

## RE-CREDITING FEE-HELP BALANCES PROCEDURE – VET STUDENT LOANS

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### PURPOSE AND SCOPE

This procedure applies to a student who is enrolled with CHARLTON BROWN® in a VET Student Loans approved course and who wishes to apply for a re-credit of their FEE-HELP balances incurred in relation to the approved course.

A student's FEE-HELP balance can be re-credited under *Part 6 of the VET Student Loans Act 2016* if an amount of a VET Student Loan has been used to pay tuition fees for a student for an approved course, or a part of an approved course.

This procedure will outline conditions and processes that will apply to the re-crediting of FEE-HELP balances related to the student's enrolment in a VET Student Loan approved course with CHARLTON BROWN®.

### PROCEDURE FOR RE-CREDIT OF FEE-HELP BALANCES BY COURSE PROVIDER

#### I. Re-crediting by CHARLTON BROWN®

Under *Section 68* of the *VET Student Loans Act 2016*:

- a student may apply to the provider for the re-credit of the student's FEE-HELP balance because of special circumstances;
- that special circumstances are circumstances that:
  - are beyond the student's control; and
  - do not make their full impact on the student until on or after the census day for a course, or a unit of study; and
  - make it impracticable for the student to complete the requirements for the course, or unit of study, during the student's enrolment in the course, or unit of study;

#### ***Circumstances beyond a Student's control***

Such circumstances include situations arising that a reasonable person would consider is not due to the student's action or inaction, either direct or indirect, and for which the student is not responsible.

#### ***Circumstances impacting after critical dates***

Such circumstances include situations arising that do not make their full impact on the student until on or after critical dates such as *withdrawal date* or *census date* for a course or unit of study.

The situation may be known before the date(s) but the full impact or magnitude may not become apparent until on or after the date(s).

#### ***Circumstances making it impractical to complete study requirements***

These circumstances would make it impractical for the student to undertake the necessary private study required, attend sufficient lectures to meet attendance requirements, complete the required assessment work or sit required examinations.

Such circumstances would include:

- Medical circumstances (e.g. if a student's medical condition has changed to an extent that they are unable to continue studying).
- Family or personal circumstances (e.g. death or severe medical problems within a family, or unforeseen financial difficulties, so that it is unreasonable to expect a student to continue study).

- Employment related circumstances (e.g. if a student's employment status or arrangements have changed to an extent that the student is unable to continue studies and this change is beyond their control).
- Course related circumstances (e.g. if CHARLTON BROWN® has changed the unit of study or VET unit of study and the student is disadvantaged by not being able to complete the unit or VET unit of Study and a credit cannot be given towards another course, unit or VET unit of study).

### III. Application for re-credit by CHARLTON BROWN®

- A student applying to re-credit Fee-HELP balances is required to complete the form below:

#### ***Application to Re-credit a FEE-HELP Balance***

The form is also available at: <http://www.charltonbrown.com.au/apply-online/policies-procedures-forms/>

- An application for re-credit of FEE-HELP balance by CHARLTON BROWN® must be made within 12 months after the census day for the course or unit of study or within the period as extended by the provider.
- CHARLTON BROWN® will review and approve a student's application for re-credit of FEE-HELP balance based on the evidence submitted by the student to substantiate the special circumstances which apply to the student's case.
- It is the student's responsibility to provide sufficient information, independent supporting documentation or other evidence that the special circumstances exist.

### IV. Review of decision by CHARLTON BROWN®

- Where a student is not satisfied with the initial decision regarding their re-credit of FEE-HELP balance application, they may apply for an independent internal review, in accordance with the CHARLTON BROWN® *Complaints and Appeals Policy*.
- Should the student remain unsatisfied following the internal review, further options are available to the Student, as outlined in the *Complaints and Appeals Policy*, for an independent external review.
- There are no charges for any internal review and reconsideration conducted by CHARLTON BROWN®. Reviews conducted by the Administrative Appeals Tribunal will subject to fees and charges.
- Students applying for a re-credit of FEE-HELP balances, or seeking a review or reconsideration of a decision, or using the Complaints and Appeals Policy of CHARLTON BROWN® will be treated fairly and equitably.

### IV. How FEE-HELP balances are re-credited by CHARLTON BROWN®

Where a re-credit of FEE-HELP balance is approved, CHARLTON BROWN® will notify the Department of Education and will remit to the Commonwealth any FEE-HELP assistance received on the student's behalf and the student's FEE-HELP debt for the relevant VET units of study will be removed.

## PROCEDURE FOR RE-CREDIT OF FEE-HELP BALANCES BY THE SECRETARY

## I. Re-crediting by the Secretary

Under *Section 71* of the *VET Student Loans Act 2016*:

- a student may apply to the Secretary for the re-credit of the student's FEE-HELP balance 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 Loans; or
  - the provider has failed to comply with the VET Student Loans Act 2016 or an instrument under the Act and the failure has adversely affected the student.
- 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.

## II. Application for re-credit by the Secretary

- applications for re-crediting FEE-HELP balances by the Secretary must be made within 5 years after the census day for the course or unit of study concerned, or within that period as extended by the Secretary

## PUBLICATION and ACCESS

The Re-crediting FEE-HELP Balance Procedure – VET Student Loans is easily accessible at:  
<http://www.charltonbrown.com.au/apply-online/policies-procedures-forms/>

## APPROVAL AND REVIEW

This procedure was approved and endorsed by CHARLTON BROWN® Management on 15 February 2017.

The General Manager - Operations have overall responsibility for implementing and monitoring this procedure, which will be reviewed every two years. However, if at any time the legislative, policy or funding environment is altered that the procedure is no longer appropriate in its current form, the procedure will be reviewed immediately and amended accordingly.