

Where an internal or external complaints or appeals process results in a decision or recommendation in favour of the student, QCA will immediately implement the decision or recommendation and take any required corrective action.

17. STUDENT VISA INFORMATION

QCA will advise international students that deferral, suspension or cancellation of enrolment may affect their student visa.

Students will be directed to seek advice from the Department of Home Affairs regarding:

- The effect of the enrolment change on their visa;
- Whether they may remain in Australia;
- Whether they need to leave Australia;
- Whether a new student visa may be required; and
- Any other immigration consequences.

QCA will not provide immigration advice beyond explaining the provider's enrolment processes and obligations.

18. RESPONSIBILITIES

18.1 Students

Students are responsible for:

- Submitting requests for deferral or suspension as soon as reasonably practicable;
- Providing accurate information and supporting evidence;
- Responding to QCA communications;
- Complying with QCA policies and procedures;
- Maintaining current contact details;
- Participating in complaints and appeals processes where applicable; and
- Seeking independent advice from the Department of Home Affairs, or an appropriately qualified immigration adviser, regarding the potential impact of enrolment changes on their student visa.

18.2 Trainers and Assessors

Trainers and Assessors are responsible for:

- Identifying concerns that may affect a student's ability to continue their studies;
- Communicating relevant concerns to the ISSO or appropriate QCA staff;
- Maintaining appropriate records; and
- Supporting intervention and student support processes where required.

18.3 International Student Support Officer (ISSO)

ISSOs are responsible for:

- Receiving and coordinating student requests for deferral, suspension or cancellation;

- Coordinating the assessment of requests;
- Communicating decisions to students;
- Coordinating intervention and support where applicable;
- Coordinating complaints and appeals processes; and
- Maintaining appropriate records.

18.4 International Administration Manager

The International Administration Manager is responsible for:

- Overseeing the monitoring of international students' course progress and attendance;
- Ensuring ISSOs identify and follow up students who are at risk of unsatisfactory progress or attendance;
- Reviewing and determining deferral, suspension and cancellation matters;
- Ensuring students are provided with appropriate communication, support and information regarding decisions and available appeal processes;
- Ensuring accurate and timely recording and reporting of course progress, attendance, deferrals, suspensions and cancellations;
- Escalating significant or complex matters to the Compliance Manager and/or Managing Director; and
- Coordinating PRISMS updates and related enrolment processes.

Formal decisions regarding suspension, cancellation or reporting to PRISMS will be made by the International Administration Manager in consultation with the Managing Director and/or Compliance Manager, where appropriate.

18.5 Compliance Manager / Managing Director

The Compliance Manager and/or Managing Director are responsible for:

- Providing oversight of compliance with the ESOS Act and National Code;
- Supporting the assessment of higher-risk or complex matters;
- Ensuring provider-initiated suspension and cancellation decisions are made in accordance with QCA policy and the ESOS framework;
- Ensuring required appeals processes are available;
- Overseeing PRISMS reporting requirements; and
- Ensuring this policy remains current and effective.

19. RECORDS

QCA will maintain appropriate records relating to deferral, suspension and cancellation decisions.

Records may include:

- Student requests;
- Supporting evidence;
- Assessment and decision records;
- Written notices;
- Correspondence with students;
- Intervention records;
- Complaints and appeals records;
- PRISMS records;
- CoE records;
- Records of consultation with QCA management;
- Records of advice provided regarding Department of Home Affairs contact; and
- Any other relevant documentation.

Records will be maintained securely in accordance with QCA's records management requirements and will be made available where required for regulatory, audit or compliance purposes.

20. POLICY REVIEW AND CONTINUOUS IMPROVEMENT

QCA will review this policy periodically to ensure that processes for deferral, suspension and cancellation remain appropriate, effective and consistent with the ESOS Act, National Code and other applicable legislative and regulatory requirements.

Feedback, student outcomes, complaints and appeals, audit findings, regulatory changes and identified issues may be considered as part of the review and continuous improvement process.

21. RELATED DOCUMENTS

- QCA Course Progress and Attendance Policy - International Students
- QCA Feedback, Complaints and Appeals Policy
- QCA Refund and Cancellation Fee Policy
- QCA Student Support and Wellbeing Policy
- QCA Academic Integrity and Plagiarism Policy
- QCA Intervention Strategy
- QCA Holistic Placement Policy - International Students
- QCA Industry Placement Policy - International Students
- QCA Student Code of Conduct
- Education Services for Overseas Students Act 2000 (Cth)
- Education Services for Overseas Students Regulations 2019
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code)
- Provider Registration and International Student Management System (PRISMS)
- Department of Home Affairs requirements