

VET STUDENT LOANS – RE-CREDITING AND REVIEW PROCEDURES

Scope

This policy applies to all requests for refunds in relation to a Vocational Education and Training (VET) Student Loan enabled course at HeadMasters.

Purpose

The purpose of this policy is to:

- provide HeadMasters' staff and domestic students enrolled in a VET Student Loan enabled course refund guidelines that apply to withdrawing from a VET Unit of Study or a VET Course of Study on or before the census date.
- ensure all HeadMasters' staff involved in administration of VET Student Loan enabled courses have the appropriate information and training as to the correct procedures for processing refunds for students in the VET Student Loan enabled courses/VET units of study.

Key Definitions

- **Census Date** - the last day a student may withdraw from a VET Unit of Study in which they are enrolled without incurring a liability for tuition fees or a VET Student Loan debt.
- **Student** - is an Australian citizen or Australian permanent resident, a permanent humanitarian visa holder or an eligible New Zealand Citizen enrolled in a VET Student Loan enabled course at HeadMasters.
- **Student Loan** - a Commonwealth Government loan scheme helping eligible students to defer paying fees for approved units of study in VET.
- **VET Course of Study** - a qualification that has been approved by the relevant Australian Government Department as eligible for VET Student Loan assistance.
- **VET Student Loan** - an income contingent loan scheme for the VET.
- **VET Unit of Study** - a published unit of study that forms part of a VET Course of Study.

Policy Principles

- HeadMasters will implement this policy and procedures in compliance with the VET Student Loans Act 2016, the VET Student Loans Rules 2016, and relevant VET Provider Guidelines.
- A student who has fully paid their tuition fees and/or incurred a VET Student Loan debt may apply for an appropriate refund and/or remission of the debt.
- A student cannot apply for a refund or remission if they have completed the subject.

Policy statements

Recrediting of a VSL Debt

A student may apply to have their FEE-HELP balance re-credited under Part 6, Division 2 of the VET Student Loans Act 2016 Section 68 – Special Circumstances or they may apply to the Secretary under Section 71 of the Act because:

- HeadMasters, or a person acting on the HeadMasters' behalf, engaged in unacceptable conduct in relation to the student's application for the VET student loan
- HeadMasters has failed to comply with the Act or an instrument under the Act and the failure has adversely affected the student

Applications for re-crediting under section 71 of the Act must be made directly to the Secretary within 5 years after the census day for the course, or the part of the course, concerned, or within that period as extended by the Secretary.

In the event that HeadMasters is unable to act, is dissolved or where the Secretary deems a failure to act unreasonable, the Secretary may re-credit a student's FEE-HELP balance in accordance with Section 89 of the VSL Rules.

Withdrawal from a VET Unit of Study/ VET Course of Study

Students who wish to withdraw from a VET unit of study or VET Student Loan enabled course of study must do so in writing using HeadMasters's Withdrawal form available from Student Services at each HeadMasters' campus. A request for the form can also be made by email to info@HeadMasters.com.au.

Refund within Census Date

If a student withdraws after enrolling into a VET Student Loan enabled qualification on or before the census date the student will:

- receive a refund of 100% of tuition and resource fees paid for the study period, and
- not incur a Commonwealth VET Student Loan debt, if they have taken a VET Student Loan.

Refund after Census Date

If a student withdraws from a VET unit of study or VET Student Loan enabled qualification after census date for that unit of study or qualification, where appropriate, the student:

- will not receive a refund of the unit of study fees if they have paid up-front
- will be liable for the full debt for the unit of study if they have taken out a VET Student Loan
- will only be eligible for a refund or reversal of their VET Student Loan under special circumstances.

Special Circumstances

Where withdrawals are submitted after census date, the student may apply for a refund/re-credit under

special circumstances, based on:

- serious illness resulting in extended absences from classes;
- injury or disability that prevented the student from completing their program;
- other exceptional circumstances.

Note: Pre-existing illnesses may exclude the student from being considered for a full refund.

HeadMasters will re-credit the VET Student Loan balance if it is satisfied that special circumstances that applied to the student that were:

- a) beyond the student's control;
- b) did not have full impact on the student until on or after, the census date; and
- c) it made it impracticable for the student to complete the requirements for the unit during the period which the student undertook, or was to undertake, the unit.

Circumstances that make it impracticable for the student to complete the requirements for their course or part of the course may include:

- medical circumstances, for example, where a student's medical condition has changed to such an extent that he or she is unable to continue studying.
- family/student circumstances, for example, death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a student to continue studies.
- employment related circumstances, for example, where a student's employment status or arrangements have changed so the student is unable to continue their studies, and this
- change is beyond the student's control; or course related circumstances, for example, where the provider has changed the course or parts of a course it had offered and the student is disadvantaged by either not being able to complete the course or parts of a course, or not being given credit towards other or courses or parts of a course.

The student should complete an Application for Special Circumstances Re-credit Remission form (available from Student Services at campus or by electronic request for a form from info@HeadMasters.com.au) if they believe that they have met the criteria for consideration.

An application for full re-credit can only be requested if all above points are met and the situation must be unusual, uncommon or abnormal.

All applications must include independent supporting documentation that supports the claims made.

Each application will be examined and determined on its merits. HeadMasters' will consider the student's claims, together with any supporting documentary evidence that substantiates these claims.

Procedural Statements

The procedure for the application of a refund in an VET unit of study or VET Student Loan enabled qualification is as follows:

- (a) The Student must formally withdraw from a VET unit of study or VET Student Loan enabled qualification by completing a withdrawal request available from Students Services at each campus or by requesting a form from info@HeadMasters.com.au.
- (b) HeadMasters shall confirm the withdrawal by giving notice to the student in writing stating the date at which the withdrawal has taken effect; and advising the student that the withdrawal process may take up to 28 days.
- (c) The student must then apply in writing on the Application for Special Circumstances Re-credit Remission form within 12 months from the date specified in the notice as day of withdrawal for VSL re-credit. This is done by emailing info@HeadMasters.com.au. The written application must also include supporting documentation that demonstrates that the requirements for special circumstances have been met if applicable.
- (d) The VET Student Loan Review Officer will consider and process the application for Tuition Fee Refund within 28 days of the date of the withdrawal being submitted by the student and request any further clarification from the delivery area and student if necessary.
 - o If the application for refund occurs outside the VET unit of study census date, the VET Student Loan Review Officer may either reject the withdrawal or seek further documentation from the student to support their application.
- (e) If the application is successful, HeadMasters will arrange for appropriate refund of paid tuition fees. If the application is unsuccessful, the student must be advised of their opportunity to apply for a 'Review of a Decision.'
- (f) VET Student Loan Review Officer shall advise the student of the outcome of the application within 28 days from the date of withdrawal submission stating the reasons for the decision.

Review of a Decision

No student will be victimised or penalised for requesting a review of decision. If a student is not satisfied with the decision made by the VET Student Loan Review Officer in relation to refunds, they may request a review of the decision.

The review shall be carried out by the Directors who are different to the original decision maker.

Any such request must be submitted to the Directors in writing and:

- (a) must be lodged within 28 days of receiving notice of the original decision, unless a longer period is accepted by HeadMasters;
- (b) must specify the reasons for making the request and include any supporting documentation; and
- (c) sent to:

HeadMasters

The Directors - VET Student Loan

Review 185 Spring Street
Melbourne VIC3000

Or requests can also be emailed to: info@HeadMasters.com.au

The Directors (or their delegate) shall acknowledge receipt of an application for a review of the refusal to refund tuition fees paid for a VET Student Loan enabled course or unit of study in writing. The Directors (or delegate) shall:

- (a) seek all relevant information from the person who made the original decision;
- (b) review the case within 2 weeks from the date the review request was received and advise the student of the decision in writing giving the reasons for the reviewer's decision.

The Directors may:

- (a) confirm the decision;
- (b) vary the decision; or
- (c) set the decision aside and substitute a new decision.

The applicant must be notified of the outcomes of the Review in writing within 2 weeks of receiving the review application. This notice shall also advise the applicant that they have the right to apply to the Administrative Appeals Tribunal within 28 days of a decision for an external review of that decision and will provide the contact details as follows:

"If you wish to appeal this decision externally, you may lodge an appeal with the Administrative Appeals Tribunal (AAT) within 28 days from this written notice. The current fee to lodge an application with the AAT for the review of a decision is \$920 as at 26 June 2019 and further information about the review process can be found on the AAT website here <https://forms.aat.gov.au/landing.htm?formCode=app-for-review>. Alternatively, please contact the AAT directly. Their contact details including details of your nearest AAT centre are here <https://www.aat.gov.au/contact-us>."