



SYDNEY FILM SCHOOL

Name	Re-Crediting Vet Fee-Help and VET Student Loan Balances		
What is the purpose of this policy?	To ensure that Sydney Film School (SFS) is fair and equitable when dealing with student requests for a re-credit of VET FEE-HELP (VFH) and VET Student Loan (VSL) balances.		
Version	#5	Next review	July 2017
What law applies?	The National Code 2007 (ESOS): Standard 3. The RTO Standards 2015: Standard 5. Higher Education Support Act 2003 ss 104.25 & 206.1 (2) Administrative Appeals Tribunal Act 1975		
Who is affected by this policy?	Who has rights?	Who has responsibilities?	
	Students	Student Registrar Accounts Officer Managing Director Executive Chairman Policy and Procedure Committee	

Policy

SFS will be fair and equitable when dealing with requests for a re-credit of VFH and VSL balances.

In the event of a local student withdrawing from a VFH or VSL unit of study after census date for that unit of study:

- no refund is applicable; and/or
- the student will incur a VFH or VSL debt.

If a student withdraws from a VFH or VSL unit of study after census date, or has been unable to successfully complete a VFH or VSL unit of study, and believes this was due to special circumstances then the student may apply to have their VFH or VSL balance re - credited for the affected units.

The School will re-credit the student's VFH or VSL balance if it is satisfied that special circumstances apply that:

- are beyond the student's control; and
- did not make their full impact on the student until on or after the census date for the VFH or VSL unit(s) of study in question; and

- make it impractical for the student to complete the requirements for the VFH or VSL unit(s) of study in question.

The School will be satisfied that a student's circumstances are beyond the student's control if a situation occurs that a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the student is not responsible. The situation must be unusual, uncommon or abnormal.

Each application will be examined and determined on its merits by considering a student's claim together with independent supporting documentation substantiating the claim.

The Registrar will consider the application and will agree to such requests if they are satisfied that there were special circumstances in the student's case.

Where the Registrar makes a decision NOT to re-credit a student's VFH or VSL balance, that decision may be subject to review.

At the time of the original decision, and at the time of the subsequent Review Decision, the student will be notified of their review rights and responsibilities. The Executive Chairman, as Review Officer, will inform a student in writing of their right to appeal to the Administrative Appeals Tribunal (AAT) if they are not satisfied with the outcome and the contact details of the closest AAT office and the approximate costs of lodging an appeal.

Procedure

Initial applications for the re-crediting of a VFH or VSL balance are to be made, in writing, to the Registrar and emailed to jo.kiss@sydneyfilmschool.com

A student must make the application 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.

The School 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 procedure for the re-crediting of a VFH or VSL balance is as follows:

- when a student withdraws from a VFH or VSL unit of study, the School shall confirm the withdrawal by giving notice to the student in writing stating the date at which the withdrawal has taken effect;
- when a student fails to meet the requirements of a VFH or VSL unit of study, the School shall confirm the failure by giving notice to the student in writing of the final result for that VFH or VSL unit of study after results for the VFH or VSL unit of study have been properly approved;
- the student must apply in writing to the Registrar within 12 months from the date specified in the notice as the day of withdrawal or the date of receiving their final results for the VFH or VSL unit of study. The School may exercise its discretion to waive this requirement if in its opinion it was not possible for the application to be made before the end of the 12 month period;

- The Registrar shall advise the student of the outcome of the application within 28 days stating the reasons for the decision;
- The Registrar shall also advise the student of their rights for a review of the decision if they are not satisfied with its outcome.

If a decision is made to re-credit the student's VFH or VSL balance, the School will notify DET and will repay to the Commonwealth any VFH or VSL FEE-HELP assistance received on the student's behalf and the student's VFH or VSL FEE-HELP debt for those VFH or VSL units of study will be removed.

Review of Decision

If a student is not satisfied with the decision made by the Registrar, the student may apply, within 28 days of receiving the original decision, for a review of the decision.

The review shall be carried out by the Review Officer who is the Executive Chairman and is senior to the original decision maker.

Any such request must be submitted to the Review Officer in writing and:

- must be lodged within 28 days of receiving notice of the original decision, unless the Review Officer allows a longer period;
- must specify the reasons for making the request; and
- sent to: 82 Cope Street, Waterloo, NSW 2017

The Review Officer will:

- acknowledge receipt of an application for a review of the refusal to re-credit a VFH or VSL balance in writing within 10 working days and;
- inform the applicant that if the Review Officer has not advised the applicant of a decision within 45 days of having received the application for review, the Review Officer is taken to have confirmed the original decision.

The Review Officer will then:

- review the information from the original decision and then assess any new evidence provided by the student,
- provide written notice to the student of the decision, setting out the reasons for the decision,
- inform the student of their right to apply to the Administrative Appeals Tribunal if they disagree with the Review Decision, and timelines involved (see below).

Review by Administrative Appeals Tribunal

An application must be lodged at the AAT within 28 days of receiving written notice of the Review Decision. This time limitation can be extended in limited circumstances by order of the AAT.

Full details of the application process and fees payable are available on the AAT Registry's website: www.aat.gov.au. Fees are subject to change – refer to the AAT

website for up-to-date fee information. Applications cannot proceed until the fee has been paid or waived. Applications for fee waiver must be made to the AAT. Refer to the AAT website for more details.

The Secretary of the Department, or the Secretary's delegate, will be the respondent for cases that are brought before the AAT. Upon the Department's receiving a notification from the AAT, the Department will notify the School that an appeal has been lodged. Upon receiving this notification from the Department, the Review Officer will provide the Department with copies of all the documents that are relevant to the appeal within 10 business days.

Version Control

Approved by	Version #	Date
Management Committee	#1	24 February 2009
Management Committee	#2	14 June 2013
Policy and Procedure Committee	#3	29 April 2016
Policy and Procedure Committee	#4	17 January 2016