

REFUND POLICY (IN ACCORDANCE WITH h&h REGULATIONS)

Scope:

This policy has been developed to protect the interests and reputation of h&h Accredited Training ('the business') and states that every student has the right to accurate information regarding all fees, including course fees, payment options, applicable administration fees and refunds that may be applicable.

Purpose:

The policy that has been implemented by h&h Accredited Training aims to provide knowledge for the student in regard to fees, charges and payments involved in the enrolment into an h&h course. h&h has a duty under the VET Quality Framework including– [Financial Viability Risk Assessment Requirements 2011](#) and Standards for Registered Training Organisations (RTOs) 2015 to keep students up to date and informed with all matters in relation to refunds of their costs.

Guidelines:

h&h has a responsibility to prove it is financially viable to all stakeholders and is capable of covering any refunds or applicable costs to the student.

The h&h refund policy excludes VET Student Loan enrolments.

Refund Policy – Classroom Based Students:

- Should h&h cancel a course the student will be refunded **100% of all course fees** paid, including the deposit
- Should a student withdraw prior to commencement, h&h will retain 15% as an administration fee (the deposit) that was paid upon enrolment; if more than the 15% deposit was paid at enrolment the difference will be refunded
- Should a student withdraw during the course, a pro-rated amount will be charged to the student; this amount will be calculated based on how many weeks the student was in attendance in the classroom, as per the attendance sheets

Refund Policy - Distance Students:

- Should h&h cancel a course the student will be refunded 100% of all course fees paid including the deposit
- Should a student withdraw/cancel during their course period they will be charged a pro-rated amount based on how many units were provided

** Please note enrolment fees for distance courses may vary depending on qualification. This includes the administration fee and the first two workbooks/assessments and student information paperwork.

Refund Policy - VSL Students:

- Should h&h cancel a course the student will be refunded 100% of all course fees paid including the deposit
- Should a student withdraw/cancel their enrolment in an approved course on or before the census day, the student will get full refund for the course or part of the course, to which census day applies. (VSL Act s 58)

- This applies to all tuition fees for the course or part of the course to which the census day relates, which includes:
 - o VET Student Loans covered fees
 - o Any gap fees
 - o Upfront payment of tuition fees
 - o Gap fees or tuition fees paid through a loan from the provider
- Should a student withdraw/cancel their enrolment in an approved course after the census day, the student may apply for FEE-HELP balance to be re-credit under Part 6 of the VSL Act
 - o The student may apply to h&h for FEE-HELP balance to be re-credited under section 68 of the Act because of special circumstances
- The term ‘special circumstances’ relate to circumstances that are beyond the control of the student, which do not make their full impact on the student until on or after the census day of the course, or part of the course, and make it unpractical for the student to complete the requirements of the course, or part of the course. (VSL Act s 68)
- The application for re-crediting under this section must be made in writing within 12 months after the census day of the course or part of the course or within such longer period for the application as allowed by h&h
- h&h is satisfied that ‘special circumstances’ prevented or will prevent the student from completing the requirement of the course or part of the course.
- The student may apply to the Secretary for the student’s FEE-HELP balance to be re-credited under section 71 of the Act because:
 - o h&h or a person acting on behalf of h&h engaged in unacceptable conduct in regard to the student’s application for VSL or
 - o h&h has failed to comply with the Act or an instrument under the Act and the failure has adversely affected the student
 - o The application for re-crediting under this section must be made within 5 years after the census day of the course or part of the course or within that period as extended by Secretary
- The processes available to students in relation to reconsideration and review of the decisions whether or not to re-credit FEE-HELP balances including the time limits that apply can be found in h&h “Refund Procedures”
- h&h will notify the student of the **review decision within 5 business days**; the student will be advised of the time limit to apply for a review of the decision **within 28 days** after the day on which the student was notified of the decision, or within such longer time as h&h allows (VSL Act s 76(2))
- h&h review officer will provide written notice of the decision and provide a statement of the reason of making the decision to the student **within 45 days** after receiving the student’s request. In the notice, the review officer will also advise the student’s right to appeal to Administrative Appeals Tribunal (AAT)
- If h&h review officer does not give the student notice of the decision **within 45 days** after receiving the student’s request, it is concluded that the review officer has confirmed the original decision (VSL Acts s 76(8))
- The student may apply to the Administrative Appeals Tribunal (AAT) for review of a review officer’s decision; they may supply additional information to the AAT that they did not previously supply to h&h, including the review officer

- h&h will provide the Department within **5 business days of being requested**, copies of all the documents it holds that are relevant to the appeal.
- There is no charge for re-consideration or review of the decisions other than review by the Administrative Appeals Tribunal (AAT).
- The Secretary of the Department of Education and Training may re-credit a student's FEE-HELP balance in relation to special circumstances if h&h 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.
- Where a decision results in the re-crediting of a student's FEE-HELP balance, h&h will be notified and will report this outcome via submission of a HEIMS revision file.
- h&h will repay the Commonwealth any amounts of VET student loan h&h received from the Commonwealth on the student's behalf through subsequent reconciliations, unless the Department decides to issue a separate invoice (VSL Act s 22).

Special circumstances:

h&h will consider these special circumstances which made it impracticable for the student to complete the requirements of the course and are beyond the student's control, but are not limited to:

- Medical circumstances, for example, a student might have an illness or a pre-existing condition that worsens after census day and made it impracticable for the student to complete the course.
- Family or personal circumstances, for example death or severe medical problems within a family, or unforeseen family financial difficulties which affect the student to the extent that it is unreasonable to expect the student to complete the course.
- Employment related circumstances, for example, where a student's employment status (or arrangements) have changed so that the student is unable to continue their study, and this change is beyond the student's control.

In reviewing the decision to re-credit the FEE-HELP balance for the student with special circumstances, h&h will consider these following options to help the student to complete the course:

- Distance education with support from an h&h trainer/assessor
- Demonstration of competencies or completion of assessments
- Mixed mode study combining Classroom, Online and Distance Learning where available.

Related Legislation/Guidelines:

- Standards for Registered Training Organisations (RTOs) 2015
- VET Quality Framework – Financial Viability Risk Assessment Requirements 2011
- Smart and Skilled Operating Guidelines
- Smart and Skilled Contract terms and conditions
- VET Student Loans Rule 2016

Version Dates	Policy Version 1 approved 3 April 2018/Policy Version 2 approved 6 July 2020
Review Date	Version 2 will be reviewed as policies are updated
Approved by	CEO: Susan Ellis Hill General Manager: Kate Lovett
Relevant to	All staff; trainers and assessors; students

Risk Rating (Please highlight the appropriate risk level):

5 = High Risk

4 = Medium Risk

3 = Medium to Low Risk

2 = Low Risk

1 = Very Low Risk or N/A