

Policy Name:	Re-crediting VET Student Loan (VSL)
Document Number:	VSL12.1.01
Approved by:	CEO
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Audience:	Charlton Brown Staff, Students and Community
Contact Officer:	Director Compliance and Training Management
Related Policies:	VSL – Student Loan Policy and Procedure
Related Documents:	Student Loan Re-credit Application Form VSL Student Information Sheet
Legislation:	VSL Loan Act 2016 ; VSL Student Loan Rules 2016 VSL Student Information Booklet

1. Purpose and Objective

This document outlines the circumstances and process where a refund of VET Student Loans (VSL) debt will be considered and applied.

2. Accountability:

The Finance Manager is accountable for ensuring the management and maintenance of this policy and procedure, including ensuring its continued appropriateness to the business, compliance with legislation and external requirements, and periodic review.

Charlton Brown Director Compliance and Training Management is responsible for administering VET Student Loans Re-crediting under the terms of this policy and procedure.

2.1 Audience

This policy and procedures applies to:

- Charlton Brown Staff
- Students
- Relevant Third Parties

3. Objectives and Outcomes

The following set of principles describes the objectives and outcomes of this policy and procedure:

3.1 Incurring a VSL debt

A student incurs a debt to the Commonwealth if the student uses a loan amount covered by the VET student loan to pay tuition fees for a course.

VET student loans are for use by eligible students enrolling in approved courses to pay some or all of their tuition fees.

When a student uses a VET student loan to pay their tuition fees the student incurs a VSL debt to the Government which is generally repayable through the tax system.

3.2 Re-crediting a VETSL HELP Balance

A student may apply to the provider for the student's VETSL HELP balance to be re-credited under the Act because of special circumstances.

A student may apply to the Secretary for the student's VETSL HELP balance to be re-credited the Act because:

- 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

3.3 Special Circumstances

Special circumstances are circumstances that:

- are beyond the student's control.
- do not make their full impact on the student until on or after the census day for a course, or the part of a course.
- and make it impracticable for the student to complete the requirements for the course, or the part of the course, during the student's enrolment in the course, or the part of the course

Special circumstances beyond a person's control

Examples of circumstances that may be considered beyond a person's control and may meet the criteria, might include a motor vehicle accident or the worsening of a serious illness.

Special circumstances that do not make full impact until on or after the census date.

Circumstances could be considered not to make their full impact on the person until on or after the census day for the VET unit of study if the person's circumstances occurred:

- before the census day, but worsen after that day
- before the census day, but the full effect or magnitude did not become apparent until after that day, or
- on or after the census day.

Students do not need to demonstrate they were unable to withdraw from the course prior to the census day.

Special circumstances arising from pre-existing conditions

A circumstance that first occurred before the census day may satisfy the special circumstances requirement where it worsens after that day or the full effect or magnitude does not become apparent until after that day.

For example, a person may have an illness or other underlying, pre-existing condition or incapacity prior to the census day for a course, but the condition may worsen, or the person may suffer from an aggravation, deterioration, or serious episode, after the census date.

Alternatively, the full implications of a person's condition may not have been apparent until after the census day. This may be because recovery does not go to plan, or the degree of disability or incapacity for study is not fully realised until after the census day.

Charlton Brown will consider whether the student's circumstances changed on or after the census day and when the full effect or magnitude of the circumstances became apparent, considering any additional circumstances, including continuation of a pre-existing condition which may have affected the student on or after the census day.

Circumstances that made it impracticable to complete a course

The term 'impracticable' is defined as 'not practicable, that which cannot be put into practice with the available means. In considering whether circumstances are special circumstances because they make it impracticable for the student to complete the requirements of the course, or part of the course, during the student's enrolment, Charlton Brown will consider:

- whether the student could do enough private study, or attend training sessions and other activities, or engage online, to meet course requirements
- whether the student could complete any required assessable work, or demonstrate competencies required, and
- whether the student could complete any other requirements arising from the student's inability to do the above.

Circumstances which make it impracticable for the person to complete the requirements for their course may include (among other things):

- medical circumstances – for example where a person's medical condition has changed to such an extent that he or she is unable to continue studying
- family or personal circumstances – for example death or severe medical problems within a family, or unforeseen family financial difficulties which affect the student to such an extent that it is unreasonable to expect a person to continue studies, or
- the student's employment related circumstances – for example where a person's employment status or arrangements have changed so the person is unable to continue their studies and this change is beyond the person's control

3.4 Re-credit of a student's VETSL HELP balance

Each application for re-credit of a student's VETSL HELP balance will be considered on its merits together with all supporting documentation substantiating the special circumstances claim.

- applications for re-crediting under the Act must be made within 12 months after the census day for the course, or the part of the course, concerned, or within that period as extended by the provider.
- applications for re-crediting under the Act must be made within 5 years after the census day for course, or part of the course, concerned, or within that period as extended by the Secretary.

The Student Service Coordinator is the designated VET Student Loan officer of Charlton Brown. The Student Service Coordinator is responsible for the assessment of a student's request for a re-credit of their VETSL HELP balance due to special circumstances and for the initial decision regarding the request.

A student must apply in writing to the Student Service Coordinator, Charlton Brown sending the application to studentservices@charltonbrown.edu.au within 12 months of the withdrawal date, or if the student has not withdrawn, within 12-months of the specified completion date of the unit.

Charlton Brown has the discretion to waive this requirement if it is satisfied that it was not possible for the application to be made within the 12-month period. Relevant supporting documentation will be required to substantiate the claim.

The application for re-crediting a VETSL HELP balance must include details of the:

- unit(s) for which a student is seeking to have a VETSL HELP balance re-credited and
- special circumstances as referred to in this procedure, including supporting documentation

Charlton Brown will consider each application within ten (10) working days of receipt of the application. It will consider each request to re-credit a VETSL HELP balance in accordance with the requirements under the VET Student Loans Act. Applicants will be notified in writing of the decision within twenty (20) working days.

3.5 Making a Re-Credit Application

To make a re-credit review application, a student needs to submit a VET Student Loans Re-Credit Application Form to Student Services at Charlton Brown studentservices@charltonbrown.com.au

Any re-credit review application must be submitted within:

- (a) 12 months from the date a student withdrew from the unit of study (or if a student didn't withdraw, 12 months from the end date of the unit of study); or
- (b) 12 months of the census date for the unit of study (for VET Student Loans eligible students).
- (c) A student will not be victimised or discriminated against for making an application for re-credit of a student VET Student Loans balances.

3.6 Re-Credit Decision

A student service officer at Charlton Brown will make a decision within 28 days of receiving all the information required to support a student's application.

If a student is eligible for a re-credit, Charlton Brown will re-credit a student FEE-HELP balance for the appropriate amount and ensure that an updated Commonwealth Assistance Notice is provided to a student.

If a student is not eligible for a re-credit, Charlton Brown will provide a student with its decision in writing.

3.7 Review of Re-credit Decision

Internal Review:

If a student feels that Charlton Brown's decision about a student's re-credit request is unfair, a student has the right to ask for an internal review of the decision.

A student request for an internal review must be based on the way in which the decision was reached by Charlton Brown, and include:

- (a) The grounds for the review; and any supporting documentation.

If a student is asking for an internal review, it must be made in writing using the form provided to a student and be submitted within 28 days of receiving the notification of the re-credit decision by Charlton Brown.

Charlton Brown will then consider the matter and respond to a student within 45 days.

3.8 External Appeals:

If a student is still dissatisfied with the decision, a student may have the right to take the matter to the Administrative Appeals Tribunal for an external appeal.

3.9 Applications to the Secretary for Re-Credits

A student may also apply to the Secretary of the Australian Government Department of Education, Skills, and Employment for re-credit of their VETSL debt if:

- (a) Charlton Brown, or a person acting on Charlton Brown's behalf, engaged in unacceptable conduct in relation to the student's application for a VET Student Loan; or
- (b) Charlton Brown has failed to comply with the Act or an instrument under the Act and the failure has adversely affected the student.

Applications must be submitted to the Secretary within 5 years of the census date of the unit of study, or within a period extended by the Secretary.

The Secretary may also re-credit a student's VETSL balance in relation to special circumstances if Charlton Brown is unable to act or has been dissolved; or if Charlton Brown has failed to act and the Secretary is satisfied that the failure is unreasonable.

3.10 Replacement Course Rules

In cases where a student is were undertaking training with an approved VET Student Loans provider that closes, fails to start a course, or stops offering a course to eligible students, students may be placed with Charlton Brown to continue their studies in an equivalent or similar course.

In cases where a student is enrolled in a replacement course with Charlton Brown:

- (a) A student will be granted course credits for parts of a student's original course a student successfully completed. A student will be required to provide evidence through a Statement of Attainment issued by the relevant provider in accordance with the Australian Qualifications Framework; and
- (b) A student will not be charged.

3.11 Withdrawals and change of Enrolment

If a student wishes to withdraw from a unit or course, or make any changes to a student's enrolment, a student must apply to Charlton Brown using the [Enquire Now](#) form (selecting withdrawing from or changing my course).

If a student is under the age of 18 a student will require authorisation from a student's parent/guardian to withdraw or undertake a change of enrolment.

If a student withdraws from a course or part of a course prior to the census date Charlton Brown will ensure that there are no financial, administrative, or other barriers to the withdrawal.

If a student withdraws from a course or part of a course and are seeking to enrol in another part of that course, Charlton Brown will work with a student to ensure that a student understand the impacts of a student's withdrawal on a student's enrolment in other parts of the course, including a student's eligibility and impacts on a student's study plan.

If a student withdraws from a course or part of a course Charlton Brown will not, after the withdrawal, enrol a student in a course or a part of a course without a student's written permission.

3.12 Cancellations of Enrolment:

If Charlton Brown is cancelling a student's enrolment, we will provide a student with:

- (a) 28 days to request an internal review of the decision before the cancellation takes final effect: and
- (b) ensure that the cancellation only takes effect only after the appeals process has been completed.

4. Definitions

Term	Definition
VET	Vocational Education and Training
VET Student Loan(VSL)	is an income contingent loan program to assist eligible vocational education and training (VET) students to pay their tuition fees for selected courses at the Diploma level and above.
Census Day	A date by which enrolment may be cancelled without incurring tuition fees for the course or the part of the course.
Tuition Fees	The total fees for the course (including the fees deferred to a VET Student Loan plus any gap fee).
VET Unit of Study	A VET unit of study approved for a VET Student Loan that a student may undertake with Charlton Brown Education, for which the student may access a VET Student Loan to pay for all or part of their tuition fees.
Administrative Appeals Tribunal (AAT)	Provides independent review of a wide range of administrative decisions made by the Australian Government and some non-government bodies.

Version History				
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