

STUDENT FEE-HELP REVIEW PROCEDURES

1. PURPOSE

The purpose of this policy is to outline CG Spectrum Institute's (**CGSI**) procedures for reviewing decisions made in relation to FEE-HELP.

This policy is in accordance with the *Higher Education Support Act 2003 (Cth) (HESA)*, the *Higher Education Provider Guidelines (HEPG)*, the *Higher Education Standards Framework 2021 (HES)*, the FEE-HELP Guidelines, and any other applicable laws and regulations.

2. SCOPE

This policy applies to all prospective, new and continuing domestic students of CGSI with a FEE-HELP loan.

This document must be read in conjunction with the FEE-HELP Refund Policy, the Student Grievances and Appeals Policy and the Student Grievances and Appeals Procedure.

3. DEFINITIONS

Term	Definition
Census Date	the last date a student may withdraw from a course of study or unit of study without incurring financial penalty.
Course of Study	a course that leads to a higher education award of CGSI.
Domestic Student	a student who: <ol style="list-style-type: none"> is an Australian citizen; or holds an Australian permanent residency visa, including a humanitarian visa; or is a New Zealand citizen.
FEE-HELP	a Commonwealth Government loan scheme that assists eligible domestic students to all or part of their tuition fees.
Higher Education Award	<ol style="list-style-type: none"> a diploma, advanced diploma, associate degree, bachelor degree, undergraduate certificate, graduate diploma, masters degree or doctoral degree; or a qualification covered by level 5,6,7,8.9 or 10 of the Australian Qualifications Framework; or an award of a similar kind, or represented as being of a similar kind, to any of the above awards, other than an award offered or conferred for the completion of a vocational education and training course.

Special Circumstances	are unusual or uncommon circumstances that: <ul style="list-style-type: none"> (a) are beyond the student's control; (b) did not make their full impact on the student until on or after the census date for the unit of study; and (c) made it impractical for the student to complete the unit of study.
Unit of Study	a single unit or component that forms part of a course of study.

4. ROLES AND RESPONSIBILITIES

It is the responsibility of CGSI to provide clear, accurate and accessible information to all prospective, new and continuing students about:

- (a) tuition fees
- (b) census dates;
- (c) FEE-HELP; and
- (d) review or appeal rights.

CGSI shall ensure fair and equitable procedures are implemented in respect of the review and appeal of initial FEE-HELP decisions made by CGSI in accordance with the HESA, HEPG, HES, the FEE-HELP guidelines and any other relevant laws, standards and policies.

5. RESPONSIBILITIES AND AUTHORITIES

- 5.1. The **CEO** is responsible for reviewing and approving applications for refunds or re-credits of the student's FEE-HELP debt according to the recommendation from the **Academic Director**.
- 5.2. The **CEO** must consider each application for a refund or re-credit of the student's FEE-HELP debt on its merits, together with the supporting documentation substantiating the special circumstances.
- 5.3. The **Case Review Panel** and/or the **Internal Appeals Panel** is responsible for reviewing any initial FEE-HELP decision on receipt of a Formal Complaints and Appeal Lodgment Form in accordance with the Student Grievance Complaints and Appeals Procedure. The panel shall not include the original decision maker of the Fee-Help decision and shall include at least one (1) person that holds a more senior position to the original decision maker. Details of the panel shall be provided to the complainant.

6. FEE-HELP REFUND AND RE-CREDIT PROCEDURE

6.1. Withdraw after enrolment but prior to or on the census date

In accordance with the FEE-HELP Refund Policy, if a domestic student withdraws or discontinues from a unit of study or a course of study after enrolment and prior to or on the census date, that student shall not incur a FEE-HELP debt.

6.2. **Application to withdraw after the census date: special circumstances**

If you withdraw or discontinue from a unit of study or course of study after the census date, you may apply to CGSI for a full or partial refund, or re-credit and cancellation of a FEE-HELP debt for affected units of study, where special circumstances exist.

An application must be accompanied with sufficient supporting documentation to evidence the special circumstances. Supporting documentation may include:

- an original or certified medical certificate or an original or certified letter from a registered medical practitioner, health practitioner or specialist; or
- a certified copy of a death certificate;

To be eligible to apply for a tuition refund or FEE-HELP debt re-credit under special circumstances, the student must lodge a FEE-HELP Special Circumstances Form and the application must be received within 12 months of the date of withdrawal from the unit of study. If the student did not officially withdraw, then the application must be made within 12 months after the period which the student undertook (or were to undertake) that unit of study.

All applications shall be considered and determined on their merits.

6.3. **Appeal**

If a student is not satisfied with the initial FEE-HELP review decision made by CGSI, the student may lodge an appeal in writing to CGSI within 28 days of the decision.

Appeals must be submitted on the Formal Complaints and Appeals Lodgment Form.

CGSI must acknowledge receipt of the appeal within 2 working days and shall inform the student that a decision will be made within 45 days by the Internal Appeal Panel.

The Internal Appeal Panel may confirm, vary or set aside the initial decision and substitute its own findings. The panel must give the student written reasons of its decision

If the panel does not inform the student of the outcome within 45 days, the initial decision is deemed to be confirmed.

The Internal Appeal Panel must provide written notice to the student advising them on their rights to appeal to the Administrative Appeals Tribunal (AAT) for an independent decision, including the contact details and approximate costs of lodgment of an appeal.

Further information can be found at:

- AAT how to apply for a review: <https://www.aat.gov.au/apply-for-a-review>
- AAT Fees: <https://www.aat.gov.au/apply-for-a-review/other-decisions/fees>

- AAT contact details: <https://www.aat.gov.au/contactus>

7. RELATED DOCUMENTS AND POLICIES

FEE-HELP Special Circumstances Form
Formal Complaints and Appeals Lodgment Form
Fee schedule for CGSI for 2021 and 2022

Student Grievance Complaints and Appeals Policy
Student Grievance Complaints and Appeals Procedure

8. VERSION CONTROL

Document: Refund Policy and Procedure		
Approved by: Academic Board		Date: December 2022
Version: V1.1	Replaces Version: V1.0	Next Review: December 2023
V1.0	Update logo, formatting and minor amendments	