



# **CANBERRA VALLEY INSTITUTE**

**Document:** Deferment, Suspension, and Cancellation Policy and Procedure

*(Aligned to RTO Standards 2025)*

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**Deferment, Suspension and Cancellation Policy and Procedure**

LUMINOUS EDUCATION PTY. LTD. T/As Canberra Valley Institute | RTO Code: 41498 | CRICOS Code: 03937D

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## 1. Overview

This policy sets out the circumstances under which Canberra Valley Institute (CVI) may permit a student to **defer commencement, suspend studies temporarily, or cancel their enrolment**. All actions are conducted in accordance with:

- **Standards for RTOs 2025**, including governance, student support, fair treatment, and record-keeping requirements
- **ESOS Act 2000**
- **National Code of Practice for Providers of Education and Training to Overseas Students 2018 – Standard 9**
- **CRICOS registration obligations**

International students are strongly encouraged to consult the **Department of Home Affairs** to understand any visa consequences resulting from changes to their enrolment.

## 2. Scope

This policy applies to all students enrolled at Canberra Valley Institute (CVI), including international students, as well as all staff involved in enrolment administration and compliance. For students who are not subject to ESOS reporting, PRISMS requirements do not apply; however, Canberra Valley Institute (CVI) continues to uphold the same principles of procedural fairness, timely notification, and thorough record-keeping.

## 3. Definitions

For this policy document, Canberra Valley Institute (CVI) has identified the necessity to define the following expressions:

**Deferment:** the postponement of the start date of study that allows the student's spot in a course at the school to be reserved for a specific period.

**Suspension:** A temporary pause in studies after starting, initiated by either the student or the RTO.

**Cancellation:** The termination of a student's enrollment before completing the course, which can happen at the student's request or be initiated by the RTO.

**Person** means a student, prospective student, staff member, client, customer, or employer.

### **Event Date definition:**

- a. **Non-commencement:** The Event Date is the scheduled course start date on the CoE (Day 0).
- b. **Unsatisfactory course progress, non-payment, or disciplinary cancellation:** The Event Date is the date the final decision to cancel or report is made, following

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- completion or expiry of the complaints and appeals process under National Code Standard 8. The date the appeal period ends OR the date appeal outcome finalised.
- c. **Non-payment:** Date appeal period expires OR appeal outcome finalised.
  - d. **Provider-initiated cancellation (discipline):** Final decision date after appeal process.
  - e. **Immediate safety cancellation:** Date of immediate suspension decision
  - f. **Approved deferment or suspension:** The Event Date is the date the deferment or suspension takes effect.

#### 4. ESOS Act 2000 Event & Reporting Matrix

- **Section 19 (ESOS Act):** Requires PRISMS reporting for enrolment status changes, including non-commencement, suspension, and cancellation.
- **Section 47H (ESOS Act):** Applies only to provider defaults and associated refunds.
- Non-commencement, suspension, or cancellation are not Section 47H events and must not be treated as refund-related unless a provider default occurs. These enrolment status events do not constitute refund-triggering defaults unless a provider default occurs under s46A.”
- **Provider Default & Refund Reporting (s47H):** When a provider default occurs, Canberra Valley Institute (CVI) must:
  - Calculate and pay the required refund within **four weeks** of the default.
  - Record the provider default and refund outcome in PRISMS in accordance with Section 47H.
- Section 47H reporting **only covers provider default and refunds**; it does not apply to non-commencement, suspension, or cancellation events.
- Where a deferment, suspension, or cancellation arises due to provider inability to deliver the course, this constitutes a provider default under s46A and will be managed in accordance with the Refund & Provider Default Policy.”

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**(Refund vs PRISMS Trigger Table – Template)**

Event Category	Specific Event	ESOS Section	Refund Obligation Triggered?	PRISMS Reporting Required?	Refund Timeframe	Reporting Timeframe
<b>Student Visa Condition Breach</b>	Non-commencement of studies	s19	No	Yes	Not applicable	Within 31 days of provider becoming aware
	Unsatisfactory course progress	s19	No	Yes	Not applicable	Within 31 days after appeals process completed
	Unsatisfactory attendance (if applicable)	s19	No	Yes	Not applicable	Within 31 days after appeals process completed
	Non-payment of fees	s19	No	Yes	As per written agreement (if refund applicable)	Within 31 days of default
	Voluntary withdrawal (student default)	s19	No (unless written agreement provides)	Yes	As per written agreement	Within 31 days of withdrawal
<b>Student Default (Refund Category)</b>	Withdrawal after commencement	s47A	Yes (per written agreement)	Yes	Within 4 weeks of written claim	Within 31 days
	Visa refusal (outside Australia)	s47E	Yes (statutory formula)	Yes	Within 4 weeks of written evidence	Within 31 days

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	Visa refusal (inside Australia)	s47E	Yes (statutory formula)	Yes	Within 4 weeks of written evidence	Within 31 days
<b>Provider Default</b>	Course not commenced	s46A	Yes (100% unspent tuition)	Yes	Within 14 days	Within 3 business days
	Course ceased after commencement	s46A	Yes (100% unspent tuition)	Yes	Within 14 days	Within 3 business days
<b>Refund Compliance</b>	Failure to pay refund in time	s47H	Yes (offence provision)	Yes	Statutory breach if unpaid	Reportable via TPS/PRISMS

## 5. Policy and Procedure

Canberra Valley Institute (CVI) implements deferral, suspension, and enrolment cancellation processes in a fair, transparent, and consistent way, ensuring students are aware of their rights and obligations and that all actions are fully documented for accountability and audit purposes.

Valid Reasons for Deferment, Suspension and Cancellation is sub-divided into two categories, as follows:

### a. Initiated by the Student

Students may request a deferment or suspension due to compassionate or compelling circumstances. All requests will be evaluated in line with the Access and Equity Policy to ensure students are not unfairly disadvantaged. Reasons for deferment or suspension include, but are not limited to:

- Severe illness or injury (supported by medical documentation)
- Death of an immediate family member
- Major political unrest or natural disasters
- Personal trauma
- Delays in visa processing that are outside the student's control
- Significant family matters with supporting evidence
- Public health emergencies or pandemic situations

### b. Initiated by the Institution

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Canberra Valley Institute (CVI) may suspend or cancel a student's enrolment under certain circumstances, such as:

- Serious misconduct that presents an immediate safety risk
- Non-payment of tuition fees after due process has been followed
- Poor attendance or failure to make satisfactory academic progress
- Breaches of disciplinary rules
- Potential issues affecting visa status
- Submission of false or misleading information
- Non-compliance with the Attendance Policy and Course Progress Policy
- Failure to start the course on the agreed commencement date without an approved deferral.

### 5.1 Deferment or Suspension before Commencement of studies (Initiated by Student)

International students may request a deferment of their course commencement if they are unable to start on the scheduled date due to delays in visa processing. Students may also apply for a voluntary suspension of their enrolment if they are unable to attend classes for a defined period because of compassionate or compelling circumstances.

- To apply for a deferment, commencing students must submit the **Deferment, Suspension and Withdrawal Form** prior to the course start date.
- Students must provide a written statement explaining the reason for the deferment, supported by appropriate evidence such as medical documentation or travel records.
- Upon receipt of the completed application and all required supporting documents, the Canberra Valley Institute Admissions Team will assess the request and inform the student of the outcome within five (5) working days.
- If the deferment is approved, the student will be issued a revised Letter of Offer outlining the updated enrolment details. The deferment will be confirmed only after the student returns a signed copy of the revised Letter of Offer.
- For international students, Canberra Valley Institute will issue an updated electronic Confirmation of Enrolment (CoE) and amend the student's PRISMS record to reflect the approved deferment.
- Students may be required to lodge a new student visa application in order to continue their studies.
- The maximum allowable deferment period is six (6) months.
- Approval of a deferment does not entitle the student to a refund of any fees or charges already paid.

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## 5.2 Deferment or Suspension Post-commencement of studies (Initiated by Student)

Students who are required to temporarily suspend or defer their studies after the course commencement date must submit a **Deferment, Suspension and Withdrawal Form** and demonstrate that the request is supported by compassionate or compelling circumstances.

- Students must provide a written explanation clearly outlining the reason for the deferment, supported by relevant documentary evidence such as medical certificates, travel documentation, or other official records.
- Upon receipt of the completed application and all supporting evidence, Canberra Valley Institute will assess the request and notify the student of the outcome within five (5) working days.
- Where a deferment is approved, the student will be issued a revised Letter of Offer confirming the updated enrolment details.
- The deferment will only take effect once the student has returned a signed copy of the revised Letter of Offer.
- For international students, Canberra Valley Institute will update the student's PRISMS record to reflect the approved suspension. A new Confirmation of Enrolment (CoE) will be issued only where the suspension results in a change to the course end date.
- The maximum period allowed for a voluntary suspension or deferment after commencement is six (6) months.
- Approval of a deferment or suspension does not provide entitlement to any refund of tuition fees or other charges already paid.

## 5.3 Cancellation of Enrolment

Students seeking to withdraw must formally notify Canberra Valley Institute (CVI) in writing by submitting the Deferment, Suspension, and Withdrawal Form.

Cancellation of a student's enrolment initiated by Canberra Valley Institute (CVI) may occur if the student:

- Fails to commence their studies
- Fails to maintain satisfactory academic progress
- Fails to pay their tuition fees
- Breaches the Student Code of Conduct
- Breaches visa conditions (international students only)

## 5.4 Non-Commencement of Studies

Where an international student does not commence their studies on the scheduled course

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start date as specified on their Confirmation of Enrolment (CoE), Canberra Valley Institute must take action in accordance with **Section 19 of the ESOS Act 2000** and **Standard 8 of the National Code 2018**.

A student is deemed to have not commenced their studies when they fail to attend or begin training on the CoE commencement date (Day 0) and do not hold an approved deferment or suspension of enrolment.

For PRISMS reporting purposes, non-commencement is considered an objective and attendance-based event. The determination of non-commencement is not influenced by student communications, Canberra Valley Institute (CVI) provider contact attempts, welfare interventions, or any future intentions expressed by the student regarding enrolment.

#### 5.4.1 *Event Date*

- **Event Date (Day 0):** The official course commencement date recorded on the Confirmation of Enrolment (CoE).
- This event date is fixed and remains unchanged irrespective of:
  - attempts made by Canberra Valley Institute to contact the student,
  - welfare or wellbeing checks undertaken,
  - explanations or documentation submitted after the commencement date, or
  - any indication of the student's intention to commence studies at a later time.

#### 5.4.2 *Monitoring and Welfare checks (Internal Process)*

If a student does not attend classes on Day 0 and has not provided prior notification:

- Canberra Valley Institute (CVI) will attempt to contact the student by phone and email on Day 0.
- Welfare and well-being checks will be undertaken on Day 1 and Day 2 to:
  - confirm the student's safety and wellbeing, and
  - identify any potential support or welfare-related concerns.
- On Day 3, Canberra Valley Institute may contact the student's:
  - appointed education agent, and/or
  - nominated emergency contact or next of kin, where appropriate.

These measures are administrative and supportive in nature and do not affect or postpone Canberra Valley Institute's PRISMS reporting obligations.

#### 5.4.3 *Internal Warnings*

If a student continues to be absent and fails to provide valid or documented reasons for their non-attendance:

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- An initial written notice must be issued within two (2) calendar days of the event date.
- A second notice, advising of the Institute's intention to report, must be issued within two calendar days following continued non-attendance.
- These notices are internal administrative measures only and are not mandated under ESOS requirements for cases of non-commencement.

#### 5.4.4 *Confirmation of Non-Commencement (Did Not Commence – DNC):*

A Student will be recorded as **Did Not Commence (DNC)** where:

- The student has not attended any training activities from Day 0; and
- There is no approved deferment or suspension of enrolment in place.

Confirmation of non-commencement will be determined using objective evidence, including:

- Attendance records
- Learning Management System (LMS) access logs
- Trainer commencement and participation reports

#### 5.4.5 *Mandatory PRISMS Reporting*

- Cases of non-commencement must be reported in PRISMS within thirty-one (31) calendar days from the event date (Day 0), in accordance with Section 19 of the ESOS Act 2000.
- This reporting obligation applies irrespective of:
  - explanations provided by the student,
  - the presence of compassionate or compelling circumstances,
  - pending or incomplete student responses,
  - ongoing welfare or wellbeing follow-up activities, or
  - any intention to issue a new Confirmation of Enrolment (CoE) or commence studies at a later date.

#### 5.4.6 *CoE Action*

- The student's Confirmation of Enrolment (CoE) will be cancelled in PRISMS under the reporting reason "Did Not Commence (DNC)".
- Non-commencement is reported on the basis that the student did not begin their studies, and not due to a lack of communication or response from the student.
- For PRISMS reporting purposes, the event date remains the original course commencement date recorded on the CoE. Internal contact attempts, welfare checks, or administrative follow-up activities do not amend or extend the

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required reporting timeframe.

Scenario	CoE Action
Approved deferment	Update PRISMS; CoE remains active
Suspension no duration change	PRISMS update; no CoE reissue
Suspension duration change	Cancel + reissue CoE
Cancellation	Cancel CoE

## 5.5 Unsatisfactory Course Progress

When an overseas student is assessed as not meeting satisfactory course progress, Canberra Valley Institute (CVI) is required under section 19(2) of the ESOS Act to report this to the Department of Home Affairs (DHA). A report to DHA could affect the student's visa. Students are strongly advised to seek guidance from the Department of Home Affairs (DHA) regarding any possible impacts on their visa status.

Before reporting, Canberra Valley Institute (CVI) will issue the following written notice:

- If a student fails more than sixty percent (60%) of their enrolled units at any stage, or otherwise does not meet the required course progress standards, Canberra Valley Institute will contact the student by phone and/or email within two (2) working days to arrange academic counselling.
- A first written warning will be issued within two (2) working days if the student shows no improvement in academic progress or fails to attend the scheduled counselling session.
- A second written notice, advising of the Institute's intention to report, will be issued within two (2) working days following the first warning if unsatisfactory progress continues.
- Students must be advised that they have twenty (20) working days from the event date to lodge an appeal with Canberra Valley Institute (CVI)
- **Final Study Period:** Students in their final study period will receive targeted, individualized support to facilitate course completion. Reporting will occur only if documented assessment shows the student cannot reasonably complete the course despite these interventions.

Canberra Valley Institute (CVI) will only proceed to report the student in PRISMS if one or more of the following conditions apply:

- The student has not accessed the internal complaints and appeals process within the 20-working-day period,
- The student failed to meet the agreement signed in the internal appeal process,

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- The internal and, if applicable, external appeals process has been completed, and the decision supports Canberra Valley Institute (CVI).

## 5.6 Non-Payment of Fees

If a student fails to pay tuition fees or any other required charges, Canberra Valley Institute reserves the right to cancel the student's enrolment and report the matter in PRISMS in accordance with **Section 19(2) of the ESOS Act 2000**. The following process applies:

- A fee reminder, together with an invoice, will be issued to the student four (4) weeks prior to the scheduled payment due date.
- Where payment is not received within two (2) working days after the due date, a written **First Warning Notice** will be issued advising the student of the outstanding balance and requesting immediate settlement.
- If payment remains outstanding two (2) working days after the First Warning Notice, Canberra Valley Institute will issue a formal **Intention to Report (ITR)** notice in writing. This notice will include:
  - the reason for the proposed cancellation (non-payment of fees),
  - information regarding the student's right to access the internal complaints and appeals process, and
  - a clear statement advising the student that they have twenty (20) working days to either pay the outstanding fees in full or lodge a formal appeal.
- The student's enrolment will remain active during the twenty (20) working-day appeal period.
- If the student fails to make payment or submit an appeal within the appeal period, or if any appeal is unsuccessful and the decision is finalised, Canberra Valley Institute may cancel the student's Confirmation of Enrolment (CoE) in PRISMS due to non-payment of fees.
- All correspondence, actions, and decisions related to the matter will be fully documented in the student's file.

For further information, students are advised to refer to the **Fees Policy and Procedure** available on the Canberra Valley Institute (CVI) website.

## 5.7 PRISMS Reporting

- All deferrals, suspensions, and cancellations of enrolment are reported in PRISMS within thirty-one (31) calendar days of the relevant event. The reporting timeframe is calculated from:
  - the end of the twenty (20) working-day appeal period where no appeal has been submitted; or

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- the date on which an appeal outcome is finalised, where an appeal has been lodged.
- Where there is an immediate or serious risk to a student's welfare or safety, PRISMS reporting may be undertaken before the appeal period has concluded, in accordance with the requirements of the National Code.
- PRISMS reporting must be completed within 31 calendar days of the Event Date, once the appeal period has ended or an appeal is finalised, in accordance with ESOS Act s19. Ongoing student engagement, support, or monitoring does not delay reporting. PRISMS reporting reason codes will accurately reflect the nature of the enrolment change.
- Students will be notified in writing within two (2) business days after PRISMS reporting has been completed.
- Any decision to report to PRISMS prior to the completion of the appeal period due to welfare or safety concerns must receive approval from the CEO/PEO and be fully documented on the student's file.

## 5.8 Enrolment Updates, Visa Responsibility and Appeals

- CoEs will be updated to reflect revised completion dates, and students are informed that such changes may impact their visa status. Students are responsible for notifying Department of Home Affairs about the change.
- Students may appeal decisions under the Complaints and Appeals Policy by lodging an appeal within 20 working days. Where applicable, external review options, such as the Overseas Students Ombudsman, are available.

## 5.9 Record Keeping

- All documentation will be **stored securely** and retained for a minimum of **7 years** after closure.
- Records will include approval letters, appeal outcomes, and PRISMS confirmation reports which are stored in compliance with Privacy Act 1988.

## 6. Regulatory Compliance and Policy Oversight:

This policy aligns with the:

- Standards for RTOs 2025 (covering fair treatment, governance, and record-keeping), National Code 2018 – Standard 9, and the ESOS Act 2000, and is subject to internal audits and compliance monitoring.
- Decisions may be delegated in accordance with the Delegations of Authority Policy, with ultimate accountability retained by the CEO/PEO.

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- The policy is reviewed at least annually or following any updates to ESOS or National Code requirements.
- Any provider-initiated suspension or cancellation must be reported to the CEO/PEO within **two (2) working days** of identification.

## 7. Extension of Course Duration (National Code Standard 9.2)

Under Standard 9.2, Canberra Valley Institute (CVI) may only approve an extension to the duration of an international student's course if the student cannot complete their studies within the timeframe indicated on their Confirmation of Enrolment (CoE). Extensions may be granted in the following situations:

- The student has been identified as at risk of not achieving satisfactory course progress, and Canberra Valley Institute (CVI) has implemented a formally approved intervention strategy.
- The student has received approval for a deferment or suspension of study due to compassionate or compelling circumstances, with supporting documentation.
- Examples of compassionate or compelling circumstances include, but are not limited to, serious illness, bereavement, traumatic events, natural disasters, or other events beyond the student's control.

## 8. PRISMS and CoE Outcomes

When a deferment or suspension is approved under National Code Standard 9, the outcome will fall into one of the following categories:

### 8.1 Outcome 1: Suspension or Deferment Without Changing CoE End Date

- The deferment or suspension is recorded in PRISMS.
- The CoE end date remains the same.
- CoE status stays as **“studying.”**
- All details are available to the Department of Home Affairs for monitoring purposes.

### 8.2 Outcome 2: Suspension or Deferment That Changes CoE End Date

If the deferment or suspension affects the expected completion date:

- The current CoE is cancelled in PRISMS.
- A new CoE may be issued once the student confirms their return, with an updated end date.
- PRISMS reporting is completed within 31 calendar days of the event.

### 8.3 Outcome 3: Enrolment Cancellation

- Applies when a student:

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- Fails to resume studies,
- Continues non-attendance, or
- Does not provide evidence of compassionate or compelling circumstances.
- Cancellation is processed according to:
  - Attendance Policy
  - Course Progress Policy
  - Complaints and Appeals Policy
- After all appeals and procedural fairness steps are completed:
  - The enrolment is cancelled in PRISMS.
  - CoE status is updated to “**cancelled.**”
  - The event date is recorded as the last date of attendance or, for non-commencement, the scheduled course start date.
  - For students who never commence the course, the event date will be the **scheduled course commencement date.**
  - PRISMS reporting is completed **within 31 calendar days** of the event or final decision, **after the complaints and appeals process has been completed or expired.**

## 9. Student Communication and Notification Requirements

Canberra Valley Institute (CVI) provides timely written communication to students at all critical stages relating to deferment, suspension, or cancellation of enrolment. All notifications are issued in compliance with the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Standard 9) and the Standards for RTOs 2025.

### 9.1 Confirmation of Student Request

When a student submits a request for deferment or suspension, Canberra Valley Institute (CVI) will acknowledge receipt of the request within **two (2) business days**.

### 9.2 Advice of Decision

Students will receive written notification within **two (2) business days** of a decision being finalised. The notification will include:

- The decision outcome and detailed reasons
- Any amendments to course duration and/or Confirmation of Enrolment (CoE)
- Information about possible visa implications
- Details of the right to access the internal appeals process (where applicable)

### 9.3 Provider-Initiated Suspension or Cancellation

Where Canberra Valley Institute (CVI) intends to suspend or cancel a student’s enrolment, a

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**Notice of Intention to Suspend or Cancel Enrolment** will be issued prior to any action being taken. This notice will outline:

- The grounds for the proposed action
- Information on accessing the internal complaints and appeals process
- Students have 20 working days from the date of notification of intention to suspend or cancel to lodge an appeal

#### 9.4 Outcome of Appeals

Students will be advised in writing of the final outcome of any appeal **within two (2) business days** of the decision.

#### 9.5 PRISMS Reporting

Following completion of PRISMS reporting, students will be notified within **two (2) business days**. They will also be reminded to contact the **Department of Home Affairs** to seek advice regarding any potential visa implications.

All correspondence is issued through official Canberra Valley Institute (CVI) communication channels and retained on the student's file for compliance and record-keeping purposes. Communication methods may include email, the student portal, registered mail, or other authorised Canberra Valley Institute (CVI) systems.

- Administrative actions such as warning letters, welfare checks, or attempts to contact a student are procedural steps only and do not affect or extend the PRISMS reporting timeframe required under **Section 19 of the ESOS Act**. Internal engagement efforts must not delay statutory reporting once the event date is triggered.
- PRISMS entries must be verified by Compliance Officer
- Event Date must be confirmed in writing
- PRISMS screenshot retained
- Entry logged in PRISMS Register

### 10. Notification, Processing Timeframes and Responsibility

This section supports the Student Notification requirements and outlines the operational timeframes and responsibilities for managing enrolment variations at Canberra Valley Institute (CVI):

Process Step	Required Timeframe	Responsible Officer(s)
Review request and determine outcome (after receiving all required	Within 5 business days of receipt of complete	Admissions Team /

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supporting documents)	documentation	CEO
Issue formal written outcome notification to the student	Within 2 business days of decision being finalised	Admissions Team
Update internal records (Student Management System)	Within 1 business day of issuing the decision letter	Admissions Team
Report enrolment variation in PRISMS (deferment, suspension, cancellation, or other status changes)	Within 31 calendar days of the relevant event date	Admissions Team / PEO
Advise student that PRISMS reporting has been completed	Within 2 business days of PRISMS update	Admissions Team

All actions must be completed within the specified timeframes to ensure compliance with ESOS legislative requirements and internal quality assurance processes. Students are advised that deferment, suspension, or cancellation may impact visa status and must seek advice from the Department of Home Affairs.”

## 11. Compliance Monitoring

- Weekly review of PRISMS events
- Monthly PRISMS Reconciliation register
- Internal audit quarterly of enrolment variations
- Annual compliance review

## 12. Related Documents

- Course Progress Policy (s19)
- Refund & Default Policy (s46A, s47D, s47E, s47H)
- Complaints & Appeals Policy
- Attendance Policy

## 13. Review of Policy

Canberra Valley Institute will review the *Deferment, Suspension, and Cancellation Policy and Procedure* annually or on a needs basis (whichever occurs first).

### **Deferment, Suspension and Cancellation Policy and Procedure**

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