

Just Careers Training – Withdrawal, Re-Credit and Review Policy and Procedure

VET Student Loan Withdrawal

Student Review Requirements & Re-Crediting a Student Loan Balance

Definitions

Student: Refers to students, who are Australian citizens or permanent humanitarian visa holders who will be resident in Australia for the duration of their VET Units of study, and who access a VET Student Loan for payment of their tuition fees in respect of the VET unit of study in which they are enrolled.

Census Date: A published date, set by the provider, no earlier than 20% of the way through a VET Unit of Study.

Tuition Fees: Fees paid for a VET Unit of Study that is approved for a VET Student Loan and applies to students who are, or would be entitled to a VET Student Loan

Unit or VET Unit of Study: A VET unit of study approved for a VET Student Loan that a student may undertake with Just Careers Training, for which the student may access a VET Student Loan pay for all or part of their tuition fees.

The Department: The Department of Education and Training.

We: Just Careers Training Pty Ltd

Approved Provider: Just Careers Training Pty Ltd

Incurring a VET Student Loan Debt

A Student who is, or would be, eligible for a VET Student Loan and has requested a VET Student Loan, who withdraws from a Unit on or before the census date will not incur a VET Student Loan debt for the tuition fees for that Unit.

Students who have requested a VET Student Loan who remain enrolled after the published census date will incur a VET Student Loan debt. A Student who withdraws from a Unit after the published census date for that Unit will incur a VET Student Loan debt for that Unit.

Re-crediting a VET Student Loan Balance

Students who withdraw from a Unit after the published census date, or fail to complete a Unit, may apply to have their VET Student Loan balance re-credited with respect to the Unit if they believe special circumstances apply in accordance with the following procedures.

Special Circumstances

If a Student withdraws from a Unit after the published census date for that Unit, or has been unable to successfully complete a Unit, and believes this was due to special

circumstances, the student may apply to have their VET Student Loan balance re-credited for the affected unit/s.

Just Careers Training will re-credit the Student's VET Student Loan Balance if it is satisfied that Special Circumstances apply where:

- these circumstances are beyond their control, and
- these circumstances did not make their full impact on the student until on, or after the census date; and
- these circumstances were such that it was impracticable for the Student to complete the requirements for the Unit.

For circumstances to be beyond a Student's control, the situation should be that which 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. The situation must be unusual, uncommon or abnormal to be considered special circumstances.

Special circumstances do not include:

- lack of knowledge or understanding of requirements for a VET Student Loan; or
- a Student's incapacity to repay a VET Student Loan (repayments are income contingent and the Student can apply to the Australian Taxation Office for a deferral of a compulsory repayment in certain circumstances).

Re-credit of a Student's VET Student Loan balance - The process

Each application for re-credit of a student's VET Student balance will be considered on its merits together with all supporting documentation substantiating the special circumstances claim.

The Enrolment Officer is the designated VET Student Loan officer of Just Careers Training. The above officer is responsible for the assessment of a student's request for a re-credit of their VET Student Loan balance due to special circumstances and for the initial decision regarding the request.

1. A Student must apply in writing to the Enrolment Officer at:

Just Careers Training

Attention: Diploma Courses Enrolment Officer

PO BOX 55, MANAHAN NSW 2200

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.

Just Careers Training may at its discretion 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.

2. The application for re-crediting a VEET Student Loan balance must include details of the:
 - Unit(s) for which a Student is seeking to have a VET Student Loan balance re-credited and
 - special circumstances as referred to above, including supporting documentation.

These details may be provided on the ***Just Careers Training Re-Credit of VET Student Loan Balance Application Form*** and sending this form by way of Registered Post, email to the Enrolment Officer or at one of our training centres (see website for details).

3. Just Careers Training will consider each application within 10 working days of receipt of the application in writing. It will consider each request to re-credit a VET Student Loan balance in accordance with the requirements of Schedule 1A to the Act. Applicants will be notified in writing of the decision within 10 working days.

Review of Decision

4. Where Just Careers Training makes a decision NOT to re-credit a student's VET Student Loan balance that decision may be subject to review.
5. If a Student is not satisfied with the decision made by Just Careers Training, the Student may apply, within 28 days of the receipt of the original decision, for a review of the decision. The application for review must:
 - be made within 28 days of receipt of the original decision
 - include the date of the original decision
 - state fully the reasons for applying for the review
 - include any additional relevant evidence
6. Applications should be made in writing to the National Manager at:

Just Careers Training

Attention: National Manager

PO BOX 55, MANAHAN NSW 2200

as the designated Review Officer of any decisions relating to a request for recrediting of a VET Student Loan balance.

Note: The Review Officer is senior to the designated VET Student Loan officer (Enrolment Officer) responsible for the original decision and was not involved in making the original decision to be reviewed.

7. The Review Officer will:

- acknowledge receipt of the application for review of a decision in writing within 10 working days; and
- inform the Student that if the Review Officer has not advised them of a decision within 45 days of receipt of the application for review, it is taken that the Review Officer has confirmed the original decision.

8. 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).

Reconsideration by the Administration Appeals Tribunal

Where a student is dissatisfied with the reviewed decision they may apply to the Administrative Appeals Tribunal (AAT) for consideration of the Institute's decision to refuse to re-credit their FEE-HELP balance. The student may supply additional information to the Administrative Appeals Tribunal (AAT) which they did not previously supply to the Institute either in the original application or the request for review

The Secretary of Department of Education, or the Secretary's delegate, will be the respondent for cases that are brought before the AAT.

Upon DoE receipt of a notification from the AAT, DoE will notify the Institute that an appeal has been lodged. Upon receipt of this notification from DoE, the Review Officer will provide DoE with copies of all the documents they hold that are relevant to the appeal within five (5) business days.

Circumstances when a VET Student Loan student may apply to the Secretary for the FEE-HELP balance to be re-credited are when:

- i. Just Careers Training, or a person acting on Just Careers Trainings behalf, engaged in unacceptable conduct in relation to the student's application for the VET student loan; or
- ii. Just Careers Training has failed to comply with the Act or related legislation and the failure has adversely affected the student;

To apply under these circumstances the application must be made 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;

The re-credit by the Secretary may granted in relation to special circumstances if Just Careers Training:

- (i) is unable to act or is being wound up or has been dissolved; or
- (ii) has failed to act and the Secretary is satisfied that the failure is unreasonable

AAT Details and Approximate Costs:

State / Territory	Address	Phone Number
New South Wales	Level 7, City Centre Tower, 55 Market Street, Sydney NSW 2000	PH: (02) 9391 2400
Queensland	Level 4, Harry Gibbs Building, Commonwealth Law Courts, 119 North Quay, Brisbane QLD 4000	(07) 3361 3000
South Australia	11th Floor, Chesser House, 91 Grenfell Street, Adelaide SA 5000	(08) 8201 0600
Victoria	Level 16, HWT Tower, Southgate, 40 City Road, Southbank VIC 3006	(03) 9282 8444
Western Australia	Level 5, 111 St Georges Terrace, Perth WA 6000	(08) 9327 7200
ACT	4th Floor, Canberra House, 40 Marcus Clarke Street, Canberra City ACT 2600	(02) 6243 4611
Northern Territory (handled in QLD)	Level 4, Harry Gibbs Building, Commonwealth Law Courts, 119 North Quay, Brisbane QLD 4000	(07) 3361 3000
Tasmania	Ground Floor, Edward Braddon Building, Commonwealth Law Courts, 39-41 Davey Street, Hobart TAS 7000	(03) 6232 1712

Approximate cost of lodging an appeal with the AAT: \$884 with a concession of \$100 off for eligible applicants. (Source: <http://www.aat.gov.au/FormsAndFees/Fees.htm>)

Note: 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.

Publication

This policy and the procedure is published on the Just Careers Training website to ensure Students have up to date and accurate information publicly available to them.