



# Procedure For VET FEE-HELP Review (Re-Crediting a FEE-HELP Balance)

RTO:3855: Level 9, 221 Queen St Melbourne 3000: ABN 81006819503 p.03 9654 2037 f. 03 9650 3192 www.heleneabicaair.com.au

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### Policy and Procedure

VET FEE-HELP 6.15

#### Procedure For VET FEE-HELP Review (Re-Crediting a FEE-HELP Balance)

HRA Pty Ltd T/As Helene Abicair College of Advanced Beauty Therapy [the college] will conduct this procedure in compliance with the Chapter 6 of the VET Provider Guidelines and will ensure that all students are informed upon enrolment of the census dates for the current year of study and procedures for the re-crediting of a FEE-HELP balance. Students will be advised annually of the census dates for the current year of study. [6.15.1]

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

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

#### Re-crediting a student's FEE-HELP Balance

After the census date, a student may apply to the Training Manager to have their FEE-HELP balance re-credited if the student has been unable to complete the VET unit(s) of study and believes this was due to special circumstances.

The College will re-credit the student's FEE-HELP balance to the Commonwealth if it is satisfied that special circumstances apply that:

1. are beyond the student's control; and
2. 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
3. make it impractical for the student to complete the requirements for that VET unit(s) of study.

The college 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.

Each application will be examined and determined on its merits by considering a student's claim together with independent supporting documentation substantiating the claim. All substantiating documentation to support the application must be provided with the application to re-credit the student's FEE-HELP Balance.

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

- (a) when a student withdraws from a VET unit[s] of study after the census date or has not completed the requirements of the VET unit(s) of study, the college shall confirm the withdrawal by giving notice to the student in writing stating the date at which the withdrawal has taken effect;
- (b) the student must apply in writing to the Training Manager within 12 months from the day specified in the notice as the day of withdrawal. The college 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 months of the withdrawal date.
- (c) the Training Manager shall advise the student of the outcome of the application within 28 days of the receipt of the application stating the reasons for the decision;

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- (d) the Training Manager shall also advise the student of their rights for a review of the decision if they are not satisfied with its outcome.
- (e) a student cannot apply for a re-credit or a remission if they have successfully completed the VET unit(s) of study.

If a decision is made to re-credit the FEE-HELP balance, the college will notify DEEWR and will repay to the Commonwealth any VET FEE-HELP assistance received on the student's behalf.

### Procedure for Review of a decision

If a student is not satisfied with the decision made by the Training Manager, in relation to their FEE-HELP balance, they may request a review of the decision.

Under the College's: Non-Academic Grievance Policy and Resolution

The Principal shall carry out the review. The Principal is more senior than the Training Manager.

Any such request is to be submitted to the Principal in writing and:

- (a) must be lodged within 28 days of receiving notice of the original decision, unless the Training Manager allows a longer period; and
- (b) must specify the reasons for making the request.

The Principal shall acknowledge receipt of an application for a review of the refusal to re-credit the FEE-HELP balance in writing and inform the applicant that if the college has not advised the applicant in writing of a decision within 45 days of having received the application for review, the Principal is taken to have confirmed the original decision. [6.15.5] This notice shall also advise the applicant that they have the right to apply to the Administrative Appeals Tribunal [Melbourne branch] for a review of the decision [6.15.10] and will provide the contact details of the closest Administrative Appeals Tribunal Registry and the approximate costs of lodging an appeal.

The Principal 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.

The Principal may:

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

### Administrative Appeals Tribunal Costs and Contact information as of June 9<sup>th</sup> 2009.

#### Application fees

If you apply to the Administrative Appeals Tribunal for review of a decision, you may have to pay an application fee of \$682. Your application cannot proceed until you pay the application fee 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 your favour.

Administrative Appeals Tribunal  
Level 16, HWT Tower, Southgate  
40 City Road  
Southbank VIC 3006

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### Postal Address of Administrative Appeals Tribunal

Administrative Appeals Tribunal  
GPO Box 9955  
Melbourne VIC 300

Web Address: [www.aat.gov.au](http://www.aat.gov.au)

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

Contact details of the Principal:

**HRA Pty Ltd T/As Helene Abicair College of Advanced Beauty Therapy**  
**Level 9, 221 Queen St Melbourne Vic 3000**  
**Phone: 03 9654 2037**  
**Fax: 03-9650 3192**

This Policy and Procedure for Re-crediting a FEE-HELP Balance will be published in the Student Induction Handbook and college website [6.15.15]

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