

# VET Student Loan Review and Re-crediting Procedure

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## 1. Procedure Scope

This policy applies to any person who is or has been enrolled in an eligible VET unit of study with TasTAFE.

This policy deals with 'VET Student Loan Applications to re-credit VET Student Loan balances', or refunds of upfront payments and 'VET Student Loan Applications to Review a Re-credit Decision' made to TasTAFE.

This applies where a student withdraws after the Census Date or where they have not completed the requirements for the VET unit of study.

## 2. Procedure Purpose

The purpose of this procedure is to provide a set of activities that are required to be undertaken when dealing with applications for re-credit, or applications to review re-credit decisions in relation to VET Student Loan, and according to Schedule IA of the Higher Education Support Act 2003 (HESA).

Under Schedule IA of the HESA, and the VET Guidelines 2013, VET providers are required to have review procedures in place for reconsidering decisions relating to a person's Commonwealth Assistance. The review procedures must be published, publicly available and up-to-date. The review procedures will be published on TasTAFE's website <https://www.tastafe.tas.edu.au/future/fees-and-payments/vetstudentloans>.

Any student eligible for a VET Student Loan to assist with the cost of their tuition fees, 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 TasTAFE to have their VET Student Loan balance re-credited.

TasTAFE must, where satisfied that special circumstances apply, re-credit a student's VET Student Loan balance with an amount equal to the amount of VET Student Loan assistance that the student received for the unit of study. If a student's VET Student Loan balance is re-credited, any VET Student Loan debt they acquired for the unit must be remitted and TasTAFE must repay any amounts of VET Student Loan assistance for the unit to the Commonwealth.

Students also have the right to apply for a review of a decision made by TasTAFE not to re-credit their VET Student Loan balance. In accordance with the Schedule IA of the HESA, and the VET Guidelines, TasTAFE has implemented the following procedure to provide information to both staff and students on how to conduct and access the review and re-credit process.

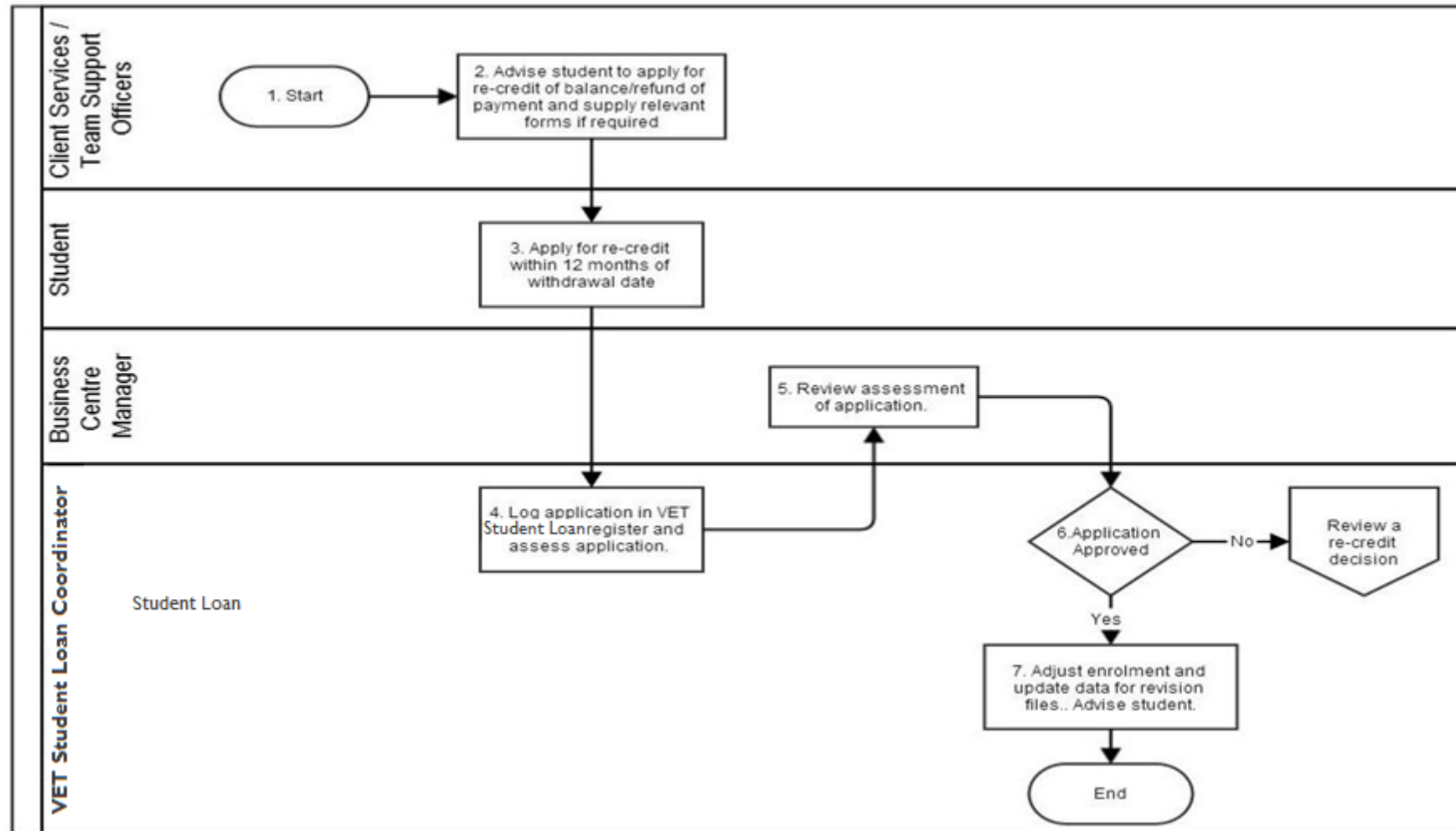
## 3. Procedure Details

### Workflows

The following workflow diagrams and procedural tables describe the steps for enacting the TasTAFE VET Student Loan Review and Re-crediting Procedure.

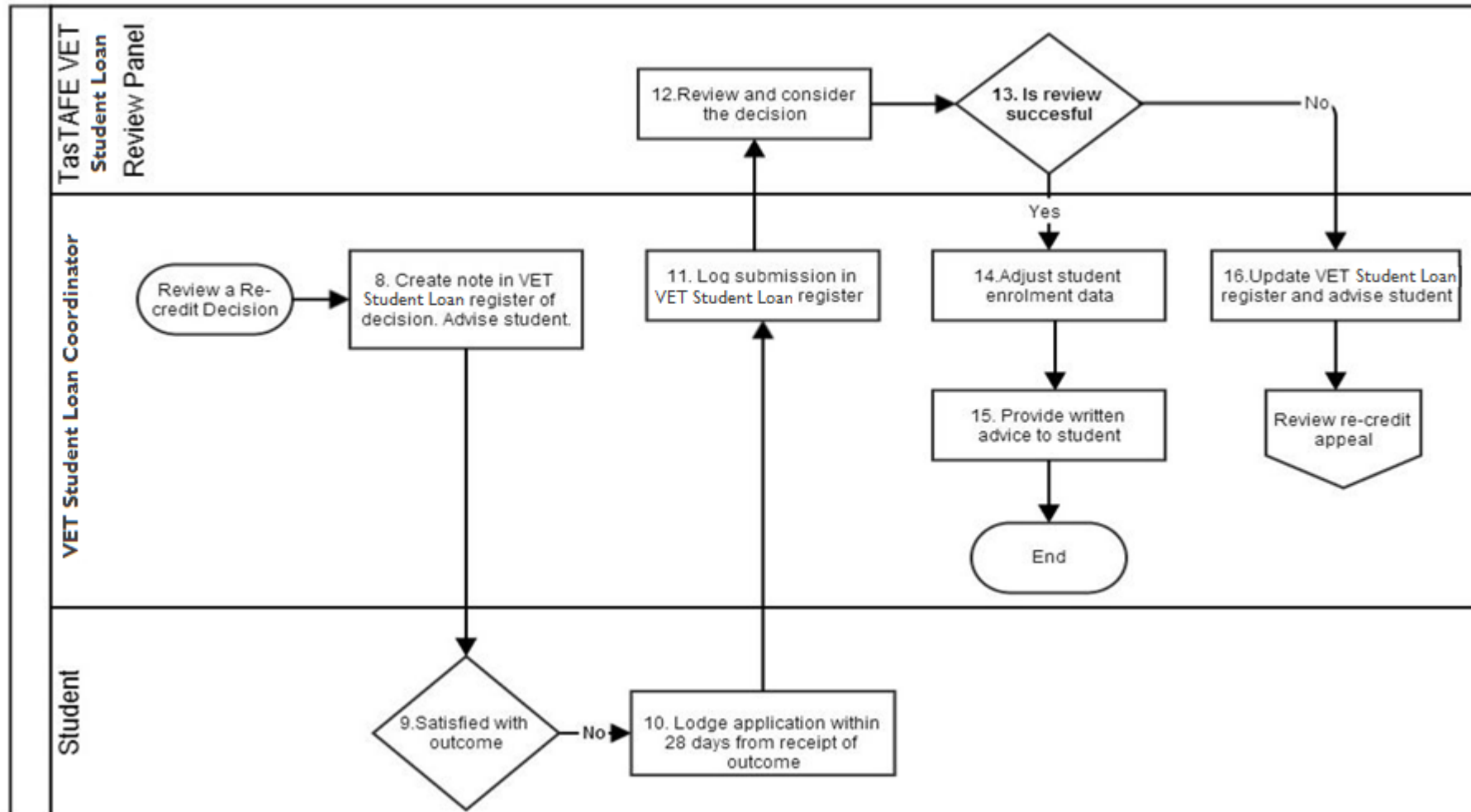
## VET Student Loan Review and Re-crediting Procedure

### TasTAFE VET Student Loan Review and Re-Credit



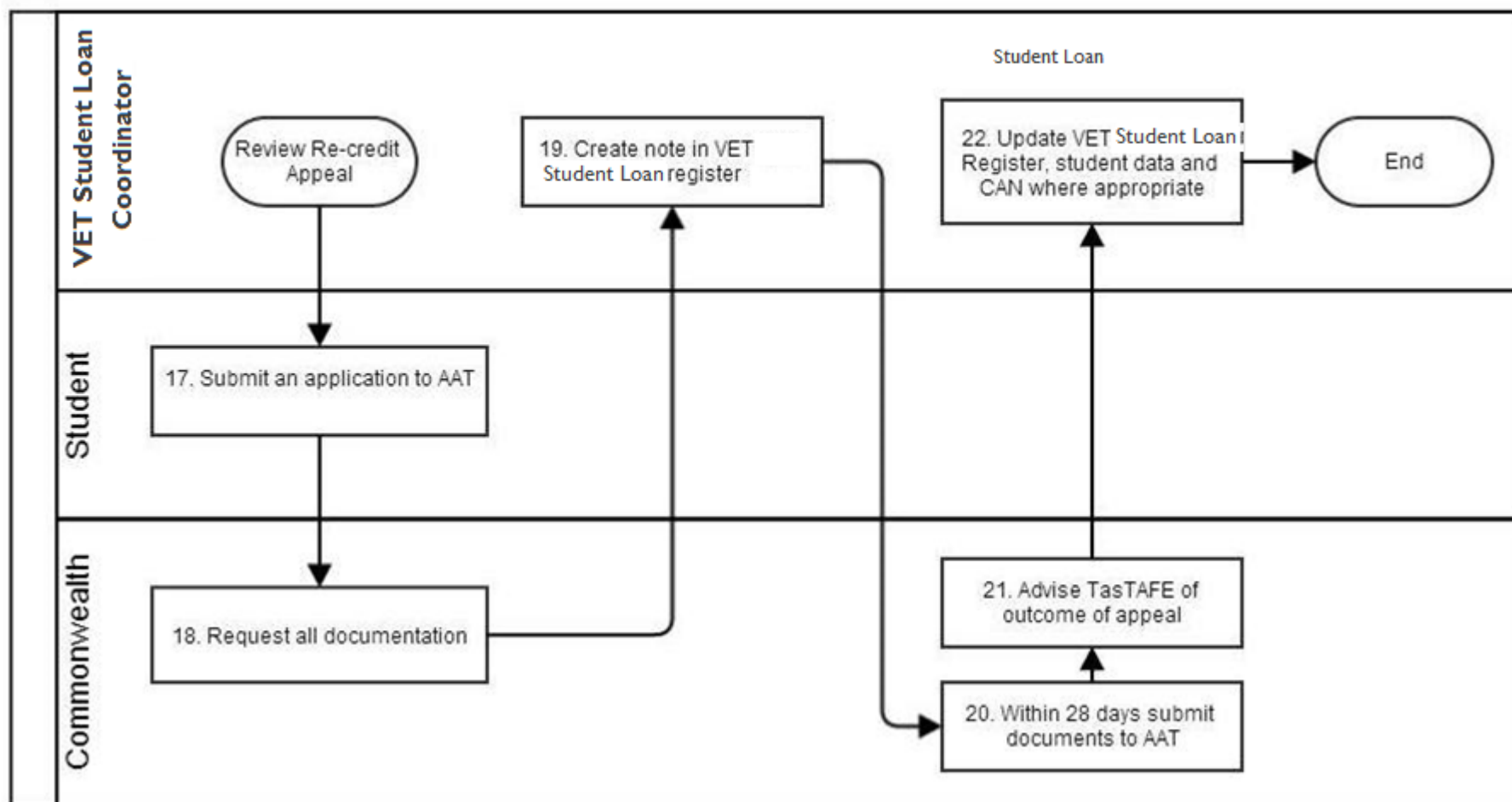
## VET Student Loan Review and Re-crediting Procedure

**TasTAFE VET Student Loan Review and Re-Crediting Decision**



## VET Student Loan Review and Re-crediting Procedure

### VET Student Loan Review and Re-Credit Appeal



ID	Activity	Responsibility	Associated TasTAFE Documents
1.	Review and Re-crediting	VET Student Loan Coordinator	<ul style="list-style-type: none"> <li>• Application to Re-credit VET Student Loan Balance Form</li> <li>• Assessment of Application to Re-credit VET Student Loan Balance Form</li> <li>• Application to Review a Re-credit Decision Form</li> <li>• Application for Enrolment Amendment Form</li> </ul>
2.	Advise student who withdraws from a VET unit of study, after the census date has passed, that they may apply to have their VET Student Loan balance re-credited or upfront tuition fees refunded if special circumstances apply. Supply relevant forms.	Client Services / Team Support Officers	<ul style="list-style-type: none"> <li>• Application for Enrolment Amendment Form</li> </ul>
3.	Apply for a re-credit of VET Student Loan balance using the Application to Re-credit VET Student Loan Balance Form, within 12 months of withdrawal, or if still enrolled having not completed the requirements of a unit, within 12 months from the end date for that unit/s. TasTAFE may waive the application period on the grounds that it would not be, or was not, possible for the application to be made before the end of that period.	Student	<ul style="list-style-type: none"> <li>• Application to Re-credit VET Student Loan Balance Form</li> </ul>
4.	<ul style="list-style-type: none"> <li>• Log application in VET Student Loan register and assess application</li> <li>• Provide written receipt to student</li> <li>• Assess application within 25 days and forward decision to Business Centre Manager through Assessment of Application to Re-credit VET Student Loan Balance Form</li> </ul>	VET Student Loan Coordinator	<ul style="list-style-type: none"> <li>• Application to Re-credit VET Student Loan Balance Form</li> <li>• Assessment of Application to Re-credit VET Student Loan Balance Form</li> </ul>

## VET Student Loan Review and Re-crediting Procedure

5.	<ul style="list-style-type: none"> <li>Review assessment of the application, and email decision to VET Student Loan Coordinator.</li> </ul>	Business Centre Manager	<ul style="list-style-type: none"> <li>Assessment of Application to Re-credit VET Student Loan Balance Form</li> </ul>
6.	Where application is approved proceed to 7, where declined proceed to 8	VET Student Loan Coordinator	<ul style="list-style-type: none"> <li>Assessment of Application to Re-credit VET Student Loan Balance Form</li> </ul>
7.	<ul style="list-style-type: none"> <li>Adjust enrolment and update data for revision files.</li> <li>Provide written advice to student, provide details of outcome, amount to be refunded and if relevant a new CAN</li> </ul> <p>End process.</p>	VET Student Loan Coordinator	<ul style="list-style-type: none"> <li>Assessment of Application to Re-credit VET Student Loan Balance Form</li> </ul>
8.	<ul style="list-style-type: none"> <li>Create note in VET Student Loan Register of unsuccessful outcome</li> <li>Advise student of outcome and their right to lodge a Application to Review a Re-credit Decision Form within 28 days of the current decision</li> </ul>	VET Student Loan Coordinator	
9.	Is student satisfied? If yes end process, if no proceed to 10.	Student	
10.	Lodge an Application to Review a Re-credit Decision form within 28 days from receiving the written outcome of application. The application must specify reasons for seeking the review.	Student	<ul style="list-style-type: none"> <li>Application to Review a Re-credit Decision</li> </ul>
11.	<ul style="list-style-type: none"> <li>Log submission of Application to Review a Re-credit Student Loan Decision for in VET Student Loan Register</li> <li>Provide written receipt of the application to the student and inform the applicant that they will be advised, in writing, of a decision within 45 days on whether the application is granted, altered or denied. If the student is not informed of the decision with 45 days, the original decision is taken to be confirmed.</li> </ul>	VET Student Loan Coordinator	<ul style="list-style-type: none"> <li>Application to Re-credit Student Loan Balance form</li> <li>Application to Review a Re-credit Decision Form</li> <li>Assessment of Application to Re-credit Student Loan Balance Form</li> </ul>

	<ul style="list-style-type: none"> <li>• Prepare documentation including both the Application to Re-credit Student Loan Balance form and the Application to Review a Re-credit Decision form for each TasTAFE VET Student Loan Review Panel member, along with Assessment of Application to Re-credit Student Loan Balance form.</li> <li>• Call and coordinate Review Panel meeting.</li> </ul>		
12.	<ul style="list-style-type: none"> <li>• Review and reconsider the decision using all provided documentation. Ratify outcome, and either:               <ol style="list-style-type: none"> <li>a) confirm the decision;</li> <li>b) vary the decision; or</li> <li>c) set the decision aside and substitute a new decision.</li> </ol> </li> <li>• Document outcome using the authorisation fields of Assessment of Application to Re-credit Student Loan Balance form.</li> </ul>	TasTAFE VET Student Loan Review Panel	<ul style="list-style-type: none"> <li>• Application to Re-credit Student Loan Balance Form</li> <li>• Application to Review a Re-credit Decision Form</li> <li>• Assessment of Application to Re-credit Student Loan Balance Form</li> </ul>
13.	<ul style="list-style-type: none"> <li>• Is the application for review successful? If yes, proceed to 14, if no proceed to 16.</li> <li>• Advise the Business Centre Manager</li> </ul>	VET Student Loan Coordinator	Application for Enrolment Amendment Form
14.	<ul style="list-style-type: none"> <li>• Adjust student enrolment data.</li> <li>• Submit revision file and issue CAN where necessary.</li> <li>• Update VET Student Loan Register</li> </ul>	VET Student Loan Coordinator	
15.	<p>Provide written advice to the applicant detailing the reasons for the decision and detail payment refunds where relevant, along with a new CAN.</p> <p>End Process.</p>	VET Student Loan Coordinator	
16	<ul style="list-style-type: none"> <li>• Provide written advice to the applicant. If the Review Panel confirms the original decision to deny re-credit, the written outcome must include the reasons provided by the Panel. The notice must also notify the person of their right to</li> </ul>	VET Student Loan Coordinator	

	<p>appeal to the Administrative Appeals Tribunal (AAT) for a review of the reviewer's decision if the student is unsatisfied with the outcome.</p> <ul style="list-style-type: none"> <li>• Provide the student with the contact details and address of the nearest AAT registry, advising that an application fee will be charged and the fee is the responsibility of the applicant. Tribunal contact details are as follows:</li> </ul> <p>Administrative Appeals Tribunal Ground Floor, Edward Braddon Building Commonwealth Law Courts 39-41 Davey Street Hobart TAS 7000</p> <ul style="list-style-type: none"> <li>• An application fee of \$816 will be charged by the Tribunal (fees are subject to change). Costs are the responsibility of the applicant.</li> </ul>		
17.	Submit an application to AAT for reconsideration of TasTAFE's decision to deny an application to re-credit Student Loan balance. This may include additional information which was not previously supplied to TasTAFE.	Student	
18.	Request all documentation held by TasTAFE in relation to the student' case which may be relevant to the appeal.	Commonwealth	
19.	<ul style="list-style-type: none"> <li>• Create note in VET Student Loan Register</li> <li>• Within 5 (five) business days provide the Commonwealth with all documents relevant to the student's AAT application.</li> </ul>	VET Student Loan Coordinator	
20.	<p>Within 28 days of notification, lodge to AAT:</p> <ul style="list-style-type: none"> <li>– 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</li> <li>– 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.</li> </ul>	Commonwealth	



21.	Advise TasTAFE of the outcome of appeal.	Commonwealth	
21.	Should TasTAFE be advised to overturn previous decisions made in regard to the student's application for a re-credit of their VET Student Loan debt, necessary adjustments to student data, VET Student Loan Register and student CAN must be made (as detailed in 7.), with new documents provided to the student.	VET Student Loan Coordinator	

### 4. Responsibilities

Responsibilities are indicated in the previous tables

### 5. Legislative/Statutory Requirements

N/A

### 6. Associated Documents

- » VET Student Loan Tuition Fee Refund Policy
- » VET Student Loan Review and Re-Crediting Procedure
- » VET Student Loan Application to Re-Credit Student Loan Balance Form
- » VET Student Loan Application to Review a Re-Credit Decision Form
- » VET Student Loan Assessment of Application to Re-Credit Student Loan Balance Form

### 7. Measure of Procedure Effectiveness

At a minimum this procedure will be measured for effectiveness by:

- The timely management and review of re-credit applications
- Consistency of practice in management and review of re-credit applications

### 8. Definitions/Acronyms

See Appendix I

#### Version History

Procedure Reviewed Every: <i>(Maximum 12 months from implementation or date of last review)</i>		Next Review Date: 8 January 2017
Version	Date	Changes - section and description
PV FH02 – V1.4	08/01/2016	Changed FEE-HELP limits
V1.5	16/04/2017	Changed reference of VET Fee Help to VET Student Loan

### Appendix I – Definitions

#### **AAT**

Administrative Appeals Tribunal

#### **Census Date**

TasTAFE is required to set a Census Date for each VET unit of study that is available for VET Student Loan assistance. The census date is the date after which a student incurs a debt for a unit of study.

Once the Census Date has passed, the student incurs a debt to the Australian Government.

#### **Student Loan Balance**

A person's Student Loan balance is the amount of Student Loan limit they have not used. It is the sum of Student Loan and VET Student Loan assistance that is used to calculate a person's Student Loan balance.

#### **Student Loan Limit**

Is the maximum debt allowed by an individual as a sum of all Student Loan and VET Student Loan. For 2016, the Student Loan limit is \$124,238 for students undertaking medicine, dentistry and veterinary science courses (as defined in the Higher Education Support Act 2003), and \$99,389 for all other students.

The Student Loan limit is a lifetime limit and is not reset or 'topped up' by any repayments that you make.

#### **HESA**

Schedule IA, Higher Education Support Act 2003

#### **Request for VET Student Loan Assistance Form**

A Commonwealth form that must be completed in order to apply for VET Student Loan assistance for VET units of study with TasTAFE.

#### **VET Tuition Fee**

Any fee payable to TASTAFE by a student enrolled or seeking to enrol in a VET course of study with TASTAFE in respect of the granting of an award of VET Diploma, Advanced Diploma, VET Graduate Certificate or VET Graduate Diploma, it does not include a 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 that may be undertaken with TASTAFE, as described under 'incidental charges'.

#### **VET Unit of Study**

A subject or collection of subjects that a person may undertake with TasTAFE as part of a VET course of study.