

1 Overview

Purpose

The purpose of this document is to ensure that eligible students are aware of their rights to have their VET Student Loan balance re-credited under special circumstances.

The policy acknowledges the [Standards for Registered Training Organisations \(RTOs\) 2015](#) and is compliance with Schedule 1A of the [Higher Education Support Act 2003](#) and the [VET Provider Guidelines](#). Other related legislations are listed in the Document Map. EQUALS ensures that practices are fair and equitable

Scope

This policy applies to eligible domestic students under VET Student Loan arrangements.

2 Policy statement

- 2.1 EQUALS ensures that all Students are informed of the census dates for each VET unit of study by the prescribed dates and the procedures for the re-crediting of a VET Student Loan balance.
- 2.2 If a Student who has requested VET Student Loan assistance withdraws from a VET unit of study on or before the census date for that study period, the Student will not incur a VET Student Loan debt for that VET unit of study.

Re-crediting a VET Student Loan balance

- 2.3 If a student withdraws from a VET unit of study after the census date, or has been unable to successfully complete a VET unit of study, and believes this was due to special circumstances, then the student may apply to have their VET Student Loan balance re-credited for the affected units.
- 2.4 EQUALS will re-credit the VET Student Loan balance if it is satisfied that special circumstances apply that:
 - (i) are beyond the student's control; and
 - (ii) did not make their full impact on the student until on or after the census date for the VET unit of study in question; and
 - (iii) make it impractical for the student to complete the requirements for that VET unit of study.
- 2.5 EQUALS 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.
- 2.6 Each application will be examined and determined on its merits by considering a student's claim together with independent supporting documentation substantiating the claim.
- 2.7 Initial applications for the re-crediting of a VET Student Loan balance are to be made, in writing, to the Business Coordinator and sent to: GPO BOX 2443, Adelaide SA 5001.

3 Procedure

3.1 Re-crediting of a VET Student Loan balance

- 3.1.1 When a student withdraws from a VET unit of study, EQUALS shall confirm the withdrawal by giving notice to the student in writing stating the date at which the withdrawal has taken effect;
- 3.1.2 When a student fails to meet the requirements of a VET unit of study, EQUALS shall confirm the failure by giving notice to the student in writing of the final result after the results are published for that study period;
- 3.1.3 The student must apply in writing to the Corporate Services team within twelve (12) months from the date specified in the notice as the day of withdrawal or the date of receiving their final results for the study period. EQUALS 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 twelve (12) month period;
- 3.1.4 The Accountant shall advise the Student of the outcome of the application within twenty-eight (28) days stating the reasons for the decision;
- 3.1.5 The Accountant shall also advise the Student of their rights for a review of the decision if they are not satisfied with its outcome.
- 3.1.6 The Accountant will consider the application and will agree to such requests if they are satisfied that there were special circumstances in the student's case.
- 3.1.7 If a decision is made to re-credit the VET Student's Loan balance, EQUALS will submit the revision of the debt recorded into HEIMS and notify the VET Student Loan department. The Accountant will repay the Commonwealth any VET Student Loan assistance received on the student's behalf and the VET Student Loan debt for those VET units of study will be removed.

3.2 Review of a decision

- 3.2.1 If a student is not satisfied with the decision made by the Accountant in relation to re-crediting their VET Student Loan balance, they may request a review of the decision.
- 3.2.2 The review shall be carried out by the Review Officer who may be the Chief Financial Officer or a designated staff who is senior to the original decision maker.
- 3.2.3 Any such request must be submitted to the Review Officer in writing and:
- (i) must be lodged within twenty-eight (28) days of receiving notice of the original decision, unless the Review Officer allows a longer period; and
 - (ii) must specify the reasons for making the request.
 - (iii) be sent to the Review Officer, GPO Box 2443, Adelaide SA 5001.
- 3.2.4 The Review Officer shall acknowledge receipt of an application for a review of the refusal to re-credit a VET Student Loan balance in writing and inform the applicant. If the Review Officer has not advised the applicant of a decision within forty five (45) days of having received the application for review, the Review Officer is taken to have confirmed the original decision. 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.

3.2.5 The Review Officer shall:

- (i) seek all relevant information from the person who made the original decision;
- (ii) review the case within three (3) weeks and advise the student of the decision in writing giving the reasons for the reviewer's decision.

The Review Officer may:

- (i) confirm the decision;
- (ii) vary the decision; or
- (iii) set the decision aside and substitute a new decision;

3.2.6 The Review Officer will give written notice of the decision setting out the reasons for the decision. The applicant shall also be advised in the decision of the right to apply to the Administrative Appeals Tribunal (AAT) for a review of the decision; and the contact details for the AAT are as follows:

Telephone: 1300 366 700, or
Postal: GPO Box 9955 in your Capital City.

3.2.7 The approximate cost for lodging an appeal can be found [here: http://www.aat.gov.au/applying-for-a-review/fees](http://www.aat.gov.au/applying-for-a-review/fees)

3.2.8 Where a Student is dissatisfied with the reviewed decision, they may apply to the Administrative Appeals Tribunal for consideration of EQUALS decision to refuse to re-credit their VET Student Loan balance. The Student may supply additional information to the Administrative Appeals Tribunal which they did not previously supply to EQUALS either in the original application or the request for review.

3.2.9 This document will be made available by publication on the [EQUALS website](#).

4 Responsibilities

Compliance, monitoring and review

- Aligns with relevant legislation, government policy and EQUALS values.
- Is implemented and monitored to reflect the changing policy environment and emerging issues identified.
- Is reviewed to evaluate its continuing effectiveness in achieving its purpose and remaining relevant.

5 Definitions

Census Date: the last date in the study period for domestic students to withdraw without incurring financial liability for tuition fees.

Course: the series of units in which a student enrolls and which, when completed, will lead to conferral of a designated award.

Domestic student: is an Australian citizen or an Australian resident permanent humanitarian visa holder enrolled in a VET Student Loan enabled course with EQUALS International.

Study Period: for Vocational Education Training courses: 1 term.

Unit: a component of a course of study with specified unit learning outcomes.

Terms not defined in this document may be in the [EQUALS Glossary](https://app.smartsheet.com/b/home?lx=GCzY7kacE2GweBYJA345OQ)
<https://app.smartsheet.com/b/home?lx=GCzY7kacE2GweBYJA345OQ>

6 Approval and Amendment History

Version	Approved by	Approval Date	Details
5.2	CEO	15/05/2018	Refer archived policy.
6.0	CEO	21/03/2019	Minor updates throughout policy and procedure including edits to responsibilities, definitions, and comprehensive document map and clearer alignment to the appropriate responsible person/body.

7 Document Map

Approval Authority:	Executive Management Committee	Advisory Committee for Approval Authority	
Authorised By:	Chief Executive Officer		
Effective from:	21/03/2019		
Next Review Date:	21/03/2022		
File Location:	The current version of this policy can be accessed from the Policy Register (internal users only)		
Relevant Legislation:	Education Services for Overseas Students Act 2000 Standards for Registered Training Organisations 2015		
Related Documents and/or Registers:	Higher Education Support Act VET Student Loans Manual for Providers VET Student Loans Rules 2016 VET Student Loans (Courses and Loan Caps) Determination 2016 VET Student Loans (Consequential Amendments and Transitional Provisions) Rule 2016		
Policy Subdivision	<input type="checkbox"/> Corporate or Academic Governance <input type="checkbox"/> Academic Management <input checked="" type="checkbox"/> Operational Management		
Administrator:	Quality Advisor		