



# Procedure

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Our Mission	Our Vision	Our Values
In the spirit of the Sisters of Mercy, Mater Health Services offer compassionate service to the sick and needy, promotes an holistic approach to healthcare in response to changing community needs and foster high standards in health-related education and research. Following the example of Christ the healer, we commit ourselves to offering these services without discrimination.	In the Mercy tradition, Mater will be renowned as a leader in the delivery of exceptional healthcare and experienced by all as a community of compassion.	Mercy Dignity Care Commitment Quality

## Affirmation

This governance document is consistent with the Mater Values and supports the Mater's Mission and Vision by establishing and mandating appropriate controls to support the delivery of health care services.

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# 1 Document Controls

## 1.1 Document Revision History

Version	Date	Description
1	24/11/2011	Final
2	28/05/2015	Transfer to new template. Minor improvements to document following feedback.

## 1.2 Document Review and Approval

Person Name / Committee	Position (if applicable)	Function (Owner   Review   Approve)
Donna Bonney	Chief Executive Officer (MEL)	Document Owner
Caroline Hudson	Executive Director, People and Learning	Review
Pauline Stowers	Manager, RTO Quality and Compliance	Review
Corporate Policy Governance Committee		Approve

## 1.3 References

### Internal Documents

Document Type	Document ID	Document Title
Governing	PY-MEL-040004	Refund Policy for the purposes of the VET FEE-HELP Assistance Scheme
Supporting		
Related	PR-MEL-040005	Mater Education Limited (MEL) Student Complaints and Appeals

### External Documents

1	Higher Education Support Act 2003
2	VET Administrative Information for Providers
3	
4	
5	

## 2 Introduction

### 2.1 Purpose

This procedure clarifies the process where a student has withdrawn after the published census date and is seeking to have their FEE-HELP balance re-credited.

### 2.2 Scope and Context

Students may find they have to withdraw from their studies after the census date or they have been unable to complete their studies due to certain circumstances. Students in this situation may apply to have their FEE-HELP balance re-credited.

### Definitions

Term	Definition
VET	Vocational Education and Training
VET FEE-HELP	An income contingent loan scheme for the VET sector that is an extension of FEE-HELP, part of the Higher Education Loan Program (HELP)
The Act	The Higher Education Support Act 2003
HESA	Higher Education Support Act 2003
Census Date	A published date, set by Mater Education Limited, no earlier than 20% of the way through a VET Unit of Study.
Tuition Fees	Fees paid for a VET Unit of Study that is approved for VET FEE-HELP and applies to students who are, or would be entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Higher Education Support Act 2003.
Unit or VET Unit of Study	A VET unit of study approved for VET FEE-HELP that a student may undertake with Mater Education Limited, for which the student may access VET FEE-HELP assistance to pay for all or part of their tuition fees.
Administrative Appeals Tribunal (AAT)	Provides independent review of a wide range of administrative decisions made by the Australian Government and some non-government bodies.

## 3 Procedures

The following procedures are to be followed:

### 3.1 Incurring a VET FEE-HELP Debt

A student who is, or would be, eligible for VET FEE-HELP and has requested VET FEE-HELP Assistance, who withdraws from a Unit on or before the census date will not incur a VET FEE-HELP debt for the tuition fees for that Unit.

Students who have requested VET FEE-HELP Assistance who remain enrolled after the published census date will incur a VET FEE-HELP debt. A student who withdraws from a Unit after the published census date for that Unit will incur a VET FEE-HELP debt for that Unit.

### 3.2 Re-crediting a FEE-HELP Balance

Students who withdraw from a Unit after the published census date, or fail to complete a Unit, may apply to have their FEE-HELP balance re-credited with respect to the Unit if they believe special circumstances apply in accordance with the following procedures.

### 3.3 Special Circumstances

If a student withdraws from a unit after the published census date for that unit, or has been unable to successfully complete a unit and believes this was due to special circumstances, the student may apply to have their FEE-HELP balance re-credited for the affected unit/s.

Mater Education Limited (MEL) will re-credit the student's FEE-HELP balance if it is satisfied that special circumstances apply to the student that were:

- beyond their control, and
- these circumstances did not make their full impact on the student until on, or after the census date; and
- these circumstances were such that it was impracticable for the student to complete the requirements for the Unit in the period during which the student undertook or was to undertake the Unit.

For circumstances to be beyond a student's control, the situation should be that which a reasonable person would consider is not due to the student's action or inaction, either direct or indirect, and for which the student is not responsible. The situation must be unusual, uncommon or abnormal to be considered special circumstances.

Special circumstances do not include:

- lack of knowledge or understanding of requirements for VET FEE-HELP assistance; or
- a student's incapacity to repay a VET FEE-HELP debt (repayments are income contingent and the student can apply to the Australian Taxation Office for a deferral of a compulsory repayment in certain circumstances).

### 3.4 Re-credit of a student's FEE-HELP balance - The process

Each application for re-credit of a student's FEE-HELP balance will be considered on its merits together with all supporting documentation substantiating the special circumstances claim.

The Manager, RTO Quality and Compliance is the designated VET FEE-HELP officer of MEL. The Manager, RTO Quality and Compliance is responsible for the assessment of a student's request for a re-credit of their FEE-HELP balance due to special circumstances and for the initial decision regarding the request.

A student must apply in writing to the Manager, RTO Quality and Compliance, Mater Education, Level 4, Duncombe Building, Raymond Tce, South Brisbane, Qld, 4101 within 12 months of the withdrawal date, or if the student has not withdrawn, within 12 months of the specified completion date of the unit. MEL has the discretion to waive this requirement if it is satisfied that it was not possible for the application to be made within the 12 month period. Relevant supporting documentation will be required to substantiate the claim.

The application for re-crediting a FEE-HELP balance must include details of the:

- unit(s) for which a student is seeking to have a FEE-HELP balance re-credited and
- special circumstances as referred to in this procedure, including supporting documentation.

MEL will consider each application within ten (10) working days of receipt of the application. It will consider each request to re-credit a FEE-HELP balance in accordance with the requirements of Schedule 1A of the Act. Applicants will be notified in writing of the decision within twenty (20) working days.

### 3.5 Review of Decision

Where MEL makes a decision NOT to re-credit a student's FEE-HELP balance, the decision may be subject to review.

If a student is not satisfied with the decision made by MEL, the student may apply, within 28 days of the receipt of the original decision, for a review of the decision. The application for review must:

- be made within 28 days of receipt of the original decision
- include the date of the original decision
- state fully the reasons for applying for the review
- include any additional relevant evidence

If a full fee-paying student has paid their fees upfront, and did not request VET FEE-HELP assistance, the review procedures under HESA do not apply. In this instance, the student cannot under HESA request a review or refer the matter to the Administrative Appeals Tribunal (AAT).

Review applications should be made in writing to CEO, Mater Education Limited, Level 4, Duncombe Building, Raymond Tce, South Brisbane, Qld, 4101 as the designated Review Officer of any decisions relating to a request for re crediting of a FEE-HELP balance.

Note: The Review Officer is senior to the designated VET FEE HELP officer responsible for the original decision and was not involved in making the original decision to be reviewed.

The Review Officer will:

- reconsider the decision and either:
  - confirm the decision; or
  - vary the decision; or
  - set the decision aside and substitute a new decision; and
- notify the student in writing within 28 days of receipt of the application and advise of the decision and, if applicable, of the day the decision takes effect; and
- the reasons for making the decision;
- advise the person of their right to appeal to the AAT for a review of the reviewer's decision if the person is unsatisfied with the outcome; and
- provide the applicant with the contact details and address of the nearest AAT registry and the approximate costs of lodging an appeal.

### 3.6 Reconsideration by the Administration Appeals Tribunal

**At the time of the original decision, and at the time of the subsequent Review Decision**, the student will be notified of their review rights and responsibilities. The relevant officer will inform a student in writing of their right to appeal to the Administrative Appeals Tribunal (AAT) if they are not satisfied with the outcome and the contact details of the closest AAT office and the approximate costs of lodging an appeal.

The Application must be lodged at the AAT within 28 days of receiving written notice of the Review Decision. This time limitation can be extended in limited circumstances by order of the AAT.