

## PP48 VET Student Loans Refund Policy and Procedure

### PURPOSE

The purpose of this policy is to provide Southern Cross Education Institute staff and domestic students enrolled in a VET Loans enabled course, refund guidelines which apply to a withdrawal from a VET Unit of Study or a VET Course of Study on or before the census date.

### SCOPE

This policy applies to students who are VET Loans enrolled. .

### DEFINITIONS

<b>The Act</b>	VET Student Loans Act 2016
<b>Student</b>	A person being trained and/or assessed by SCEI for the purpose of issuing AQF or non-AQF certification documentation.
<b>Census Date</b>	A published date, set by the provider, no earlier than 20% of the way through a VET Unit of Study
<b>Tuition Fees</b>	Fees paid for a VET Unit of Study that is approved for Vet Student Loans and applies to students who are, or would be entitled to Vet Student Loans assistance under clause 43 of Schedule 1A of the Act.
<b>Unit or VET Unit of Study</b>	A VET unit of study approved for Vet Student Loans that a student may undertake with Southern Cross Education Institute, for which the student may access Vet Student Loans assistance to pay for all or part of their tuition fees.
<b>Course of Study</b>	An extended period of organised study, often leading to a qualification
<b>Qualification</b>	Formal certification, issued by SCEI, in recognition that a student has achieved the learning outcomes or competencies relevant to course of study.
<b>SCEI</b>	Southern Cross Education Institute
<b>The Department</b>	Commonwealth of Australia represented by the department which has the responsibility for administering the VET Student Loans Act 2016

### POLICY

1. This policy is issued in accordance with the Higher Education Support Act 2003 (HESA) and associated VET Guidelines:
  - 1.1. VET Provider Guidelines
  - 1.2. VET Student Loans Guidelines
  - 1.3. VET Administration Guidelines
2. **Commonwealth Assistance Notice (CAN)**
  - 2.1. All students who have requested VET Student Loans assistance must receive a Commonwealth Assistance Notice (CAN), even if the student has fully paid their tuition fees on or before the census date and therefore has not incurred a VET Student Loans debt for that unit of study
  - 2.2. Within 28 days of the census date for a unit of study, SCEI will send students, who have requested VET Student loans assistance, a Commonwealth Assistance Notice (CAN) setting out:
    - 2.2.1. what units the student has enrolled in
    - 2.2.2. the amount of VET Student Loans debt incurred for each unit
    - 2.2.3. the loan fee for each unit if applicable
    - 2.2.4. the student's right to request correction of information contained in the CAN
    - 2.2.5. that the student is responsible for ensuring they have sufficient FEE-HELP balance to cover the VET Student Loans amounts indicated in the CAN and that they are not eligible to receive assistance greater than their VET Student Loans balance.
  - 2.3. If a student believes the information in the CAN is incorrect,
    - 2.3.1. within 14 days of the CAN being given, the student may submit a written request that the VET Student Loans Officer review the CAN
    - 2.3.2. the request should specify the particular information the student considers is incorrect and the reasons why it is considered incorrect.

- 2.4. SCEI will consider the request as soon as possible and notify the student in writing of the outcome.
- 2.5. If the information on the CAN was incorrect or has ceased to be correct, SCEI will:
  - 2.5.1. issue a new CAN with the correct information
  - 2.5.2. correct its records
  - 2.5.3. correct data sent to the Department.
3. To be entitled to VET Student Loans assistance, a person must be an Australian citizen or the holder of a permanent humanitarian visa who will be resident in Australia for the duration of their VET units of study.
4. Southern Cross Education Institute will repay to a student who is, or would be, entitled to VET Student Loans assistance any VET tuition fees that he or she may have paid for a VET Unit of study if the student withdraws from that unit on or before the relevant census date.
5. No withdrawal fee should be charged.
6. This does not apply where VET tuition assurance arrangements have been activated and the student has elected the VET course assurance option for that unit.
7. Students who have requested VET Student Loans assistance who withdraw from a VET unit of study or course of study after the census date will incur a VET Student Loans debt for any unpaid tuition fees.
8. Where a student withdraws from a VET unit of study after the relevant census date, any refund of VET tuition fees is at the discretion of the College.
9. Students may apply to SCEI to have their FEE-HELP balance re-credited (and thus their VET Student Loans debt remitted) in special circumstances.
10. SCEI must refund the paid tuition fees if it is satisfied that special circumstances apply to the student that are:
  - 10.1. beyond the student's control;
  - 10.2. do not make their full impact on the student until, on or after, the census date; and
  - 10.3. Make 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.
11. This situation must be unusual, uncommon or abnormal.
12. All applications must include independent supporting documentation. All documentation must include sufficient information to support the claims made.
13. Each application will be examined and determined on its merits. Southern Cross Education Institute will consider the student's claims, together with any independent supporting documentary evidence that substantiates these claims

## PROCEDURE

### 1. Applying for Refund

- 1.1. The Student must formally withdraw from a VET unit of study or VET Student Loans enabled qualification and submit a FOR29 Student Request Form available from the Reception at each Southern Cross Education Institute campus. SCEI shall confirm the withdrawal by giving notice to the student in writing (or signed copy of the FOR29) stating the date at which the withdrawal has taken effect; and advise the student that the withdrawal process will take up to 28 days.
- 1.2. The written application must also include supporting documentation that demonstrates that the requirements for special circumstances have been met if applicable.
- 1.3. The Administration Manager 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. If the application for refund occurs outside the VET unit of study census date, the

Administration Manager may either reject the withdrawal or seek further documentation from the student to support their application.

- 1.4. The Administration Manager will, in consultation with the Training Manager, determine if a full or partial refund will be approved under those specific circumstances.
- 1.5. If the application is successful, SCEI 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'.
- 1.6. Student Support 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

## 2. Review of Decision:

- 2.1. If a student is not satisfied with the decision made by the Administration Manager in relation to refunds, they may request a review of the decision.
- 2.2. The review shall be carried out by the Review Officer who is the Director and is senior to the original decision maker.
- 2.3. Any such request must be submitted to the Review Officer in writing and:
  - 2.3.1. must be lodged within 28 days of receiving notice of the original decision, unless the Review Officer allows a longer period; and
  - 2.3.2. must specify the reasons for making the request and include any supporting documentation.
- 2.4. The Review Officer shall acknowledge receipt of an application for a review of the refusal to refund tuition fees paid for a VET Student Loans enabled course or unit of study in writing. The Review Officer shall:
  - 2.4.1. seek all relevant information from the person who made the original decision; and
  - 2.4.2. review the case within 2 weeks and advise the student of the decision in writing giving the reasons for the reviewer's decision.
- 2.5. The Review Officer shall:
  - 2.5.1. Confirm the decision;
  - 2.5.2. Vary the decision; or
  - 2.5.3. Set the decision aside and substitute a new decision.
- 2.6. The applicant must be notified of the outcome of the Review in writing within 2 weeks of receiving the review application.

## 3. Further information

- 3.1. Any information that you provide to Southern Cross Education Institute or that the Southern Cross Education Institute collects about you can be given to authorised State and Commonwealth Agencies and ESOS Assurance Fund Manager.

### RELATED DOCUMENTS

- FOR11 Application for Refund FOR29 Student Request Form
- PP11 Complaints and Appeals Policy and Procedure
- PP45 VET Student Loans Student Review Requirements & Re-crediting A FEE-HELP Balance Policy and Procedure

### LEGISLATIVE CONTEXT

- Privacy Act 1988
- Vet Student Loans Information
- VET Student Loans Act 2016 <https://www.legislation.gov.au/Details/C2018C00402>
- VET Student Loans Rules 2016 <https://www.legislation.gov.au/Details/F2017C00602>

### RESPONSIBILITIES

Responsibility for implementation of the policy and procedure are:

- Chief Executive Officer
- Campus Manager
- Training Manager
- Compliance Manager
- Administration Manager
- Business Development Manager
- Administration Staff
- Compliance Staff

Responsibility for monitoring the implementation and compliance of this policy and procedure are:

- Chief Executive Officer
- Campus Manager
- Compliance Manager

<b>Author</b>	Compliance Manager
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