



## Review Procedures for Re-Crediting a VET FEE-HELP Balance

*Carrick Institute of Education* ("the Institution") will conduct this procedure in compliance with the *Higher Education Support Act 2003* and the VET Provider Guidelines.

For the purposes of this procedure a student is an Australian citizen or an Australian resident permanent humanitarian visa holder enrolled in a VET FEE-HELP enabled course with the Institute.

The Institute will:

- set a census date for each VET unit of study that is no earlier than 20% of the way through the unit of study;
- ensure that all students are informed of the census date for each VET unit of study in the manner and by the date prescribed in the VET Administration Guidelines;
- ensure that all students are informed of the review procedures for the re-crediting of a VET FEE-HELP balance.

If a student who has requested VET FEE-HELP assistance withdraws from a VET unit of study on or before the census date for that unit of study, the student will not incur a VET FEE-HELP debt for that unit of study.

If a student who has requested VET FEE-HELP assistance withdraws from a VET unit of study after the census date for that VET unit of study, the student will incur a VET FEE-HELP debt for that VET unit of study.

### 1.0 Conditions for Re-crediting a student's VET FEE-HELP balance

1.1 If a student withdraws from a VET unit of study after census date, or has been unable to successfully complete the VET unit of study and believes this was due to special circumstances, then the student may apply to have their VET FEE-HELP balance re-credited for the affected units.

1.2 The Institute will re-credit the student's VET FEE-HELP balance if it is satisfied that special circumstances apply that:

- are beyond the student's control; and
- did not make their full impact on the student until on or after the census date for the VET unit(s) of study in question; and
- make it impractical for the student to complete the requirements for the VET unit(s) of study in question.

1.3 The Institution will be satisfied that a student's circumstances are beyond the student's control if a situation occurs that a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the student is not responsible. The situation must be unusual, uncommon or abnormal.

- 1.4 Each application will be examined and determined on its merits by considering a student's claim together with independent supporting documentation substantiating the claim.
- 1.5 Initial applications for the re-crediting of a student's VET FEE-HELP balance are to be made, in writing, to the VET FEE-HELP Manager and sent to: Ground Floor, 370 Docklands Drive, Docklands, VIC, 3008

## **2.0 The procedure for the re-crediting of a VET FEE-HELP balance is as follows:**

- 2.1 When a student withdraws from a VET unit of study, the Institute shall confirm the withdrawal by giving notice to the student in writing stating the date at which the withdrawal has taken effect;
- 2.2 when a student fails to meet the requirements of a VET unit of study, the Institute shall confirm the failure by giving notice to the student in writing of the final result for that VET unit of study after the results for the VET unit of study have been properly approved;
- 2.3 The student must apply in writing to the VET FEE-HELP Manager within 12 months from the date specified in the notice as the day of withdrawal or the date of receiving their final results for the unit. The Institute may exercise its discretion to waive this requirement if in its opinion it was not possible for the application to be made before the end of the 12 month period;
- 2.4 The VET FEE-HELP Manager shall advise the student of the outcome in writing of the application within 28 days stating the reasons for the decision;
- 2.5 The VET FEE-HELP Manager shall also advise the student of their rights for a review of the decision if they are not satisfied with its outcome.

The VET FEE-HELP Manager will consider the application and will agree to such requests if they are satisfied that there were special circumstances in the student's case. If a decision is made to re-credit the student's VET FEE-HELP balance, the Institute will notify DEEWR and will repay to the Commonwealth any VET FEE-HELP assistance received on the student's behalf and the student's VET FEE-HELP debt for those VET units of study will be removed.

## **3.0 Review of a decision**

- 3.1 If a student is not satisfied with the decision made by the VET FEE-HELP Manager in relation to re-crediting their VET FEE-HELP balance they may request a review of the decision.
- 3.2 The review shall be carried out by the Review Officer who shall be the Executive Director of Education and who is senior to the original decision maker.
- 3.3 Any such request is to 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; and
  - (b) must specify the reasons for making the request; and
  - (c) sent to: Ground Floor, 370 Docklands, Docklands, VIC, 3008

- 3.4 The Review Officer shall acknowledge receipt of an application for a review of the refusal to re-credit a VET FEE-HELP balance in writing.
- 3.4.1 The Review Officer shall inform the applicant that if the Review Officer has not advised the applicant of a decision within 45 days of having received the application for review, the Review Officer is taken to have confirmed the original decision.
- 3.4.2 This notice shall also advise the applicant that they have the right to apply to the Administrative Appeals Tribunal for a review of the decision and will provide the contact details of the closest Administrative Appeals Tribunal Registry and the approximate costs of lodging an appeal.
- 3.5 The Review Officer shall:
- (a) seek all relevant information from the person who made the original decision;
  - (b) review the case within 3 weeks and advise the student of the decision in writing giving the reasons for the reviewer's decision.
- 3.6 The Review Officer may:
- (a) confirm the decision;
  - (b) vary the decision; or
  - (c) set the decision aside and substitute a new decision;

#### **4.0 Advice of a decision**

- 4.1 The Review Officer will give written notice of the decision setting out the reasons for the decision.
- 4.2 The applicant shall also be advised in the decision of the right to apply to the Administrative Appeals Tribunal for a review of the decision; and be provided with the contact details of the closest Administrative Appeals Tribunal Registry and the approximate costs of lodging an appeal.

#### **5.0 Appeal of a decision**

- 5.1 Where a student is unsatisfied with the reviewed decision they may apply to the Administrative Appeals Tribunal for consideration of the Institute's decision to refuse to re-credit their VET FEE-HELP balance.
- 5.2 The student may supply additional information to the Administrative Appeals Tribunal which they did not previously supply to the Institute either in the original application or the request for review.

#### **6.0 Publication**

These procedures for re-crediting a VET FEE-HELP balance will be published in the Student Handbook and on the Institute's website (<http://carrickeducation.edu.au/>).

### **Related Policy**

AP 63 Statement of VET Tuition Assurance  
FI 1 Financial Management Policy

## **Policy Location**

P: Drive

Website

MyCarrick