

Fee Help Re-credit and Review Procedure

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Purpose

The purpose of this procedure is to provide direction regarding student applications for VET Student Loan re-credit in accordance with the Higher Education Support Act 2003 and VET Student Loans Act 2016. Application for FEE HELP balance re-credit may be made by a student if they withdraw from or have been unable to successfully complete a VET unit or VET units of study and the student believes this was due to special circumstances.

Relevant Policy/Policies

- GOTAFE VET Student Loan Statement of Tuition Assurance
- GOTAFE VET Student Loans Entry Fact Sheet
- GOTAFE VET Student Loan Fee Schedule
- GOTAFE Withdraw, Pause & Defer Procedure
- GOTAFE Feedback, Appeals and Complaints Management Procedure

Procedure

GOTAFE will refund to Commonwealth Government the amount of VET Student Loan paid to it on behalf of the student to remove the VET Student Loan debt for a unit or units of study. Each application will be examined and determined on its merits by consideration of the claim and the supporting documentation.

Documentation pertaining to Re-credit of FEE HELP balance and Review applications are to be maintained by the Director, Education Governance.

Re-credit of Fee Help balance

If a student, in receipt of a VET Student Loan, withdraws from a unit or units of study after the census date believes that their withdrawal was due to special circumstances they may apply in writing for the re crediting of the FEE HELP.

The student applying for re-crediting of the VET Student Loan must document the reasons and lodge the application with the Institute Registrar.

The Institute Registrar will assess the application and its supporting documentation. The student's application will be approved if the student's circumstances are beyond the student's control, or a reasonable person would consider that the circumstances are not due to the student's direct or indirect, actions or inaction. The situation must be unusual, uncommon or abnormal.

The Institute Registrar will advise the student of the outcome of the application in writing within 28 days of receipt of the application. The notification will state the reason/s for the decision.

If the application is successful the Institute Registrar will refund the Commonwealth Government the amount of VET Student Loan paid to Goulburn Ovens TAFE on behalf of the student for the unit or units of study.

If the application is unsuccessful the written response will also inform the applicant of their right to appeal the decision with the Institute through the Feedback, Appeals and Complaints Management Procedure.

VET Student Loan Review

Where a student is dissatisfied with the outcome of their application for Re-credit of FEE HELP balance, they may:

- Follow the Feedback, Appeals and Complaints Management Procedure.
- Review requests will follow the Stage 3: Formal Appeal process outlined in the Feedback, Appeals and Complaints Management Procedure.
- If the Review application is successful the applicant will be informed in writing of the decision and the reason for the decision by the Feedback Coordinator or delegate and the Institute will refund the Commonwealth Government the amount VET Student Loan paid to GOTAFE on behalf of the applicant for the VET unit or VET units of study and the student VET Student Loan debt for the VET unit or VET units of study concerned will be removed by the Commonwealth Government.
- If the Review application is unsuccessful the applicant will be informed in writing of the decision and the reason, as per the Feedback, Appeals and Complaints Management Procedure. The written acknowledgement shall also inform the applicant of their right to appeal against the decision to the Administrative Appeals Tribunal (AAT), the contact details of the AAT Registry nearest to the Institute, and the approximate cost of making the appeal through the AAT.
- There is no charge for reconsideration or review of decisions, other than review by the Administrative Appeals Tribunal.

Other means of requesting re-credit of a Fee Help balance

A student may apply to the Secretary of the Department of Employment and Workplace Relations (DEWR) for the student's FEE-HELP balance to be re-credited under section 71 of the VET Student Loans Act 2016 (the Act) because:

- GOTAFE (the provider), or a person acting on the provider's behalf, engaged in unacceptable conduct in relation to the student's application for the VET student loan; or
- GOTAFE (the provider) 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 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;

There is no charge for reconsideration or review of decisions, other than review by the Administrative Appeals Tribunal;

The Secretary may re-credit a student's FEE-HELP balance in relation to special circumstances if a course provider (such as GOTAFE):

- is unable to act or is being wound up or has been dissolved; or
- has failed to act and the Secretary is satisfied that the failure is unreasonable

Definitions

VET Student Loan The VET Student Loans program is an income contingent loan offered by the Australian Government that helps eligible students pay for vocational education and training (VET) approved diploma level or above courses.

FEE Money charged for services provided to a student. Fees can be for tuition, materials, student amenities or excursions.

UNIT OF STUDY Is a VET unit of study which is a component of a VET course that has tuition fees set annually. The fee that is levied is determined by the Registered Training Organisation in the year the unit is commenced.

FEE HELP RE-CREDIT The remittance of a VET Student Loan debt after the census date. This can only be applied for if the student has withdrawn from or been unable to complete a unit of study due to special circumstances.

CENSUS DATE The closing date for a student to apply for VET Student Loan assistance for a particular unit of study. The Registered Training Organisation sets the census date for each VET unit of study it provides or proposes each year. The census date can be no earlier than 20% the way through the VET unit of study. Also referred to as the Census Day interchangeably.

SPECIAL CIRCUMSTANCES Circumstances that:

- Are beyond the control of a student
- Did not make their full impact on the student until on or after the census date for the VET unit of study in question.
- Make it impractical for the student to complete the requirements for that VET unit of study.

Documentation and regulation

This procedure is to be made available on the GOTAFE intranet & public website. Other documentation related to VET Student loan practices at GOTAFE include, but are not limited to:

- VET Student Loans Act 2016
- VET Student Loans Rules 2016
- VET Student Loans Manual for Providers
- Standards for Registered Training Organisations (RTOs) 2015
- Privacy Act 1988,
- National Vocational Education and Training Regulator Act 2011
- Higher Education Support Act 2003
- Competition and Consumer Act 2010
- Corporations Act 2001.
- GOTAFE VET Student Loan Statement of Tuition Assurance
- GOTAFE VET Student Loans Entry Fact Sheet
- GOTAFE VET Student Loan Fee Schedule
- GOTAFE Withdraw, Pause & Defer Procedure
- GOTAFE Feedback, Appeals and Complaints Management Procedure