

Policy Purpose

The purpose of this policy and its associated procedure is to outline the approach that VFA Learning will undertake to ensure that all students who are withdrawing their enrolment from a course. The Policy will provide a clear understanding of the eligibility criteria for a full or part refund of any fees and charges they have incurred and any debt payable to them to the Commonwealth via a VET Student Loan.

Policy Scope

This policy applies to all students enrolled in full or part qualifications. This policy does not cover International students; please see ***Withdrawal and Refund Policy – International Students***. All staff are to adhere to this policy and associated procedure. The Director of Compliance will provide guidance and advice to all staff on the policy.

Policy Statements

The following Policy statements are an overarching view of the process VFA Learning will undertake to ensure that they meet their obligations under State and Federal Legislation, Funding Body contracts and VET Regulatory Body requirements for withdrawals and refunds. A clear and concise procedure to guide staff on maintaining compliance in their daily RTO tasks supports the policy statements.

1. VFA Commitment

VFA commits to ensuring the following:

- Maintain a Tuition Assurance Scheme to protect student fees in the event of insolvency
- All students receive upfront, clear, concise information on fees and charges attached to their course of study
- Maintain a 7 day cooling off period from the date of enrolment into any of their courses
- Not allow transfer of course fees to another person in order to protect the integrity of the application and enrolment process
- Not charge a withdrawal, administration, fine or penalty to any student withdrawing from a VET Student Loan funded course
- That refunds are made available to students entitled to receive them
- That no barrier, either financial or administrative is placed in front of any student wishing to withdraw from any course
- Offer alternative arrangements acceptable to a student when a course has been cancelled or postponed by VFA
- Refund all course fees if VFA cancels or postpones a course commencement by more than 4 weeks
- Will offer reimbursement of remaining fees and charges where VFA cancel or withdraw a course
- Accept, via written correspondence **only**, a student's request to re-enrol into a previously withdrawn course or alternative course option.

2. Student initiated withdrawal

All Students, regardless of funding arrangements, who have made the decision to withdraw from their course, **must officially withdraw** by completing the **Student Cancellation/Withdrawal Form**, available on our website under Student Forms and emailing the completed form to:

Narre Warren Campus

Attention Ryan Koski

Email: ryan@vfalearning.vic.edu.au

Phone: 03 8794 6000

Melbourne CBD and Geelong Campus

Attention – Stuart Foley

Email: stuart@vfalearning.vic.edu.au

Phone: 03 8578 1211

Students under the age of 18 will require authorisation from their parent/guardian to withdraw or undertake a change of enrolment. **No verbal withdrawals will be accepted.**

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
- 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. Employer initiated withdrawal

The employer of a student enrolled in an SBAT course are the ***only ones allowed*** to initiate withdrawal from a School based traineeship (SBAT). The employer will send a notice of withdrawal to VFA Learning informing them of the SBAT students' withdrawal.

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 Campus 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

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.

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 Director of Compliance 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 Managing Director VFA Learning, 78 Yarra Street, Geelong, VIC, 3220. This appeal must:

- Include the date of the original decision by the Director of Compliance
- Fully state the reasons for applying for the review
- Include any additional relevant evidence the student feels is appropriate
- 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 Managing Director who is senior to the Director of Compliance.

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.

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 Business Development Manager at each campus and authorised by the Campus Manager. The Direct Debit set up fee of \$10.00 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.

11. Re-enrolment/reinstating into course

As per the **"Student Support Policy and Procedure"** a student who has decided to re-engage through re-enrolling or re commencing (reinstating) with their course at VFA Learning will be monitored to ensure sufficient progress is made. This includes:

- Turning up for class on time
- Turning up for allocated placement sessions.
- Completing class and individual assessment tasks on time

A student cannot continually drop in and out of learning without prior discussion and approval from Campus Manager. **Please not re-enrolment is not automatic; students must attend a meeting with the Campus Manager and sufficiently demonstrate commitment to engaging in the learning and assessment process of the course before approval of re-enrolment and completion of the Application and Enrolment process.**

12. 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.

Related Policies and Procedures

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

Responsible Officer

The responsible officer for the implementation of this Policy is the Managing Director

Publishing details

Document Name	Withdrawal and Refund Policy
Approved by	Managing Director
Date of Approval	04-01-2019
Student Experience Framework Stage	All Stages
Student Experience Framework Step	All Stages
Version	9
Summary of content (new) or amendments (revised)	New policy, all changes will be captured in the Continuous improvement and Version Control Registers
Next Review Date	04-01-2019