



Tuition Fee refund or re-credit for VET Student Loans enabled courses

Tuition Fee Refund or Re-credit for VET Student Loans Enabled Courses Policy

Policy number: CX01

Version: 2.8

Policy Owner: General Manager Organisational Services

Subject Expert: Manager, Assessments & Admissions

Next review date: 29 March 2025

1. PURPOSE

The purpose of this policy is to provide South Metropolitan TAFE staff and domestic students enrolled in a VET Student Loan 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.

It is also to ensure all South Metropolitan TAFE staff involved in administration of VET Student Loan enabled courses have the appropriate information and training as to the correct procedures for processing refunds for students in the VET Student Loan enabled courses/VET units of study.

2. SCOPE

This policy applies to all South Metropolitan TAFE staff dealing with requests for refunds in relation to a VET Student Loan enabled courses from students who are not overseas students as defined by the Education Services for Overseas Students (ESOS) Act 2000.

3. POLICY GOVERNANCE

- VET Student Loans Act 2016
- VET Student Loans Rules 2016
- VET Student Loans (Courses and Loan Caps) Determination 2016
- Department of Training and Workforce Development VET Fees & Charges Policy
- Higher Education Support Act 2003
- Standards for Registered Training Organisations 2015 made under the National Vocational Education and Training Regulator Act 2011
- Student Identifiers Act 2014

4. KEY TERMS

Administrative Date	16 days prior to a unit(s) census date.
Census Date	The last day a student may withdraw from a VET Unit of Study in which they are enrolled without incurring a liability for tuition fees or a VET Student Loan debt.

RTO Provider No. 52787

TAFE International WA Provider No. 52395 – CRICOS Code 00020G

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DEWR	Department of Employment and Workplace Relations.
eCAF	Electronic Commonwealth Assistance Form, this is an online form which registers a student's loan with the Commonwealth Government.
Secretary	Refers to the Secretary of the Department of Education, Skills and Employment.
SM TAFE (South Metropolitan TAFE)	Refers to South Metropolitan TAFE, "the Organisation" including all its campuses, departments, centres, business units, corporate units and delivery centres.
Unacceptable conduct	Refers to where the Secretary may approve a re-credit if they agree that the provider has behaved unacceptably as outlined in Part 8, section 148 of the VSL Rules 2016.
VET Course of Study	A qualification that has been approved by Department of Education as eligible for VET Student Loan Assistance.
VSL (VET Student Loan)	An income contingent Commonwealth loan scheme where eligible students may use to defer paying fees for units of study for their Vocational Education and Training (VET) enrolment. This student loan is part of the Higher Education Loan Program (HELP).
VET Unit of Study	A published unit of study that forms part of a VET Course of Study.

5. PRINCIPLES

5.1. Policy Principles:

South Metropolitan TAFE will conduct this procedure in compliance with the VET Student Loans Act 2016, and the VET Student Loans Rules 2016 and the VET Student Loan Providers manual.

For the purposes of this procedure:

- A student is an Australian citizen or an Australian resident permanent humanitarian visa holder or an eligible New Zealand Citizen (sub class visa 444) enrolled in a VET Student Loan enabled course with South Metropolitan TAFE.
- A student who has fully paid their tuition fees and/or incurred the VET Student Loan debt may apply for an appropriate refund and/or remission of the debt if they meet the policy requirements
- A student cannot apply for a refund or remission if they have completed the subject.
- A student cannot re-enrol into a unit that they have previously withdrawn from without supplying written intent.



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5.2. Withdrawal from a VET Unit of Study / VET Course of Study

Students who wish to withdraw from a VET unit of study or VET Student Loan enabled course of study must do so in writing by completing CS040101 *Enrolment Adjustment Form* which is available from the Customer Service Centre at each South Metropolitan TAFE, Downloadable from the Student Portal campus or online from the college website.

5.3. Re-enrolling into the same units after withdrawing

Once withdrawn, South Metropolitan TAFE will not be able to re-enrol student/s into the same unit(s) that student(s) have previously enrolled and withdrawn from unless there is a written notification from the student/s to advise that it is their intention to re-enrol into previously withdrawn units and wish to continue to access a VET Student Loan to pay for these unit/s. This written notification must be scanned and emailed to student.loans@smtafe.wa.edu.au and TRIMMED.

5.4. An enrolment is cancelled prior to census dates

In the event that a student fails to provide supporting evidence or do not complete their eCAF by the college's **Administrative dateline**, the student's enrolment will be cancelled by the VSL Officer and the student will be advised accordingly.

5.5. An enrolment is cancelled after census dates

In the event that a student's enrolment(s) is/are cancelled after Census Date(s) have passed, the college will issue the student with a notice outlining the reason for cancellation. The student will be given 28 days to initiate grievance procedures before the final cancellation will take effect. [*VET Student Loan Rules 2016, Part 7, Subdivision E, Sec 87*]

Reasons for cancellation may include but are not limited to failure on the part of the student to comply with administrative requirements relating to maintaining a VET Student Loan and/or failure to honour the payment option agreed upon at enrolment.

A student whose enrolment has been cancelled may have their enrolment reinstated after payment or satisfactory arrangements for payment of the debt has been reached.

5.6. Refund within Census Date

A refund of tuition fees or remission of debt is appropriate under the following circumstances:

- Students who withdraw after enrolling into a **VET Student Loan enabled** qualification on or before the census date, are eligible to receive a refund of 100% of tuition and resource fees paid for the semester and the student will not incur a Commonwealth FEE-HELP debt.

5.7. Refund after Census Date

In the event of a student withdrawing from a VET unit of study or VET Student Loan enabled qualification after census date for that unit of study or qualification:

- no refund is applicable; and/or
- the student may still be liable for a Commonwealth FEE-HELP debt.



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5.7.1 Special Circumstances under section 68 of the VET Student Loans Act 2016

Where withdrawals are submitted after census date, the student may apply in writing for a refund/re-credit under special circumstances, based on:

- a result of a serious illness resulting in extended absences from classes;
- injury or disability that prevented the student from completing their program;
- other exceptional circumstances.

Note: Pre-existing illnesses may exclude the student from being considered for a full refund.

South Metropolitan TAFE will re-credit the VET Student Loan balance if it is satisfied that special circumstances that applied to the student that were:

- a) beyond the student's control; and
- b) did not make their full impact on the student until on or after, the census date;
- c) it made 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; and
- d) the application is made within 12 months after the census day for the course, or the part of the course;

An application for full re-credit can only be requested if all above points are met where the situation must be unusual, uncommon or abnormal.

A ***Withdrawal – Special Circumstance form*** must be completed by the student using form **CX0300001 Application for Special Circumstances Recredit Remission - Application**

All applications must include independent supporting documentation. All documentation must include sufficient information to support the claims made.

Each application will be examined and determined on its merits. South Metropolitan TAFE will consider the student's claims, together with any independent supporting documentary evidence that substantiates these claims.

The procedure for the application of a refund in a VET unit of study or VET Student Loan enabled qualification is as follows:

- a) The Student must officially withdraw from a VET unit of study or VET Student Loan enabled qualification by completing the online **CS040101 Enrolment Adjustment Form** or submitted a withdrawal request on an **Enrolment Adjustment Form** available from the Customer Service Centre at each South Metropolitan TAFE campus or a completed **CS040101 Enrolment Adjustment Form** that has been downloaded from the Student Portal. The student must also complete **CX0300001 Application for Special Circumstances Recredit Remission – Application**. South Metropolitan TAFE shall confirm the withdrawal by giving notice to the student in writing (or signed copy of the submitted withdrawal form) stating the date at which the withdrawal has taken effect; and advise the student that the withdrawal process may take up to 28 days.



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- b) The written application must also include supporting documentation that demonstrates that the requirements for special circumstances have been met if applicable.
- c) The Customer Service Centre must ensure the withdrawal form is received by the VET Student Loan Officer within two days of submission.
- d) The VET Student Loan Officer will complete form **CX030002 Application for Special Circumstances Recredit Remission - Assessment** 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 VET Student Loan Officer may either reject the withdrawal or seek further documentation from the student to support their application.
- e) If the application is successful, South Metropolitan TAFE 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'. See 5.6 below.
- f) VET Student Loan Officer 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.

5.7.2 Special Circumstances – under section 71 of the VET Student Loans Act 2016

- a) Students may apply to the Secretary (DEWR) to request for a recredit of their VET Student Loan if the student believes that SM TAFE has engaged in unacceptable conduct in relation to the student's application for the VSL; or
- b) The student believes that SM TAFE has failed to comply with the VSL Act or an instrument under the Act and this failure has adversely affected the student.
- c) Special circumstance applications for a recredit under section 71 of the VSL Act 2016 must be made within 5 years after the census dates for the course, or part of the course, or within that period as extended by the Secretary.
- d) The Secretary may recredit a student's HELP balance in relation to Special Circumstance considerations under Section 89.2 (i) of the VSL Rules if course provider:
 - i. is unable to act or is being wound up or has been dissolved; or
 - ii. has failed to act and the Secretary is satisfied that the failure is unreasonable.

Students will be able to contact the Secretary at DESE via their website:

<https://www.dewr.gov.au/vet-student-loans/vet-information-students>

Review of a Decision

If a student is not satisfied with the decision made by the VET Student Loan Officer in relation to refunds, they may request a review of the decision.

The review shall be completed using form **CX030002 Application for Special Circumstances Recredit Remission – Review of Decision and be carried out by** the Review Officer who is the Director and is senior to the original decision maker.

Any such request must be submitted to the Review Officer in writing and:

- a) must be lodged within 28 days of receiving notice of the original decision, unless the Review Officer allows a longer period;



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- b) must specify the reasons for making the request and include any supporting documentation; and
- c) sent to:

South Metropolitan TAFE
VET Student Loans Admissions – Review Officer
1 Fleet Street, Fremantle WA 6160

Or requests can also be emailed to: student.loans@smtafe.wa.edu.au

The Review Officer shall acknowledge receipt of an application for a review of the refusal to refund tuition fees paid for a VET Student Loan enabled course or unit of study in writing. The Review Officer shall:

- a) seek all relevant information from the person who made the original decision;
- b) review the case within 2 weeks and advise the student of the decision in writing giving the reasons for the reviewer's decision.

The Review Officer may:

- a) confirm the decision;
- b) vary the decision; or
- c) set the decision aside and substitute a new decision.

The applicant must be notified of the outcomes of the Review in writing within 2 weeks of receiving the review application. This notice shall also advise the applicant that they have the right to apply to the Administrative Review Tribunal within 28 days of a decision for a review of that decision and will provide the contact details of the closest Administrative Review Tribunal Registry and the approximate costs of lodging an appeal as follows:

If you wish to further appeal this decision you may lodge an appeal with the Administrative Review Tribunal (ART) within 28 days from this written notice. The current fee to lodge an application with the ART for the review of a decision can be found on the ART website: www.art.gov.au/FormsAndFees/Fees.htm or contact the ART at:

*Administrative Review Tribunal
Level 5 - 111 St Georges Terrace
Perth WA 6000
Telephone (08) 9327 7200*

6. DOCUMENTS SUPPORTING THIS POLICY

6.1. Policies

- CX03 Admissions Policy for VET Student Loans enabled courses
- CX04 Fees and Charges Policy
- CS05 Withdrawals and Refunds

6.2. Procedures

- CX0101 Student Review Procedure for re-crediting a student loan balance for students on VSL
- CS0601 Enrolment – Full time profile student procedure

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- CX0301 VET Student Loans Enrolment Procedure

6.3. Forms

- CX030101 Local interview assessment form – VSL students
- CX030102 VET Student Loans – Application Form
- CX030001 Application for Special Circumstances Recredit Remission – Application
- CX030002 Application for Special Circumstances Recredit Remission – Assessment
- CX030003 Application for Special Circumstances Recredit Remission – Review of Decision
- CS040101 Enrolment Adjustment Form

7. POLICY REVIEW AND COMMUNICATION

All staff will be notified of new policies and policy changes and the documents will be available on the QMS.

8. POLICY APPROVAL

Approved and Endorsed:

Terry Durant

Managing Director

Date: 24 July 2017

9. DOCUMENT HISTORY AND VERSION CONTROL

Version	Date Approved	Approved by	Brief Description
V1.0	24/07/2017	General Manager Corporate Services	Tuition Fee refund or re-credit for VET Student Loans enabled courses
V1.1	07/09/2018	Manager, Admissions	Review Date Changed, 6.3 updated
V2.0	24/10/2018	General Manager Organisational Services	Reviewed for New Student Management System – 5.5 updated
2.1	12/11/2018	Manager, Admissions	4. Key Definitions, 5. Principles, 6.3 Forms updated. Review date changed.
2.2	19/03/2019	Manager Admissions	5.2 & 5.5 updated

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2.3	4 November 2019	Manager Assessments & Admissions	5.1, 2.3, 5.4 & 5.5 updated
2.3	29 March 2021	General Manager Organisational Services and General Manager Corporate Services	Full policy set review with no changes or updates.
2.4	13/07/2021	Manager Assessments & Admissions	Policy set number changed from CS01 to CX01, policy set moved under Customer Experience.
2.5	2/05/2022	General Manager Organisational Services	Minor updates to section 5.7.1 Special Circumstances under section 68 of VET Student Loans Act 2016
2.6	4/11/2022	General Manager Organisational Services	Policy structure change – 4 Key Definitions changed to Key Terms
2.7	10/03/2023	Manager Assessments & Admissions	Full policy set review – minor updates made to policy and procedure
2.8	1/10/2024	Manager Assessments & Admissions	Policy review – minor updates made to 5.7.2 “VSL Name change from Administrative Appeals Tribunal (AAT) to Administrative Review Tribunal (ART)”