

VET STUDENT LOAN and Student Review

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Introduction

Context

Purpose

VET STUDENT LOAN is an income contingent loan scheme for the vocational educational and training sector that is an extension of the higher education FEE HELP arrangements.

This policy outlines the process by which eligible TAFE Gippsland students can receive a re-credit of their FEE HELP balance and/or a refund of tuition fees paid.

Scope

VET STUDENT LOAN applies to TAFE Gippsland's VET Student Loan approved course list.

VET STUDENT LOAN assists eligible students to pay for part or all of their VET tuition fees while studying an eligible course at TAFE Gippsland

Rationale

Principles/Statement

The underlying principle on which VET STUDENT LOAN is based is that it removes the major financial barrier to entry to higher education, allowing students to defer the majority of costs of further study (their tuition fees) through a loan that is offered on favourable terms compared to commercial loan arrangements.

A VET STUDENT LOAN debt is repaid through the tax system once a person reaches the minimum income threshold level for repayment.

TAFE Gippsland will treat all intending or enrolled students who are eligible for VET STUDENT LOAN assistance fairly. Through this, and other related policies and procedures, TAFE Gippsland will provide open, fair, equitable, ethical and transparent process for students applying for, enrolling in, studying or withdrawing from VET STUDENT LOAN eligible courses.

Fair treatment

TAFE Gippsland will treat fairly all of its students (who are or would be entitled to FEE-HELP assistance) and all of the persons seeking to enrol with TAFE Gippsland. It is to be understood that the application of fair treatment does not require that all students are treated the same.

To ensure fair, transparent and consistent treatment, TAFE Gippsland has written and implemented policies and procedures in accordance with relevant Acts, legislation, regulations and industry requirement.

Equal benefits and opportunities

TAFE Gippsland has in place an open, fair and transparent procedure, which is available to all students and gives accountability to staff to make decisions based on merit and to consider each application on a case by case basis. TAFE Gippsland undertakes to ensure flexibility and unbiased consideration of all applications when dealing with persons applying for courses.

TAFE Gippsland will not apply an income test when making decisions about which of their students are eligible for FEE-HELP assistance. See 4.8.15 **VET Student Loans | Manual for Providers** and **Fair Treatment and Equal Opportunity** (TAFE Gippsland Procedure TL 033).

Student grievance and review procedures – academic and non-academic

TAFE Gippsland has robust procedures and processes in place to allow students to openly question, discuss and seek a full review regarding outcomes they may not agree with, this is in respect of both curriculum and non-curriculum issues.

Customer complaints and feedback process

Complaints of any nature received by TAFE Gippsland will be treated with discretion and remain confidential. TAFE Gippsland will investigate all issues raised and respond to the complainant in a professional and timely manner and in accordance with policy and procedure CM 006 'Comments, Complaints and Compliments.'

All students are made aware of support services available, of their rights and obligations, their right of appeal and of the process for lodging complaints or feedback during their induction briefing post enrolment at TAFE Gippsland.

Privacy and Personal Information

TAFE Gippsland will at all times, comply with the requirements of the Privacy and Data Protection Act 2014 (Vic), the Commonwealth Privacy Act 1988 and the Privacy Amendment Act (Enhancing Privacy Protection) Act 2012.

A documented procedure has been established to ensure that TAFE Gippsland, in conducting Institute business, applies management processes that protect and respect individual information privacy rights. See TAFE Gippsland's Privacy policy and procedure CM023.

Procedure

TAFE Gippsland will meet its tuition assurance requirements through its membership of the TAFE Directors Association's (TDA's) Tuition Assurance Scheme.

Under the TDA Tuition Assurance Scheme, if TAFE Gippsland ceases to provide a VET unit of study within a VET course of study, or a full course, then the eligible enrolled student is entitled to either:

1. VET Course Assurance Option (an offer of a place in a similar VET course of study with a Second Provider), OR

2. VET Tuition Fee Repayment Option (a refund of his or her up-front VET payments for any VET unit of study that the student commences but does not complete)

If the student chooses the VET tuition Fee Repayment Option, then the following process will apply:

Refund Entitlements.

Students who withdraw from a course or unit on or before the census date for that unit are entitled to a full refund of any up-front Tuition Fees paid for the course or course or unit.

TAFE Gippsland must repay to a person who is, or would be entitled to FEE-HELP assistance, any payment of his or her VET tuition fee made on or before the census date if the person is no longer enrolled in the relevant unit at the end of the census date.

Students who are no longer enrolled in the unit at the end of the census date are entitled to a refund.

Materials fees may be charged over and above VET Student Loan tuition fees. Withdrawal from courses involving VET Student Loan may still incur materials fees.

No Refund

A student who withdraws from a VET unit of study after the census date will not be eligible for a refund of any Tuition Fees paid unless they meet the requirements for extenuating circumstances. A student who has requested VET FEE-HELP assistance who withdraws from a VET unit of study after the census date will incur a VET FEE-HELP debt for any unpaid tuition fees

Withdrawal due to Exceptional Circumstances

Eligible students accessing VET STUDENT LOAN assistance who withdraw on or after the census date due to exceptional or extenuating circumstances can apply, in writing, to the Manager Student Administration Services for a refund of any up-front fees paid and, to have their FEE HELP balance re-credited and, to have their VET STUDENT LOAN debt remitted under exceptional circumstances.

This needs to be done within 12 months of the student's initial enrolment date.

These circumstances include:

- Where the student's withdrawal is beyond their control, and
- Where these circumstances did not have an impact on the student until on, or after, the census date, and
- Where continued enrolment in the unit or course is impossible.

Special circumstances do not include:

- Lack of knowledge or understanding of the requirements for VET Student Loan assistance, or

- A student's incapacity to repay a HELP debt, as repayments are income contingent and the person may apply for a deferral of a compulsory repayment in certain circumstances.

Where the Manager SMC is satisfied that special circumstances apply, TAFE Gippsland will arrange to have refund of up-front fees and/or the FEE HELP balance re-credited the VET STUDENT LOAN debt remitted.

Review of decision to deny Exceptional Circumstances re-credit request

A student may apply in writing to TAFE Gippsland for a review of a decision not to re-credit a student's FEE HELP balance, stating the reasons why they are applying for a review. An application for a review must be made within 28 days from the day the person first received notice of the decision, or such time as the reviewer allows.

Upon receipt of the written application, TAFE Gippsland will:

- Acknowledge receipt of the application for review.
- Consider each application on its merits.
- Appoint a review officer who will not be the same officer who made the original decision, and who is senior to that person.
- Reconsider the decision (the reviewer is able to confirm the original decision, vary the decision, or set aside the decision).
- Notify the applicant in writing, within 45 days of receipt of the written application, of the reviewer's decision and the reasons for making the decision.
- Advise the applicant of their right to appeal to the Administrative Appeals Tribunal (AAT) for a review of the reviewer's decision if the applicant is unsatisfied with the outcome.

The contact details of the closest Administrative Appeals Registry and the approximate costs of lodging an appeal with the Administrative Appeals Tribunal are as follows:

Administrative Appeals Tribunal
Level 4, 15 William Street
Melbourne VIC 3006.
Tel: 1800 223 333
<https://www.aat.gov.au/contact-us>

Applications to the Administrative Appeals Tribunal for review of a decision may include an application fee.

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 applicants favour.

More information is available here:

<https://www.aat.gov.au/apply-for-a-review/other-decisions/fees>

Reference and Supporting Information

Definitions

Term	Definition
Tuition fees	The tuition fee is the fee that TAFE Gippsland charges students for each VET unit of study. FEE-HELP can only be used to pay for tuition fees. There are no minimum or maximum tuition fee requirements for FEE-HELP.
Census date	In accordance with paragraph 67(3) of Schedule 1A of the Higher Education Support Act 2003 (the Act) and paragraph 3.4 of the VET Administration Guidelines, the census date for each VET unit of study will be published on or before: <ul style="list-style-type: none"> • earliest enrolment date for the units of study, enabling students to access information about the census date before they enrol.
VET course of study	A approved Vet Student Loan course
VET unit of study	A VET unit of study is a unit of study that a student may undertake with TAFE Gippsland part of the full VET course of study. Students may access VET STUDENT LOAN to pay for some or all of their tuition fees for each unit.
Tuition fee	The tuition fee is the fee that TAFE Gippsland charges a student for each VET unit of study. VET STUDENT LOAN can only be used to pay for tuition fees.
Materials fees	Materials fees apply to courses where students receive materials such as notes, consumables or learning materials that are retained by the student
Eligibility	Students: An eligible student meets the requirements of clause 43 of HESA
Tuition Assurance Scheme	TAFE Gippsland's requirement to protect students in the event that TAFE Gippsland's ceases to provide a VET course of study in which a student is enrolled
VET Course Assurance Option	If the VET course of Study (or a VET unit of Study thereof) that the full fee paying student is studying with TAFE Gippsland's is cancelled, the student is entitled – through the VET Tuition Assurance Scheme – to an offer of 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 OR to the VET Tuition Fee repayment Option. This known as the “VET Course Assurance Option”.
VET Tuition Fee Repayment Option	An alternative to the “VET Course Assurance Option”, if the course (or a unit thereof) that the full fee paying student is studying with TAFE Gippsland is cancelled, the student is entitled – through the VET Tuition Assurance Scheme – to a refund of his or her up-front VET payments for any VET unit of study that the student commences but does not complete because East Gippsland Institute of TAFE ceases to provide the VET course of study of which the VET unit forms part

Supporting Documents

External Legislative Context

- Privacy and Data Protection Act 2014 (Vic)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012
- Commonwealth Privacy Act 1988
- VET Student Loans Act 2016
- VET Student Loans (Consequential Amendments and Transitional Provisions) Act 2016
- VET Student Loans (Charges) Act 2016
- VET Student Loans Rules 2016
- VET Student Loans (Courses and Loan Caps) Determination 2016
- VET Student Loans (Charges) Regulations 2017
- Higher Education Support Act 2003
- VET Student Loans (External Dispute Resolutions Scheme) Specification 2017

Internal Policy and Procedures

- Complaints and Feedback CM 006
- Managing Inappropriate Student Behaviour TL 012
- Privacy Policy and Procedure CM 023
- Skills Recognition: RPL RCC and Credit Transfers TL 006
- Fair Treatment and Equal Opportunity TL 033
- VET Provider Guidelines
- VET Provider Handbook

Related Web Resources

<https://www.aat.gov.au/>

Responsibility

- Director Academic Governance

Document Version Control Table

Item	Summary of Update	Version Control	Revised Date
1	Original Document issue	V1.0	17/01/2011
2	<ul style="list-style-type: none"> • Updated 	V2.0	16/06/2018
3	<ul style="list-style-type: none"> • Rebranded from Federation Training to TAFE Gippsland 	V3.0	10/07/2019
4.	<ul style="list-style-type: none"> • External legislation updated – VET Student Loans & Privacy Acts • AAP contact details updated 	V3.1	12/02/2020