

Fees and Refund Policy - Short Courses

Policy Summary	
Department Responsible for Policy	Finance Department
Contact Person for Policy	Finance Manager
Approving Authority	FARC
Date Last Approved	
Next Review Date (Evaluation)	Every two years
Related Documents	<p>Guidelines</p> <ul style="list-style-type: none"> • <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> • <i>The National Code 2018</i> • <i>Education Services for Overseas Students Act 2000 (ESOS)</i> • <i>Education Services for Overseas Students Regulations 2019</i> <p>Policies</p> <ul style="list-style-type: none"> • <i>12-03-011 International Student Refund Information (Policy)</i> • <i>10-01-021 Complaints and Appeals Policy (Students)</i> <p>Manuals</p> <ul style="list-style-type: none"> • <i>4-02-001 Finance Manual</i> • <i>9-02-001 Marketing Manual</i> <p>Documents</p> <ul style="list-style-type: none"> • <i>10-02-066 Dealing with Complaints</i>
Document Number	4-01-006

Policy History		
Policy version	Main changes made	Date Amended
1.0	New policy	

1. Preamble

- 1.1 All students must pay tuition fees in order to study at the College.
- 1.2 Tuition fees are subject to strict compliance requirements, in particular, informing students of important information and of their rights with regards to refunds.

2. Definitions

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. In 2011, under the leadership of the AQF Council, the AQF was revised to ensure that qualification outcomes remain relevant and nationally consistent, continue to support flexible qualifications linkages and pathways and enable national and international portability and comparability of qualifications. The latest version of the AQF framework was published in January 2013.

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.

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.

Australian Student Tuition Assurance Scheme (ASTAS) ASTAS ensures that any Australian student displaced from a course, due to an RTO's inability to continue the course, is relocated efficiently and with minimal disruption to a comparable course with another member or approved provider.

The scheme provides members with a low-cost solution to fee protection legislation and is a significant marketing tool in attracting prospective students.

It satisfies the requirements of the Higher Education Support Act 2003 and has been approved by ASQA as an alternative fee protection measure under the Standards for NVR Registered Training Organisations (SNR 11.3e and 22.3e).

College Kenvale College of Hospitality, Cookery and Events.

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.

Defer To temporarily put studies on hold (adjourn, delay, postpone).

The College Kenvale College of Hospitality, Cookery and Events.

Education Services for Overseas Students Act 2000 (ESOS Act), establishes legislative requirements and standards for the quality assurance of education and training institutions offering courses to international students who are in Australia on a student visa. ESOS also provides tuition fee protection for international students.

ESOS Framework Principally comprises the Education Services for Overseas Students Act 2000 (ESOS Act), the Education Services for Overseas Students Regulations 2019 (the ESOS Regulations), the Education Services for Overseas Students (Registration Charges) Act 1997 (the ESOS Charges Act) and the *National Code 2018*.

Foundation for Education and Training (FFET) The College is a project of the Foundation For Education and Training Limited (FFET), a non-profit company limited by guarantee.

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

Refund To return, give back, repay money paid.

Strategic Boards All boards, committees and advisory panels set up by the FFET Board for the purpose of managing the affairs of the College. Refer to 8-01-033 *Delegations Register* for more detailed information

The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) sets nationally consistent standards for the delivery of courses to overseas students.

The Tuition Protection Service (TPS) is an initiative of the Australian Government to assist international students and certain domestic students whose education providers are unable to fully deliver their course of study.

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).

Unit of Study (UoS) A unit of study is a term used by our student management system to refer to subjects offered in our course curriculum. These subjects can comprise of one or a number of competency units, selected from a training package. Competencies are grouped together according to similar or complementary content material, creating subjects with the correct amount of content achievable in the designated hours allocated.

Unique Student Identifier (USI) Unique Student Identifier (USI)

The USI is a reference number that will link to the National Vocational Education and Training (VET) Data Collection allowing an individual to view all of their training results from all providers including all completed training units and qualifications. **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.

Withdraw To cancel enrolment.

3. Scope

Aim

- 3.1 This policy aims to articulate the obligations of the College and restrictions around payment of fees and any refund of tuition fees relating to short courses.
- 3.2 Fee refunds ensure a fair and equitable payment process for students given there are circumstances where it is reasonable and required for the College to refund tuition fees to students.

Scope

- 3.3 This policy covers information specific to the payment of and refund of tuition fees related to short courses.

4. Fees

- 4.1 Short course fees are published on the website (<https://kenvale.edu.au/courses/short-courses/>)

Informing Students and Acknowledgements

- 4.2 It is a compliance requirement that the College inform students fully of this policy and seek their acknowledgement. This must be done prior to enrolment using the *application form*.
- 4.3 The acknowledgement signed by the student must contain the following information, as directed by the *National Code 2018* (Standard 3.4.5):
“This written agreement, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies”
- 4.4 The *National Code 2018* stipulates a number of requirements for the acknowledgement under Standard 3.

5. Fee Payments

Timeframes for Payment of Fees

- 5.1 All fees must be paid by the student prior to the commencement of classes.

Methods of payment

- 5.2 Tuition fees are payable with the application form.
- 5.3 For specific details regarding options for payment of fees, please refer to the application form on the website.

6. Fee Refunds

Reasons for Refunds

- 6.1 There are a number of reasons why a student would require a refund from the College of tuition fees paid, such as:

- 6.1.1 The College is unable to deliver the student's course in full, and
- 6.1.2 A student decides to defer or withdraw from the course.
- 6.2 Students are ineligible for a refund and must not receive a refund where:
 - 6.2.1 Notification of deferment or withdrawal is received within 48 hours of the course commencement date.
 - 6.2.2 The student has accepted enrolment into an alternative course.
 - 6.2.3 For international students, where:
 - i. their visas were cancelled due to breaching the conditions of the visa; or
 - ii. they had been refused visas due to fraud or having provided fraudulent documents to Kenvale College; or
 - iii. they arrived to Australia after the course start date.
- 6.3 Students have the right to appeal against the College's decision following the *10-01-021 Complaints and Appeals Policy (Students)*. For more details please refer to Kenvale's website (About Us>Student Complaints and Appeals).

Payment of Fee Refunds

- 6.4 Where the College is unable to deliver the student's course in full, the tuition fees paid, must be refunded within two (2) weeks of the date on which the course ceased to be provided.
- 6.5 Students who withdraw must be paid a full refund within 20 working days of notification of withdrawal; however, notification of withdrawal must be received at least 48 hours before course commencement.
- 6.6 Refunds must only be paid to the person who paid the fees.
- 6.7 Where a student wishes to withdraw from a course and requires a refund, they must email their request to admissions@kenvale.edu.au.

7. Application

- 7.1 This policy applies to all students who are enrolled in short courses at the College and the Academic, Admissions and Finance Departments.
- 7.2 In line with AQF (2013), this policy will be applied consistently and fairly.

8. Responsibilities

- 8.1 The College's Finance Department is responsible for the management of this policy.
- 8.2 The College's Academic, Admissions and Finance Departments are responsible for the application of this policy, as may be pertinent or appropriate.
- 8.3 The Finance Manager is responsible for managing all enquiries regarding fee payments and refunds.

9. Quality and Compliance

- 9.1 The College's approach to fees and fee refunds aligns with the ESOS National Code and Standards for NVR Registered Training Organisations.

9.2 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.

9.3 The following legislation and compliance regulations apply to this policy:

Standards for Registered Training Organisations (RTOs) 2015	
Standard 2	<p>Clause 2.1</p> <p>The RTO ensures it complies with these Standards at all times, including where services are being delivered on its behalf. This applies to all operations of an RTO within its scope of registration.</p> <p>Clause 2.2</p> <p>The RTO:</p> <ul style="list-style-type: none"> • systematically monitors the RTO's training and assessment strategies and practices to ensure ongoing compliance with Standard 1, and • systematically evaluates and uses the outcomes of the evaluations to continually improve the RTO's training and assessment strategies and practices. Evaluation information includes but is not limited to quality/performance indicator data collected under Clause 7.5, validation outcomes, client trainer and assessor feedback and complaints and appeals.
Standard 3	<p>Clause 3.2</p> <p>All AQF certification documentation issued by an RTO meets the requirements of <u>Schedule 5</u>.</p>
Standard 4	<p>Clause 4.1</p> <p>Information, whether disseminated directly by the RTO or on its behalf, is both accurate and factual, and:</p> <ul style="list-style-type: none"> • accurately represents the services it provides and the training products on its scope of registration • includes its RTO Code • refers to another person or organisation in its marketing material only if the consent of that person or organisation has been obtained • uses the NRT Logo only in accordance with the conditions of use specified in <u>Schedule 4</u> • makes clear where a third party is recruiting prospective learners for the RTO on its behalf • distinguishes where it is delivering training and assessment on behalf of another RTO or where training and assessment is being delivered on its behalf by a third party • distinguishes between nationally recognised training and assessment leading to the issuance of AQF certification documentation from any other training or assessment delivered by the RTO • includes the title and code of any training product, as published on the National Register, referred to in that information • only advertises or markets a non-current training product while it remains on the RTO's scope of registration • only advertises or markets that a training product it delivers will enable learners to obtain a licensed or regulated outcome where this has been confirmed by the industry regulator in the jurisdiction in which it is being advertised

	<ul style="list-style-type: none"> • includes details about any VET FEE-HELP, government funded subsidy or other financial support arrangements associated with the RTO's provision of training and assessment, and • does not guarantee that: <ul style="list-style-type: none"> ○ a learner will successfully complete a training product on its scope of registration, or ○ a training product can be completed in a manner which does not meet the requirements of Clause 1.1 and 1.2, or ○ a learner will obtain a particular employment outcome where this is outside the control of the RTO.
Standard 5	<p>Clause 5.3</p> <p>Where the RTO collects fees from the individual learner, either directly or through a third party, the RTO provides or directs the learner to information prior to enrolment or the commencement of training and assessment, whichever comes first, specifying:</p> <ul style="list-style-type: none"> • all relevant fee information including: <ul style="list-style-type: none"> ○ fees that must be paid to the RTO, and ○ payment terms and conditions including deposits and refunds • the learner's rights as a consumer, including but not limited to any statutory cooling-off period, if one applies • the learner's right to obtain a refund for services not provided by the RTO in the event the: <ul style="list-style-type: none"> ○ arrangement is terminated early, or ○ the RTO fails to provide the agreed services.
Schedule 6	<p>"The RTO addresses learner fee protection by implementing one or more of the following arrangements:</p> <p>2. The RTO holds current membership of a Tuition Assurance Scheme approved by its VET Regulator which, if the RTO is unable to provide services for which the learner has prepaid, must ensure:</p> <p>a) the learner will be placed into an equivalent course such that:</p> <ul style="list-style-type: none"> – the new location is geographically close to where the learner had been enrolled; and – the learner receives the full services for which they have prepaid at no additional cost to the learner; or <p>b) if an equivalent course cannot be found, the learner is paid a refund of any prepaid fees for services yet to be delivered above the threshold prepaid fee amount.</p> <p>c)</p>

National Code 2018	
Standard 2	<p>2.1 Prior to accepting an overseas student or intending overseas student for enrolment in a course, the registered provider must make comprehensive, current and plain English information available to the overseas student or intending overseas student on:</p> <p style="padding-left: 40px;">2.1.7 indicative tuition and non-tuition fees, including advice on the potential for changes to fees over the duration of a course, and the registered provider's cancellation and refund policies</p>
Standard 3	<p>Formalisation of enrolment and written agreements</p> <p>3.1 The registered provider must enter into a written agreement with the overseas student or intending overseas student, signed or otherwise accepted by the student, concurrently with or prior to accepting payment of tuition fees or non-tuition fees. A written agreement may take any form provided it meets the requirements of the ESOS Act and the National Code.</p> <p>3.2 If the overseas student or intending overseas student is under 18 years of age, the written agreement with the overseas student or intending overseas student must be signed or otherwise accepted by the student's parent or legal guardian.</p> <p>3.3 In addition to all requirements in the ESOS Act, the written agreement must, in plain English:</p> <p style="padding-left: 20px;">3.3.1 outline the course or courses in which the student is to be enrolled, the expected course start date, the location(s) at which the course will be delivered, the offered modes of study for the course, including compulsory online and/or work-based training, placements, and/or other community-based learning and/or collaborative research training arrangements</p> <p style="padding-left: 20px;">3.3.2 outline any prerequisites necessary to enter the course or courses, including English language requirements</p> <p style="padding-left: 20px;">3.3.3 list any conditions imposed on the student's enrolment</p> <p style="padding-left: 20px;">3.3.4 list all tuition fees payable by the student for the course, the periods to which those tuition fees relate and payment options (including, if permitted under the ESOS Act, that the student may choose to pay more than 50 per cent of their tuition fees before their course commences)</p> <p style="padding-left: 20px;">3.3.5 provide details of any non-tuition fees the student may incur, including as a result of having their study outcomes reassessed, deferral of study, fees for late payment of tuition fees, or other circumstances in which additional fees may apply</p> <p style="padding-left: 20px;">3.3.6 set out the circumstances in which personal information about the student may be disclosed by the registered provider, the Commonwealth including the TPS, or state or territory agencies, in accordance with the <i>Privacy Act 1988</i></p> <p style="padding-left: 20px;">3.3.7 outline the registered provider's internal and external complaints and appeals processes, in accordance with Standard 10 (Complaints and appeals)</p> <p style="padding-left: 20px;">3.3.8 state that the student is responsible for keeping a copy of the written agreement as supplied by the registered provider, and receipts of any payments of tuition fees or non-tuition fees</p> <p style="padding-left: 20px;">3.3.9 only use links to provide supplementary material.</p> <p>3.4 The registered provider must include in the written agreement the following information, which is to be consistent with the requirements of the ESOS Act, in relation to refunds of tuition fees and non-tuition fees in the case of student default and provider default:</p>

	<p>3.4.1 amounts that may or may not be repaid to the overseas student (including any tuition and non-tuition fees collected by education agents on behalf of the registered provider)</p> <p>3.4.2 processes for claiming a refund</p> <p>3.4.3 the specified person(s), other than the overseas student, who can receive a refund in respect of the overseas student identified in the written agreement, consistent with the ESOS Act</p> <p>3.4.4 a plain English explanation of what happens in the event of a course not being delivered, including the role of the TPS</p> <p>3.4.5 a statement that “This written agreement, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the <i>Australian Consumer Law</i> if the <i>Australian Consumer Law</i> applies”.</p>
--	---

Education Services for Overseas Students Regulations 2019

3.09	<p>“Giving information about accepted students</p> <p>For purposes of paragraph 19(1)(a) of the Act, the following details are prescribed for a person who becomes an accepted student of a registered provider: ...</p> <p>(k) the total of the tuition fees paid for the student for the course;</p> <p>(l) if the provider is not a public provider—the period to which the tuition fees paid as mentioned in paragraph (k) relate;</p> <p>(m) the total of the non-tuition fees paid for the student for the course</p> <p>(n) the total of the tuition fees that are required to be paid for the student to undertake the course (including fees that have already been paid);”</p>
------	---

10. References

- 10.1 Australian Qualifications Framework Council. (2013). *Australian Qualifications Framework (AQF)*, 2nd ed., Australia.
- 10.2 Australian Skills Quality Authority (ASQA), Standards for Registered Training Organisations (RTOs) 2015.
- 10.3 Department of Education and Training (DET), 2018, National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (The National Code). Australia.
- 10.4 Education Services for Overseas Students Regulations 2019 (Statutory Rules) made under the Education Services for Overseas Students Act 2000 and the Education Services for Overseas Students (Consequential and Transitional) Act 2000.