

Non-Academic

Re-Crediting a Fee-HELP Balance

Version Control and Modification History Table				
Date	Version	Modification	Approval Authority	Approved & Published Date
12/04/19	1.0	New policy for Re-Crediting a Fee-HELP balance	Natalie Simmons, Director Finance and Administration	12 April 2019
Feb 2020	1.1	Changes to position titles	Chief Executive Officer	May 2020

1 POLICY STATEMENT AND PURPOSE

The purpose of this Policy is to detail the requirements for requesting a re-crediting of Fee-Help balance.

2 SCOPE

This Policy applies to Fee-HELP students.

3 DEFINITIONS

Fee HELP	Is an Australian Federal Government loan scheme that assists eligible fee-paying students pay all or part of their tuition fees. More information is available at https://www.studyassist.gov.au/help-loans-and-csps/fee-help
Fee HELP student	Includes all students eligible for Fee HELP irrespective of whether or not they have elected to access Fee HELP. Eligibility rules for Fee HELP are available at https://www.studyassist.gov.au/help-loans-and-csps/fee-help
Census date	A published date set by the provider, no earlier than 20% of the way through a subject of study.
Subject	A subject approved for Fee-Help loan that a student may undertake with ICHM for which the student may access Fee-HELP assistance to pay for all or part of their tuition fees.
Tuition fees	Fees paid for a subject of study that is approved for Fee-HELP Loans and applies to students who are or would be entitled to Fee-HELP assistance.

4 POLICY DETAILS

4.1 Incurring a Fee-HELP debt

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

Students who have requested a Fee-HELP debt who remain enrolled after the published census date will incur a Fee-HELP loan debt.

A Student who withdraws from a subject after the published census date for that subject will incur a Fee-HELP loan debt for that subject.

4.2 Re-crediting a FEE-HELP Balance

In accordance with the following procedures, Students who withdraw from a subject after the published census date, or fail to complete a subject, may apply to have their FEE-HELP balance re-credited with respect to the subject if they chose to claim special circumstances.

Special Circumstances

If a Student withdraws from a subject after the published census date for that subject, or has been unable to successfully complete a subject and believes this was due to special circumstances, the student may apply to have their FEE-HELP balance re-credited for the affected subject/s.

ICHM will re-credit the Student's FEE-HELP Balance if it is satisfied that Special Circumstances apply where:

- the 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 subject.

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 the requirements for Fee-HELP loan assistance; or
- a Student's incapacity to repay a Fee-HELP loan debt (repayments are income contingent and the Student can apply to the Australian Taxation Office for a deferral of a compulsory repayment in certain circumstances).

4.3 Process to re-credit a Student's FEE-HELP balance

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

Applications must be received within 12 months of the withdrawal date, or if the Student has not withdrawn, within 12 months of the specified completion date of the subject. ICHM 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 Manager Admissions and Administration is responsible for the assessment of a student's request for a re-credit of their FEE-HELP balance due to special circumstances and for the initial decision regarding the request.

The process is as follows:

1. A student must apply in writing to the Manager Admissions and Administration via email as follows:

Manager Admissions and Administration
ICHM Admissions,
Email: admissions@ichm.edu.au

2. The application for re-crediting a FEE-HELP balance must include details of the:
 - i. Subject(s) for which a Student is seeking to have a FEE-HELP balance re-credited and
 - ii. special circumstances as referred to above, including supporting documentation.
3. ICHM will consider each application within 5 working days of receipt of the application. It will consider each request to re-credit a FEE-HELP balance in accordance with the requirements of Part 3 Subdivision 104-B of the Higher Education Support Act 2003. Applicants will be notified in writing of the decision within 15 working days.

Review of Decision

4. If a Student is not satisfied with the decision made by ICHM the student may apply, within 28 days of the receipt of the original decision, for a review of the decision.
5. The student's application for review must:
 - i. be made within 28 days of receipt of the original decision
 - ii. include the date of the original decision
 - iii. state fully the reasons for applying for the review
 - iv. include any additional relevant evidence
6. Applications for review must be made in writing to the Chief Executive Officer, as the designated Review Officer of any decisions relating to a request for re-crediting of a FEE-HELP balance. Note: The Review Officer is senior to the designated officer responsible for the original decision and was not involved in making the original decision to be reviewed. Applications for review are to be forwarded to:

Chief Executive Officer
Email: nsimmons@ichm.edu.au

7. The Review Officer will:
 - i. acknowledge receipt of the application for review of a decision in writing within 10 working days; and
 - ii. 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.
 - iii. review the information from the original decision and then assess any new evidence provided by the Student
 - iv. provide written notice to the Student of the decision, setting out the reasons for the decision
 - v. inform the Student of their right to apply to the Administrative Appeals Tribunal if they disagree with the Review Decision, and Reconsideration by the Administration Appeals Tribunal

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 relevant 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. Any 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.

AAT Details and Approximate Costs Deputy Registrar Administrative Appeals Tribunal Level 2, 1 King William St Adelaide SA 5000 Telephone: 08 8128 8099.

Note: Full details of the application process and fees payable are available on the AAT Registry’s website: www.aat.gov.au
An application fee may apply and is subject to change. 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 receipt of a notification from the AAT, The Department will notify ICHM that an appeal has been lodged. Upon receipt of 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 ten (10) business days.

5 QUESTIONS IN RELATION TO THIS POLICY

If you have any questions regarding this policy, please contact the Admissions Office.

ICHM Admissions Office
137 Days Road, Regency Park
SA 5010, Australia
Email: admissions@ichm.edu.au
P: (61 8) 8228 3636
Cricos Provider No. 02914G

6 REVIEW

The Manager Admissions and Administration is responsible for the review of this policy on a 3-yearly basis.

7 APPROVAL

RE-CREDITING A FEE-HELP BALANCE	
Policy Owner	Manager Admissions and Administration
Version Number	1.1
Approval Authority	Chief Executive Officer
Approval Date	May 2020
Next Review Date	May 2023