

# VET Student Loans Review Procedure

## 1. Purpose

This procedure describes how VET Student Loan reviews are conducted and who is responsible for various review processes.

## 2. Scope

This procedure applies to reviews of decisions relating to VET Student Loan assistance for students who have enrolled into VET Student Loan approved courses, ie: Advanced Diploma and Diploma courses approved by the Federal Government under the *VET Student Loans Act 2016 (the Act)*.

## 3. Policy

There is no Policy pursuant to this Procedure.

## 4. Procedure

The *VET Student Loan Rules 2016* details a number of requirements relating to re-crediting a student's FEE-HELP balance. The following is a selection, in point form, of some pertinent requirements that need to be considered where a student requests a re-credit or review of a re-credit decision:

- Where a student withdraws from a VET unit of study on or before the applicable census date, The Gordon should advise the student that they may apply in writing to The Gordon for a re-credit, remission or refund, whichever is relevant to the student.
- A student cannot apply for a re-credit or remission if they have successfully completed the requirements of the unit.
- A student may apply to the Institute for FEE-HELP re-credit under Section 68 of the Act due to **special circumstances** that may apply to the student that:
  - Were beyond the student's control;
  - Did not make their full impact on the student until on, or after, the census date **and**
  - Made it impracticable for the student to complete the requirements for the VET unit in the period during which the student undertook, or was to undertake, the VET unit.
- Applications for re-crediting under Section 68 of the Act must be made within 12 months after the census day for the course, or part of the course, concerned, or within that period as extended by the Institute.
- A student may apply to the Secretary for the student's FEE-HELP balance to be re-credited under Section 71 of the Act if:
  - The provider, or a person acting on the provider's behalf, engaged in unacceptable conduct in relation to the student's application for the VET Student Loan; or
  - The provider has failed to comply with the Act or an instrument under the Act and the failure has adversely affected the student.
- Applications for re-crediting under Section 71 of the Act must be made within 5 years after the census day for the course, or the part of the course, concerned, or within that period as extended by the Secretary;
- The Secretary may re-credit a student's FEE-HELP balance in relation to special circumstances if a course provider:
  - Is unable to act or is being wound up or has been dissolved; or
  - Has failed to act and the Secretary is satisfied that the failure is unreasonable.

Action	Responsibility	Guidance
Initial Decision	Portfolio Manager	<p>A student may apply for a re-credit of FEE-HELP balance if they withdraw from the VET unit of study on or after the applicable census date or where the student has not completed the requirements of the VET unit of study.</p> <p>Refer <i>Withdrawal Procedure STS PR 03 and Refund Procedure STS PR 09</i>.</p> <p>A written application stating the nature of the special circumstances as described above must be forwarded to the appropriate Portfolio Manager with supporting documentation attached.</p> <p>The application must be made within 12 months of the date of withdrawal or within 12 months of the end of the actual or proposed study period.</p> <p>The Portfolio Manager shall consider the application and notify the applicant of the decision within 20 working days of the receipt of the application.</p> <p>Each application shall be considered on its merits. A decision not to re-credit a student's FEE-HELP balance is subject to review.</p>
Review process	<p><b>Review Panel:</b></p> <p>COMPULSORY: Executive Director - Education Excellence PLUS at least ONE of:</p> <ul style="list-style-type: none"> <li>• Chief Operating Officer</li> <li>• Chief Finance Officer</li> <li>• Executive Director – Growth &amp; Student Experience</li> </ul>	<p>A student may apply for a review of a decision not to re-credit a student's FEE-HELP balance in writing within 20 working days of the receipt of the notification of the original decision.</p> <p>Receipt of the application for a review shall be acknowledged in writing as soon as practicable after an application is lodged.</p> <p>The review shall be conducted by the Review Panel.</p> <p>After due consideration of the merits of the case, the Review Panel shall, within 20 working days of receipt of the application, inform the applicant in writing of the outcome of the review (with reasons for the decision).</p> <p>The Review Panel may:</p> <ul style="list-style-type: none"> <li>• Confirm the original decision;</li> <li>• Vary the decision by degrees;</li> <li>• Set the original decision aside and substitute an alternative decision.</li> </ul> <p>The notification of the review decision shall include advice to the student of their right to appeal to the Administrative Review Tribunal (ART) and provide the website contact details to the student for further information: <a href="mailto:reviews@art.gov.au">reviews@art.gov.au</a> OR Phone 1800 228 333.</p> <p>NOTE: The Administrative Review Tribunal has a standard charge of \$1121 (as at 16/10/2024) to lodge an appeal. Please note that this fee may change and can be reviewed on the ART website at any stage. This charge may be waived depending upon the appellant's personal financial status.</p> <p>Where The Gordon is advised by DIISTRE that an appeal has been lodged with ART, The Gordon shall provide DIISTRE all relevant copies of documents pertaining to the appeal within five working days of receipt of the notification.</p>

**5. Responsibilities**

Position	Responsibility / Governance
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<p>Portfolio Manager</p>	<p>For the specified VET course is responsible for initial decisions relating to:</p> <ul style="list-style-type: none"> <li>• The student contribution amount;</li> <li>• Re-crediting a student’s FEE-HELP balance;</li> <li>• Removal of FEE-HELP debts.</li> </ul>
<p>Executive Director - Education Excellence / Chief Operating Officer / Chief Finance Officer / Executive Director - Growth &amp; Student Experience</p>	<p>The Review Panel has responsibility for reviews of each decision alluded to above.</p>

**6. Definitions**

There are no definitions arising under this Procedure.

**7. Key Aligned Internal Documents**

Refer to the [Operational Management System \(OMS\)](#) for copies of all policies, procedures and supporting documents. Also refer to eCentral for *Withdrawal & Refund Request form / Application for Refund of Fees (EN-GIT03)*.

*Withdrawal Procedure STS PR 03*

*Refund Procedure STS PR 09*

**8. Key Aligned Legislation / Documents**

[VET Student Loans Act 2016](#)

[VET Student Loan Rules 2016](#)

[VET Student Loans \(Courses and Caps\) Determination 2016](#)

**9. Review and Approval**

<b>Business Process Owner</b>	Manager, Student Management		
<b>Endorsed by (if applicable)</b>	Not applicable	<b>Endorsed Date</b>	
<b>Approved by (if applicable)</b>	Not applicable	<b>Approved Date</b>	25 October 2024
<b>Review schedule</b>	This procedure will be reviewed every 3 years (or earlier as required)		
<b>Date of next review</b>	25 October 2027		

<b>Minor Structure changes outside of Review schedule</b>		
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