**Procedure Details**

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<tr>
<td>Advisor</td>
<td>FEE-HELP Co-ordinator</td>
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<tr>
<td>Approval Authority</td>
<td>Director Student Services</td>
</tr>
<tr>
<td>Approval Date</td>
<td>01/07/2014</td>
</tr>
<tr>
<td>Version Number</td>
<td>1.0</td>
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<tr>
<td>Review Date</td>
<td>July 2015</td>
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**Purpose**

In accordance with the Schedule 1A of the HESA, and the VET Provider Guidelines, TAFE Queensland Brisbane has implemented the following procedure to provide information to both staff and students on how to conduct and access the review and re-crediting process.

This procedure applies where an eligible VET FEE-HELP student withdraws after the census date or where they have not completed the requirements for the VET unit of study.

The review procedures shall be published, publicly available and up-to-date.

**Scope**

This procedure applies:
- To any person who is or has been enrolled, in an eligible VET unit of study
- Where a student withdraws after the Census Date
- Where they have not completed the requirements for the VET unit of study.

The following exceptions apply:
- Students who have successfully completed a VET unit of study are not eligible to apply to have their FEE-HELP balance re-credited or to have their debt removed for that VET unit of study.
- All students in government subsidised courses (those courses that are not VET FEE-HELP eligible).
- A separate procedure exists for FEE-HELP in relation to Higher Education.

**Procedure**

Any student eligible for a loan to assist with the cost of their tuition fees under the Higher Education Loan Program (HELP), who withdraws from a VET unit/s of study after the Census Date, or does not complete the requirements for a VET unit/s of study due to special circumstances, may apply to TAFE Queensland Brisbane to have their FEE-HELP balance re-credited.

TAFE Queensland Brisbane shall, where satisfied that special circumstances apply, re-credit a student’s FEE-HELP balance with an amount equal to the amount of VET FEE-HELP assistance that the student received for the unit of study [Schedule 1A HESA cl46-51].

If a student’s FEE-HELP balance is re-credited, any VET FEE-HELP debt they acquired for the unit shall be remitted and TAFE Queensland Brisbane shall repay any amounts of VET FEE-HELP assistance for the unit to the Commonwealth.

Students also have the right to apply for a review of a decision made by TAFE Queensland Brisbane not to re-credit their FEE-HELP balance.
1. Student Applies for re-credit or refund of upfront fees
The Institute administration shall advise the student who withdraws from a VET unit of study that they may apply to have their FEE-HELP balance re-credited or upfront tuition fees refunded.

The Student shall apply for a re-credit of FEE-HELP balance within 12 months of withdrawal (FM454a – Application to Re-credit VET FEE-HELP Balance), or if still enrolled having not completed the requirements of a unit, within 12 months from the end date for that unit/s.

2. Assessment of re-credit or refund application
The FEE-HELP Officer shall log applications in ISAS FEE-HELP and shall provide a written receipt of the application to the student. The FEE-HELP Officer shall assess the application within 25 business days, using the FM454b - Assessment of Application to Re-credit FEE-HELP Balance.

The Registrar shall review the original assessment and authorises the Assessment of Application to Re-credit FEE-HELP Balance (FM454c). The administration staff coordinates the completion of the FMXXXa - Change Enrolment advice. The Change enrolment shall be returned to the FEE-HELP Officer for ISAS processing and record keeping.

3. Application for re-credit is approved
If the application to re-credit is approved, the FEE-HELP Co-ordinator shall adjust ISAS enrolment, account and third party contract and submit a revisions file through HEPCAT to Commonwealth, if necessary; and update ISAS FEE-HELP and generate a new Commonwealth Assistance Notice (CAN) for student.

The FEE-HELP Co-ordinator shall provide a written advice to the applicant detailing the reasons for the decision to re-credit their FEE-HELP balance, and detail of payment refunds (if relevant), along with a new CAN.

4. Application for re-credit is NOT approved
If the application to re-credit is not approved, the FEE-HELP Co-ordinator shall create a note in ISAS FEE-HELP and attaches artefacts; and advise the applicant via written notice, including reasons for the decision not to re-credit and their entitlement to lodge an Application to Review a Re-credit Decision (FM454c), within 28 days of the decision.

The FEE-HELP Officer shall advise the Registrar that the application has been denied.

5. Student dissatisfied with outcome of their application to re-credit
Students shall lodge an Application to Review a Re-credit Decision (FM454c) within 28 days from receiving the written outcome of application for a re-credit. The application shall specify reasons for seeking the review.

The FEE-HELP Officer shall log submission of Application to Review in ISAS FEE-HELP; and provide a written receipt of the application to the student and informs the student that they will be advised, in writing, of a decision within 45 days on whether the application is granted, altered or denied.

6. Reviewing the decision
A Review Panel shall be created to review the decision. The Review Panel shall consist of 3 staff members, who have been determined by the FEE-HELP Coordinator, with one of the members being at a higher level than the Registrar.

The FEE-HELP officer shall prepare the documentation for each Review Panel member. The Review Panel shall review and reconsider the decision using all provided documentation; and shall:
- a. confirm the decision
- b. vary the decision
- c. set the decision aside and substitute a new decision
- d. Document outcome on FM454b - Assessment of Application to Re-credit FEE-HELP Balance
- e. Advise FEE-HELP Coordinator of progress.

7. Review is successful
Where the application for review is successful, the following shall apply:
• The Review Panel shall advise the Registrar and request a completed FM441a - Change of Enrolment Advice if required
• The FEE-HELP Officer shall adjust the ISAS enrolment, account and third party contract and submit a revisions file to the Commonwealth, if necessary
• The FEE-HELP Officer shall update ISAS FEE-HELP and generate a new Commonwealth Assistance Notice (CAN)
• The FEE-HELP Officer shall create a note in ISAS FEE-HELP and attach artefacts
• The Chair, Review Panel shall provide written advice to the applicant detailing the reasons for the decision to re-credit their FEE-HELP balance and detail of payment refunds (if relevant), along with a new CAN
• The Chair, Review Panel shall provide written advice to the applicant.

8. Review is NOT successful
If the Review Panel confirms the original decision to deny re-credit, the written outcome shall include the reasons provided by the Panel. The notice shall also notify the person of their right to appeal to the Administrative Appeals Tribunal (AAT) for a review of the reviewer’s decision if the student is unsatisfied with the outcome; and provide the student with the contact details and address of the nearest AAT registry as well as the approximate costs of lodging an appeal.

Current approximate cost of lodging an appeal: $682.00 (this cost will be the responsibility of the applicant).

Deputy Registrar
Administrative Appeals Tribunal (AAT)
Level 4, Commonwealth Law Courts
Corner North Quay & Tank Street
Brisbane Qld 4000

Phone: 07 3361 3000 / 1300 366 700
Internet: http://www.aat.gov.au

Review is NOT successful and student chooses to lodge an application to AAT
The Student shall submit an application to AAT for reconsideration of TAFE Queensland Brisbane’s decision to deny an application to re-credit FEE-HELP balance. This may include additional information which was not previously supplied to TAFE Queensland Brisbane.

The Commonwealth requests all documentation held by TAFE Queensland Brisbane in relation to the student (applicant’s) case, and which may be relevant to the appeal. The FEE-HELP Co-ordinator shall create a note in ISAS FEE-HELP and attach artefacts; and within 5 business days, provide the Commonwealth with all documents relevant to the student’s AAT application for appeal if requested.

Within 28 days of notification, Commonwealth shall lodge to AAT:
• A statement setting out the material questions of fact, referring to the evidence or other material on which those findings were based and giving reasons for the decision; and
• Every document or part of a document that is in the reviewer’s possession and is considered by the reviewer to be relevant to the review of the decision by the AAT.

The Commonwealth shall advise TAFE Queensland Brisbane of the outcome of appeal. Should TAFE Queensland Brisbane be advised to overturn previous decisions made in regard to the student’s application for a re-credit of their FEE-HELP debt, necessary adjustments to ISAS, ISAS FEE-HELP and student CAN shall be made with new documents to be provided to the student.

Records Management
Records shall be retained in accordance with the Qld State Archives – General Retention and Disposal Schedule for Administrative Records (QDAN249).

The FEE-HELP team shall retain all records of individual re-credit and review cases for 7 years.

Under the VET Administration Information for Providers Guidelines, review procedures shall be published, publically available on TAFE Queensland, Brisbane’s website and up-to-date.
Affiliated Documents / References

Internal:
- FM454a – Application to Re-credit VET FEE-HELP Balance
- FM454b - Assessment of Application to Re-credit FEE-HELP Balance
- FM454c - Application to Review a Re-credit Decision
- FM441a - Change Enrolment

External:
- Higher Education Support Act 2003 (HESA)
- VET Provider Guidelines
- Higher Education Provider Guidelines
- VET Administration Information for Providers
- Administrative Appeals Tribunal (AAT) Act 1975
- Administrative Appeals Tribunal (AAT) Website
- QDAN249 - Qld State Archives – General Retention and Disposal Schedule for Administrative Records

Glossary of Terms / Definitions

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<tr>
<th>Term/s</th>
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<tr>
<td>AUTHORITATIVE SOURCE</td>
<td>A constant and reliable source of information established as an official point of reference by TAFE Queensland, Brisbane.</td>
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<tr>
<td>AAT</td>
<td>Administrative Appeals Tribunal</td>
</tr>
<tr>
<td>ACADEMIC PENALTY</td>
<td>Application of a not-competent ‘M’ grade against a unit of study</td>
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<td>APPLICANT</td>
<td>A student of TAFE Queensland, Brisbane who has submitted an application in relation to re-crediting, or reviewing decisions around re-crediting, of their FEE-HELP balance</td>
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<tr>
<td>COMMONWEALTH</td>
<td>Department of Education</td>
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<tr>
<td>FEE-HELP BALANCE</td>
<td>A person’s FEE-HELP balance is the amount of the FEE-HELP limit they have not used. It is the sum of the amount of FEE-HELP and VET FEE-HELP assistance that is used to calculate a person’s FEE-HELP balance [HESA s104-15].</td>
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<td>REVIEW PANEL</td>
<td>The Review Panel, is a panel formed to review any original decision made in relation to a student’s ‘Application to Re-credit FEE-HELP Balance – Higher Education Students’. This panel members shall be delegated responsibility by the General Manager, TAFE Queensland, Brisbane.</td>
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<td>REVISIONS FILE</td>
<td>Variations to a student’s VET FEE-HELP debt that occurs after the Census Date due to re-crediting of their FEE-HELP balance, shall be reported to DEEWR through a Revisions submission and in the Revised Student Load/Liability File.</td>
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| TUITION FEE      | Any fee payable to a VET provider by a person enrolled with TAFE Queensland, Brisbane. It may also include any fee payable to TAFE Queensland, Brisbane in respect of the granting of a VET award, however does not include any fee that is:  
  • payable in respect of an organisation of students, or of students and other persons; or  
  • payable in respect of the provision to students of amenities or services that are not of an academic nature; or  
  • payable in respect of residential accommodation; or  
  • payable in respect of a special admissions test; or  
  • determined to be a fee of a kind that is incidental to studies, described under ‘incidental fees’; or  
  • a student contribution amount payable in respect of a student. |
<p>| VET              | Vocational Education and Training                                                                                                                 |
| VET COURSE OF STUDY | A structured and integrated course of VET units of study, including competencies which lead to a VET award if undertaken with a VET provider. |
| VET UNIT OF STUDY | A subject or unit that a student may undertake with a VET provider as part of a course of study in which the student may access VET FEE-HELP to pay for all or part of their tuition fees for that unit. |
| VET FEE-HELP     | Commonwealth Government loan scheme which assists eligible students to pay their tuition fees, when they enrol in a VET course of study undertaken with a body which is approved as a VET provider under Schedule 1A Higher Education Support Act 2003 (HESA). |
| VET PROVIDER     | An organisation that is approved under Schedule 1A of the Higher Education Support Act 2003 (HESA) to offer VET FEE-HELP to its students.        |</p>
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<th>Revision Date</th>
<th>Summary of Amendments</th>
<th>Prepared By</th>
<th>Version</th>
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<tr>
<td>01/07/2014</td>
<td>New procedure written for TAFE Queensland Brisbane</td>
<td>FEE-HELP Coordinator</td>
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