

VET Student Loan Student Review Procedure

1 Purpose

This procedure outlines the process of reviewing an application to re-credit a student's HELP Balance.

2 Scope

This procedure applies to reviews of decisions relating to VET Student Loan assistance for students who have enrolled in a VET Student Loan approved course under the *VET Student Loans Act 2016*.

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4 Definitions

ACRONYM / Term	Definition
ART	Administrative Review Tribunal https://www.art.gov.au
Census Date	The last day a student can formally withdraw their enrolment without incurring a debt for the course/unit of study.
Eligible Student	Student who meets citizenship or residency requirements and has not exceeded their VET Student Loan cap or HELP loan limit.
HELP Balance	The amount of VET Student Loans, VET FEE-HELP, FEE-HELP and HECS-HELP a student has left to use before reaching their HELP loan limit.
HELP Loan Limit	The maximum amount of VET Student Loans, VET FEE-HELP, FEE-HELP and HECS-HELP a student can use to pay for their studies.
VET Student Loans Program	The Australian Government loan program established by the VET Student Loans Act 2016 that assists eligible students enrolled in approved higher level vocational education and training courses at approved course providers pay their tuition fees.

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Authorised by: Executive Leadership Team

Original Issue: 17/03/2009

Maintained by: General Manager, Student Experience

Last Review Date: 11/03/2025

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5 Actions

5.1 VET Student Loan Re-crediting HELP Balance Principles

- 5.1.1 Students accessing a VET Student Loan become liable for the VET Student Loan debt for each unit of study in which they remain enrolled where the census date has passed.
- 5.1.2 Students withdrawing from a unit of study after the census date remain liable for the VET Student Loan debt for that unit of study.
- 5.1.3 Students who withdraw after the census day may submit an Application to Re-credit a HELP Balance requesting to have their balance re-credited and any tuition fees paid upfront refunded and will be provided with this information when withdrawing.
- 5.1.4 Students are required to submit the Application to Re-credit a HELP Balance within the following timeframes:
 - a) within 12 months of the census date for the unit; or
 - b) within 12 months of the withdrawal date; or
 - c) if the student has not withdrawn, within 12 months of the end of the period of study in which the student has undertaken.
- 5.1.5 Students submitting an application outside the required timeframes must be able to show in their application that the request could not be made within the timeframe and evidence is provided to support the claim.
- 5.1.6 Students are required to demonstrate in the application to have their balance re-credited that there were **special circumstances**:
 - a) beyond the student's control;
 - b) that did not make their full impact on the student until on, or after, the census date; and
 - c) made it impracticable for the student to complete the requirements for the course, or part of the course, during the student's enrolment.
- 5.1.7 Special circumstances which would make it impracticable for the student to complete the requirements for their unit may include:

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- a) **medical circumstances** – for example, where a student’s medical condition has changed to such an extent that they are unable to continue studying;
 - b) **family/personal circumstances** – for example, death or severe medical problems within a family, or unforeseen family financial difficulties;
 - c) **employment related circumstances** – for example, where a student’s employment status or arrangements have changed so that the student is unable to continue their studies, and this change is beyond the student’s control; or
 - d) **course related circumstances** – for example, where SuniTAFE has changed the unit, it had offered and the student is disadvantaged by either not being able to complete the unit, or not being given credit towards other units or courses.
- 5.1.8 Students may include any relevant evidence they think will support their claim. Independent documentation included with the application must be the original document or a certified copy of the original document, for example, a letter from a doctor or counsellor supporting the claim.
- 5.1.9 Students cannot apply for a re-credit if they have successfully completed the requirements of the unit.
- 5.1.10 Students must submit their application to the Customer Service Centre at their campus or via enrol@sunitafe.edu.au
- 5.1.11 There are no charges made to the student by SuniTAFE for the reconsideration or the review of decision.

5.2 Initial Application

- 5.2.1 The Senior Manager, Administration will review the application and assess eligibility for re-crediting the HELP balance requested based on the special circumstances demonstrated by the student.
- 5.2.2 The Senior Manager, Administration will advise the student in writing of the outcome of their application within 28 days of receipt stating the reasons for the decision and a notice of rights to request a review of the decision.
- 5.2.3 Where the application is successful:

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- a) the student's HELP balance will be re-credited with an amount equal to the amount of VET Student Loan assistance that the student received for that unit of study.
- b) the Department of Education, Skills and Employment will be notified.

5.3 Request for Review of Decision

- 5.3.1 Students that are dissatisfied with the outcome of their application to re-credit their VET Student Loan debt can apply for a review of the decision in writing addressed to the General Manager, Student Experience within 28 days from the date of receipt of the notification of decision.
- 5.3.2 The student must state the reasons for the application requesting a review of the decision and include any further relevant supporting evidence.
- 5.3.3 The General Manager, Student Experience will acknowledge receipt of the request for a review and inform the student that they will be advised of the decision within 45 days from the date of the receipt of the request to review the decision.
- 5.3.4 The General Manager, Student Experience will reconsider the decision and decide whether to:
 - a) confirm the initial decision; or
 - b) vary the initial decision; or
 - c) set the initial decision aside and substitute a new decision.
- 5.3.5 The General Manager, Student Experience will provide a Notice of Rights of Review to the student that includes:
 - a) a statement of the reasons for making the decision;
 - b) details of the student's rights to appeal to the Administrative Appeals Tribunal, including their contact details, for a review of the decision if unsatisfied with the outcome.
- 5.3.6 Where the application is successful:
 - a) the student's HELP balance will be re-credited with an amount equal to the amount of VET Student Loan assistance that the student received for that unit of study.
 - b) the Department of Education, Skills and Employment will be notified.

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5.4 Appealing the Final Decision

- 5.4.1 Students that are dissatisfied with the outcome of the review of decision may apply to the ART for a reconsideration of the decision to refuse to re-credit their HELP balance.
- 5.4.2 Where ART determines that the application is successful the student's HELP balance will be re-credited with an amount equal to the amount of VET Student Loan assistance that the student received for that unit of study.

5.5 Unacceptable Conduct Loan Re-credit

- 5.5.1 Students may request to have their HELP balance re-credited where they believe SuniTAFE has:
 - a) engaged in unacceptable conduct in relation to their application for the VET Student Loan; or
 - b) failed to comply with the Act or an instrument under the Act and the failure has adversely affected the student.
- 5.5.2 A student must first seek to resolve their concerns and/or compliant with SuniTAFE.
- 5.5.3 SuniTAFE will manage the concern and/or complaint as outlined within the Complaints and Appeals Policy.
- 5.5.4 A student may apply to the Secretary to have their HELP balance re-credited where they have not been able to resolve their concerns with SuniTAFE.
- 5.5.5 A student must make their application to the Secretary within 5 years of the census day for the unit, or within the period as extended by the Secretary and must include in their application:
 - a) Details of the course and the loan amount to be re-credited
 - b) Student Identifier
 - c) Any supporting documentation for the application
- 5.5.6 The Secretary may re-credit a student's HELP balance if the Secretary is satisfied SuniTAFE engaged in unacceptable conduct in relation to the student's application for the VET Student Loan, which may include:
 - a) unconscionable conduct;

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- b) misleading or deceptive conduct;
- c) advertising tuition fees where there are reasonable grounds to believe the course could not be provided for those fees;
- d) use of physical force, or harassment or coercion, in connection with the application or enrolment in the course.

6 Associated Documents

- Access and Equity Policy
- Application to Re-credit a HELP Balance
- Complaints and Appeals Policy
- Information Privacy Policy
- Records Management Policy
- Refund of Course Fees Policy
- Student Withdrawal and Refund of Course Fees Procedure

7 References

- VET Student Loans Act 2016
- VET Student Loans Rules 2016

8 Forms / Record Keeping

All records generated by this procedure should be listed and must state title, location, responsible officer and minimum retention period.			
Title	Location	Responsible Officer	Minimum Retention Period
Application to Re-credit a HELP Balance, associated evidence and correspondence to the student	Student Management System	Senior Manager, Administration	Permanent

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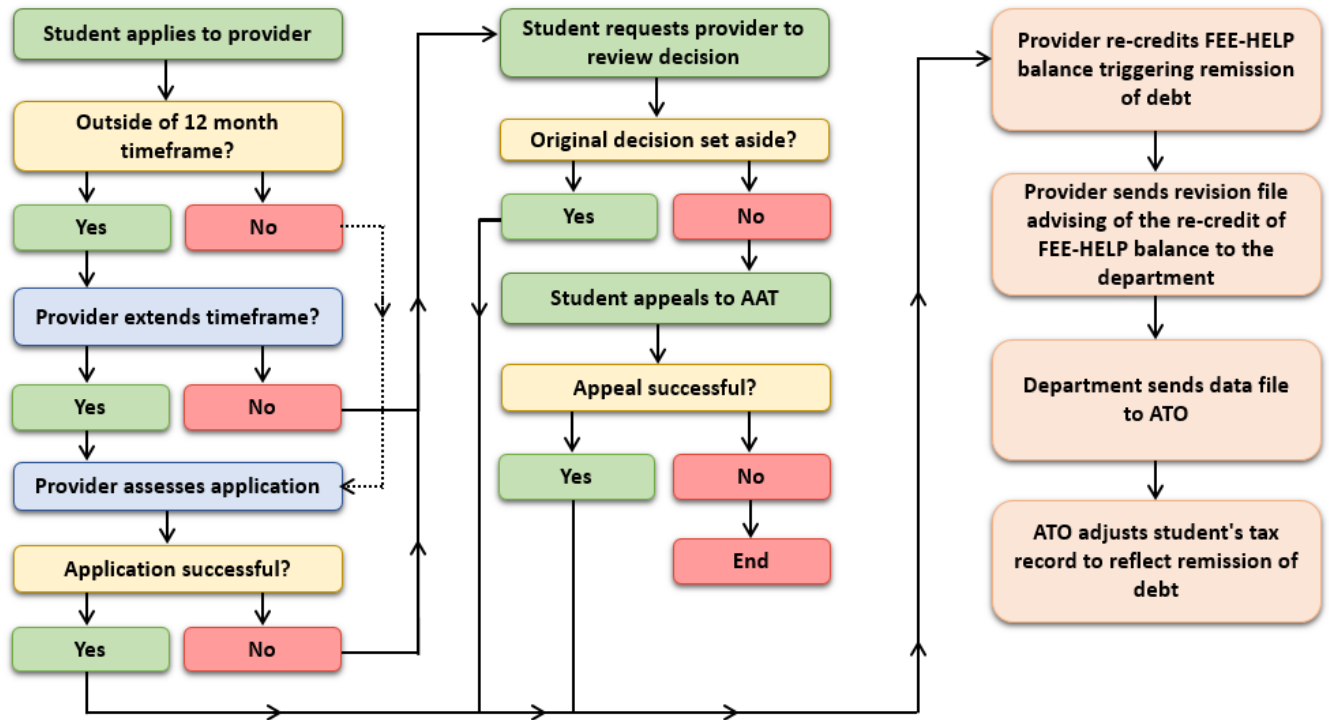
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9 Appendix 2 – Review Procedure Flowchart



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