

VET Student Loans Tuition Fee and Refund Policy

Policy Summary	
Department Responsible for Policy	Finance Department
Contact Person for Policy	Finance Manager & Academic Director
Approving Authority	FFET Board
Date Last Approved	
Next Review Date (Evaluation)	Every two years from date of release
Related Documents	<p>Guidelines</p> <ul style="list-style-type: none"> • <i>VET Student Loans Rules (2016)</i> • <i>VET Student Loans (Charges) Act 2016</i> • <i>VET Student Loans Act 2016 and subsequent Amendments</i> • <i>The Tertiary Education Quality Standards Agency (TEQSA) Higher Education Standards Framework 2015</i> • <i>National Vocational Education and Training Regulator Amendment Act 2015</i> • <i>Australian Qualifications Framework (AQF)</i> • <i>Australian Skills Quality Authority (ASQA) Standards for NVR Registered Training Organisations 2015</i> <p>Policies</p> <ul style="list-style-type: none"> • <i>4-01-001 Fees and Refund Policy</i> <p>Manuals</p> <ul style="list-style-type: none"> • <i>4-02-001 Finance Manual</i> • <i>2-02-003 Admissions Manual</i> <p>Documents</p> <ul style="list-style-type: none"> • <i>1-03-022 Course Withdrawal Form</i> • <i>Letter of offer (admissions folder)</i> • <i>Enrolment forms (academic folder)</i>
Document Number	4-01-010
Department Responsible for Policy	Finance Department

Policy History		
Policy version	Main changes made	Date Amended
V1.0	New Policy	7/04/2017

1. Preamble

- 1.1 The VET Student Loans program is an Australian Government program that replaces the VET FEE-HELP scheme from 1 January 2017 particularly to aid those students who could not otherwise afford to pay upfront)
- 1.2 Domestic students are eligible for VET Student Loans if they are enrolled in a VET Student Loan eligible qualification.
- 1.3 Given that the loans are government loans, there are certain criteria and procedures that have to be followed.

2. Definitions

Act (VET Student Loans Act 2016): The *VET Student Loans Act 2016*, the Commonwealth legislation that establishes the VET Student Loans program. It is available at www.legislation.gov.au/Series/C2016A00098.

Administrative Date 10% of the way through a VET Unit of Study. It is the date by which students must either:

- pay for a VET Unit of Study; or
- indicate that they intend taking out a loan

Approved course: A course for which students can access a VET Student Loan.

ATO (Australian Taxation Office): The ATO is the Australian Government's main tax collection agency. The ATO is responsible for managing HELP debt repayments.

Australian Qualifications Framework (AQF) First introduced in 1995, it is the national policy for regulated qualifications in Australian education and training. It incorporates the qualifications from each education and training sector into a single comprehensive national qualifications framework.

Australian Quality Training Framework (AQTF) The national set of standards which assures nationally consistent, high-quality training and assessment services for the clients of Australia's vocational education and training (VET) system. Initially established in 2001 for implementation in 2002, it is approved by the Ministerial Council for Tertiary Education and Employment (MCTEE), which includes all Ministers for VET in Australia.

The components of AQTF are: AQTF Essential Conditions and Standards for Initial and Continuing Registration; The Quality Indicators; AQTF Standards for State and Territory Registering Bodies; AQTF Excellence Criteria; AQTF Standards for Accredited Courses; AQTF Standards for State and Territory Course Accrediting Bodies. (AQTF, 2010, 6)

Australian Skills Quality Authority (ASQA) The national regulator for Australia's vocational education and training (VET) sector. ASQA regulates courses and training providers to ensure nationally approved quality standards are met.

Application Period the period in which a student may apply for a re-crediting of their FEE-HELP balance, i.e. 12 months after the day the withdrawal takes effect.

CAN (Commonwealth Assistance Notice): A notice from your approved course provider issued after the census day which details the Commonwealth assistance (ie. the loan) you

have used for the study period.

Commonwealth Higher Education Student Support Number (CHESSN): Your unique identification number as a person studying in a Commonwealth supported place or accessing a HELP loan.

Compulsory repayment threshold: \ Point at which student is required to start repaying the HELP debt through the taxation system once your repayment income is above the compulsory repayment threshold, even if you are still studying.

Census Date 20% of the way through a VET Unit of Study. If students are taking out a VET Student Loan, it is the date by which enrolment in the VET Unit of Study must be confirmed and they incur a VET Student Loan debt if enrolled in the VET Unit of Study after this date has passed.

College Kenvale College of Hospitality Cookery and Events. The College is a project of Foundation For Education and Training Limited (FFET), a non-profit company limited by guarantee, and is a Registered Training Organisation with ASQA.

End Date the date on which a VET Unit of Study finishes

Higher Education (HE) Provider A body that is established or recognised by the Commonwealth or a state or territory government to issue qualifications in the HE sector.

My Skills (www.myskills.gov.au): My Skills website is the national Vocation Education and Training (VET) consumer directory that contains information about each Registered Training Organisation (RTO) and the courses they offer. It is a federal government initiative to enable consumers to search for, and compare, VET courses and training providers.

Registered Training Organisation (RTO) A vocational education and training organisation registered by a state or territory registering body in accordance with ASQA.

Start Date The date on which a VET Unit of Study begins.

The Tertiary Education Quality Standards Agency (TEQSA) is an independent statutory authority established in 2011. It sits within the Education portfolio. TEQSA regulates and assures the quality of Australia's large, diverse and complex higher education sector. TEQSA registers and evaluates the performance of higher education providers against the Higher Education Standards Framework.

TFN (Tax File Number): Your unique identification number from the ATO for everything tax related, including making HELP debt repayments.

Unit of Competency (UoC) A single component of a qualification, or a stand-alone unit, that has been accredited by the same process as for a whole AQF qualification. (AQF, 2013)

USI (Unique Student Identifier): Your unique reference number made up of 10 numbers and letters that creates a secure online record of the student's recognised training and qualifications gained in Australia.

Vocational Education and Training (VET) A type of tertiary education under the Australian Qualifications Framework (AQF), which enables students to gain qualifications for all types of employment, and specific skills to help them in the workplace.

VET Student Loan scheme: An Australian Government loan scheme established under Schedule 1A of the *Higher Education Support Act 2003* in place from 2009-2016 (and to some continuing students in 2017 onwards—refer to VET Student Loan transitional arrangements) that allows access to loans for higher level VET study.

VET Student Loans program: The Australian Government loan program established by the *VET Student Loans Act 2016* that assists eligible students enrolled in approved higher level vocational education and training courses at approved course providers pay their tuition fees.

VET Student Loans fee notice: An invoice that approved course providers must send to students, who are requesting a VET Student Loan, for each fee period, at least 14 days prior to the **census day**. Refer to section 99 of the Rules.

VET Student Loans Statement of Covered Fees: A statement issued to the student that provides details of the total course fee and how much will be covered by the loan amount.

3. Scope

Aim

- 3.1. This policy aims to articulate the obligations of the College and restrictions around payment of fees using VET Student Loans and the refund of those fees.

Scope

- 3.2. This policy covers the payment of and refund of tuition fees of students using VET-Student Loans.
- 3.3. This policy does not apply to fee schedules or financial policies regarding the construct of fees.
- 3.4. This policy does not detail the procedures associated with fees and fee refunds. For all procedural information, please refer to the *4-02-001 Finance Manual*.
- 3.5. This policy should be used in conjunction with the *4-02-001 Finance Manual*

4. Eligibility

- 4.1. There are specific criteria students must meet to be eligible for a loan through VET Student Loans. Students must have been assessed as academically suited to undertake the eligible course and their FEE-HELP balance must be greater than zero.
- 4.2. Furthermore, to be eligible, a student must be:
 - 4.2.1. an Australian citizen; or
 - 4.2.2. hold a permanent humanitarian visa and usually reside in Australia; or
 - 4.2.3. be a qualifying New Zealand citizen.

- 4.3. Eligible students will be entitled for loans up to a capped amount.
- 4.4. Full fee-paying students who meet the specified eligibility criteria and are enrolled in a VET Student Loan eligible qualification:
 - 4.4.1. will be charged the *same* Tuition Fee for a particular VET unit of study irrespective of whether they pay up-front or take out a loan
 - 4.4.2. are eligible for a refund if they withdraw on or before the Census Date for the relevant VET Unit of Study
 - 4.4.3. are eligible for a refund if they withdraw after the Census Date only if they can demonstrate special circumstances.
- 4.5. By the Administrative Date, students must have either:
 - 4.5.1. paid their Tuition Fees up-front; or
 - 4.5.2. paid a proportion of their Tuition Fees up-front and indicated that they intend to apply for a VET Student Loan to cover the balance; or
 - 4.5.3. indicated that they intend to apply for a VET Student Loan to cover the full cost of their VET Unit of Study.
- 4.6. Students who elect to take out a VET Student Loan, must submit an electronic Commonwealth Assistance Form (e-CAF) before the Census Date..
- 4.7. Students who take out a VET Student Loan incur a debt once their enrolment is confirmed *after* the Census Date for the relevant VET Unit of Study.
- 4.8. A Student is no longer eligible for a Tuition Fee refund if:
 - 4.8.1. the person is no longer enrolled in the VET unit of study that meets the course requirements at the end of the Census Date because the VET provider has ceased to provide the unit as a result of ceasing to provide the VET course of study of which the unit formed part; and
 - 4.8.2. the VET tuition assurance requirements applied to the VET provider at the time the provider ceased to provide the unit; and
 - 4.8.3. the person chose the option designated under those requirements as “VET course assurance” in relation to the unit.

5. Tuition Assurance Scheme

- 5.1 Under the provisions of Schedule 1A of the Higher Education Support Act 2003 (HESA) and Chapter 3 of the VET Provider Guidelines, the College, must comply with the VET Tuition Assurance requirements. This is to protect students in the event that Kenvale College ceases to provide a VET course of study in which a student is enrolled. The meaning of ‘ceasing to provide a VET course of study’ is set out at paragraph 3.1.25 of the VET Provider Guidelines. A copy of these is available from: <http://www.comlaw.gov.au/Details/F2012L00741>.
- 5.2 In the event that Kenvale College ceases to provide a VET course of study in which a student is enrolled the will be offered a place in a similar VET course of study with a Second Provider without any requirement to pay the Second Provider any VET tuition fee for any replacement VET units under the approved tuition assurance

arrangement.

- 5.3 If it is impractical for the student to finish the course or an equivalent course, the student's FEE-HELP balance must be re-credited. The amount re-credited must equal the amount of the VET student loan that has been used to pay tuition fees for the student for the course, or the part of the course.
- 5.4 Kenvale College has met the VET tuition assurance requirements as specified in the VET Provider Guidelines through its current membership of the ACPET ASTAS-VET.

Contact Details for ASTAS

Australian Council for Private Education and Training (ACPET)

Australian Student Tuition Assurance Scheme (ASTAS).

PO Box 55, East Melbourne VIC 8002

Ph: 1800 657 644

Email: astas@acpet.edu.au

- 5.5 If the College ceases to provide a VET course of study, ACPET will send a student enrolled in the VET course of study a Written VET Tuition Assurance Offer (the Offer) advising the student of the options available under the VET tuition assurance requirements. The Offer will include directions that the student must follow in order to notify ACPET of the choice they have made for each affected VET unit. ACPET will provide this Offer within twenty (20) Business Days after it knows, or should know by reasonable enquiries that Kenvale College has ceased to provide the VET course of study.
- 5.6 For the purposes of VET Student Loan, all courses offered by Kenvale College in accordance with the course requirements of clause 45 of Schedule 1A of the Higher Education Support Act 2003 are covered by the ACPET ASTAS-VET ('the Scheme') as part of Kenvale College's membership of the Scheme.

VET Course Assurance Default

- 5.7 The default arrangement for when Kenvale College is not able to complete providing a course is that the student will be offered a place in a similar VET course of study by ACPET. ACPET will make all necessary arrangements to ensure a student is able to enrol with the Second Provider in the similar VET course of study. This offered VET course will lead to the same or a comparable qualification without any requirement on the part of the student to pay the Second Provider any VET tuition fee for any replacement VET units (that is, units that the student had commenced but not completed because the VET course ceased to be offered). A student will receive full credit from the Second Provider for any VET units of study successfully completed at Kenvale College.
- 5.8 The Second Provider nominated by ACPET may have different VET tuition fees to the fees the student would have paid for VET units of study which were part of the VET course of study the Kenvale College ceased to provide but which the student had not yet started studying.

- 5.9 A student is not obliged to enrol in a VET course of study with a Second Provider offered by ACPET under the VET Course Assurance Option. However, if he/she enrolls with any other VET provider there is no obligation on that VET provider to offer full credit transfer for the VET units of study completed with the KenvaleCollege or to offer replacement VET unit/s free of charge.

The VET Tuition Fee Repayment Alternative

- 5.10 If it is impractical for the student to finish the course or an equivalent course, ACPET undertakes to pay the student the total of any up-front VET payments already paid by the student for any VET units of study the student has commenced but not completed because the VET course ceased to be offered. Their FEE-HELP balance will be re-credited for the uncompleted VET units.

Publication

- 5.11 Kenvale College's Statement of VET Tuition Assurance will be made public to students Kenvale College's website (www.kenvale.edu.au) as well as the JobReady student management system. Kenvale College will also advise students as to where the Statement of VET Tuition Assurance may be obtained during enrolment.

6. Withdrawing from Units of Study/or a Course

- 6.1. All students who withdraw from their VET Unit of Study need to advise the College in writing. The date the letter is received by the College is the effective date. Upon notification of a student's withdrawal from a VET Unit of Study the College will process the applicable student refund. A *1-03-022 Course Withdrawal Form* for VET Student Loan students is available from the Academic Director.

Withdrawing after the Census Date

- 6.2. If a student withdraws after the Census Date has passed, this will mean that they:
- 5.2.1. receive no refund if they have paid up-front; or
 - 5.2.2. are liable for the full debt if they have taken out a VET Student Loan loan.

Special circumstances

- 6.3. If a student withdraws after the Census Date and can demonstrate special circumstances they will be eligible for either a refund, if they have paid up-front, or a re-credit of their FEE-HELP balance and their VET Student Loan debt removed for that unit(s), if they have taken out a VET Student Loan.
- 6.4. A student must apply in writing to the Academic Director for re-crediting of their FEE-HELP balance, within 12 months from the date of withdrawal from the VET unit of study (or if they have not withdrawn, from the date of receiving their final results for the unit). The College may waive this requirement if it is satisfied that it was not possible for the application to be made before the end of the 12 month period. The application should include any independent supporting documentation,

for example, a letter from the student's doctor or counsellor to support their claims.

6.5. The College will refund up-front fees and/or re-credit a student's FEE-HELP balance if it is satisfied that special circumstances apply. Special circumstances are those that:

4.5.1 were beyond a student's control; and

4.5.2 did not make their full impact until on or after the Census Date for the VET unit(s) of study in question; and

4.5.3 were such that they made it impracticable for the student to complete the requirements for the unit(s) in the period during which they were enrolled in the unit(s).

6.6. Special circumstances *do not* include:

4.6.1 lack of knowledge or understanding of requirements for VET Student Loan assistance; or

4.6.2 incapacity to repay a VET Student Loan debt, as repayments are income contingent and a student can apply to the Tax Office for a deferral of a compulsory repayment in certain circumstances.

6.7. The Academic Director, in consultation with the Management Team, will assess each application against the guidelines for determining special circumstances taking into account the explanation and evidence provided by the student and will notify the student in writing of a decision within 20 working days. The application will either be approved or disallowed.

6.8. The College may disallow an application to re-credit a FEE-HELP balance if it considers:

4.8.1 the student's request is not based on special circumstances or

4.8.2 there is not sufficient and relevant evidence or

4.8.3 the student's request does not fall within the relevant timeframes for the application and processing of requests for re-crediting of VET Student Loan balances.

6.9. If a student is not satisfied with the decision made on their application regarding special circumstances, they can request a review of the decision not to re-credit their FEE-HELP balance.

Student review procedures

6.10. The student's request for a review of the decision must be made within 28 days from the date on which they first received notice of the decision and will be reviewed by a Director of Foundation for Education and Training Ltd, who was not involved in the original decision and is in a more senior position to the original decision maker. The student must apply in writing and should include the reason for requesting the review, and any additional supporting evidence they wish to

submit.

- 6.11. Appeals must be lodged in writing and addressed to: Student Appeals, Director, Foundation for Education and Training Limited, 38 High St, Randwick, NSW 2031.
- 6.12. Upon receipt of the written application for review:
- 4.12.1 The Director will acknowledge the request for a review in writing within 10 business days and will advise the student that if they have not received a reply within 45 days of the College receiving the request, then the original decision is taken to be confirmed.
 - 4.12.2 The Director will consider the issue based on the evidence provided.
 - 4.12.3 The Director will reconsider the decision (the reviewer is able to confirm the original decision, vary the decision, or set aside the decision).
 - 4.12.4 The Director will notify the student in writing of the details and reasons for the decision within 20 days of receipt of the complaint, and the student's right to appeal to an external body if they are not satisfied with the decision. If the issue cannot be resolved within this timeframe, the Director will update the student within 20 days of the status of the complaints process.
 - 4.12.5 Advise the student of their right to appeal to Administrative Appeals Tribunal (AAT) for a review of the reviewer's decision if the applicant is unsatisfied with the outcome. The letter will also provide the contact details of the nearest AAT and the approximate cost of lodging an appeal.
 - 4.12.6 The Director will document the process followed and the rationale behind the decision.
 - 4.12.7 All documentation is to be filed by the Academic Director (in student file).
- 6.13. The current cost of applying to the AAT for the review of a decision must also be supplied to the student. As at 1 July 2016 this fee is \$884. However, if you meet the concessional requirements, this fee can be reduced to \$100. Applications cannot proceed until the application fee is paid or the fee has been waived. The application fee is refunded when the review is completed if the AAT decides that it is finalised in the applicant's favour. In certain circumstances, the application fee is not payable. More information is available from the AAT website: <http://www.aat.gov.au/applying-for-a-review>.

Contact details for the AAT are as follows:

Administrative Appeals Tribunal
 Level 6
 83 Clarence St Sydney NSW 2000
 Tel: 1800 228 333
 Email: generalreviews@aat.gov.au

- 6.14. The College will update this information from the AAT website www.aat.gov.au to ensure students receive up to date and correct information.

7 Re-crediting a student's VET Student Loan Balance

- 7.1 The College will re-credit a student's FEE-HELP balance with an amount equal to the amounts of FEE-HELP assistance that the student received for a VET unit of study if:
- 7.7.1 they were enrolled in the unit at the College; and
 - 7.7.2 they had not completed the requirements for the unit during the period during which they undertook, or were to undertake the unit; and the College is satisfied that special circumstances apply to the student; and the student applies in writing to the provider for re crediting of the FEE-HELP balance; and either:
 - 7.7.3 the application is made before the end of the application period; or
 - 7.7.4 the College waives the requirement that the application be made before the end of that period, on the ground that it would not be, or was not, possible for the application to be made before the end of that period.
- 7.2 The VET Student Loan debt relating to a VET unit of study will be remitted if the FEE-HELP balance in relation to the unit is re-credited.

8 Application

- 8.1 This policy applies to all eligible students who are enrolled in a VET Unit of Study in a VET Student Loan eligible qualification.
- 8.2 For further procedural information, please refer to the *4-02-001 Finance Manual*.
- 8.3 In line with AQF (2013), this policy will be applied consistently and fairly.

9 Responsibilities

- 9.1 The College's Finance Department is responsible for the management of this policy.
- 9.2 The College's Finance Manager and Academic Director are responsible for the application of this policy, where applicable.

10 Quality and Compliance

- 10.1 The College's approach to VET Student Loan Tuition Fee and Refunds aligns with the:
- *VET Student Loans Rules (2016)*
 - *VET Student Loans (Charges) Act 2016*
 - *VET Student Loans Act 2016 and subsequent Amendments*
- 10.2 This policy will be reviewed and updated every two years or whenever there are changes applicable by the Finance Department to ensure the quality and relevance of its content, and to maximise the effectiveness of its application to both the students and the needs of industry.
- 10.3 The following legislation and compliance regulations apply to this policy:

Standards for NVR Registered Training Organisations (RTOs) 2015

Standard 8.1	The RTO cooperates with the VET Regulator and is legally compliant at all times. The RTO cooperates with the VET Regulator:
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	<ol style="list-style-type: none"> a. by providing accurate and truthful responses to information requests from the VET Regulator relevant to the RTO's registration; b. in the conduct of audits and the monitoring of its operations; c. by providing quality/performance indicator data; d. by providing information about substantial changes to its operations or any event that would significantly affect the RTO's ability to comply with these standards within 90 calendar days of the change occurring; e. by providing information about significant changes to its ownership within 90 calendar days of the change occurring; and f. in the retention, archiving, retrieval and transfer of records.
Standard 8.6	<p>The RTO cooperates with the VET Regulator and is legally compliant at all times.</p> <ul style="list-style-type: none"> • The RTO ensures its staff and clients are informed of any changes to legislative and regulatory requirements that affect the services delivered.
Standard 8.5	<p>The RTO cooperates with the VET Regulator and is legally compliant at all times.</p> <ul style="list-style-type: none"> • The RTO complies with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations.
Standard 7.2	<p>The RTO has effective governance and administration arrangements in place.</p> <ul style="list-style-type: none"> • The RTO satisfies the <i>Financial Viability Risk Assessment Requirements</i>.
Standard 7.5	<p>The RTO has effective governance and administration arrangements in place.</p> <ul style="list-style-type: none"> • The RTO provides accurate and current information as required by the <i>Data Provision Requirements</i> as updated from time to time.

Higher Education Standards Framework 2015	
Standard 1	<ol style="list-style-type: none"> 1 Student Participation and Attainment <ol style="list-style-type: none"> 1.1 Admission <ol style="list-style-type: none"> 1. Admissions policies, requirements and procedures are documented, are applied fairly and consistently, and are designed to ensure that admitted students have the academic preparation and proficiency in English needed to participate in their intended study, and no known limitations that would be expected to impede their progression and completion. 2. The admissions process ensures that, prior to enrolment and before fees are accepted, students are informed of their rights and obligations, including: all charges associated with their proposed studies as known at the time and advice on the potential for changes in charges during their studies policies, arrangements and potential eligibility for credit for prior learning, and policies on changes to or withdrawal from offers, acceptance and enrolment, tuition protection and refunds of charges. 3. Admission and other contractual arrangements with students, or where legally required, with their parent or guardian, are in writing and include any particular conditions of enrolment and participation for undertaking particular courses of study that may not apply to other courses more generally, such as health requirements for students undertaking clinical work, requirements for security checks, particular language requirements and particular requirements of work placements.
Standard 6	<ol style="list-style-type: none"> 6.2 Corporate Monitoring and Accountability <ol style="list-style-type: none"> 1. The provider is able to demonstrate, and the corporate governing body

	<p>assures itself, that the provider is operating effectively and sustainably, including:</p> <ol style="list-style-type: none"> a. the financial position, financial performance and cash flows of the entity are monitored regularly and understood, financial reporting is materially accurate, financial management meets Australian accounting standards, effective financial safeguards and controls are operating and financial statements are audited independently by a qualified auditor against Australian accounting and auditing standards.
Standard 7	<p>7 Representation, Information and Information Management 7.3 Information Management 3. Information systems and records are maintained, securely and confidentially as necessary to:</p> <ol style="list-style-type: none"> 4.8.4. maintain accurate and up-to-date records of enrolments, progression, completions and award of qualifications b. document and record responses to formal complaints, allegations of misconduct, breaches of academic or research integrity and critical incidents, and c. demonstrate compliance with the Higher Education Standards Framework.

11 References

- 11.1 Australian Qualifications Framework Council, 2013, *Australian Qualifications Framework (AQF)*, 2nd ed., Australia.
- 11.2 Australian Skills Quality Authority (ASQA) *Standards for VET Accredited Courses 2012*.
- 11.3 Australian Skills Quality Authority (ASQA), *Standards for Registered Training Organisations 2015*.
- 11.4 Australian Skills Quality Authority (ASQA), *Australian Quality Training Framework (AQTF): User's Guide to the Essential Conditions and Standards for Initial Registration*.
- 11.5 The Tertiary Education Quality Standards Agency (TEQSA) (2015). *Higher Education Standards Framework 2015*. Australia