

Refund and Withdrawal Policy and Procedure



Compliance Focus

ASQA Standards, Clauses: 5.3, 7.3

National Code 2018, Standard 9

Policy Purpose

The purpose of this policy and procedure is to outline the approach to granting refunds, to meet our obligations under State and Federal Legislation, Funding Body contracts and VET Regulatory Body requirements. The Policy will provide a clear understanding of student eligibility for a full or part refund of any fees and charges.

Policy Scope

This policy applies to all students enrolled in full or part qualifications. All staff are to adhere to this policy and associated procedure. The General Manager will provide guidance and advice to all staff on the policy. A clear and concise procedure to guide staff on maintaining compliance supports the policy statements.

In accordance with the Standards for Registered Training Organisations (RTOs) 2015, consideration will be provided to all students in relation to the issuing of a refund.

Definitions

Commencement of Training: The date the student was sent confirmation of enrolment into a course.

1. Commitment

- All students receive upfront, clear, concise information on fees and charges for their course
- Maintain a 5-day cooling off period from the date of enrolment into any course
- Not allow a transfer of course fees to another person
- That refunds are made available to students entitled to receive them
- That no barrier, either financial or administrative is placed in front of a student wishing to withdraw from any course
- Offer alternative arrangements acceptable to a student when a course has been cancelled or postponed
- Refund all course fees if cancels or postpone a course commencement by more than 4 weeks
- Cancel any remaining fees and charges where student cancels or withdraws from a course
- Accept, via written correspondence **only**, a student's request to re-enrol into a previously withdrawn course or an alternative course option

2. Student initiated withdrawal

All students, who have made the decision to withdraw from a course must officially:

- Completing the Student Cancellation or Withdrawal Form – available on VFA Learning Website and as per request
- Provide an email to the Student Support Team

Students under the age of 18 will require authorisation from their parent or guardian to withdraw or undertake a change of enrolment.

An enrolment **will not** be cancelled on a verbal request.

Refund and Withdrawal Policy and Procedure



3. VFA Learning Initiated Withdrawal (Cancellation)

VFA Learning may cancel a student enrolment on the following instances:

- When a student demonstrates serious breach of the Student Code of Conduct
- When a student is in breach of the course progress policy
- When a student is continually, absent from scheduled course hours without reasonable explanation
- Non-payment of outstanding fees
- If a student does not submit an eCAF on or before the census date or is not approved for a VET student loan and does not voluntarily pay for the part of the course (e.g., unit) upfront VFA Learning can cancel or defer the students' enrolment.
- When VFA Learning makes the decision to cancel a student's enrolment, regardless of funding arrangements, after a) all avenues of support are exhausted and b) all attempts have been made to contact the student they will:
 - Inform the student concerned of a proposed cancellation via **Intent to cancel Enrolment Letter**
 - Provide the student with at least 28 days to initiate the Complaints and Appeals process before the cancellation takes final effect
 - Provide for the cancellation to take effect only after the Complaints and Appeals process initiated by the student have been finalised
 - Provide the circumstances in which fees for the course or the part of the course concerned will or will not be refunded.

4. Tuition Assurance

Should VFA Learning cease to provide a course with enrolled students, they will:

- Notify students within 2 days that the course is no longer provided
- Meet with students and the Department (operator of the Tuition Assurance scheme) within 7 days
- Update the website as soon as practicable to reflect that the course is no longer available
- Provide the Tuition Assurance to enrolled students
- Communicate with the Department notice that these events have taken place
- Re-credit any VETSL Fee- Help debt as instructed

5. VSL Student Withdrawal

This section also applies to students enrolled in a VET Student Loan approved course but are paying the course fees through other means.

Withdrawal prior to Census Date

- An eligible student withdrawing from a unit of study on or before the census date will be refunded all applicable tuition fees paid up front. The Operations Manager may approve a refund of incidental fees paid.
- An eligible student who receives a Commonwealth student loan who withdraws from a unit of study on or before the census date will not incur a debt for the tuition fees for that unit.
- An eligible student who withdraws from a unit of study on or before the census date will be entitled to a recredit/refund of the tuition fees. Exceptions to this will be in circumstances covered by the Tuition Assurance

Refund and Withdrawal Policy and Procedure



Withdrawal from a unit of study after the Census Date

- An eligible student who withdraws from a unit of study after the census date will be liable for the full debt for tuition fees for this unit of study.
- Once a unit of study has been graded, no refund will be given.
- A remittance of a Commonwealth student loan will only be given under special circumstances

6. Recrediting Of A VSL Debt

A student may apply to have their FEE-HELP balance re-credited under Part 6, Division 2 of the VET Student Loans Act 2016 Section 68 – Special Circumstances or they may apply to the Secretary under Section 71 of the Act because:

- VFA, or a person acting on the VFA's behalf, engaged in unacceptable conduct in relation to the student's application for the VET student loan
- VFA 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 directly to the Secretary 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.

*In the event that VFA is unable to act or will be dissolved re-crediting of FEE-HELP balances will be applied to affected student in accordance with Section 89 of the VSL Rules. Unreasonable to act*****

7. Special Circumstances

Students who successfully complete their Unit/s of Study cannot apply for remission or recrediting of their fees. A student who receives a 'not yet competent' grade is considered not to have successfully completed.

'Special Circumstances' must satisfy all of the following criteria, that the circumstances:

- Were beyond a student's control;
- Did not make their full impact until on or after the Census Date of the VET Unit of Study; and
- Made it impracticable for a student to complete their VET Unit of Study requirements

To make a request for review of debt due to special circumstances, students must complete the **Request for Review of VET Student Loans Debt Form** available on the VFA website under Student Forms or request a copy in writing to the relevant Campus Manager. The application will be accepted, and students will receive acknowledgement of its receipt if the form is returned:

- Within 12 months of the withdrawal date, or
- If students have not actively withdrawn, within 12 months of the end of the period of study in which the unit was, or was to be undertaken

VFA's Compliance Manager will consider the information provided, including the special circumstances outlined, and return a decision to the student in writing within 14 days.

If a student is not satisfied with the decision, they are able to compile an appeal in writing outlining the reasons for dissatisfaction to the General Manager VFA Learning, 78 Yarra Street, Geelong, VIC, 3220. This appeal must:

- Include the date of the original decision by the General Manager
- Fully state the reasons for applying for the review
- Include any additional relevant evidence the student feels is appropriate

Refund and Withdrawal Policy and Procedure



- This must be received by VFA Learning within 28 days of first receiving the decision

An acknowledgement of receipt of this appeal application will be provided to the student in writing within seven (7) days. This acknowledgement will inform the student that the review officer for the appeal is the General Manager.

8. Review Of Decision

The review officer will review the student's request and return a decision in writing, including reasons for the decision.

Students who are not satisfied with the reviews made by VFA Learning (Section 68) or the Secretary (Section 71) have a right to apply to the **Administrative Appeals Tribunal (AAT)** for a review of the original decision or the review officer's decision. The application must be lodged within 28 days of the review decision.

AAT Details

AAT Registry,
GPO Box 9955,
MELBOURNE VIC 3000

Full details of the application process and fees payable are available on the AAT Registry's website: www.aat.gov.au.

9. Self-Funded Student Withdrawal

If a student withdraws **before classes commence** or within 7 days post enrolment, they will be entitled to a full refund of all tuition and materials fees, providing any materials provided to are in a resalable condition that will allow another student to use them.

If a student withdraws any time after the 7 days but before four weeks from the course start date for any reason, they will receive a refund of tuition fees less a \$200 cancellation fee. Material fee refund will be dependent on the time elapsed, and materials already purchased/supplied/utilised at the time of your withdrawal.

If a student wishes to withdraw from their course after 14 days from the date they commence the course, they will be responsible for 100 % of their course fees

Students must complete the **Refund Request Form** and submit with the **Student Cancellation/Withdrawal Form** to the email address as described in section 2 on page 1 of this Policy document.

10. Payment Plan Refunds

If a student has deferred their payments by a Payment Plan and cancels within the 5-day cooling off period, the Payment Plan will be cancelled by the Careers Consultant at Geelong and authorised by the General Manager. The Direct Debit set up fee of \$12.00 is non-refundable.

If a student has applied for a student loan under "Study Loans", they are required to get in contact with Study Loans to let them know of their withdrawal and follow Study Loans processes.

Refund and Withdrawal Policy and Procedure



11. Communication

All students, regardless of funding arrangement will be sent a **Confirmation of Withdrawal Letter** within 30 days of the withdrawal finalisation.

The withdrawal letter outlines the following:

- Confirmation to the student of their withdrawal
- Information about any applicable refunds

For VSL Funded students this will also include:

- the date and time of the student's withdrawal, the unit of study, part of a course or whole course from which the student withdrew and the where applicable the relevant census day
- Confirmation as to whether the student has incurred a debt for the unit, part of the course or whole course
- If applicable, noting that no debt may be incurred if the student has withdrawn prior to the census day
- Advice to the student regarding the special circumstances if applicable.

12. Refunds

Course refunds will be considered under the following circumstances:

RTO Initiated Change - Where the RTO has changed a program date, time, location, or other changes not listed and the student is unable to complete their program under the new format, a full or partial refund will be offered.

The amount of refund will be pro-rata to the amount of training an assessment already completed by the student and paid directly to the nominated bank account of the person or organisation who paid the initial invoice.

Course refunds will not be considered under the following circumstances:

Student Initiated Withdrawal - No refund will be provided once a student has enrolled and commenced their training.

For the purposes of this policy, the term "commenced their training" is the date the student was sent an email or letter confirming enrolment into a program.

Specifically, refunds will not be issued under the following circumstances:

- Student changes their mind or does not need to do the course any longer
- Student employment, personal or financial status changes
- Student has commenced training
- Student decides course is "too difficult"
- Student is terminated from course. This may include non-submission of work, behavioural issues, not attending scheduled sessions or academic misconduct

Instalment Payments - If a student is paying their course fee via instalments, no refunds will be issued on payments already received. The balance of the course fee will be cancelled. Refunds will only be considered where it is required by state or federal law.

Funded Training - If a student has been funded under contract whereby, they have contributed payments towards training, the RTO's will abide by the prescribed refund policies set out in any signed

Refund and Withdrawal Policy and Procedure



contract. If there is no guidance regarding refunds in the contract, the pre-existing Refund Policy will be applied.

Staff Responsibilities (in summary)

Student Support Staff:	Will assist the student to complete a refund request form
General Manager or Delegated Manager:	Will approve or reject a refund request
Angus Knight Finance:	Will pay the refund amount

Procedure to Obtain a Refund

Step One - Any student enquiring about a refund request will be emailed the Refund Request Form by Student S.

Step Two - The student must forward the completed and signed form

Step Three - Once the Refund Request Form is received by the Student Support Team the following steps are performed:

- Student Support Team will acknowledge receipt of the Refund Request Form by emailing the student and a file note will be made against the student account in the Student Management System regarding the receipt date of the form
- A copy of the Refund Request Form will be saved in the student folder in the Student Management System and the Refund Request Form will be forwarded to the appropriate Manager for review. The Manager will review and obtain approval, then advise Student Services the refund decision within 20 business days to then notify the student of the decision.
- If a full or partial refund is approved – the refund request will be forwarded to Angus Knight Finance team at email address accts.payable@angusknight.com.au for payment to the student. The Finance team may request to verify the bank account and support evidence before payment is made.
- The student should expect to receive payment of refund within 14 business days of the approval date. Details of the processed refund amount will be recorded in the Refund Register by Student Services.

13. Limiting Fees Being Paid In Advance

Under the Standards for RTOs a limit to fees paid in advance by students exists. To meet this responsibility, a payment of no more than \$1,500 from each student prior to the commencement of the course will be accepted. This requirement applies regardless of the payment for the fees are being made directly or through a third party.

Following the course commencement, we may require payment of additional fees in scheduled payments in advance from the student but only such that at any given time, the total amount required to be paid in advance does not exceed \$1,500.

14. Payment of GST

GST Tax Ruling GSTR 2003/1 explains the supply of a course for 'professional or trade' is a GST-free education course. Where a student is enrolled in a course which is offering units of competency or a whole qualification, the course fees attached to this enrolment will be GST-free.

GST does apply on the payment of some miscellaneous charges where these charges are in addition to and outside the normal services offered in a course.

15. Student Complaints About Fees Or Refunds

Students who are unhappy with the RTO's collection and refunding of tuition fees are entitled to lodge a complaint. This should occur in accordance with our complaints policy and procedure.

Refund and Withdrawal Policy and Procedure



16. Review Of Decision

The General Manager or delegated Manager who reviews the student request for a refund will return a decision in writing, including reasons for the decision. A student who is not satisfied with any review result has the right to apply to the Administrative Appeals Tribunal (AAT). Full details of the application process and fees payable are available on the AAT Registry's website: www.aat.gov.au and lodged within 28 days.

17. Communication

All students regardless of funding arrangement will be sent a Confirmation of Withdrawal Letter within 30 days of finalisation as confirmation, and information about any applicable refunds.

Related Documents and Forms

- Fees and Charges Policy
- Student Enrolment Policy and Procedure
- Complaints and Appeals Policy
- Student Entry Policy
- Equal and Fair Treatment Policy and Procedure

Responsible Officer

The responsible officer for the implementation of this Policy is the General Manager

Publishing details

Document Name	Withdrawal and Refund Policy and Procedure
Approved by	General Manager
Date of Approval	21/5/2024
Version	11
Summary of content (new) or amendments (revised)	New policy to incorporate Withdrawal and Refund Policy and Withdrawal and Refund Internal Procedure. Changed logo to remove CRICOS registration number. 21.5.2024
Next Review Date	21/5/2025