VET Administrative Information for Providers

September 2015
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1 General information

The July 2014 VET Administrative Information for Providers (VET AIP) was updated by the Department of Education and Training and is provided to help approved vocational education and training providers (VET providers) interpret and implement the requirements of VET FEE-HELP under the Higher Education Support Act 2003 (HESA) and associated guidelines. Legislation, VET Guidelines and determinations

The VET AIP should be read in conjunction with Schedule 1A to HESA. The VET AIP should also be read with the VET Guidelines 2015 (VET Guidelines), the Financial Viability Instructions and Ministerial notices which detail reporting requirements. These are the primary resources of the requirements with which VET providers must comply. Relevant sections of legislation and VET Guidelines are referenced throughout the VET AIP.

Examples

- References to legislation will look like this: [HESA Schedule 1A clause 27]
- Reference to guidelines will look like this: [VET Guidelines chapter 3]

For links to relevant legislation, VET Guidelines and Ministerial notices, see Appendix A.

Changes are made to legislation, VET Guidelines and Ministerial notices from time to time. The department recommends the latest versions of all resources be consulted. If there is any inconsistency between the content of the AIP and the provisions of the legislation, VET Guidelines or Ministerial notices, the provisions of these legislation, guidelines or Ministerial notices will prevail to the extent of the inconsistency. For a full list of the terminology used in the VET AIP, see Appendix B.

Changes for the April 2015 edition

Changes aim to clarify information previously provided, or incorporate new information resulting from amendments to HESA and the relevant Guidelines. See Appendix L for further details.

How VET FEE-HELP works

VET FEE-HELP is part of the Higher Education Loan Program (HELP) that aims to remove financial barriers to study.

VET FEE-HELP is available to entitled students, regardless of age or financial position. Entitled students enrol in a diploma, advanced diploma, graduate certificate or graduate diploma course of study (course), or a qualification specified in the VET Guidelines, with a registered training organisation (RTO) approved to offer VET FEE-HELP.

Entitled students requesting VET FEE-HELP must submit a completed Request for VET FEE-HELP Assistance form on or before the census date for the first VET unit of study for which they are seeking VET FEE-HELP.
The Commonwealth pays an entitled student’s tuition fees directly to the VET provider for the student. The student is not required to start repaying their VET FEE-HELP debt until their income is above the minimum income repayment threshold. The income repayment threshold is indexed annually in line with movement in the consumer price index.

As a student studies and accesses VET FEE-HELP to cover their tuition fees, the student incurs a VET FEE-HELP debt. The student incurs the debt based on a VET unit of study and not on the entire course. A 20 per cent loan fee is applied to the amount of VET FEE-HELP a student receives for each VET unit of study. The loan fee is not applied to subsidised students (see part 7.1).
2 Newly approved VET providers – the next steps

Requirements Pack

The newly approved VET provider is sent a Requirements Pack, which contains information to assist in operating as a VET provider. This pack also contains a number of forms and templates that must be completed and returned to the department as soon as possible. The newly approved VET provider is required to complete and return the following as a matter of priority:

- information for Study Assist website. This information may be emailed to TSEnquiries@education.gov.au;
- a completed Vendor Information Request form;
- a completed Reporting of Statistical Information form;
- completed Access to the Higher Education Information Management System (HEIMS) Applications and signed Terms and Conditions for Access to HEIMS forms for each individual officer requiring access

The department contacts the newly approved VET provider to arrange training in administering VET FEE-HELP. Attending training is strongly recommended prior to offering VET FEE-HELP to entitled students. Training is delivered in components, including operational training and the Higher Education Provider Client Assistance Tool (HEPCAT) training for data reporting (see part 12).

Newly approved VET providers are reminded that, post approval, students that would be entitled to VET FEE-HELP must have the option of using a HELP loan to pay their tuition fees for any courses meeting the course requirements. This also applies to existing students that may have been enrolled in courses prior to approval.

VET providers are reminded that VET FEE-HELP must be made available to entitled students in all diploma or above level qualifications they deliver or are intending to deliver. Accordingly, tuition assurance must be in place for these VET courses of study.

Advice is available for VET providers on administering the transition to making VET FEE-HELP available to existing students by emailing any questions to TSEnquiries@education.gov.au.

Information to be published

It is essential the VET provider makes all VET FEE-HELP information available to students by publishing the following on its website:

- schedule of VET tuition fees (see part 3.9);
- fair treatment and equal opportunity procedures (see part 4.3);
- student grievance procedures (see part 4.3);
- statement of tuition assurance or statement of tuition assurance exemption (see part 6);
- refund policy (see part 10.2);
- personal information procedures (see part 11.4)
The VET provider needs to ensure compliance with information publishing requirements, starting from approval.

It is essential that a VET provider publishes all policies and procedures relating to students who are eligible to access VET FEE-HELP assistance on its website.

**Eligible VET FEE-HELP courses**

Students may only access VET FEE-HELP for courses that meet course requirements [HESA Schedule 1A clause 45](#). A list of courses that have met these requirements is available in the HELP Information Technology System (HITS) (see [part 14.1](#)).

The onus is on the VET provider to ensure that additional courses meet the course requirements, including having tuition assurance coverage in place for all states of delivery, and ensure all entitled students are able to access VET FEE-HELP for courses offered. A statement of coverage for any new courses, or existing courses now offered, should be uploaded in HITS. See the HITS User Guide for more information on administering course information in HITS at [http://education.gov.au/help-it-system-hits-user-guide](http://education.gov.au/help-it-system-hits-user-guide).

HESA requires VET providers to have approved tuition assurance arrangements in place for all VET courses of study that meet the course requirements. There are, however, four situations in which HESA does not require a VET provider to have tuition assurance in place for a course. These are:

- the course is **not** being delivered;
- the course is being offered by an exempt VET provider;
- the course is open **only** to overseas students; or
- the course is open **only** to state-subsidised domestic VET students in a state or territory that has not yet implemented VET FEE-HELP for subsidised students
  - this does not apply to Victoria, South Australia, Queensland, Northern Territory and Western Australia, as state-subsidised students can access VET FEE-HELP in these jurisdictions
  - NSW and Tasmania will implement VET FEE-HELP for state-subsidised students from July 2014. ACT is expected to implement VET FEE-HELP for subsidised students in 2015.

Once a VET provider is approved, all courses that meet the course requirements, delivered by the VET provider, must be made available for VET FEE-HELP. VET providers should make relevant information available to existing entitled students who may wish to access VET FEE-HELP.

**First estimate for VET FEE-HELP payments**

Generally the Department will make advance payments of VET FEE-HELP based on the VET provider’s estimate of the VET FEE-HELP loans they expect will be accessed by the students. (see [part 13](#)).

The newly approved VET provider is required to submit its first estimate for VET FEE-HELP payments as soon as possible. The department will assess the estimate and determine the
amount of the advance to be paid. The newly approved VET provider will also need to complete the First Year Survey form, which may be accessed from the Estimates section in HITS (see part 13.1).

Transitioning continuing students to VET FEE-HELP

VET FEE-HELP must be made available to all continuing students that meet the entitlement requirements to access VET FEE-HELP (see part 7.1), in regard to units yet to be undertaken.

VET units of study must be developed for all VET courses of study including those for continuing students to allow entitled students access to VET FEE-HELP. Newly approved VET providers must prepare well in advance for this requirement (see part 3.1).

Access to VET FEE-HELP cannot be backdated for continuing students. Continuing students are not entitled to access VET FEE-HELP for any tuition undertaken prior to the VET provider’s approval. Students who commenced their course prior to VET provider approval are only entitled to VET FEE-HELP for any units of competency, or parts of units of competency, that have not yet been delivered, and that have been included in VET units of study. The start date for a VET unit of study cannot be before the date of VET provider approval.

Any tuition already delivered prior to VET provider approval is not able to be deferred under VET FEE-HELP. VET providers must not include units of competency, or parts of units of competency that students have already undertaken into VET units of study developed for those students.

A unit of competency that students have not yet undertaken must be incorporated in a VET unit of study thereby allowing entitled continuing students the option of accessing VET FEE-HELP.

A VET provider may develop several VET units of study with similar content if necessary to accommodate particular cohorts of continuing or new students. For example, a VET provider may choose to determine a VET unit of study for a particular cohort of continuing students, who may have already completed some of the units of competency in a course of study, and an additional VET unit of study that contains two extra units of competency to accommodate new students enrolling. It must be clear to students which VET unit of study and tuition fee applies to them.

There is no limit on the number of VET units of study a VET provider may develop. For further information on VET units of study (see part 3).

In developing VET units of study for continuing students, VET providers should be mindful of any tuition fees already paid. Some continuing students may have paid tuition fees in full in advance through deposits, or via periodic payment plans. In circumstances where the continuing student has paid upfront payments that cover the tuition fee for all of the tuition already received prior to approval no action is required by the VET provider.
In circumstances where the continuing student previously paid upfront payments that did not fully cover the tuition fee for all of the tuition already received, prior to approval, this fee recovery is outside of HESA.

In circumstances where the continuing student previously paid upfront payments that are in excess of the tuition fee that was required for tuition already received, prior to approval, the VET provider may apply the payments made to pay all or part of the remaining VET units of study tuition fees. This action must be only taken with discussion with continuing students and with their agreement.

A student may elect to defer the entire tuition fee for a VET unit of study under VET FEE-HELP, at which point a VET provider should consider returning that upfront payment if requested by the student. This decision will be based on refunding payments according to arrangements the VET provider has in place.

It is important that students are provided with clear information on whether or not the return of upfront payments will be made if requested.

A student is able to withdraw from a VET unit of study on or before the census date and the VET provider must refund any upfront payments made. This would include any deposits of payments made by the continuing student that have been attributed to the VET unit of study. A VET provider’s business processes must support these requirements.

Reporting under HESA is undertaken on a VET unit of study basis not on a unit of competency basis. As previously enrolled students were not enrolled in VET units of study then this tuition is not required to be reported.

If a VET provider is unsure whether the arrangements intended to be applied to transitioning continuing students meet requirements under HESA, confirmation can be obtained by emailing TSEnquiries@education.gov.au for advice.
3 Courses and VET units of study

VET units of study

A VET unit of study may contain one, more than one, or part of one (or more) units of competency. For the purposes of VET FEE-HELP, the number of units of competency included in a VET unit of study is not considered, although VET providers are reminded of the HESA requirement that only units that contribute to the specified qualification can be included (see part 3.2).

The VET provider may set and charge students tuition fees for VET units of study. The tuition fee charged for each VET unit of study is the amount entitled students may defer through VET FEE-HELP.

Units of competency and VET units of study

VET units of study must include one or more units of competency, or parts thereof, which are listed as part of the VET qualification in the relevant National Training Package or VET Accredited Course.

Units of competency that are not listed in the relevant National Training Package or VET Accredited Course as part of the course of study leading to a diploma or above level qualification are not eligible for VET FEE-HELP and are not able to be included in a VET units of study. For example, units of competency that are pre-requisites or entry requirements are not able to be included in VET units of study. For more detailed explanation and some scenarios to assist VET providers in understanding what is allowed to be incorporated in VET units of study see Appendix K.

Eligible VET units of study are units undertaken as part of a course. The course must meet the course requirements for VET FEE-HELP [HESA Schedule 1A clause 45]. VET FEE-HELP is only available for VET units of study that form the following VET qualifications:

- diploma;
- advanced diploma;
- graduate certificate;
- graduate diploma; and
- a qualification as specified in the VET Guidelines¹.

Eligible courses for which students may access VET FEE-HELP must be listed in the VET provider’s scope of registration on the National Register available at: http://training.gov.au.

Qualifications are added to the VET provider’s scope of delivery by the Australian Skills Quality Authority (ASQA) or the relevant state registering body.

¹ Additional qualifications may be specified in the VET Guidelines. A certain limited number of certificate IV courses in certain states will be eligible for VET FEE-HELP for state subsidised students only. Further detail will be available on http://education.gov.au/help-noticeboard on commencement of the certificate IV Trial in some states.
Entitled students may only access VET FEE-HELP for the minimum VET units of study required to be awarded the qualification. Entitled students cannot access VET FEE-HELP for additional VET units of study once the requirements of the course have been met [HESA Schedule 1A clause 45A].

VET FEE-HELP is not available for VET units of study:

- where the student is doing more VET units of study than is required to receive the qualification (this does not mean more competencies than the minimum needed, however, all competencies must be listed as part of the qualification in the training package);
- that contain competencies that are not a part of the diploma, advanced diploma, graduate certificate, graduate diploma or a qualification as specified in the VET Guidelines (for example, prerequisite units cannot be included); or
- that contains competencies that are part of a certificate I, II, III or IV qualification, that are not listed as part of the diploma, advanced diploma, graduate certificate, graduate diploma or a qualification as specified in the VET Guidelines.

Activating courses for HELP in HITS

A VET provider approved to deliver VET FEE-HELP must comply with the tuition assurance requirements set out in the VET Guidelines and demonstrate that tuition assurance is in place for each course of study the provider provides in each state and/or territory.

With the removal of credit transfer arrangements, all diploma level and above courses are now available for VET FEE-HELP. Any student that meets the eligibility requirements defined in HESA is entitled to access VET FEE-HELP.

Activating a course has been simplified in HITS. When a course has been added to a VET provider’s scope on training.gov.au, it is automatically listed in HITS. The VET provider has responsibility for adjusting the course status from ‘Details Required’ to ‘Active’ once tuition assurance has been purchased and documentation has been uploaded to HITS. For further assistance, refer to the HITS User Guide, available at [http://education.gov.au/help-it-system-hits-user-guide](http://education.gov.au/help-it-system-hits-user-guide).

VET providers are not able to report data against a course unless the course has, or had, a status of ‘Active’ in HITS as the activation will copy this course for data reporting to HEPCAT.

VET providers are reminded the department undertakes ongoing monitoring of VET providers to assist in continued compliance with the VET quality and accountability requirements defined in Division 4 of Schedule 1A to HESA.

VET unit of study and course structure

The VET provider determines how to structure its courses. For the purpose of VET FEE-HELP, each course must comprise of VET units of study. Students may access VET FEE-HELP for VET units of study they take with the VET provider as part of a course [HESA Schedule]
1 clause 1]. VET units of study offered in different periods are classed as different VET units of study for the purposes of VET FEE-HELP [HESA Schedule 1A subclause 67(1)].

Courses may already be structured into modules or subjects that students undertake to complete their course. The VET provider may elect to use these modules or subjects as VET units of study for the purposes of VET FEE-HELP. Alternatively, the VET provider may group modules or subjects together into a larger VET unit of study, or elect that a course will consist of only one VET unit of study. There may be administrative issues associated with having numerous VET units of study. The VET provider should consider this when deciding how to structure courses into VET units of study.

Students do not incur a financial liability for a VET unit of study until after the census date for that VET unit of study (see part 3.4). This applies to all entitled students, whether they pay their tuition fees upfront or seek VET FEE-HELP.

**Census dates**

The VET provider must set census dates for each VET unit of study that it intends to provide each year [HESA Schedule 1A subclause 67(1)]. The census date is the date after which a student incurs a debt for the VET unit of study in which they are enrolled [VET Guidelines paragraph 1.3].

Students must be able to clearly identify which census date applies to them. The census date must be no less than 20 per cent of the way between the unit commencement and completion dates. [VET Guidelines paragraph 7.4.1].

There is no requirement to submit this information to the department. However, the department may request that previously published unit of study information be provided as part of student support activities.

**VET unit of study duration and census dates**

The VET provider determines the duration of VET units of study, and VET unit of study duration determines census dates. Census dates cannot be set earlier than 20 per cent of the way through the VET unit of study [VET Guidelines paragraph 7.4.1].

A VET unit of study must only have one census date. VET units of study spanning more than one teaching period will still only have one census date for each teaching period. VET units of study offered at multiple times throughout a year are separate VET units of study for the purposes of VET FEE-HELP.

The duration of the VET unit of study should include any normal study breaks, assessments and/or exam periods. Supplementary exams should not be included, as all students do not normally undertake these. If final exam dates are unknown, the last day of the exam period is used as the end of the VET unit of study. Census dates must not fall on a day when the VET provider is not open to students unless the withdrawal process is online or by email, then the census date can fall on non-business days. If a VET unit of study does not include a final exam, exam periods should not be included.
A census date calculator is available on the department’s website at: http://education.gov.au/approved-vet-provider-information

Examples

- A VET unit of study has a start date of 2 February 2014 and an end date of 2 October 2014. The census date cannot be set before 24 March 2014, which is 20 per cent of the way through the VET unit of study.
- If using a Microsoft Excel workbook, the formula =((B1-A1)*0.2)+A1 may be used, where column A equals commencement date and column B equals completion date.

Setting common census dates

The VET provider may set a common census date for multiple VET units of study, providing the minimum 20 per cent requirement be applied across all VET units of study.

Examples

- Unit 1: Start date 02/02/14, End date 30/09/2014, Earliest census date 24/03/2014
- Unit 2: Start date 02/02/14, End date 30/06/2014, Earliest census date 03/03/2014
- Unit 3: Start date 02/02/14, End date 15/12/2014, Earliest census date 07/04/2014
- The common census date for all three VET units of study cannot be before 07/04/2014.

Flexible enrolments

A census date to accommodate rolling intakes or flexible enrolments can be a statement defining when the census date falls. VET unit of study census dates cannot be earlier than 20 per cent of the way through the VET unit of study.

Examples

- This is a 25 week online VET unit of study. The census date falls on day one of week 6 from the date that you started this VET unit of study. The census date will be listed against your unit list, in the census date column, when you start the unit.
- All VET units of study in this online course are to be completed within 10 weeks. The census date for each VET unit of study falls on day one of week 3 from the date that you started this VET unit of study. You will be emailed the census date by the online system when you start the unit.

Publishing census dates

The VET provider must publish census dates for each VET unit of study it provides or intends to provide on or before the earliest enrolment date for the units of study, enabling students to access information about the census date before they enrol. For more information on publishing requirements (see part 3.14).

Withdrawing from a VET unit of study

A student must be able to withdraw from a VET unit of study on or before the census date. If the withdrawal process requires a student to submit a document to a particular person or location, then the census date must be set on a business day when submission is possible.
If the withdrawal process is online or by email then the census date can fall on non-business days.

The department is aware that some VET providers require students, wishing to withdraw from units of study, to attend a withdrawal interview, submit reasons why they are intending to withdraw or undertake other steps as part of the withdrawal process.

Some VET providers also set an incidental fee as a disincentive to late withdrawals from units of study. This type of incidental fee is permissible under HESA, however, the fee is only able to be set as a disincentive, and cannot be set to cover administrative costs or to raise revenue.

VET providers are reminded their administrative processes must support the provision of assistance under HESA, and therefore administrative processes must be in place to allow students to be able to withdraw from units of study on or before the census date. VET provider withdrawal policies and processes or late withdrawal fees must not prevent students from being able to withdraw from units of study on or before the census date.

VET providers should also ensure students are made aware of withdrawal requirements. Staff likely to provide advice to students should also be aware of correct withdrawal procedures, or be able to direct students to accessing correct information regarding withdrawal so that students are not misled.

A student who enrols in a unit of study, but withdraws on or before the census date, is not liable for the tuition fee for that unit. Where a student withdraws from a unit of study on or before the census date for that unit, the VET provider must repay to the student any tuition fee payment made on or before that date.

**Equivalent full-time student load**

Equivalent full-time student load (EFTSL) is a measure of the study load based on a student undertaking a course on a full-time basis over an academic year.

An academic year is determined by the VET provider based on their operations. For example, if a VET provider closes for the entire month of December and January then the academic year is ten months and EFTSL is calculated accordingly. There are no barriers to VET providers mirroring the Full Year Training Equivalent (FYTE) values when calculating or reporting EFTSL.

A full time load is determined by the VET provider. A student studying at less than a full-time student load would incur an EFTSL less than 1.0. For example, EFTSL for a part-time student undertaking half of the full-time student load would be 0.5; a quarter of the full-time student load would be 0.25 and so on.

The VET provider may use a number of methods to determine student load. For example, students may have to obtain a credit point minimum, undertake a certain number of VET units of study or complete a minimum of nominal hours to achieve an EFTSL of one.
For the purposes of VET FEE-HELP data reporting and estimating advance payments (see part 13), the VET provider determines the student load for each course and VET unit of study.

A VET provider may also publish the EFTSL value for each VET unit of study it provides or proposes to provide if this is information is needed by their students or to facilitate ease of reporting. For more information on publishing requirements (see part 3.14).

Determining EFTSL values for VET units of study

The VET provider determines the relevant EFTSL value for each VET unit of study that makes up each course it offers. The EFTSL value of a VET unit of study is determined by calculating the proportion of the full-time study load of one academic year the VET unit of study covers.

When calculating the length of VET units of study, the VET provider must include supervised and unsupervised learning or training necessary to cover the material associated with the delivery and assessment of the VET unit of study and time spent in workplace learning or industry placement.

Examples

- The course is delivered over one academic year. Students undertake eight VET units of study of equal duration to complete the course. The EFTSL value of each VET unit of study would be 0.125 (one eighth of the academic year EFTSL of 1.0).
- The course is delivered over two academic years and consists of 12 VET units of study. Students undertake six VET units of study in each year. Of each of the six VET units of study, four are delivered over 10 week periods and two are delivered over 20 week periods. The EFTSL value for the VET units of study delivered over 10 weeks would be 0.125 (one eighth of the full year EFTSL of 1.0) and the VET units of study delivered over 20 weeks would be 0.25 (one quarter of the academic year EFTSL of 1.0).
- The course is delivered over half of one academic year. Students undertake eight VET units of study of equal duration to complete the course. The total EFTSL for a course completed over half of one academic year would be 0.5 (one-half of the academic year EFTSL), therefore each of the eight VET units of study would have an EFTSL value of 0.0625 (one eighth of the total course EFTSL of 0.5).

The same principle applies to the use of nominal hours or credit point allocation. The VET provider must determine the standard full-time study load for an academic year before calculating the proportion of the load that a VET unit of study covers.

The total EFTSL of all VET units of study for a full-time academic year must be as close to 1.0 as possible. There is no restriction on the number of decimal places for each EFTSL. When reporting data to the department, it may be necessary to limit the decimal places of some calculations.
Restricted access arrangement courses

A restricted access arrangement course is an agreement between the VET provider and an employer or industry body. The VET provider undertakes to provide a course or places in the course and enrolment is limited or restricted to employees of the employer or affiliates of the industry body [HESA Schedule 1 clause 1].

This gives the VET provider greater flexibility to meet specific training needs of employers and industry bodies. Students enrolled in courses with restricted access arrangements are still able to access VET FEE-HELP.

While census dates must be determined for restricted access arrangement courses, VET providers are not required to publish a schedule for these VET units of study, however VET providers are required to make unit of study information, such as tuition fees and census dates, available to relevant students and, on request, to the department on or before the earliest enrolment date. The VET provider may upload their restricted access arrangement schedules to the 'Documents List' in HITS.

Setting tuition fees

The VET provider must determine one tuition fee, or more when applicable, for each VET unit of study it offers in a year [HESA Schedule 1A subclause 27(2)]. This applies to all VET units of study in all courses, including VET units of study where:

- the VET provider does not expect entitled students to enrol;
- the VET unit of study is being taught onshore in Australia or partially at an overseas campus;
- various methods of delivery are used, including distance education, online, on-campus, remote location or through a third party arrangement.

If the VET unit of study is part of a course undertaken by the student primarily at an overseas campus, the student is not entitled for VET FEE-HELP (see part 7.1).

Tuition fees and charges

As VET FEE-HELP may only cover tuition fees, any other fees and charges must be borne by the student. Students should be able to complete the requirements of their course without the imposition of fees that are additional to tuition fees (see part 4.5). A tuition fee includes any:

- tuition, examination or other fee payable to the VET provider by a student or person seeking to enrol with the VET provider; and
- a fee payable to the VET provider in respect of the granting of an award at the diploma, advanced diploma, graduate certificate, graduate diploma or a qualification specified in the VET Guidelines [VET Guidelines paragraph 7.3.1 and paragraph 8.2.1].

A tuition fee does not include a fee that is payable in respect of:

- organisations of students, or of students and other persons; or
- the provision to students of amenities or services that are not of an academic nature; or
- residential accommodation; or
- special admissions tests; or
- goods or services that are in addition to tuition fees that are referred to in the VET Guidelines as being incidental to the student’s studies (see part 4.5) [VET Guidelines paragraph 7.3.1 and paragraph 8.2.1].

### Special admissions tests

The VET provider may charge fees for special admissions tests that judge the suitability of a person seeking to enrol in a specialist course. This may include specialist auditions, tests or interviews that form an important part of the enrolment process for entry into courses where the demonstration of special expertise is required prior to admission [VET Guidelines paragraph 7.3.1]. Special admissions tests are different to normal admissions services for which the VET provider must not charge a fee. The VET provider must be able to justify a fee for special admissions tests.

### Determining more than one tuition fee

The VET provider may determine more than one tuition fee for each VET unit of study within a course. However, the VET provider cannot determine more than one tuition fee based on the timing or manner of the payment. The tuition fee cannot be based on when the VET provider receives the payment from the student or the Commonwealth [VET Guidelines paragraph 7.3.1].

If more than one tuition fee is determined, the VET provider must comply with the fairness provisions and treat all students and persons seeking to enrol equally and fairly [VET Guidelines paragraph 5.2.1].

### Publishing requirements

A VET provider must publish a schedule of tuition fees that covers all VET units of study that it provides or proposes to provide. Census dates (see part 3.4) for each VET unit of study it provides or proposes to provide must also be published. To meet publishing requirements, a VET provider must make this information publicly available on its website. Additional publication methods may include printed handbooks or any other method that will adequately bring the information to the attention of students and prospective students.

### Schedule of tuition fees

A VET provider must publish a schedule of VET tuition fees and census dates (schedule) for all VET units of study that it provides or proposes to provide, for both full fee-paying and state government-subsidised students, on or before the earliest enrolment date for units of study, enabling students to access information about fees before they enrol.

When more than one tuition fee for a VET unit of study has been set, the schedule must give enough information to enable a person to work out which tuition fee applies to them [HESA Schedule 1A subclause 27(3) and paragraphs 28(2)(a) and 28(2B)(a)].

To ensure a student is able to clearly identify which tuition fee applies to them, the schedule should include the following unit of study information as applicable:
- VET course of study name(s)
- VET unit of study name(s)
- VET unit of study code(s)
- Delivery location(s)
- Delivery mode(s)
- VET unit commencement date(s)
- VET unit completion date(s)
- VET unit census date(s)
- VET unit tuition fee(s)
- Specific period for which the schedule applies
- RPL VET units of study (if offered) and associated tuition fees

Where a VET provider offers VET courses of study and access to VET FEE-HELP to state government-subsidised students, the schedule must clearly inform the student of the tuition fees they will incur.

If applicable, where the actual VET tuition fee payable for a VET unit of study is subject to a maximum allowable annual student contribution amount, this should be clear to subsidised students from the information published in the schedule. The schedule must also include information that enables students to understand any other circumstances or factors that affect the actual VET tuition fee that is payable by them for each VET unit of study.

For VET units of study that are offered under restricted access arrangements a VET provider is not required to publish on its website but must make the schedule available to students on or before the earliest enrolment date for units of study.

There is no specific format required for published schedules. It is open to providers to display the information on their website in their individual style, using tables, spreadsheets, information cascades, or other web based systems. It must be clear to students which tuition fee applies to them.

EFTSL values may also be published but are not mandatory (see part 3.14).

**Schedule publication requirements**

VET providers are required to publish schedules (tuition fee and unit of study information) on their website on or before the earliest enrolment date for units of study, enabling students to access information about fees before they enrol.

VET providers are not required to submit schedules to the department or upload them into HITS. Publishing the unit of study information on the VET provider’s website satisfies the requirement for submission of this information to the Minister. The department may request this information as part of student support activities at any time. VET providers should ensure previously published fee and census date information is able to be provided to the department if requested.
Non-publication for restricted access arrangements

The publication requirements do not apply to courses provided under restricted access arrangements (see part 3.7). There is no requirement to publish and make publicly available the schedule of tuition fees for the VET units of study offered under restricted access arrangements [HESA Schedule 1A subclause 28(2B)]. If a VET unit of study includes regular and restricted access arrangement students, the VET provider must publish a schedule for students not covered by the restricted access arrangements.

Schedule access

The VET provider must make available its schedule of tuition fees on request and at no charge to all persons [HESA Schedule 1A paragraph 28(2)(c)]. Tuition fee information for VET units of study offered under restricted access arrangements must be provided on request and at no charge to all students [HESA Schedule 1A paragraph 28(2B)(b)].

Providing the Minister with the schedule

Amendments to VET Guidelines for VET providers and higher education providers were signed by the Minister on 3 August 2013, and are now in effect.

The change removed the requirement for VET providers to submit schedules to the department on 1 October and 1 April each year and the requirement to publish schedules on the VET provider's website. VET providers must publish schedules on their website on or before the earliest date of enrolment (see Part 3.10).

Variations to the schedule

VET providers do not need to notify the department of variations to a tuition fee or census date that do not disadvantage students, but must publish the replacement schedule or varied census dates on their website as soon as practicable after making that decision.

Ministerial approval will still be required for proposed variations that will disadvantage students such as increased fees or bringing the published census date forward in time.

Schedule variations without Ministerial approval

A VET provider may only change a published schedule of tuition fees if the change does not disadvantage students and:

- it is necessary due to circumstances that did not apply at the time the tuition fee or census date was determined; or
- it is to correct an administrative error [VET Guidelines paragraph 7.5.1].

A VET provider does not need to notify the department of variations that do not disadvantage students. If unit of study information changes after publication, and the changes do not disadvantage students, VET providers must update the published information on their website as soon as practicable following the decision to make the variation.
Schedule variations with Ministerial approval

Ministerial approval is required for proposed variations that will disadvantage students, such as increased fees or bringing the published census date forward in time.

VET providers can request approval to make these types of variations by uploading the request into HITS. See the chapter on ‘Uploading a Document’ HITS User Guide for further information http://education.gov.au/help-it-system-hits-user-guide.

The request must provide all information and include:

- the name of the affected VET unit of study and VET unit of study code;
- the course to which the VET unit of study form part;
- what change is being made;
- details of when the VET provider first became aware of the need to change;
- the commencement date for the VET unit of study;
- the end date for the VET unit of study;
- the current census date for the VET unit of study;
- the last day a person may enrol in the VET unit of study without incurring a penalty;
- the number of students who are eligible for VET FEE-HELP and enrolled in the VET unit of study;
- whether the students have been advised of the possible variation; and
- why the Minister should approve the request.

The Minister will give written advice of the decision. VET providers are not required to submit varied schedules to the department or upload them into HITS.

EFTSL values, and publishing EFTSL

VET providers are required to calculate the EFTSL value for each unit of study and report the EFTSL value as part of the VET FEE-HELP data submission. The VET provider may choose to include the EFTSL value on the student’s Commonwealth Assistance Notice (CAN), which must be provided to students within 28 days of the census date.

How do VET providers determine EFTSL values for VET units of study?

A VET provider is required to calculate EFTSL so that it can be reported to the department as part of the VET FEE-HELP data submission. EFTSL is used by the department in checking payment estimates calculations.

Study load for a unit of study is expressed as a proportion of the standard study load for one full-time academic year of the course of study of which the unit forms a part. This is determined by a VET provider.

Aggregated EFTSL values for units of study undertaken by a full-time student doing a standard study load for one academic year of a course of study would normally add to 1.0.

Standard annual study load for a course of study is a set of units of study which a student would undertake full time in a full academic year at a pace which would enable the student to complete the course in a standard timeframe as determined by the VET provider.
Publishing EFTSL

A VET provider may choose to publish on its website the EFTSL value for each VET unit of study it provides or proposes to provide.

Publication of the EFTSL value for VET units of study on websites is not mandatory for VET providers. Dual sector providers approved under HESA as both VET providers and higher education providers must publish the EFTSL value for higher education units of study.
4 Quality and accountability requirements

The VET provider must continue to comply with the following quality and accountability requirements:

- financial viability requirements;
- quality requirements;
- fairness requirements;
- compliance requirements;
- fee requirements; and
- any other requirements set out in the VET Guidelines, including:
  - the Standards for National VET Regulator (NVR) RTOs; and
  - the Australian Qualification Framework (AQF) for jurisdictions that are referring states or territories under the National Vocational Education and Training Regulator Act 2011 (NVR Act); and
  - the Australian Quality Training Framework for jurisdictions that are non-referring states or territories under the NVR Act.

VET provider policies and procedures relating to these requirements must be published and made publicly available on the VET provider’s website. Additional publication methods may include printed handbooks or any other method that will adequately bring the information to the attention of students and prospective students.

From 1 April 2015, inducements such as cash, meals, prizes, vouchers, iPads or laptops to encourage potential students to enrol in a VET course of study and sign up for VET FEE-HELP loans will be prohibited in accordance with the VET Guidelines 2015. Additionally, a VET FEE-HELP provider will not be able to enrol a person who has been offered an inducement to enrol in a VET course of study.

Financial viability requirements

The VET provider must be financially viable and must be likely to remain financially viable [HESA Schedule 1A clause 14]. The department may take into account all relevant information when considering whether the VET provider continues to meet financial viability requirements. The VET provider must meet these ongoing requirements, including any alternative or additional written arrangements agreed to by the Minister.

The VET provider must submit sufficient information to assist the Minister in assessing the level of risk associated with its financial viability. This information should include audited financial statements and be submitted on a commercial-in-confidence basis.

The Financial Viability Instructions for Approved VET Providers (FVIAP) advises the VET provider on what financial information is required and how financial viability is monitored. The FVIAP is available from the department’s website at: http://education.gov.au/ongoing-requirements
Financial viability assessment process

Annual financial statements must be provided in the form approved by the Minister within six months after the end of the VET provider’s annual financial reporting period [HESA Schedule 1A clause 15].

The VET provider is required to provide and upload into HITS all financial information set out in the FVIAP, including financial statements in the prescribed form. VET providers are also required to complete the Financial Performance in HITS. This information is used to assess the VET provider’s financial viability.

The VET provider must notify the department of any event that may significantly affect its capacity to meet the quality and accountability requirements, including the financial viability requirements [HESA Schedule 1A clause 25].

Quality requirements

The VET provider must operate and continue to operate at an appropriate level of quality. VET providers regulated by ASQA must meet the VET Quality Framework’s Standards for NVR RTOs and the AQF. VET providers regulated by state registering bodies must meet the requirements of the Australian Quality Training Framework.

Fairness requirements

The fairness requirements include:

- equal benefits and opportunity for students [HESA Schedule 1A subdivision 4-D and VET Guidelines chapter 5];
- student grievance and review procedures [HESA Schedule 1A clause 19];
- tuition assurance (see part 6) [HESA Schedule 1A clause 20];
- review officer appointments [HESA Schedule 1A clause 21-22]; and
- personal information procedures [HESA Schedule 1A clause 23].

The VET provider is required to demonstrate willingness and ability to meet these requirements in the VET FEE-HELP approval process. All VET providers must continue to comply with these requirements.

Compliance requirements

The compliance requirements include:

- providing the Minister with a statement of general information, including statistical and other information, regarding the provision of VET by the VET provider and the VET provider’s compliance with VET FEE-HELP requirements [HESA Schedule 1A clause 24];
- informing the Minister of any event that may significantly affect the VET provider’s capacity to meet the quality and accountability requirements [HESA Schedule 1A subclause 25(1)];
- informing the Minister of any event that may significantly affect whether the VET provider would still be approved if currently applying, or if there would be any grounds for revoking VET provider approval [HESA Schedule 1A subclause 25(2)].
providing the Minister with a copy of any notices given to the NVR regarding material changes, at the same time the notice is given to the NVR [HESA Schedule 1A clause 25A]; and

- co-operating fully with compliance audits regarding any of the VET quality and accountability requirements [HESA Schedule 1A clause 26].

The statistical and other information requirement includes data file elements (see part 12.3) and schedules of tuition fees (see part 3.9). The VET provider must inform the Minister, in writing, of any event that may significantly affect the VET provider’s capacity to meet the quality and accountability requirements [HESA Schedule 1A clause 25]. For example, the VET provider should submit advice when there is a change in directors or persons that make, or participate in making, decisions that affect the whole, or a substantial part, of the body’s affairs, or if there is a change in the body’s structure.

**Compliance audits**

The VET provider may be audited against its compliance with one or more of the following quality and accountability requirements:

- the financial viability requirements;
- the fairness requirements;
- the compliance requirements;
- the fee requirements; and
- other requirements for quality and accountability set out in the VET Guidelines.

The Minister will determine the body to conduct the audit, the timing and the manner of the audit. The VET provider must fully co-operate with the auditing body and pay the auditing body for the costs of the audit [HESA Schedule 1A clause 26].

**Fee requirements**

The VET provider is required to meet the fee requirements. These requirements include matters relating to:

- the determination of tuition fees [HESA Schedule 1A clause 27] (see part 3.8);
- the publication of a schedules of tuition fees [HESA Schedule 1A clause 28] (see part 3.10); and
- the charging of fees related to VET units of study, courses or matters or things for which fees may be charged [HESA Schedule 1A clause 27A].

While HESA does not regulate tuition fees, it does set out requirements around how tuition fees are charged through chapter 7 and chapter 8 of the VET Guidelines.

**Tuition fees**

Students may access VET FEE-HELP to defer the upfront cost of tuition fees. As VET FEE-HELP may only cover tuition fees, any other fees and charges must be borne by the student. Students should be able to complete the requirements of their course without the imposition of fees that are additional to tuition fees. While it is expected that fees for particular goods and services are unavoidable, the requirements around fees that are incidental to study are to help ensure that any upfront costs to students are kept to a minimum.
Fees that are incidental to study

If the VET provider determines that fees for particular goods and services are unavoidable and do not fit into the tuition fee, the VET provider may charge fees in addition to the tuition fee, as long as those fees meet the categories for incidental fees set out at chapter 8 of the VET Guidelines. Students may not access VET FEE-HELP to defer the cost of incidental fees.

There are four separate categories for fees that are incidental to study. The categories for determining whether a fee is an incidental fee for the purposes of VET FEE-HELP are set out below.

Incidental fees and charges

- Goods or services not essential to the course
  - [VET Guidelines subparagraph 8.2.1(a)]
  - access to internet and computer facilities, except where these are required as part of a course
  - printing of notes from the internet or disc
  - graduation ceremonies where students are not required to attend the ceremony to obtain their award

- Alternative forms of access to goods or services essential to the course, but is otherwise readily available at no additional cost by the VET provider
  - [VET Guidelines subparagraph 8.2.1(b)]
  - lecture notes or recordings, provided that lectures are made readily available to students free of charge
  - electronic provision of essential information if the information is also made readily available free of charge in another form
  - reading material, such as anthologies of required readings, provided these texts are also made readily available free of charge

- Essential goods or services that students have the choice of acquiring from a supplier other than the VET provider and is for:
  - equipment or items that become the student’s physical property and not consumed in the course
    - [VET Guidelines subparagraph 8.2.1(c)(i)]
    - artwork supplies
    - fabric for sewing class
    - musical instruments
    - protective clothing or footwear
    - tool kits
    - stethoscopes
    - dance shoes
    - reference texts
    - meals, snacks, beverages
    - bus tickets or airfares
    - hotels or camping fees
  - food, transport and accommodation costs associated with the provision of field trips that form part of the course
    - [VET Guidelines subparagraph 8.2.1(c)(ii)]
    - fines or penalties for late enrolments, late variations to enrolments, late withdrawals from a course
    - review of grade if a student has already passed the subject, but is seeking to improve their grade

Fines or penalties imposed principally as a disincentive and not to raise revenue or cover administrative costs
- [VET Guidelines subparagraph 8.2.1(d)]
- Examples provided are for guidance only and do not represent an exhaustive list. For more examples and explanations see Appendix J.

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Fines or penalties and administrative dates

The VET provider may impose a fine or penalty on students who undertake actions after an administrative or withdrawal date if the fine or penalty is imposed principally as a disincentive and not to raise revenue or cover administration costs.

An administrative date is a date that is set earlier than the census date for a VET unit of study (see part 3.4), by which time the VET provider may require a student to undertake certain actions to avoid incurring a fine or penalty. For example, students may be required to submit their Request for VET FEE-HELP Assistance form by an administrative date. If students submit their form after this date, the VET provider may charge a late submission fee.

Guidance on setting fines or penalties and administrative dates

The VET provider must treat all of its students and those seeking to enrol with the VET provider equally and fairly [VET Guidelines paragraph 5.2.1]. If the VET provider chooses to impose a fine or penalty on students who do not meet an administrative date, it should take into account when setting the amount of the fine or penalty as a deterrent value only.

The setting of different fines or penalties, or having a policy of varying refunds depending on the timing of withdrawal from a VET unit of study, is inconsistent with its purpose as a deterrent only. This may amount to revenue raising or covering administrative costs, which is not permitted under the VET Guidelines [VET Guidelines subparagraph 8.2.1(d)].

The setting of an administration date does not affect a student's liability for VET FEE-HELP. The student does not incur a VET FEE-HELP debt until after the census date.

What is not a fee incidental to study for the purposes of VET FEE-HELP

Where the VET provider requires students to purchase a good or service from a third party, and does not itself charge for or supply that good or service, it does not meet the categories of an incidental fee. For example, the VET provider may require students to attend a particular event or exhibition where the student is required to arrange their own transport and pay any admission cost. However, where the VET provider arranges transport and admission to the event and then charges students a fee to cover the cost, this would be a fee incidental to study [VET Guidelines subparagraph 8.2.1(c)(ii)].

It is recognised that VET providers can choose to deliver units of study as part of a field trip or study tour. While it is allowable for students to pay the VET provider directly for the associated food, transport and accommodations costs which the student may acquire from a supplier other than the VET provider, they are clearly defined as incidental fees in the VET Guidelines and cannot be included in tuition fees.

While the VET provider may charge fees for other services, such as special admissions tests or auditions, student services and amenities, residential accommodation and membership of student organisations, these do not meet the incidental fees categories set in the VET Guidelines.
Goods and services for which a separate fee may not be charged

The following examples are the kinds of goods and services for which the VET provider should not charge separate fees.

**Example**

- course materials, such as subject outlines, reading lists, tutorial or seminar topics and problems, assignment and essay questions and requirements or guidelines for the presentation of work;
- access to library books, periodicals and guides;
- clinic, laboratory or workshop materials such as anaesthetics, chemicals, filters, fuel, fertilisers, animal feed or crops used in practical sessions or research;
- access to computers or other online resources;
- admissions services including application fees or enrolment fees, except for special admissions tests;
- examinations or assessments, including practical assessment, for example, which requires the services of musical accompanists;
- reassessment of results where a student has failed an assessment and thereby failed a subject or VET unit of study;
- mailing charges associated with distance education; and
- course notes provided as part of distance education.

Examples provided are for guidance only and do not represent an exhaustive list. For more examples and explanations see Appendix J.

**Inducements to enrol**

From 1 April 2015, inducements, such as cash, meals, prizes, vouchers, iPads or laptops to encourage potential students to enrol in a VET course of study and sign up for VET FEE-HELP loans will be prohibited. Additionally, a VET FEE-HELP provider will not be able to enrol a person who has been offered an inducement to enrol in a VET course of study.

In accordance with the Quality and Accountability requirements [HESA Schedule 1A subdivision 4C], this proposal will be implemented from 1 April 2015 in accordance with the VET Guidelines 2015.

**Tuition fee refund policy**

Students do not incur liability for a VET unit of study until after the relevant census date, which cannot be earlier than 20 per cent of the way through the VET unit of study [VET Guidelines paragraph 7.4.1]. This applies to all entitled students, regardless of whether they pay tuition fees upfront or seek VET FEE-HELP.

If a student withdraws from a VET unit of study on or before the relevant census date, the VET provider must repay the student the related tuition fees paid for the VET unit of study.
This does not apply where tuition assurance has been activated because the VET provider ceases to provide the VET unit of study (see part 6) [VET Guidelines paragraph 8.4].

While the VET provider may require students to follow specified withdrawal procedures, students are not required to apply for a refund. Student withdrawal is sufficient action to warrant refund. The VET provider is not required to refund upfront payments where students withdraw from VET units of study after the relevant census date (see part 3.4).

Refunds refer to the VET provider reimbursing students upfront tuition fee payments and do not refer to the remission of a VET FEE-HELP debt.
5 Third party or partnership arrangements

What is a third party arrangement?

A third party arrangement, sometimes referred to as a partnership, is an arrangement between a VET provider and another organisation, including a wholly owned subsidiary of the VET provider, for the delivery of some or all of a course where the VET provider is to grant the academic award. This relationship is one of principal and agent. Students undertaking these courses must be enrolled with the VET provider.

The VET provider is the principal and must carry full responsibility for all aspects of delivery, including quality and standards, teaching by qualified staff, adequate resources and facilities, and adequate measures to protect the welfare of students.

It must be made clear and transparent in all documentation and marketing material the VET provider is the approved VET provider.

The partnership agreement must not contain clauses that fall outside of what is allowable under HESA. For example the agreement may state the partner organisation can determine additional tuition fees for VET units of study. This is not allowable under HESA. The VET provider can set a different fee for tuition at the partner provider or develop a separate set of VET units of study for the partner provider.

It is important that all VET FEE-HELP information is available to students as if they were studying at the VET provider. It is the VET provider’s responsibility to ensure the partner’s website does not contain incorrect or misleading VET FEE-HELP information.

All contact with the department, including requests for publications, must be made by the VET provider and not the third party or partner.

The VET provider is required to comply with all the requirements in HESA including:

- student eligibility for VET FEE-HELP assistance (see part 7.1);
- the determination of EFTSL values and census dates for VET units of study (see part 3.6 and part 3.4);
- publishing and reporting requirements (see part 3.4 and part 12); and
- considering applications for re-crediting a student’s FEE-HELP balance in respect of the VET units of study that form part of the course (see part 10).

Any new partner arrangements are also a reportable event for VET providers, and any new partnership arrangement documents should be uploaded into HITS.
6 Tuition assurance requirements

The VET provider must comply with tuition assurance requirements [HESA Schedule 1A clause 6 and clause 20]. The objective of the tuition assurance requirements is to protect students if the VET provider ceases to provide the course they are undertaking. All students eligible for VET FEE-HELP, enrolled in the course must be offered the choice of either:

- the course assurance option, which allows a student to enrol in a similar course which leads to the same or a comparable qualification at another VET provider and receive full recognition of any successfully completed VET units of study, or as much credit as possible for successfully completed VET units of study [VET Guidelines paragraph 3.3]; or
- the tuition fee repayment option, where a student receives a refund of upfront tuition fees they may have paid for any VET units of study they were enrolled in at the time the course ceased to be delivered [VET Guidelines paragraph 3.4].

Complying with tuition assurance requirements

As part of the approval process, the VET provider must have tuition assurance arrangements in place for each course that meets the course requirements. The VET provider is required to maintain tuition assurance arrangements that meet the requirements of the VET Guidelines.

Tuition assurance scheme membership

The two tuition assurance schemes currently approved by the Minister are the Australian Council for Private Education and Training (ACPET) and TAFE Directors Australia (TDA). The contact details for these two tuition assurance schemes are listed below.

ACPET

Internet  http://www.acpet.edu.au
Phone  03 9412 5900
Email  acpet@acpet.edu.au
Postal address  PO Box 551
EAST MELBOURNE VIC 8002

TDA

Internet  http://www.tda.edu.au
Phone  02 9217 3180
Email  memberservices@tda.edu.au
Postal Address  National Secretariat
PO Box 707
BROADWAY NSW 2007
**Alternative tuition assurance arrangements**

Alternatively, the VET provider may meet the course assurance requirements by having:

- a legally-binding agreement between one or more RTOs, which will be required to be approved as a VET provider within twelve calendar months after the VET provider receives approval [VET Guidelines subparagraph 3.3.1(b)]; or
- a legally-binding guarantee by a separate legal entity, which has the financial and administrative resources to fulfil such a guarantee [VET Guidelines subparagraph 3.3.1(c)].

In addition, the VET provider is required to meet tuition fee repayment requirements by:

- providing an undertaking to collect tuition fees at the end of each VET unit of study, a tuition fees in arrears agreement [VET Guidelines subparagraph 3.4.1(b)]; or
- having a legally binding guarantee by a separate legal entity that has the financial and administrative resources to fulfil such a guarantee [VET Guidelines subparagraph 3.4.1(c)].

A course assurance template is available from the department.

**Tuition assurance exemptions**

If the VET provider considers that it has adequate grounds to be exempted from the tuition assurance arrangements, for either or both of the course assurance requirements or the tuition fee repayment requirements, it may apply to the Minister in writing setting out those grounds [HESA Schedule 1A clause 8 and clause 20].

If the VET provider considers it may be exempt, the VET provider should include the following points in its written application:

- whether the exemption sought is for the course assurance requirements, the tuition fee assurance requirements, or both;
- the reason the exemption is being sought; and
- if the application relates to an inability to meet the requirements, information about how the VET provider has tried to meet the options available and why it has been unable to do so.
7 Student administration

Student eligibility requirements

To be eligible for VET FEE-HELP, a person must:

- meet the citizenship or residency requirements; and
- be a full fee-paying student or a subsidised student in a subsidising state or territory* [VET Guidelines paragraph 6.2]; and
- have a FEE-HELP balance greater than zero and has not exceeded the FEE-HELP limit; and
- be enrolled in a VET unit of study that meets the course requirements; and
- be enrolled in the VET unit of study on or before the census date and remain enrolled at the end of the census date;
- meet the tax file number (TFN) requirements (see part 8) [HESA Schedule 1A paragraph 43(1)(g)]; and
- have completed, signed and given to an appropriate officer of the VET provider a Request for VET FEE-HELP Assistance form on or before the census date [HESA Schedule 1A paragraphs 43(1)(i) and 43(1)(h)].

*Currently the subsidising States and Territories are Victoria, South Australia, Queensland, Northern Territory and Western Australia. NSW and Tasmania will be subsidising states from July 2014 and the ACT in 2015

When a student has been incorrectly assessed as eligible for VET FEE-HELP, the VET provider may have to repay the Commonwealth any VET FEE-HELP amount provided for the student.

Citizenship or residency requirements

To be eligible for VET FEE-HELP, a person must be either an Australian citizen or the holder of a permanent humanitarian visa who will be resident in Australia for the duration of the VET unit of study [HESA Schedule 1A subclause 44(1)]. Australian citizens who will not be resident in Australia for the duration of the VET unit of study, including distance education students undertaking VET FEE-HELP courses online, may be eligible for VET FEE-HELP, providing they satisfy all other student eligibility requirements. A student is not entitled to VET FEE-HELP for a VET unit of study if the course is undertaken by the student primarily at an overseas campus [HESA Schedule 1A subclause 43(2)].

For a list of humanitarian visa subclasses, see Appendix D. Permanent visa holders and citizens of New Zealand who do not meet the criteria are not eligible for VET FEE-HELP.

In determining whether a permanent humanitarian visa holder will be resident in Australia for the duration of their VET unit of study, the VET provider must disregard any periods spent outside of Australia if the holder:
• cannot be reasonably regarded as indicating an intention to reside outside of Australia for the duration of the VET unit of study; or;
• is required to leave Australia to complete the requirements of that VET unit of study [HESA Schedule 1A subclause 44(2)].

If a student gains Australian citizenship partway through their course, the student may be eligible for VET FEE-HELP for VET units of study yet to be completed, including VET units of study currently enrolled where the census dates have not passed (see part 3.4).

A person gains Australian citizenship only after making the pledge of commitment and being issued with Evidence of Australian Citizenship from the Department of Immigration and Border Protection (Department of Immigration). For further information regarding Australian citizenship, contact the Department of Immigration.

When a student has been incorrectly assessed as eligible for VET FEE-HELP, the VET provider may have to repay the Commonwealth any VET FEE-HELP amount provided for the student.

**Full fee-paying students**

Full fee-paying students are enrolled in courses for which the VET provider does not receive any subsidies from state or territory governments in relation to course enrolments [VET Guidelines paragraph 6.2.1]. Full fee-paying students are eligible for VET FEE-HELP.

The VET provider may enrol full fee-paying, government subsidised, international and/or publicly supported students in the same VET unit of study or course. Full fee-paying students may be known as fee-for-service students in different states or territories.

**Government subsidised students**

Certain government-subsidised students are eligible for VET FEE-HELP [VET Guidelines paragraph 6.2.1 and paragraph 6.2.2].

A subsidised student is one for whom the VET provider receives funding from a state or territory in relation to the student’s enrolment in that VET course of study.

A VET student that is a subsidised student is exempt from the 20 per cent loan fee.

A subsidised student is only eligible for VET FEE-HELP if:

• the VET unit of study forms part of a course leading to the award of a diploma or advanced diploma; and
• the student is enrolled with a VET provider approved to offer the VET unit of study in an eligible state or territory (South Australia and Victoria at the time of publishing this guide).

**FEE-HELP limit and balance**

Under HESA, there is a set maximum amount a person can borrow over their lifetime through the HELP schemes, including VET FEE-HELP. This is known as the FEE-HELP limit. For 2015, the general FEE-HELP limit is $97,728, with a higher limit for students
undertaking courses in medicine, dentistry and veterinary science that lead to initial registration [HESA Schedule 1].

Students are able to access VET FEE-HELP to pay the amount of any tuition fees up to the FEE-HELP limit. The department publishes the FEE-HELP limit in the student information booklets and on the Study Assist website at http://www.studyassist.gov.au.

As a person uses VET FEE-HELP or FEE-HELP to pay their tuition fees, the amount they may borrow in the future is reduced. Once a person has borrowed an amount equal to the FEE-HELP limit, they are no longer eligible for VET FEE-HELP or FEE-HELP to pay further tuition fees in that year. This applies even if a person has partially or fully repaid their VET FEE-HELP or FEE-HELP debt.

The FEE-HELP limit is indexed on 1 January each year. If a person has reached their FEE-HELP limit in 2015 and wishes to enrol in 2016 or later years they will be able to access the difference between the FEE-HELP limit in 2015 and the FEE-HELP limit in the year they enrol.

A person’s FEE-HELP balance is the limit subtracting any VET FEE-HELP and FEE-HELP loans they have used. Loan fees and indexation of outstanding debts are not included in a person’s FEE-HELP balance.

**Exceeding the FEE-HELP balance**

If a student enrolls in a VET unit of study where the tuition fee exceeds the student’s FEE-HELP balance, the student will only receive VET FEE-HELP equal to the remaining FEE-HELP balance [HESA Schedule 1A clause 54]. The VET provider is responsible for collecting the remaining tuition fee for the VET unit of study.

**Example**

- Betty is a full fee paying student who has a remaining FEE-HELP balance of $2,000. She enrolls in four VET units of study with the same census date. The tuition fee for each VET unit of study is $600. The total amount of VET FEE-HELP assistance to which Betty is entitled for the units is $2,000, even though the total amount of tuition fees for the units is $2,400.
- Betty would need to pay the balance of $400 as an upfront payment to her VET provider.

**Loan fee**

A loan fee of 20 per cent applies to VET FEE-HELP. The FEE-HELP limit does not include the loan fee. The amount of the VET FEE-HELP debt is the amount of the VET FEE-HELP provided, plus a VET FEE-HELP loan fee of 20 per cent. The VET FEE-HELP loan fee is not included in a person’s FEE-HELP balance but is included in a person’s VET FEE-HELP debt.

No loan fee applies to government subsidised students accessing VET FEE-HELP.

**Example**
Adam is enrolled in an eligible VET course of study and has requested VET FEE-HELP assistance for the course. Adam’s tuition fees for the VET units of study he is currently enrolled in total $2,000 and he has paid $1,000 upfront to his VET provider and deferred the remainder to VET FEE-HELP.

The amount of Adam’s VET FEE-HELP assistance is $1,000 and this is the amount by which his FEE-HELP balance is reduced. If he is a full fee-paying student, the amount of Adam’s VET FEE-HELP debt will be $1,000 x 1.2 = $1,200. This is the amount he will be required to repay through the Australian Taxation Office (ATO).

If Adam is enrolled in an eligible course of study which is a VET diploma or advanced diploma and he is a government subsidised student consistent with the requirements of Chapter 6 subsections 6.2.2 and 6.2.3 of the VET Guidelines, then the amount of Adam’s VET FEE-HELP assistance and debt will be only $1,000 as he will not incur the loan fee.

Course requirements

An entitled student may access VET FEE-HELP for a VET unit of study if:

- the VET unit of study is undertaken as part of a course that leads to an award at the diploma, advanced diploma, graduate certificate, graduate diploma, or a qualification specified in the VET Guidelines with an approved VET provider; and
- the course, or the VET provider of the course, is not subject to a ministerial determination excluding the course from VET FEE-HELP [HESA Schedule 1A subclause 45(1)].

Students enrolled with more than one VET or higher education VET provider

Students who are approaching their FEE-HELP limit, and who are enrolled with more than one VET provider, must notify each VET provider of how much VET FEE-HELP they wish to receive for each VET unit of study [HESA subsections 107-10(3)-(4) and Schedule 1A subclause 54(3)]. This also applies if the student is enrolled with a higher education, VET provider or Open Universities Australia and is eligible for FEE-HELP for VET units of study being undertaken with those organisations.

Where a student fails to notify the VET providers, is enrolled in more than one VET unit of study with the same census date, and does not have enough FEE-HELP balance to cover all the VET units of study, the VET units of study for which the student will receive VET FEE-HELP will be determined according to an order of precedence (see part 14.3).

Where a student does not have enough FEE-HELP balance to cover a VET unit of study, the department will notify the affected VET provider via an exception report. The VET provider is responsible for recovering any outstanding tuition fees from students in line with the VET provider’s own procedures. The Commonwealth will only pay the VET provider VET FEE-HELP and/or FEE-HELP up to the available amount of the student’s FEE-HELP balance.

Determining a student’s FEE-HELP balance

A commencing student’s FEE-HELP balance will be provided at the same time as the student’s CHESSN.

For continuing students or commencing students who have previously accessed HELP assistance and already have a CHESSN, a provider can undertake an entitlement search at
any time to obtain the student’s remaining balance. The balance will be calculated at the last quarterly census date for which all providers have reported data to the department (see HEIMSHELP for more information on how to check a student’s FEE-HELP balance).

Student liability

Students do not incur a liability for a VET unit of study until after the census date, which may be set no earlier than 20 per cent of the way through a VET unit of study [VET Guidelines paragraph 7.4.1]. A student must be enrolled in the VET unit of study on or before the census date of the VET unit of study and must remain enrolled in the VET unit of study after the census date [HESA Schedule 1A paragraph 43(1)(f)]. This applies to all students who are eligible for VET FEE-HELP, whether the student pays their tuition fees upfront or seeks VET FEE-HELP.

Under HESA, the Commonwealth pays the tuition fee on behalf of an entitled student for each VET unit of study the student is enrolled in at the end of the census date.

A student incurs a VET FEE-HELP debt for the amount of VET FEE-HELP used to pay for part or all of their tuition fees for each VET unit of study when the census date passes [HESA subsections 137-18(1) and 137-18(3)]. The Commonwealth pays this amount directly to the VET provider on the student’s behalf [HESA Schedule 1A clause 55].

The amount of VET FEE-HELP debt is incurred by every student immediately after the census date for the VET unit of study [HESA subsections 137-18(2) and 137-18(3)].

Calculating the amount of VET FEE-HELP

A student may access VET FEE-HELP to cover the amount of the tuition fee being charged by their VET provider for a VET unit of study, so long as this amount does not result in the student exceeding their FEE-HELP balance. Students have the option of paying part of their tuition fee for the VET unit of study upfront to their VET provider on or before the census date and obtaining VET FEE-HELP for the remainder [HESA Schedule 1A clause 52].

The amount of VET FEE-HELP for a VET unit of study is the difference between the tuition fee for the VET unit of study less any upfront payments the student has made on or before the census date and obtaining VET FEE-HELP for the remainder [HESA Schedule 1A clause 52]. This amount should be calculated immediately after the census date for the VET unit of study. A student’s FEE-HELP balance will be reduced by this amount.

The VET provider will report to the department a student’s VET FEE-HELP loans through HEIMS when it submits its quarterly data (see part 14), and the Commonwealth will reconcile the amounts with any advances already paid to the VET provider (see part 13) [HESA Schedule 1A clause 55].

Student study load

A student’s study load is irrelevant for VET FEE-HELP. The minimum requirement is that a student is enrolled in at least one eligible VET unit of study at the end of the census date, and has met all the other requirements for access to VET FEE-HELP. That is, a student may be part-time or full-time. The upper limit to the number of VET units of study that a student
may request VET FEE-HELP for is determined by the number of VET units of study needed to complete the requirements of the course and the student’s FEE-HELP balance.

Example

- Students are required to complete ten VET units of study, from a list of fourteen VET units of study, to be awarded the Diploma in Business Studies.
- Linda is enrolled in the Diploma of Business Studies and is eligible VET FEE-HELP. She successfully completes ten VET units of study to be awarded a Diploma in Business Studies.
- Linda’s FEE-HELP balance at the end of the ten VET units of study is $68,000 and she decides to enrol in two more VET units of study in the Diploma of Business Studies course. Linda wishes to use VET FEE-HELP to pay for tuition fees for those VET units of study.
- While Linda has sufficient FEE-HELP balance available, she has already completed the requirements for the Diploma of Business Studies course and is not eligible for VET FEE-HELP for those two VET units of study. Linda would need to be enrolled in the VET units of study on a non-award basis.
- If Linda enrolled in another eligible course, which included those VET units of study, she could access VET FEE-HELP, after filling in a new Request for VET FEE-HELP Assistance form for that course.

Request for VET FEE-HELP assistance form

Students seeking VET FEE-HELP must complete a request in the form approved by the Minister [HESA Schedule 1A subclause 88(3)]. Students request VET FEE-HELP by completing, signing and submitting a Request for VET FEE-HELP Assistance form to the appropriate officer at their VET provider on or before the census date for the VET unit of study [HESA Schedule 1A paragraph 43(1)(h)].

Paper and electronic forms

The paper Request for VET FEE-HELP Assistance form must be completed and returned to an appropriate officer of the VET provider by all students wishing to access VET FEE-HELP. The VET provider should ensure that students are made aware of these requirements.

Where the VET provider allows for the electronic submission of a Request for VET FEE-HELP Assistance form, it must follow the approved form format. For an example of the Request for VET FEE-HELP Assistance form, see Appendix C.

Providing students with the VET FEE-HELP information booklet

Students eligible for VET FEE-HELP must be given a VET FEE-HELP information booklet for the relevant year prior to completing and submitting the Request for VET FEE-HELP Assistance form. Students declare on the request form they have received and read the booklet. Information booklets are available from the department.

The VET provider may choose to supply an electronic version of the VET FEE-HELP information booklet to students who submit their Request for VET FEE-HELP Assistance form electronically.
Pre-printing student details on the form

The VET provider may pre-print student details on the Request for VET FEE-HELP Assistance form, or incorporate the details in a label to be attached to the form. Student TFNs must not be pre-printed in any way.

Student submission of the form

To be eligible for VET FEE-HELP, students seeking VET FEE-HELP must submit the completed Request for VET FEE-HELP Assistance form on or before the census date of the first VET unit of study for which they are seeking VET FEE-HELP [HESA Schedule 1A paragraph 43(1)(h)]. For administrative purposes, the VET provider may set an earlier form submission date, but it must ensure that students are treated equally and fairly.

Submitting the form electronically

The VET provider may allow students to complete and submit the Request for VET FEE-HELP Assistance form electronically [HESA Schedule 1A Division 13]. In doing so, the VET provider must meet the requirements in the Electronic Transactions Act 1999 (ETA) and chapter 10 of the VET Guidelines. An electronic form is an approved form if it is a replica of the approved paper form. The VET provider must include a date field in the electronic form (see part 15.6).

Signing the form

Generally, only the student receiving VET FEE-HELP is permitted to sign the Request for VET FEE-HELP Assistance form. However, the VET provider may accept a form that has been signed by a person who is exercising a legal power of attorney for the student. Whether a student is a minor does not affect their ability to sign the form.

Checking the form and correcting errors

The VET provider should ensure that students have completed the Request for VET FEE-HELP Assistance form correctly, including the selection of all relevant boxes. The VET provider should be satisfied that details provided on the form are the same as details provided on other enrolment documents lodged by the student. If, for any legitimate reason, the details on the form differ from details previously provided by the student, the VET provider should annotate the form accordingly. Electronic forms cannot be annotated.

If the VET provider is not satisfied that details on the form are correct, it should attempt to resolve the differences with the student. If this is not possible, the VET provider should reject the form and advise the student that it has not been submitted. In rare cases, it is acceptable for the VET provider to ask the student to complete another form after the census date.

Distributing the form

The student retains the original student copy of the Request for VET FEE-HELP Assistance form. The VET provider should retain the VET provider copy.
Retaining the form

The Request for VET FEE-HELP Assistance form is a Commonwealth record, subject to the Archives Act 1983. The VET provider must comply with the Archives Act 1983 and any disposal authorities issued by the National Archives of Australia to the department from time to time.

The VET provider must retain a copy of the form that does not include the student’s TFN for the Commonwealth for a minimum period of seven years after the student has completed their course. Where state or territory legislation requires the VET provider to retain documents for a specified time, the VET provider should act in accordance with that legislation, providing the form is retained for at least seven years following completion of the course.

If a student cancels their request for assistance, the VET provider must retain a copy of the form as it is a Commonwealth record. The student has the option of reactivating the request later.

Forms are now printed as duplicate copy, rather than triplicate. The ATO copy is no longer required by the department. A student’s TFN information will only appear on the student copy of the form. However, for VET provider copies where student TFN information is unblocked, VET providers must securely store, protect, and dispose of after the retention period, these documents in accordance with the Tax File Number Guidelines 2011 (TFN Guidelines).

Storing the form electronically

A General Records Authority (GRA), issued by the National Archives of Australia, has been updated. GRA31 - For source (including original) records after they have been copied, converted or migrated permits VET providers to destroy paper copies after copying, converting or migrating Commonwealth records to a digitised format. This applies to any forms submitted by students on or after 1 January 1995.

In line with the ETA, the VET provider must ensure that electronic copies are an unadulterated version of the original paper form and clear and accurate representations of the document signed by the student. The digitised version of the form must be maintained for seven years as required by the GRA, or longer if otherwise required by other state or territory requirements.

VET providers should have in place appropriate processes and authorisations to ensure the integrity of digitalised forms prior to destruction of the paper copies. VET providers must also ensure that appropriate security is in place for any electronic records management systems storing the forms, and the forms are able to be easily retrieved if requested by the department for student support purposes.

Cancelling forms and form validity

A Request for VET FEE-HELP Assistance form is valid for the duration of the person’s enrolment in the course.

Students accessing VET FEE-HELP are not required to cancel their form if they subsequently choose to pay their tuition fees upfront. Students do not incur a VET FEE-HELP debt for VET units of study where full payments are made on or before relevant census dates.

Students may choose to cancel their request for VET FEE-HELP in writing at any time, and for any reason, on or before the relevant VET unit of study census date. Students may subsequently reactivate their Request for VET FEE-HELP Assistance form by submitting a request to their VET provider in writing. The VET provider should determine its own mechanisms for recording written cancellations and form reactivations.

Completing new or multiple forms

Enrolling in a new course

Students who change courses, or enrol in new courses, are required to complete a new Request for VET FEE-HELP Assistance form if they wish to seek VET FEE-HELP for each new course [HESA Schedule 1A paragraph 43(1)(h)].

Enrolling in more than one course

Students who enrol in more than one course must complete a separate form for each course [HESA Schedule 1A paragraph 43(1)(h)].

Enrolling with more than one VET provider

Students who enrol with more than one VET provider must complete and submit separate forms with each VET provider [HESA Schedule 1A paragraph 43(1)(h)].
8 Tax file number requirements

Who is required to provide a TFN?

All students who wish to access VET FEE-HELP are required to provide their tax file number (TFN) on their Request for VET FEE-HELP Assistance form. Students who do not have a TFN should apply for one by completing a TFN Application or Enquiry for Individuals form available from the ATO [HESA Schedule 1A paragraph 43(1)(g) and clause 80].

VET providers may be given alternative documentation to the Certificate of application for a TFN issued by the ATO as proof that students have applied for a tax file number.

From 31 October 2013, students who apply for a TFN online will be able to take their printed TFN application summary to an interview at a participating Australia Post retail outlet and confirm their identity. There is no charge for this service. Australia Post will issue a barcode matched receipt and this receipt plus the application summary can be given to VET providers as acceptable proof the student has applied for a TFN. See Appendix E for samples.

Participating retail outlets may be found using the Australia Post outlet locator available via http://www.ato.gov.au/Individuals/Ind/Apply-for-a-TFN-on-the-web.

When must students provide their TFN?

Students are required to provide their TFN, or a Certificate of Application for a TFN, on or before the census date for the VET unit of study for which they wish to access VET FEE-HELP [HESA Schedule 1A subclause 80(2A)]. For a sample Certificate of Application for a TFN form, see Appendix E.

How should students provide their TFN?

Students should provide their TFN on a Request for VET FEE-HELP Assistance form. If a student does not provide their TFN on the form, or a Certificate of Application for a TFN on or before the census date for that VET unit of study, they are not eligible for VET FEE-HELP for that VET unit of study [HESA Schedule 1A paragraph 43(1)(g) and subclause 80(2A)]. Students may also provide their TFN electronically in line with the VET Guidelines (see part 15.6).

Notification if a student does not provide a TFN

If a student does not provide a TFN on their form and the student intends to access VET FEE-HELP, the VET provider must notify the student, in writing, within seven days of receiving the form, or before the census date if earlier, the student’s TFN or a Certificate of Application for a TFN is required on or before the census date [HESA Schedule 1A subclauses 88(1) and (2)]. The VET provider is not obliged to provide this notice if the student is not eligible for VET FEE-HELP [HESA Schedule 1A subclause 88(4)].
Students who do not have or cannot remember their TFN

Students who do not have, or cannot remember, their TFN, or who have applied to the ATO but have not yet received a TFN, must contact the ATO to acquire their TFN or to obtain a Certificate of Application for a TFN.

As a TFN is usually provided within 28 days of application, it is essential for students to apply early to ensure they have their TFN on or before the census date. If a student applies for a TFN less than one month before the relevant census date, the student should request the ATO to issue him or her with a Certificate of Application for a TFN.

If a student has not received their TFN by 10 days before the census date, the student should provide this certificate to their VET provider as proof of having applied. The student must quote their TFN within 21 days from the day the ATO issues the student a Tax File Number Advice [HESA Schedule 1A subclause 82(a)]. The VET provider must be satisfied the TFN quoted by the student is a valid TFN, in line with the requirements set out in the TFN Guidelines [HESA Schedule 1A clause 80 and subclause 82(b)].

Students who fail to quote their TFN within 21 days of issue by the ATO

Students who provide a Certificate of application for a TFN should notify their provider of their TFN within 21 days of receiving it from the ATO. However, the ATO may be contacted to obtain a TFN where students have not advised their TFN in this time and you have made genuine attempts to contact the student.

TFNs can be requested by either emailing the Higher Education Loan Accounts Unit of the ATO via HELA@ato.gov.au or by phoning 1300 650 225 between 8.00 am and 5.00 pm Australian Eastern Standard Time, Monday to Friday. If you are requesting more than 5 TFNs, this request must be made via email.

The ATO will only communicate a TFN back to a provider by phone. The provider must nominate a contact officer(s) who will be the only person(s) authorised to receive a student’s TFN. The nomination should be on the provider’s official letterhead, include the name, title and contact details of the nominated officer(s) and emailed to HELA@ato.gov.au before any requests for TFNs are made.

Students who fail to provide a TFN

If a student seeking VET FEE-HELP does not provide a TFN or a Certificate of Application for a TFN on or before the census date, the student is not eligible for VET FEE-HELP. The VET provider must reduce the student’s debt for that VET unit of study to zero and repay that amount to the Commonwealth. Where a student is not eligible for VET FEE-HELP, the VET provider and student must make alternative arrangements for the student to pay their tuition fees.

Students who experience delays in being sent their TFN remain eligible for VET FEE-HELP after the census date has passed.
TFN validation

Students are eligible for HELP only if they provide a valid TFN. The VET provider must validate and record TFNs for inclusion in information on student debts in the HELP Due File. The VET provider must:

- visually check that each TFN has nine digits. No TFN is wholly comprised of the same digit, for example, 111111111 is not a valid TFN; and
- use the algorithm the ATO provides to validate the TFN.

The TFN Guidelines specify the circumstances in which the VET provider must be satisfied that a number is a valid TFN. The VET provider must notify students who have not provided a valid TFN within seven days of receiving the Request for VET FEE-HELP Assistance form, or on or before the census date, they have not provided a valid TFN. The VET provider must also advise students how to meet TFN requirements, by providing either a valid TFN, or a Certificate of Application for a TFN, on or before the relevant VET unit of study census date. This notification must be in writing. The VET provider may notify students electronically in line with the ETA and the VET Guidelines.

TFN and the electronic submission of forms

Students who fill out an electronic form, and who are required to provide a TFN, must have a valid TFN. The VET provider cannot use the 999999999 code as a valid TFN for electronic forms.

The VET provider may incorporate an electronic prompt that informs their students that if they have stated they have a Certificate of Application for a TFN – that they are required to provide a copy of this to the provider.

ATO TFN notices

The ATO may give the VET provider notice of the following twice yearly by late February and July each year [HESA Schedule 1A Subdivision 15-C]:

- a student’s TFN where:
  - the student provided a Certificate of Application for a TFN on or before the census date and a TFN has been issued; or
  - a student provided a valid TFN that has since been cancelled, withdrawn, or is otherwise wrong, but the student has a new valid TFN or if a new TFN has been issued to the student; and
- information on students who do not have a TFN because the:
  - ATO is unable to identify the student correctly;
  - ATO is not satisfied the student has a TFN;
  - TFN given by a student is not the student’s TFN;
  - ATO has refused to issue a TFN to the student because the student already has a TFN; or
  - ATO has cancelled the student’s TFN.

For sample notifications from the ATO, see Appendix H.
When the ATO advises the VET provider of a student’s TFN, the VET provider must record the student’s TFN to satisfy the department the student is eligible for VET FEE-HELP. If the VET provider is unable to satisfactorily match the student details, the VET provider must contact the ATO on 1300 650 225 to resolve the issue in line with the TFN Guidelines.

Similarly, the ATO will notify the VET provider when a student does not have a TFN. If at the end of 28 days after the VET provider receives this notice, the VET provider has not been notified of a valid TFN, the Commonwealth will not be liable to provide a loan for the tuition fees due to the student’s ineligibility for VET FEE-HELP [HESA Schedule 1A paragraph 43(1)(g) and clauses 88 and 89].

The VET provider must reduce the student’s debt for that VET unit of study to zero, if necessary re-credit the student’s FEE-HELP balance [HESA Schedule 1A clauses 47 and 89] and repay that amount to the Commonwealth. Where a student is not eligible for VET FEE-HELP, the VET provider and student must make alternative arrangements for the student to pay their relevant fees.

**TFN retention and disposal**

For the department to be satisfied the student met the TFN eligibility criteria for payment of VET FEE-HELP, the VET provider must retain TFNs until the VET provider is satisfied that:

- the calculation of the final VET unit of study debt for the course for which the student has sought VET FEE-HELP has been completed;
- the student’s account with the VET provider is finalised; and
- the ATO has been notified of the final debt.

In keeping with the TFN Guidelines, any disposal of TFN information must be by appropriately secure means.

**TFN confidentiality**

The law prohibits:

- the disclosure of student TFNs;
- VET provider use of TFNs for any purpose other than processing a HELP debt;
- use of TFNs as a means of identifying students;
- any unauthorised request for a student to provide a TFN; and
- any unauthorised recording of a TFN.

The VET provider must take reasonable precautions to prevent unauthorised access to VET FEE-HELP and other HELP related information, including student TFNs. The VET provider must comply with the rules for handling TFNs in the TFN Guidelines.

**Provision of TFN if a student enrols in a new course**

If a student cancels their enrolment in a course and enrolls in a different course, the VET provider is not permitted to transfer a student’s TFN to the records or documents for the new course. A student must separately meet the TFN requirements for each course they enrol in [HESA Schedule 1A subclause 80(2)].
9 Commonwealth Assistance Notice

Who receives a CAN?

All students who have requested VET FEE-HELP must receive a CAN [HESA Schedule 1A clause 64 and VET Guidelines chapter 9].

A CAN must be given to all students, even if the student has fully paid their tuition fees on or before the census date (see part 3.4) and therefore has not incurred a VET FEE-HELP debt for that VET unit of study [HESA Schedule 1A subclause 64(1) and VET Guidelines chapter 9].

What information must the CAN contain?

The CAN must contain the title ‘Commonwealth Assistance Notice’. The CAN must set out the information for each VET unit of study as outlined in the VET Guidelines [HESA Schedule 1A subclause 64(2)]:

- the person’s name;
- the name of the VET provider;
- the person’s student identification number as issued by the VET provider;
- the person’s CHESSN (see part 14.5);
- the VET unit of study(s) and course(s) in which the person is enrolled with the VET provider;
- the VET unit of study identification code;
- the census date;
- the tuition fee amount;
- the amount of upfront tuition fee payment;
- the amount of VET FEE-HELP;
- the amount of the VET FEE-HELP loan fee; and
- the amount of VET FEE-HELP debt [VET Guidelines paragraph 9.2.2].

Where information on census dates and tuition fee amounts for different VET units of study are identical, this information may be listed only once in the CAN, provided it is clear the information applies to all the VET units of study in the CAN [VET Guidelines paragraph 9.2.3]. The VET provider may issue separate CANs for VET units of study with different census dates.

The statements below must be displayed prominently in the CAN [VET Guidelines paragraph 9.2.4]:

- It is your responsibility to ensure that you have sufficient FEE-HELP balance to cover the VET FEE-HELP amounts indicated in this notice. You are eligible for the amounts of VET FEE-HELP contained in this notice only if you have sufficient FEE-HELP balance to cover those amounts.

AND

- The information regarding Commonwealth assistance contained in this notice is correct only insofar as you have correctly advised this VET provider of your eligibility to that assistance under the Higher Education Support Act 2003.
The VET provider may include other information in the CAN as necessary. The CAN must include information on a person’s right to request a correction of information contained in the CAN [VET Guidelines paragraph 9.2.5].

When must the CAN be given?

The VET provider must give students the CAN within 28 days of the earliest census date indicated in the CAN [HESA Schedule 1A subclause 64(3) and VET Guidelines paragraph 9.3.1].

Electronic issue of the CAN

The VET provider may issue the CAN electronically, in line with ETA, HESA and chapter 10 of the VET Guidelines (see part 15).

Incorrect CANs

Correcting incorrect CANs

The VET provider is responsible for ensuring the information provided in CANs is correct. Therefore, if information provided in issued CANs is incorrect, or ceases to be correct, the VET provider must issue affected students with new CANs containing correct information [HESA Schedule 1A subclause 65(1)].

Student request for correction of the CAN

When a student believes the information in the CAN is incorrect, the student may, within 14 days of the CAN being given, or longer if the VET provider allows, ask in writing for the CAN to be corrected [HESA Schedule 1A subclauses 65(2)-(3)]. This request may be made electronically in line with chapter 10 of the VET Guidelines.

The student’s request should specify the particular information the student considers is incorrect and the reasons why it is considered incorrect [HESA Schedule 1A subclause 65(4)]. Making the request does not affect the liability of the student to pay the tuition fee, or the student’s eligibility to VET FEE-HELP [HESA Schedule 1A subclause 65(5)].

The VET provider should consider the request as soon as possible, and notify the student, in writing, of its decision. If the VET provider finds the information in the original CAN was incorrect, or has ceased to be correct, the VET provider must issue a new CAN to the student with the correct information [HESA Schedule 1A subclause 65(6)]. The VET provider should also correct its records and data sent to the department.
10 Re-crediting and remission

Students who have accessed VET FEE-HELP to cover all or part of their tuition fees incur the liability and therefore the debt for their tuition fees after the census date (see part 3.4). Students may find they have to withdraw from their studies after the census date or they have been unable to complete their studies due to certain circumstances. Students in this situation may apply to have their FEE-HELP balance re-credited [HESA Schedule 1A clause 46].

If the VET provider determines that a person’s FEE-HELP balance is to be re-credited, the VET provider must repay any amounts of VET FEE-HELP it received for the VET unit of study to the Commonwealth [HESA Schedule 1A clause 56]. Any VET FEE-HELP debt the person incurred for the VET unit of study is taken to be remitted [HESA subsection 137-18(4)].

The re-crediting process

The VET provider must re-credit a person’s FEE-HELP balance with an amount equal to the amounts of VET FEE-HELP the person received for a VET unit of study if:

- the person has been enrolled in the VET unit of study with the VET provider; and
- the person has not completed the requirements for the VET unit of study in the period the person undertook, or was to undertake the VET unit of study; and
- the VET provider is satisfied that special circumstances apply to the person; and
- the person applies in writing to the VET provider for re-crediting of the FEE-HELP balance; and
- either:
  - the application is made within 12 months of the person withdrawing from the VET unit of study or if the person has not withdrawn, within 12 months of the end of the period in which the VET unit of study was, or was to be, undertaken; or
  - the VET provider waives the requirement the application be made before the end of the 12 months, on the ground that it would not be, or was not, possible for the application to be made before the end of the 12 months.

Please note: Where a provider allows a person to defer completion of their studies regarding a unit of study in issue, the 12 month period applies from the end of the extended period for the unit in issue.

Advising people of the process

The VET provider must ensure that it takes reasonable steps to ensure that people, who withdraw from a VET unit of study after the census date, are aware they may apply, in writing to the VET provider, for a re-credit of their FEE-HELP balance. Reasonable steps include:

- relevant information in course handbooks;
- providing information on the VET provider’s website; and
- relevant information in the material provided to students.
Applying for a re-credit and remission

A person may apply to the VET provider for a re-credit of their FEE-HELP balance if they withdraw from their VET unit of study after the census date or the person has not completed the requirements for the VET unit of study [HESA Schedule 1A clause 46].

A person cannot apply for a re-credit or a remission if they have successfully completed the VET unit of study. A student who receives a fail grade is considered not to have successfully completed the requirements of the VET unit of study.

An application for a re-credit or a remission must be made, in writing. Where the VET provider allows a person to defer completion of their studies, the twelve-month period applies from the end of the extended period. The VET provider has the discretion to waive this requirement if it is satisfied the application could not be made within the time limits [HESA Schedule 1A clauses 49-50].

The person’s application should include any independent supporting documents, for example, a letter from the person’s doctor or counsellor, to support the person’s claims.

Each application should be examined and determined on its merits. The VET provider should consider the person’s claims, together with any independent supporting documentary evidence that substantiates these claims.

Special circumstances

The VET provider must re-credit a person’s FEE-HELP balance if the VET provider is satisfied that special circumstances apply to the person that were:

- beyond the person’s control; and
- did not make their full impact on the person until on, or after, the census date for the VET unit of study (see part 3.4); and
- made it impracticable for the person to complete the requirements for the VET unit of study in the period the person undertook, or was to undertake, the VET unit of study [HESA Schedule 1A clause 48].

Special circumstances do not include, for example:

- a lack of knowledge or understanding of requirements for VET FEE-HELP; or
- a person’s incapacity to repay a HELP debt, as repayments are income contingent and the person may apply for a deferral of a compulsory repayment in certain circumstances [HESA section 154-45].

For special circumstances to apply, the circumstances must have made it impracticable for the person to complete the requirements of the VET unit of study. Special circumstances do not have to be the sole reason for not being able to complete the VET unit of study, but there must be a reason. If the student was unable to complete the VET unit of study before the circumstances arose, the VET provider may make a decision not to re-credit the related FEE-HELP balance. For example, if a student was required to obtain a pass mark for all assessment and the student failed an exam for reasons unrelated to the circumstances, the student would not be able to claim special circumstances if they fell ill after the exam.
Special circumstances beyond a person's control

Circumstances could be considered beyond a person’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 person is not responsible. This situation would generally be expected to be unusual, uncommon or abnormal.

For example, a lack of knowledge of how VET FEE-HELP works or the requirements regarding census dates would not be considered beyond a person’s control.

Special circumstances that do not make full impact until on or after the census date

Circumstances could be considered not to make their full impact on the person until on or after the census date for the VET unit of study if the person’s circumstances occurred:

- before the census date, but worsen after that day;
- before the census date, but the full effect or magnitude did not become apparent until after that day; or
- on or after the census date.

Students do not need to demonstrate they were unable to withdraw from the VET unit of study prior to the census date.

Special circumstances arising from pre-existing conditions

A circumstance that first occurred before the census date may satisfy the special circumstances requirement where it worsens after that day or the full effect or magnitude does not become apparent until after that day.

For example, a person may have an illness or other underlying, pre-existing condition or incapacity prior to the census date for a VET unit of study, but that condition may worsen, or that person may suffer from an aggravation, deterioration or episode, after the census date.

Alternatively, the full implications of a person’s condition may not have been apparent until after the census date. This may be because recovery does not go to plan, or the degree of disability or incapacity for study are not fully realised until after the census date.

The VET provider must consider whether the person’s circumstances changed on or after the census date and when the full effect or magnitude of the circumstances became apparent, taking into account any additional circumstances, including continuation of a pre-existing condition, that may have affected the person on or after the census date.

Special circumstances that made it impracticable for the person to complete the VET unit of study

The term impracticable is defined as ‘not practicable, that which cannot be put into practice with the available means’. The VET provider should keep this definition in mind when deciding whether a student’s circumstances made it impracticable for them to complete a VET unit of study.
Circumstances that make it impracticable for the person to complete the requirements for their VET unit of study may include:

- medical circumstances, for example where a person’s medical condition has changed to such an extent that he or she is unable to continue studying;
- family/personal circumstances, for example death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a person to continue studies;
- employment related circumstances, for example where a person’s employment status or arrangements have changed so the person is unable to continue their studies, and this change is beyond the person’s control; or
- course related circumstances, for example, where the VET provider has changed the VET unit of study it had offered and the person is disadvantaged by either not being able to complete the VET unit of study, or not being given credit towards other VET units of study or courses.

Consideration should also be given to whether at the time the person’s special circumstances emerged it was already not practicable for the student to meet the requirements of the VET unit of study.

A person is unable to complete the requirements for a VET unit of study, for example, if the person is unable to:

- undertake the necessary private study required, or attend sufficient lectures or tutorials or meet other compulsory attendance requirements to meet their compulsory course requirements; or
- complete the required assessable work to the required standard; or
- sit the required examinations and obtain a required mark; or
- complete any other course requirements because of their inability to meet the above.

Requirements for making decisions

The VET provider should consider the person’s application as soon as practicable [HESA Schedule 1A subclause 50(1)] and must notify the person of its decision and the reasons for making the decision [HESA Schedule 1A subclause 50(2)].

Decisions regarding re-crediting a person’s FEE-HELP balance are reviewable [HESA Schedule 1A clause 91]. In addition to notifying a person of its decision and the reasons for making the decision, the VET provider must also advise the person of their rights for a review of the decision if the person is unsatisfied with the outcome [HESA Schedule 1A subclause 96(1)]. The person must be advised the time limit for applying for a review of a decision is 28 days from the day the person first received notice of the decision [HESA Schedule 1A subclause 96(2)].

Notifying the department of the decision

Where a decision results in the re-crediting of a person’s FEE-HELP balance, the remission of a person’s HELP debt, and/or the refund of a person’s upfront payments, the VET provider must notify the department through the Revisions File. The VET provider is required to repay to the Commonwealth any amounts of VET FEE-HELP the VET provider received from the Commonwealth on the person’s behalf [HESA Schedule 1A clause 56].
Re-crediting a person’s FEE-HELP balance

Where the VET provider is satisfied that special circumstances apply, the VET provider must re-credit a person’s FEE-HELP balance with an amount equal to the amount of VET FEE-HELP the person received for the VET unit of study [HESA Schedule 1A subclause 46(2)].

The VET provider has the discretion to refund any upfront payments the person made in respect of the VET unit of study in line with its own policies, which should be accessible to the student. In developing those policies, the VET provider should be mindful of the requirement to treat equally and fairly all of its students and all of the persons seeking to enrol with the VET provider [VET Guidelines paragraph 5.2.1].

Students who withdraw on or before the census date, for any reason, do not incur a VET FEE-HELP debt, and accordingly, it is not necessary for them to seek a re-credit or establish special circumstances.

Reviewable VET decisions

Decisions regarding re-crediting a person’s FEE-HELP balance are reviewable [HESA Schedule 1A clause 91]. A review of a decision may be requested by the person affected by the original decision [HESA Schedule 1A subclause 96(1)] or without a request if the VET provider is satisfied there is sufficient reason to do so [HESA Schedule 1A subclause 95(1)].

The VET provider must appoint a review officer to undertake reviews of decisions regarding re-crediting a person’s FEE-HELP balance. A review officer may be the chief executive officer of the VET provider or a delegate of the chief executive officer. A review officer must not review a decision they were involved in making and must occupy a position that is senior to that occupied by any person involved in making the original decision.

Review by review officer

A person has the right to apply for a review of a decision to not re-credit their FEE-HELP balance [HESA Schedule 1A subclause 96(1)]. The person’s request must be made in writing and given to the review officer within 28 days from the day the person first received notice of the original decision, or a longer period as allowed by the review officer [HESA Schedule 1A subclause 96(2)]. In the written request, the person must state the reasons why they are asking for a review [HESA Schedule 1A subclause 96(3)].

If a full fee-paying student has paid their fees upfront, and did not request VET FEE-HELP assistance, the review procedures under HESA do not apply. In this instance, the student cannot under HESA request a review or refer the matter to the Administrative Appeals Tribunal (AAT).

In deciding whether to grant an extension of the 28-day period, the review officer should take into consideration any matters the review officer considers appropriate, such as explanations provided as to why the person has not applied for the review within 28 days.

The review officer must:

- reconsider the decision and either:
- confirm the decision; or
- vary the decision; or
- set the decision aside and substitute a new decision [HESA Schedule 1A subclause 96(4)]; and

- notify the person in writing of the decision [HESA Schedule 1A subclause 96(6)]; and if applicable of the day the decision takes effect [HESA Schedule 1A subclause 96(5)]; and
- the reasons for making the decision [HESA Schedule 1A subclause 96(7)];
- advise the person of their right to appeal to the AAT for a review of the reviewer’s decision if the person is unsatisfied with the outcome [Administrative Appeals Tribunal Act 1975 section 27A and HESA Schedule 1A clause 97]; and
- provide the applicant with the contact details and address of the nearest AAT registry and the approximate costs of lodging an appeal.

If the reviewer does not give the person a notice of the decision within 45 days after receiving the person’s request, it is taken that the reviewer has confirmed the decision [HESA Schedule 1A clause 96(8)].

The VET provider may find it useful to maintain an up-to-date register of appointments of review officers. For further information on the review process, see Appendix I.

In circumstances where an application is made outside the application period, and the VET provider does not waive that requirement, the person should be advised the application has been refused on the basis the person has not satisfied one of the threshold criteria. The applicant should also be provided with written reasons why the application period was not waived. In these circumstances, it is not necessary for the VET provider to address whether the special circumstances test has been satisfied. A decision made on this basis will be a reviewable decision under HESA and there is an obligation to inform the person of this and provide the person with the opportunity to seek reconsideration of the decision.

Review by the AAT

A person may apply to the AAT for review of a review officer’s decision and may supply additional information to the AAT they did not previously supply to the VET provider, including the review officer.

The department will receive notification from the AAT that a person has lodged an application for a review of a review officer’s decision. The department is the respondent for cases that are before the AAT.

Once the department has received notification from the AAT the person has applied for the reconsideration under section 37 of the Administrative Appeals Tribunal Act 1975, the department must lodge the following documents with the AAT within 28 days:

- a statement setting out the findings on material questions of fact, referring to the evidence or other material on which those findings were based and giving the reasons for the decision; and
- every document or part of a document that is in the reviewer’s possession or under the reviewer’s control and is considered by the reviewer to be relevant to the review of the decision by the AAT.
The department will notify the VET provider, in writing, that an appeal has been lodged. To enable the department to meet the 28-day timeframe, the VET provider must, within a further five business days of being requested, provide the department with copies of all the documents it holds that are relevant to the appeal. These documents should be sent by courier or express post to meet the five-business day requirement. The VET provider should keep any originals and copies of the documents in line with its normal recording keeping practices.

Once receiving the documents the department may choose to review the original decision.

The VET provider’s review officer may also reconsider the decision even though an appeal has been made to the AAT at any time up until the AAT makes a final decision. If a decision is made to re-credit a person’s FEE-HELP balance the VET provider must advise the department.

However, until a person withdraws their AAT appeal or the appeal is dismissed or otherwise dealt with by the AAT, the department is still required to comply with the requirement under section 37 of the Administrative Appeals Tribunal Act 1975 to lodge the statement, and relevant documents described in the two dot points above, with the AAT. Therefore, the VET provider must still forward all relevant documents to the department within five business days, unless advised not to do so by the department. The department will deal with cases from that point and advise the VET provider of the outcome.

Debt waivers by the Commonwealth Department of Finance

In rare circumstances, the Commonwealth Department of Finance approves an application by a student to waive their FEE-HELP debt to the Commonwealth. For this to occur, the student will normally have first exhausted all appeal processes under HESA, including the AAT. While this process may result in a waiver of the debt, it will not apply to re-credit a FEE-HELP balance.
11 Privacy requirements

Obligations under the Privacy Act 1988

The VET provider must comply with the Australian Privacy Principles (APPs), set out in section 14 of the Privacy Act 1988, when it handles personal information obtained for the purposes of VET FEE-HELP [HESA Schedule 1A subclause 23(1)].

The VET provider and its officers, employees and those who perform services by or for the VET provider, must ensure that:

- personal information is collected in line with APPs 1-4;
- suitable storage arrangements, including appropriate filing procedures, are in place;
- suitable security arrangements exist for all records containing personal information;
- access to a student’s own personal information held by the VET provider is made available to the student at no charge;
- records are accurate, up-to-date, complete, and not misleading;
- where a record is found to be inaccurate, the correction is made;
- where a student requests that a record be amended because it is inaccurate but the record is found to be accurate, the details of the request for amendment are noted on the record; and
- the personal information is only to be used and disclosed for the purposes for which it was collected, or for other purposes where expressly allowed by APP6.

The VET provider must also have a procedure under which a student may apply to receive a copy of the personal information held by the VET provider in relation to that student [HESA Schedule 1A subclause 23(2)].

Seeking informed consent from students

Students must give informed consent to their information being provided to the Commonwealth. Therefore, the VET provider must ensure that students are given appropriate privacy notices at the time they provide their personal information, for example, via application forms, websites and phone admission methods, and the Request for VET FEE-HELP Assistance form.

For students applying for admission through a tertiary admission centre (TAC), this informed consent must be provided in the admission process.

For students applying directly to the VET provider, the VET provider is required to obtain the student’s consent to provide personal information to the department. The VET provider has two options for collecting this consent.

The Request for VET FEE-HELP Assistance form asks for student consent to provide information to the department. If students submit such a form prior to the allocation of a CHESSN, this will satisfy the requirement.

Alternatively, if the VET provider’s business processes require the CHESSN to be allocated prior to the submission of the Request for VET FEE-HELP Assistance form, the VET
provider must obtain the student’s informed consent in another manner. For sample wording on seeking informed consent, see Appendix F.

Privacy complaints and advice

The VET provider is required to have student grievance procedures for dealing with student complaints relating to non-academic matters [HESA Schedule 1A clause 19 and VET Guidelines paragraph 5.3], including complaints about breaches of privacy by the VET provider relating to personal information. Procedures relating to non-academic matters should deal with complaints about the management of personal information by the VET provider.

VET personal information

VET personal information:

- is information or an opinion, including information or an opinion forming part of a database, whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or may reasonably be found out from the information or opinion; and
- obtained or created by an employee of the VET provider, which includes a person who performs services for the VET provider, for the purposes of VET FEE-HELP [HESA Schedule 1A clause 72].

It is an offence under HESA for the VET provider or its employees to disclose, copy or record VET personal information that was not made for the purposes it was intended. HESA provides for a penalty of two years imprisonment [HESA Schedule 1A clause 73].

A person commits an offence, with a penalty of two years imprisonment, if they cause any intentional access to or modification of VET personal information that is held in a computer with restricted access by or for the VET provider, and they knew that access or modification was unauthorised [HESA Schedule 1A clause 78].
12 Data reporting

System requirements for data reporting

To provide the required statistical data, the VET provider will need to download HEPCAT from HEIMSHELP, available at http://heimshelp.education.gov.au/sites/heimshelp/. The purpose of HEPCAT is to enable the VET provider to prepare, validate and transfer data required under HESA to the department [HESA Schedule 1A clause 24].

HEPCAT prepares and validates data submissions and then submits that data to the department’s HEIMS.

The VET provider must ensure that all complementary operational procedures in place are consistent with the measures outlined in Standards Australia’s Code of Practice for Information Security Management.

Access to HEPCAT

System requirements for HEPCAT

For optimum performance to use HEPCAT, the following minimum computer configuration is recommended:

Minimum specifications

- Pentium 4 class processor with one gigabyte of memory;
- 20 gigabytes of disk storage. An estimate for a large VET provider with four reporting periods of data at 40 megabytes each, plus a number of reports and exported XML files, is approximately 500 megabytes; and
- 768 by 1024 pixel screen resolution.

Recommended specifications

- 1280 by 1024 pixel screen resolution;
- Pentium 4 class processor with two gigabytes of memory; and
- 50 gigabytes of disk storage. This differs for each VET provider and smaller VET providers may be able to manage with the minimum disk storage requirements.

Broadband requirements

- broadband connection with minimum 512 kilobytes per second upload/download speed.

Software requirements

- Microsoft Windows XP operating system with Service Pack 2 or above.
- Microsoft Excel 2003 or above to export reports produced by HEPCAT.

Additional requirements

- Internet Explorer 6 or above to download HEPCAT requisites, application and deployment;
- Microsoft Windows XP with administrator privileges to install HEPCAT and the chosen database, and for further HEPCAT upgrades;
- unique email account capable of receiving external emails; and
- printer.

The VET provider is responsible for all purchase costs and ongoing charges related to the equipment, hardware, software, staff training, telecommunications connections required to access HEPCAT.

The VET provider is also responsible for ensuring that it gains and maintains adequate firewall security and virus protection to safeguard its equipment and data integrity.

**User access**

HEIMS services include HEPCAT and HEIMS administration. All approved VET providers require access to HEPCAT for reporting all entitled students and VET FEE-HELP student data to the department. The VET provider must lodge signed Access to HEIMS Applications forms for each individual officer requiring access, sent in the Requirements Pack. This form must include the names of individual officers requiring access, and the delegated officer responsible for maintaining the VET provider’s system account. The department will issue user identifications and default passwords to officers nominated by the VET provider.

New users will be sent their user identifications and default passwords via email. The email will include links to HEIMS Administration and the HEIMSHELP website.

New users must change their default passwords within a 30-day period. Accounts will be locked if the password is entered incorrectly three times. To unlock accounts, users must contact the HEIMS Help Desk with their user identification to have their passwords reset. Enquiries regarding HEIMS may be submitted to the HEIMS helpdesk mailbox at heims.datacollections@education.gov.au.

**Data files and elements**

The data files that must be submitted to the department via HEPCAT for all students are set out in detail in the Ministerial Notice under subclause 24(1) of Schedule 1A to HESA. The VET FEE-HELP data collection section of the website outlines the reporting requirements set out in the Ministerial Notice. The VET provider must refer to the Ministerial Notice and ensure compliance with the reporting requirements. If there is any inconsistency between the content of this section and the Ministerial Notice, the provisions in the Ministerial Notice take precedence.

The 2013 data files that must be provided are:

- VET Commonwealth Assisted Students – HELP Due;
- VET CHESSN;
- VET Course of Study;
- VET Student Enrolment;
- VET Student Load Liability;
- VET Course Completions;
- VET Unit of Study Completions; and
Revisions files as required:
  o VET Enrolment Revisions;
  o Revised Student Load Liability; or
  o VET Student Revisions.

Further details on the scope and structure for each of the above files for the VET FEE-HELP Data collection is available at http://heimshelp.education.gov.au/sites/heimshelp/.

Data reporting dates

The VET provider will need to submit the following data files to the department via HEPCAT:

  - VET Student Enrolment;
  - VET Student Load Liability; and
  - VET Commonwealth Assisted Students – HELP Due.

These files will need to be submitted four times a year by the following dates:

  - 31 March for VET units of study with census dates in September to December of the previous year;
  - 31 May for VET units of study with census dates in January to March the current year;
  - 31 August for VET units of study with census dates in April to June the current year; and
  - 31 October for VET units of study with census dates in July to August the current year.

The VET Course of Study file is submitted to the department once a year prior to the first submission of student data.

The VET Course Completions and VET Unit of Study Completions files are submitted once a year on 30 April for courses and VET units of study in the previous year. VET Student Revision files are submitted at any time as required. HEPCAT will allow the VET provider to submit files earlier than these dates.

Data reporting for EFTSL

For VET FEE-HELP data reporting purposes, the VET provider will need to determine and provide the EFTSL value for each VET unit of study within a course (see part 3.6) as part of the Student Load Liability File.

Data verification

Data verification is required in the reporting requirements of HESA. The purpose is to confirm the accuracy of the data that is provided. Verification of the VET student data occurs twice a year:

  - September to October for first half year data for VET units of study with census dates from 1 January to 30 June of the same year; and
  - April to May for full year data for VET units of study with census dates from 1 January to 31 December of the previous year

Verification of student completions data occurs in May each year.
Variations to a student’s VET FEE-HELP debt amounts

VET FEE-HELP debts must be revised using the standard submission processes through the Higher Education Information Management System (HEIMS). The current quarterly transfer of student debts to the ATO should then ensure that in virtually all circumstances, including where a student has had a compulsory repayment raised on their debt, the most up to date debt information is available to the ATO directly from HEIMS.

This process generally commences within 2-3 days of the submission date. However delays can occur when providers have not submitted their data on time and/or data integrity issues are identified that must be resolved before the entitlement process can continue. The HELP entitlement calculations are generally completed within two – three weeks of each submission date.

On finalisation of the HELP entitlement calculations the department commences reporting student debt information to the ATO. The general timeframes for reporting student debts are listed below. The transfer of all data files for all providers takes approximately 4-6 weeks. This includes new debts for the relevant census dates and revisions to existing debts reported by the submission date. Delays in finalising the transfer of HELP data can be exacerbated by data integrity issues which impact on the decryption of the files.

<table>
<thead>
<tr>
<th>Submission deadlines</th>
<th>New debts for census dates in the reporting period</th>
<th>Revisions reported in the period</th>
<th>Reporting to ATO</th>
</tr>
</thead>
<tbody>
<tr>
<td>31 May</td>
<td>1 January to 31 March</td>
<td></td>
<td>15 June - 31 July</td>
</tr>
<tr>
<td>31 August</td>
<td>1 April to 30 June</td>
<td></td>
<td>15 September - 31 October</td>
</tr>
<tr>
<td>31 October</td>
<td>1 July to 31 August</td>
<td></td>
<td>15 November - 30 December</td>
</tr>
<tr>
<td>31 March (the following year)</td>
<td>1 September to 31 December</td>
<td></td>
<td>15 April - 20 May (the following year)</td>
</tr>
</tbody>
</table>

Revised HELP debts, yet to be reported to the ATO

It is essential to your approval as a VET provider that your data administration processes include the regular reporting of revisions to students’ debts. You are responsible for ensuring that in every quarterly submission period all outstanding revisions to your student’s debts are reported to the department.

Reporting revisions to students’ debts as soon as possible helps to minimise any disadvantage to students that can occur from late reporting and inefficient HELP administration processes. For example, an incorrect compulsory repayment amount may be raised on a student’s income tax notice of assessment due to late reporting. VET providers
must ensure that a single streamlined process is in place across all areas of their institution for reporting revisions to student debts.

A remitted debt may take up to six months, from the time the revision is reported to the department, to be applied to the student’s HELP debt at the ATO. It is recommended that VET providers incorporate standard advice to students regarding remitted debts and the delay.

If a student is unable to pay their compulsory repayment or are disputing the amount of compulsory repayment raised on their ATO notice of assessment, the provider should direct the student to contact the ATO by phoning 13 28 61 between 8.00am and 6.00pm, Monday to Friday to discuss their situation or for further information.

Following is a link to the ATO website that provides all the information providers and students need to know in relation to their debt:

13  **VET provider payments**

The VET provider may receive ongoing payments in relation to entitled students who defer their tuition fees through VET FEE-HELP. An advance may be made to the VET provider based on an amount of VET FEE-HELP that is expected to be provided to students [HESA Schedule 1A subclause 61(1)].

This amount is calculated as the difference between the student’s tuition fee for the unit of study and the amount of any upfront payments the student makes in relation to the VET unit of study. For VET FEE-HELP, the amount of VET FEE-HELP liabilities incurred by an entitled student is determined after the census date has passed.

**The newly approved VET provider**

Once an RTO has been approved as a VET FEE-HELP VET provider, the VET provider must:

- finalise the schedule of tuition fees;
- enter bank account details into HITS;
- enter the required information into the estimate screen in HITS; and
- complete the first year survey on HITS.

Once the RTO is approved the department changes the VET provider’s status to 'approved' in HITS. This allows the VET provider to enter its estimate for VET FEE-HELP payments into HITS. The estimate should only cover the census dates that occur from the date of approval until the end of the year.

**Payment arrangements**

The Secretary may determine that an advance payment for VET FEE-HELP is to be made to a VET provider [HESA Schedule 1A subclause 61(1)]. The estimate is based on the amount of VET FEE-HELP that is expected to be provided to entitled students for VET units of study with census dates that occur between January and December. The amount of the advance payment is determined on a calendar year basis. Estimates are submitted through HITS. The VET provider must complete the estimate screen in HITS and submit the information to the department. Assessment of an estimate will not proceed without the relevant information being provided.

Once the Secretary has approved the advance, a payment schedule will be created in HITS. The payment schedule is available to be viewed by the VET provider in HITS and details the amount of payments that will be made in monthly instalments over the calendar year. If an adjustment or variation is made, a new payment schedule will be created to reflect the variation.

VET FEE-HELP payments are processed on the fifteenth day of each month. Funds are not immediately transferred, and may take up to five business days to appear in the VET provider’s nominated bank account.
13.3 Submission of Estimates of Advance Payments and Variations

VET FEE-HELP advance payments are made based on an amount expected to become payable to the VET provider [HESA Schedule 1A subclause 61(1)]. When the VET provider becomes aware the estimate of the advance payment for the year is significantly different to the actual amount of VET FEE-HELP loans being accessed, the VET provider must submit a variation to the estimate. A variation of between one and ten per cent will generally not be processed.

Estimates and variations are submitted through HITS. The VET provider must provide all information as listed below to support the estimate request and this information should be uploaded to the Documents tab in HITS.

Information to be supplied in support of the Estimate.

Tuition assurance arrangements

In accordance with clause 6(1)(d) of Schedule 1A to the HESA, providers are required to fulfil the VET tuition assurance arrangements. Providers will be required to provide evidence that they have sufficient current tuition assurance coverage for all courses in all states/territories of delivery.

For ACPET and TDA members, providers must provide a report from ACPET or TDA confirming that an approved tuition assurance limit has been established for the member, that amended revenue projections do not exceed the limit provided, all courses are covered for all states/territories and there is coverage for all eligible students at any one time (as per the projected student growth). If the coverage is insufficient, evidence is required of how the provider will comply with Tuition Assurance Requirements under HESA.

- For providers with alternate tuition assurance arrangements, such as a deed of guarantee, a copy of the current arrangement which provides sufficient guarantee to cover all courses being delivered and all eligible students at any one time (as per the projected student growth).

Business model

Providers will be required to submit evidence their business model reflects the reforms, including the prohibition of inducements and undesirable marketing and recruitment practices.

Third Party Arrangements

From 1 July 2015 providers are required under Section 4.6.3 of the VET Guidelines 2015 to have written agreements with all third parties supplying services which market VET FEE-HELP, promote the VET providers VET course, provide advice or information on the VET FEE-HELP scheme, accepts enrolments into a VET course of study or refer a person to a provider for the purpose of enrolling in a VET course of study. These agreements must meet the requirements of Section 4.6.4 in regard to content of the agreements.

Providers will be required to upload copies of all such agreements to the department's HITS system as evidence they are complying with these requirements.
Data
The department places significant emphasis on the availability of student liability data when assessing estimates and variations. When submitting a variation, data for all census dates which have occurred should be reported into the Higher Education Information Management System (HEIMS (through (HEPCAT).

Justification
When a request to increase an estimate is greater than 10 per cent, a justification must be included. Variation increases of greater than 10 per cent which do not have a satisfactory justification will not be accepted and will be returned to the provider for amendment. Information to be included in the justification and evidence includes:

- increase in the number of courses on offer;
- increase in course fees – the Schedule of VET Tuition Fees must be published on the institute’s website;
- increase in take up rate of loans;
- increase in student numbers, included projected student liabilities and growth trends;
- addition of any new campuses;
- details of marketing strategies and any third party arrangements, and copies of all contracts and agreements for these activities;
- tuition assurance requirements; and
- business model.

Department Assessment of Estimates
- The department assesses all estimates against the following criteria:
  - reported student liabilities against VET FEE-HELP payments made to date to the provider;
  - performance in the previous year based on reported student liabilities;
  - financial risk factors including reported revenue;
  - provider quality based on behavior in the VET market place, taking into consideration adverse media and student complaints;
  - alignment of published schedule of tuition fees with student data reported in HEIMS and the estimate request amount;
  - areas of non-compliance with HESA such as not meeting financial viability and tuition assurance requirements;
  - evidence of satisfactory tuition assurance for the projected growth in student numbers;
  - evidence to prove that the provider is adjusting its business model in line with the VET FEE-HELP reforms as they are introduced; and
  - justification provided for the increase.
Timing

From 1 January 2015, VET providers may request a variation up to four times per year up to 1 October. This enables providers to submit one variation for each of the first three quarters with an additional variation should there be an unanticipated change during the year.

From 1 April 2015, providers should anticipate that variation requests will be actioned to take effect in the second payment due following submission of the request.

Payments made under HELP are made in advance with reconciliation occurring in May/June, following verification of data in HEIMS for a full year to the department. Reconciliation payments and debt recoveries will be made by the department after the reconciliation process has been conducted.

13.4 Reconciliation arrangements

Each year, the department reconciles the amount of advance payments paid to VET providers against the actual amount of VET FEE-HELP loans accessed by students, as reported into HEIMS, for a given year.

If the VET provider is due to be paid additional funds, these will be paid through a variation to the existing payment schedule and funds will be paid through an additional payment.

If an overpayment has occurred, the department will seek to recover the funds by either:

- reducing the VET provider’s next monthly payments by the amount equal to the debt; or
- if the debt is of significant value, the VET provider will be issued a debt notice advising the overpayment will be required to be repaid within 30 days. The department may consider suspending payments until large debts are resolved.

Reconciliation processes are normally conducted on verified student liability data, however in some circumstances the department may reconcile advance payments prior to the completion of data verification.

Throughout the year, the department will monitor the amount of advance payments being paid against the VET provider’s reported student liabilities. Should the approved advance appear to vary significantly from the expected liabilities, the department may contact the VET provider to either provide confirmation that its advance is appropriate or submit a request to vary the advance to an more appropriate level. A VET provider must notify the department if it becomes aware the trend of students accessing VET FEE-HELP differs from the approved advanced payment by ten per cent or more.

The standard VET FEE-HELP advance payments and reconciliation cycle is described below. However this cycle may vary depending on each VET provider’s situation.

VET FEE-HELP advance payment and reconciliation cycle:

<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>By 1 October</td>
<td>VET providers are requested to submit an estimate for VET FEE-HELP advance payments into HITS for the following year.</td>
</tr>
<tr>
<td>Date</td>
<td>Action</td>
</tr>
<tr>
<td>-----------------------</td>
<td>----------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>October to December</td>
<td>Determination of the advance amount to be paid. VET providers are advised of approved payment advance amounts.</td>
</tr>
<tr>
<td>Each month</td>
<td>VET providers are paid the VET FEE-HELP advance payments each month in accordance with the payment schedule in HITS.</td>
</tr>
<tr>
<td>After each census date throughout the year</td>
<td>VET providers should review the adequacy of the payments being received against the student liability activity for the year to date. If the trend of VET FEE-HELP being accessed by students differs from the approved advance payment by 10 per cent or more, VET providers must contact the department and submit a variation in HITS. Requests to vary approved advance payments may be made at any time up to 1 October.</td>
</tr>
<tr>
<td>May to June</td>
<td>End of year reconciliation of VET FEE-HELP advances paid against actual verified student liabilities that have been reported into HEIMS for the previous year. An additional payment or recovery action is used to resolve discrepancies.</td>
</tr>
</tbody>
</table>
14 HITS and HEIMS

HITS

HITS encompasses the VET provider application, course activation for VET FEE-HELP and submission of VET provider estimates on the expected amount of VET FEE-HELP it will provide in a year.

HITS is available via the department’s website at: [http://education.gov.au/approved-vet-provider-information](http://education.gov.au/approved-vet-provider-information)


HEIMS

HEIMS is the data management system developed for higher education and VET data reporting (see part 12). HEPCAT is the tool that prepares and validates data submissions and then submits that data to the department’s HEIMS. The VET provider will upload student data via HEPCAT.

Managing student VET FEE-HELP eligibility

**HEIMS order of precedence**

If multiple VET units of study are uploaded to HEIMS for a student, either from different VET providers or the same VET provider, the VET units of study that consume VET FEE-HELP are processed according to an order of precedence. The underlying principle in determining the order of precedence is that VET units of study with a census date (see part 3.4) in the current approval period are processed first. VET units of study submitted with a census date that relates to a previous approval period are then processed.

**Uploads to HEIMS from one or more VET providers for VET units of study with different census dates**

The precedence for uploads to HEIMS from different VET providers for VET units of study that have different census dates in the current period is based on the census date. The VET units of study with the earliest census date have first precedence to consume the remaining VET FEE-HELP available. The first census date prevails over VET units of study with later census dates.

**Uploads to HEIMS from different VET providers for VET units of study with the same census date**

The order of precedence where uploads to HEIMS are from different VET providers for VET units of study with the same census dates is based on the date the file is successfully loaded to HEIMS. The first VET units of study with the same census date uploaded to HEIMS have first precedence to consume the remaining VET FEE-HELP available. That is, the first data submission successfully loaded to HEIMS prevails.
Uploads to HEIMS for multiple VET units of study from a single VET provider with the same census date

The order of precedence to consume the remaining VET FEE-HELP available is from the most expensive VET unit of study to the least expensive in terms of VET FEE-HELP requested. For FEE-HELP, there may be several VET units of study uploaded from the one VET provider. The most expensive VET unit of study will be presented first, and then the second most expensive VET unit of study will be presented, and so on.

If the most expensive VET unit of study presented first has a value greater than the VET FEE-HELP balance, then the VET FEE-HELP balance will be fully consumed by the cost of this VET unit of study. Any amount not covered by VET FEE-HELP becomes the responsibility of the student to discharge directly with the VET provider. Alternatively, if the most expensive VET unit of study presented first has a value less than the remaining VET FEE-HELP available, then the VET FEE-HELP balance will be partially consumed by the cost of this VET unit of study and the next most expensive VET unit of study will be presented, and so on, until the VET FEE-HELP balance is fully consumed.

HEIMS outputs for management of student eligibility to VET FEE-HELP

The HEIMS outputs detailed below are intended to assist the VET provider monitor student eligibility. HEIMS outputs are generated from data reported by the VET provider. As a result of the agreed arrangements for data submissions by the VET provider, there will be a delay between a student consuming their eligibility and the department being able to provide output alerts based on the reported information.

The Commonwealth will only make payments to a VET provider in respect of its Commonwealth assisted students if those students are eligible for VET FEE-HELP (see part 13). Payments cannot be made for students who have exceeded their eligibility. The department recommends the VET provider institute its own processes to ensure that students have sufficient eligibility to enable access to Commonwealth assistance for their VET units of study.

VET FEE-HELP eligibility management request

This process may be initiated by the VET provider to allow it to request eligibility information for a nominated set of students. This process will require the VET provider to supply data to identify the group of students for whom information is required. To lodge an eligibility management request the VET provider must supply data for the nominated group of students for whom information is required. The information returned for each student currently includes the usage and balance of HELP and Commonwealth Scholarships.

Commonwealth Higher Education Student Support Number

The CHESSN is an identifier the VET provider must use in communications with the Commonwealth about a person who is enrolled, or seeking to enrol, in a VET unit of study with the VET provider and has indicated they are seeking Commonwealth assistance for the VET unit of study [HESA Schedule 1A clause 68].
The CHESSN will remain linked to the student for the remainder of their academic career for the purposes of managing HELP and Commonwealth Scholarships.

The CHESSN is limited in its use to monitoring Commonwealth assistance to entitled students, including the provision of data to the ATO regarding HELP debts. Students may use their CHESSN to access information on their use of HELP through the Study Assist website at: http://www.studyassist.gov.au.

**CHESSN allocation**

All students supported by the Commonwealth through HELP or a Commonwealth Scholarship must be allocated a CHESSN.

Applicants who apply for admission to a VET provider through a TAC, and applicants who submit an application for admission directly to the VET provider, will be asked to consent to personal, identifying information being provided to the Commonwealth for the allocation of a CHESSN. Direct applicants who fail to provide their consent will need to be advised they will not be eligible for Commonwealth assistance unless they provide their consent.

A subset of the applicant’s personal information is sent to HEIMS. The information is matched against existing HEIMS data to check whether a CHESSN has previously been allocated to the applicant. If a CHESSN already exists for an applicant, it is retrieved from the HEIMS database. If the HEIMS data-matching process determines the applicant does not yet have a CHESSN, HEIMS will generate one and store it within its database, along with the applicant’s personal details.

HEIMS sends the CHESSN for each applicant, back to the TAC or the VET provider over the CHESSN interface. The TAC will transfer successful student details, including CHESSNs, to the VET provider for storage in its student administration system.

For direct applicants, HEIMS will also send the VET provider the applicant’s FEE-HELP balance. If the direct applicant has not obtained any VET FEE-HELP previously, the FEE-HELP limit will be returned.

The VET provider is not required to delete CHESSNs from its system for direct applicants who do not complete the enrolment process, or who withdraw on or before the census date (see part 3.4).

**Managing CHESSN duplicates**

Whenever a TAC or VET provider submits a request for a CHESSN, the student data is compared to that already stored in the system. If no acceptable match is found, a new CHESSN is created. If an acceptable match is found, an existing CHESSN is returned.

While the data-matching tool reduces the number of duplicate CHESSNs issued, it cannot eliminate their occurrence. The department has developed a CHESSN duplicate management function in the HEIMS administration system that allows TACs and the VET provider to submit information to the department on CHESSN duplicates. There are two types of CHESSN duplicates:
- Type 1 duplicates occur when a single person has been issued with more than one CHESSN. This may occur, for example, when a student applies to study through a TAC and the VET provider, and supplied different personal information.
- Type 2 duplicates occur when two people are issued with the same CHESSN. This may occur when two people have very similar personal information, for example, twins.

TACs and the VET provider are able to resolve duplicate student records by using the web browser for CHESSN duplicate processing. The department will confirm a master CHESSN for Type 1 duplicates, and issue a new CHESSN for one of the students for Type 2 duplicates.

If a TAC or the VET provider does not have access to the HEIMS administration system for processing CHESSN duplicates, it should email the heims.datacollections@education.gov.au mailbox for information on how to register to use this facility.

**Notifying students of their CHESSN**

Students are notified of their CHESSN via the CAN (see part 9) [VET Guidelines subparagraph 9.2.2 (d)].

**The Study Assist website**

The Study Assist website, available at [http://www.studyassist.gov.au](http://www.studyassist.gov.au), provides students with information on Commonwealth assistance for financing tertiary study, including HELP, scholarships and student income support. It also includes information on HELP repayments, indexation and re-crediting.

On the Study Assist website, students who have been allocated a CHESSN may access information on their use of Commonwealth assistance through myUniAssist. Student information is populated using data that VET providers report to the department. Due to the timing of data reporting there may be a delay between a student consuming their eligibility and the department reporting this information through myUniAssist.
15 Electronic communications

The VET provider may communicate with its students electronically if the VET provider complies with the requirements of the ETA, HESA [HESA Schedule 1A clause 70] and chapter 10 of the VET Guidelines.

VET Guidelines requirements relate to information that HESA requires or permits to be given between students and the VET provider. The ETA does not apply to information that is not covered by HESA and the VET Guidelines, such as enrolment forms.

Electronic communication of documents, forms, notices, requests and other information includes facsimile, email, web-based communications or any other form of electronic communications specified by the VET provider [VET Guidelines paragraph 10.2.1], as long as the method of electronic communications provides a reliable means of assuring the maintenance of the integrity of the information [ETA section 11].

Electronic communication to a student

Under HESA, the VET provider may communicate information electronically to students, in line with the ETA and the VET Guidelines. This includes:

- requests for VET FEE-HELP (see part 7.4);
- the CAN (see part 9.4);
- requests for the correction of the CAN (see part 9.5); and
- notifications of student TFN, or the provision of a Certificate of Application for a TFN (see part 8.7).

Information technology requirements

The information system used for providing or receiving electronic communications must be accessible by students [VET Guidelines paragraph 10.2].

The VET provider must inform students by direct communication, or by way of the VET provider’s publications that communication will occur electronically using the information system. Consequentially, VET providers must give students authority to use the information system. The VET provider must also store the information so that it is readily accessible by the student and may be made available for easy reference and printing.

Online access to the electronic CAN

The VET provider must ensure the electronic CAN is accessible by students in the period in which the students are enrolled in VET units of study for which the VET provider is required to initially issue a CAN [HESA Schedule 1A subclause 64(1)].

VET provider obligation to provide online access to the CAN ceases when the person is no longer enrolled in the relevant VET unit of study. Each time a student enrols in further VET units of study with the VET provider, the VET provider must issue a new CAN relating to the new VET units of study.
Electronic communication from a student to the VET provider

Under HESA, the VET provider may receive information electronically from students, in line with the ETA and the VET Guidelines. This includes:

- requests for VET FEE-HELP;
- requests for the correction of a CAN; and
- notifications of student TFN, or the provision of a Certificate of Application for a TFN.

The requirement for permission for this information to be given in writing by the student is met if the student gives the information to the VET provider by means of electronic communications and all of the following circumstances prevail:

- information system requirements: the information system used for providing the information must be:
  - compliant with information technology requirements;
  - secure in line with security and back-up measures below; and
  - able to generate a printable receipt for the student.
- information technology requirements: the information is given by the student to the VET provider in line with instructions prescribed by the VET provider. For example, the VET provider may require a notice from a student that may be provided by email or facsimile to be sent to a particular email address or facsimile number;
- verification of receipt: the student must be able to verify the VET provider has received the information in line with any requirements for verification the VET provider may have. The VET provider should inform students of the procedures they will need to follow regarding the electronic submission of information. For example, the VET provider should inform a student what they should do if they do not receive a confirmation of receipt of the information within the specified period; and
- signed documents: where a document is required to be signed, a method is used to identify the person and indicate the person’s approval of the information [ETA sections 9-11 and VET Guidelines paragraph 10.3].

Electronic submission of documents that require signature

For documents requiring student signature under HESA, students will meet the signature requirement if they use a VET provider-issued identifier to identify themselves and indicate their approval of the conditions and requirements set out in the relevant document [ETA section 10 and VET Guidelines paragraph 10.3]. This may include the Request for VET FEE-HELP Assistance form.

VET provider-issued identifiers

The VET provider must have in place methods by which students may identify themselves in communications and indicate approval of information in the communication [VET Guidelines subparagraph 10.2.1(d)]. VET provider-issued identifiers may be in the form of a personal identification number (PIN), a username and password combination, or any other form as determined by the VET provider. CHESSNs cannot be used as the identifier. In issuing the identifier, the VET provider must ensure it uses a reliable method of verifying a person’s identity [ETA subsection 10(h)]. The VET provider must:
verify the identity of the person to whom the identifier is to be issued; and

take all reasonable precautions to ensure there is no unauthorised access to, or use of, the identifier; and

ensure the student is advised that, apart from the VET provider’s obligations under paragraphs listed above, the student is personally responsible for protecting the identifier [VET Guidelines paragraph 10.3.3].

The VET provider may issue the student an identifier that may be multi-functional. That is, a student may use the identifier to submit their electronic Request for VET FEE-HELP Assistance form and for other enrolment processes. A student’s identifier does not need to remain the same for the period of their enrolment.

Verifying a student’s identity

The VET provider-issued identifier and other details should be immediately matched with other data on the VET provider’s system to validate the name and the identifier. If the information provided by the student does not match the data on the VET provider’s system, the form should be rejected and a message provided to the student stating there is an error and advising of any follow-up action required.

Electronic form requirements

Inclusion of a date field

Students who complete an electronic form are not required to date the form. The VET provider must include a date field that is automatically generated by the system when the student submits the form.

Submission of the form

The VET provider must ensure that students have reasonable access to the VET FEE-HELP information booklet, either in hard copy or by electronic means, to assist students when completing electronic forms.

The VET provider should give students the opportunity to re-read the information it has provided online and correct any errors if necessary. If the VET provider is satisfied the student has made an error in completing the form, the student should be provided with an opportunity to correctly complete and resubmit the form.

Issue of a receipt

Any information system that students use to submit a Request for VET FEE-HELP Assistance form must be able to generate a printable receipt for the student [VET Guidelines subparagraph 10.2.1(e)]. The VET provider may determine the format of this receipt. However, TFNs must not be printed on the receipt issued to the student.

Retrieval of information

The VET provider must store all electronic forms, notices, documents, and other information in such a way they may be reproduced and retrieved. The VET provider may use the paper
form as a template for inputting stored data into the related fields and generating a hard copy. The hard copy of the electronic form does not need to be in the same format as the current paper form but should reflect what the student has submitted or had the opportunity to submit.

**Data storage**

The information system must store the information so that it is readily accessible by the student and may be made available for subsequent reference [VET Guidelines subparagraph 10.2.2(c)]. The VET provider must store the data in a dataset. Information provided by students, in particular TFNs, must be in a secure database. The storage and security of TFNs must comply with the TFN Guidelines.

**Security and back-up measures**

The VET provider must ensure a student’s information may only be accessed by a person authorised by the VET provider to access that information. The VET provider should ensure that back-up measures are in place to cater for situations where computer malfunctions occur. If a student is unable to complete an electronic form, the VET provider must instruct the student to complete a paper form.

**Electronic communication from the VET provider to a student**

Where the VET provider sends written information, documents, forms, requests, notices or other information required or allowed by HESA to students electronically, it will need to comply with the provisions of the ETA and chapter 10 of the VET Guidelines.

The information system used for providing the information electronically must be compliant with the information system requirements. The VET provider must seek to gain student consent to receiving the CAN electronically [ETA paragraphs 9(1)(d), 11(1)(c) and 11(2)(e)]. The VET provider may determine the means by which it obtains student consent and may wish to obtain this through enrolment documents.

Where student personal information is stored on an information system, the VET provider is required to comply with IPPs set out in section 14 of the *Privacy Act 1988* (see part 11).
16 Appendices

A. Contacts and useful links

On 18 September 2013, Machinery of Government changes transferred the responsibility for HESA from the Department of Industry, Innovation, Climate Change, Science and Tertiary Education to the newly established Department of Education and Training.

Department of Education and Training

Internet  http://www.education.gov.au
Phone  1800 020 108
Email  TSEnquiries@education.gov.au
Postal address  Student Support Branch
Department of Education and Training
GPO Box 9839
CANBERRA ACT 2601

Notifications to the Branch Manager, variations to schedules and orders for VET FEE-HELP information products may be submitted to the TSEnquiries@education.gov.au mailbox or the postal address listed above. Information products are also available for download from the Study Assist website at: http://www.studyassist.gov.au.


HEIMS

Enquiries regarding HEIMS, data reporting and specifications, HEPCAT and the CHESSN may be submitted to the HEIMS helpdesk mailbox at heims.datacollections@education.gov.au.

Australian Taxation Office (ATO)

Internet  http://www.ato.gov.au  Phone  1300 650 225

Queries on HELP debts, compulsory and voluntary repayments and indexation may be directed to the phone line listed above.

Commonwealth Ombudsman

Internet  http://www.ombudsman.gov.au  Phone  1300 362 072

The Commonwealth Ombudsman has offices in all Australian capital cities. Refer to the website above for further information.
Privacy Act 1988 considerations prevent the Department of Immigration from providing information about the visa status of individuals to the VET provider for the purpose of determining HELP eligibility without the consent of the applicant. Requests for information from VET provider enrolment officers should be in writing and accompanied by a signed authorisation from the applicant and details such as the applicant's full name, date of birth and current visa and passport numbers. The Department of Immigration has offices in all Australian capital cities. Requests for information may be faxed to the following offices:

<table>
<thead>
<tr>
<th>Office</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canberra</td>
<td>02 6248 0479</td>
</tr>
<tr>
<td>Brisbane</td>
<td>07 3136 7473</td>
</tr>
<tr>
<td>Hobart</td>
<td>03 6281 9579</td>
</tr>
<tr>
<td>Perth</td>
<td>08 9415 9766</td>
</tr>
<tr>
<td>Sydney</td>
<td>02 8862 6096</td>
</tr>
<tr>
<td>Darwin</td>
<td>08 8981 6245</td>
</tr>
<tr>
<td>Adelaide</td>
<td>08 7421 7653</td>
</tr>
<tr>
<td>Melbourne</td>
<td>03 9235 3300</td>
</tr>
</tbody>
</table>

Administrative Appeals Tribunal (AAT)

<table>
<thead>
<tr>
<th>Office</th>
<th>Phone</th>
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</thead>
<tbody>
<tr>
<td>Australian Capital Territory</td>
<td>1300 366 700</td>
</tr>
<tr>
<td>Administrative Appeals Tribunal</td>
<td></td>
</tr>
<tr>
<td>4th Floor, Canberra House</td>
<td></td>
</tr>
<tr>
<td>40 Marcus Clarke Street</td>
<td></td>
</tr>
<tr>
<td>CANBERRA CITY ACT 2601</td>
<td></td>
</tr>
<tr>
<td>Ph: 02 6243 4611</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:canberra.registry@aat.gov.au">canberra.registry@aat.gov.au</a></td>
<td></td>
</tr>
<tr>
<td>New South Wales</td>
<td></td>
</tr>
<tr>
<td>Administrative Appeals Tribunal</td>
<td></td>
</tr>
<tr>
<td>Level 7, City Centre Tower</td>
<td></td>
</tr>
<tr>
<td>55 Market Street</td>
<td></td>
</tr>
<tr>
<td>SYDNEY NSW 2000</td>
<td></td>
</tr>
<tr>
<td>Ph: 02 9391 2400</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:sydney.registry@aat.gov.au">sydney.registry@aat.gov.au</a></td>
<td></td>
</tr>
<tr>
<td>Queensland and Northern Territory</td>
<td></td>
</tr>
<tr>
<td>Administrative Appeals Tribunal</td>
<td></td>
</tr>
<tr>
<td>Level 4, Commonwealth Law Courts</td>
<td></td>
</tr>
<tr>
<td>Cnr North Quay &amp; Tank Street</td>
<td></td>
</tr>
<tr>
<td>BRISBANE QLD 4000</td>
<td></td>
</tr>
<tr>
<td>Ph: 07 3361 3000</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:brisbane.registry@aat.gov.au">brisbane.registry@aat.gov.au</a></td>
<td></td>
</tr>
<tr>
<td>South Australia</td>
<td></td>
</tr>
<tr>
<td>Administrative Appeals Tribunal</td>
<td></td>
</tr>
<tr>
<td>11th Floor, Chesser House</td>
<td></td>
</tr>
<tr>
<td>91 Grenfell Street</td>
<td></td>
</tr>
<tr>
<td>ADELAIDE SA 5000</td>
<td></td>
</tr>
<tr>
<td>Ph: 08 8201 0600</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:adelaide.registry@aat.gov.au">adelaide.registry@aat.gov.au</a></td>
<td></td>
</tr>
<tr>
<td>Tasmania</td>
<td></td>
</tr>
<tr>
<td>Administrative Appeals Tribunal</td>
<td></td>
</tr>
<tr>
<td>Ground Floor, Commonwealth Law Courts</td>
<td></td>
</tr>
<tr>
<td>39-41 Davey Street</td>
<td></td>
</tr>
<tr>
<td>HOBART TAS 7000</td>
<td></td>
</tr>
<tr>
<td>Ph: 03 6232 1712</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:hobart.registry@aat.gov.au">hobart.registry@aat.gov.au</a></td>
<td></td>
</tr>
<tr>
<td>Victoria</td>
<td></td>
</tr>
<tr>
<td>Administrative Appeals Tribunal</td>
<td></td>
</tr>
<tr>
<td>Level 16, HWT Tower</td>
<td></td>
</tr>
<tr>
<td>Southgate</td>
<td></td>
</tr>
<tr>
<td>40 City Road</td>
<td></td>
</tr>
<tr>
<td>SOUTHBANK VIC 3006</td>
<td></td>
</tr>
<tr>
<td>Ph: 03 9282 8444</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:melbourne.registry@aat.gov.au">melbourne.registry@aat.gov.au</a></td>
<td></td>
</tr>
<tr>
<td>Western Australia</td>
<td></td>
</tr>
<tr>
<td>Administrative Appeals Tribunal</td>
<td></td>
</tr>
<tr>
<td>Level 5, 111 St Georges Terrace</td>
<td></td>
</tr>
<tr>
<td>PERTH WA 6000</td>
<td></td>
</tr>
<tr>
<td>Ph: 08 9327 7200</td>
<td></td>
</tr>
<tr>
<td><a href="mailto:perth.registry@aat.gov.au">perth.registry@aat.gov.au</a></td>
<td></td>
</tr>
</tbody>
</table>
Useful links

Websites

- HEIMSHELP – http://heimshelp.education.gov.au
- Study Assist – http://studyassist.gov.au

Legislation


Guidelines


Ministerial determinations

The following Ministerial determination may be found on the department’s website at: http://education.gov.au/publications-approved-help-providers

- Ministerial determination under HESA Schedule 1A paragraph 9(2)(a) and 9(2)(b) and subclause 15(2)

Other

- The National Partnership Agreement on Skills Reform, as agreed to by the Council of Australian Governments (COAG) at its meeting on 13 April 2012, is available from the Standing Council on Federal Financial Relations website at http://www.federalfinancialrelations.gov.au/content/npa/skills.aspx
### B. Terminology used in the VET AIP

<table>
<thead>
<tr>
<th>Term</th>
<th>Explanation</th>
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<tbody>
<tr>
<td>AAT</td>
<td>Administrative Appeals Tribunal</td>
</tr>
<tr>
<td>APP</td>
<td><em>Privacy Act 1988</em> Australian Privacy Principle, which came into effect on 12 March 2014</td>
</tr>
<tr>
<td>AQF</td>
<td>Australian Qualifications Framework</td>
</tr>
<tr>
<td>ASQA</td>
<td>Australian Skills Quality Authority</td>
</tr>
<tr>
<td>ATO</td>
<td>Australian Taxation Office</td>
</tr>
<tr>
<td>business day</td>
<td>any day other than a Saturday, a Sunday, or a public holiday</td>
</tr>
<tr>
<td>CAN</td>
<td>Commonwealth Assistance Notice</td>
</tr>
<tr>
<td>census date</td>
<td>the date after which a student incurs a debt for the VET unit of study in which they are enrolled</td>
</tr>
<tr>
<td>CHESSN</td>
<td>Commonwealth Higher Education Student Support Number</td>
</tr>
<tr>
<td>Course</td>
<td>a VET course of study that leads to a diploma, advanced diploma, graduate certificate, graduate diploma or a qualification specified in the <em>VET Guidelines</em></td>
</tr>
<tr>
<td>Department of Immigration</td>
<td>Commonwealth Department of Immigration and Border Protection</td>
</tr>
<tr>
<td>EFTSL</td>
<td>Equivalent full-time student load, a measure of the study load for a year of a student undertaking a course on a full-time basis</td>
</tr>
<tr>
<td>eligible state or territory</td>
<td>a state or territory that has in place an agreed implementation plan with the Commonwealth as required by the National Partnership Agreement on Skills Reform</td>
</tr>
<tr>
<td>ETA</td>
<td><em>Electronic Transactions Act 1999</em></td>
</tr>
<tr>
<td>FVIAP</td>
<td><em>Financial Viability Instructions for Approved Providers</em></td>
</tr>
<tr>
<td>HEIMS</td>
<td>Higher Education Information Management System</td>
</tr>
<tr>
<td>HELP</td>
<td>Higher Education Loan Program, a suite of ICLs consisting of VET FEE-HELP, FEE-HELP, HECS-HELP, OS-HELP and SA-HELP</td>
</tr>
<tr>
<td>HEPCAT</td>
<td>Higher Education Provider Client Assistance Tool</td>
</tr>
<tr>
<td>HESA</td>
<td><em>Higher Education Support Act 2003</em></td>
</tr>
<tr>
<td>HITS</td>
<td>HELP Information and Technology System</td>
</tr>
<tr>
<td>ICL</td>
<td>income contingent loan</td>
</tr>
<tr>
<td>IPP</td>
<td><em>Privacy Act 1988</em> Information Privacy Principle</td>
</tr>
<tr>
<td>Minister</td>
<td>the Minister responsible for the administration of VET FEE-HELP</td>
</tr>
<tr>
<td>NVR</td>
<td>National VET Regulator, or ASQA</td>
</tr>
<tr>
<td>NVR Act</td>
<td><em>National Vocational Education and Training Regulator Act 2011</em></td>
</tr>
<tr>
<td>restricted access arrangement</td>
<td>a course arrangement between the VET provider providing the course and an employer or industry body that limits or restricts enrolment in some or all course places</td>
</tr>
<tr>
<td>Term</td>
<td>Explanation</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>RTO</td>
<td>registered training organisation, as listed on the National Register at <a href="http://www.training.gov.au">http://www.training.gov.au</a></td>
</tr>
<tr>
<td>SCV</td>
<td>Special Category Visa</td>
</tr>
<tr>
<td>Secretary</td>
<td>a person holding, occupying or performing the duties of the position of Secretary of the department, responsible for the administration of VET FEE-HELP</td>
</tr>
<tr>
<td>special admissions test</td>
<td>a test to determine the suitability of a person seeking admission into a course that is necessary to establish suitability of that person for admission into that course</td>
</tr>
<tr>
<td>TAC</td>
<td>tertiary admissions centre</td>
</tr>
<tr>
<td>TFN</td>
<td>tax file number</td>
</tr>
<tr>
<td>TFN Guidelines</td>
<td><em>Tax File Number Guidelines 2011</em></td>
</tr>
<tr>
<td>VET</td>
<td>vocational education and training</td>
</tr>
<tr>
<td>VET AIP</td>
<td><em>VET Administrative Information for Providers</em>, this handbook</td>
</tr>
<tr>
<td>VET FEE-HELP</td>
<td>an ICL available to eligible VET students to pay all or part of their tuition fees</td>
</tr>
<tr>
<td>VET Guidelines</td>
<td>the guidelines relating to VET FEE-HELP, which have legislative authority under HESA.</td>
</tr>
<tr>
<td>VET provider</td>
<td>a VET provider approved to offer VET FEE-HELP under HESA</td>
</tr>
</tbody>
</table>
C. Sample Request for VET FEE-HELP Assistance Form

You must:

- complete this form if you are requesting VET FEE-HELP assistance for all or part of your VET tuition fees for your VET course(s) of study;
- ensure that you complete each question that is relevant to you, including ticking the relevant boxes. Your form will not be valid unless each question is completed correctly; and
- return the completed form to the enrolments area at your VET provider on or before the census date for the first unit(s) of study for which you are requesting VET FEE-HELP assistance. You will be provided with a copy of this form for your records. Note that your VET provider may set an earlier date for the submission of the form—check with your VET provider.

IMPORTANT: this form is valid for your whole VET course of study unless you cancel your request for VET FEE-HELP in writing to your VET provider. However, you will only be entitled to VET FEE-HELP assistance for a particular VET unit of study if you remain eligible and have sufficient FEE-HELP balance. You must advise your VET provider if you do not have enough FEE-HELP balance to cover your VET tuition fees.
D. Permanent visas and permanent humanitarian visa subclasses

Permanent visa holders

Non-citizens applying for a permanent visa within Australia become the holder of a permanent visa on the date on which they are granted that visa for the first time or at a date or event specified in the visa [Migration Act 1958 section 68].

Non-citizens applying for a permanent visa outside Australia become the holder of a permanent visa on the date on which they enter Australia for the first time after the Department of Immigration has approved their visa.

Permanent visa holders are not eligible for VET FEE-HELP. Non-citizens must be permanent humanitarian visa holders who will be resident in Australia for the duration of the VET unit of study to meet the citizenship and residency requirements for eligibility to VET FEE-HELP.

Evidence of permanent visa

The provision of a TFN by a student must not be taken as proof of permanent visa status.

From 24 November 2012, visa holders will need to pay a Visa Evidence charge of $70 to have a visa label placed in their passport. The charge is being introduced as part of the Department of Immigration’s user-pays initiatives to encourage the use of online immigration services.

The Department of Immigration’s Visa Entitlement Verification Online (VEVO) system is a free, online service that allows visa holders and registered Australian organisations, such as VET providers, to check the details and entitlements of a visa. VEVO means that permanent visa holders will no longer need a visa label in their passport.

For further information on these changes, and to register for VEVO, see the Department of Immigration website at http://www.immi.gov.au/e_visa/vevo.htm.

Permanent humanitarian visa subclasses

VET providers should contact the Department of Immigration or use the VEVO system to confirm if the visa class held by a person applying for VET FEE-HELP is a permanent humanitarian visa.
Historical permanent humanitarian visa subclasses

Holders of permanent humanitarian visas should give their VET provider relevant documents, such as their permanent visa, to demonstrate their eligibility for Commonwealth assistance.

The table below is a list of historical permanent humanitarian visa subclasses. Pre-1989 visa subclasses may not appear on this list. To confirm pre-1989 visa subclasses, contact the Department of Immigration.

*Permanent humanitarian visa subclasses – historical*

<table>
<thead>
<tr>
<th>Subclass number</th>
<th>Subclass title</th>
</tr>
</thead>
<tbody>
<tr>
<td>205</td>
<td>Camp Clearance – obsolete code</td>
</tr>
<tr>
<td>206</td>
<td>Lebanese Concession – obsolete code</td>
</tr>
<tr>
<td>207</td>
<td>Soviet Concession – obsolete code</td>
</tr>
<tr>
<td>208</td>
<td>East Timorese in Portugal, Macau or Mozambique – obsolete code</td>
</tr>
<tr>
<td>209</td>
<td>Citizens of Former Yugoslavia (Displaced Persons) – obsolete code</td>
</tr>
<tr>
<td>210</td>
<td>Minorities in Former USSR – obsolete code</td>
</tr>
<tr>
<td>211</td>
<td>Burmese in Burma – obsolete code</td>
</tr>
<tr>
<td>212</td>
<td>Sudanese – obsolete code</td>
</tr>
<tr>
<td>213</td>
<td>Burmese in Thailand – obsolete code</td>
</tr>
<tr>
<td>214</td>
<td>Cambodian – obsolete code</td>
</tr>
<tr>
<td>215</td>
<td>Sri Lankan (Special Assistance) – obsolete code</td>
</tr>
<tr>
<td>216</td>
<td>Ahmadi – obsolete code</td>
</tr>
<tr>
<td>217</td>
<td>Vietnamese – obsolete code</td>
</tr>
<tr>
<td>803</td>
<td>Refugee (After Entry) – obsolete code</td>
</tr>
<tr>
<td>807</td>
<td>Compassionate (Humanitarian Grounds) – obsolete code</td>
</tr>
<tr>
<td>809</td>
<td>PRC Citizen – obsolete code</td>
</tr>
<tr>
<td>810</td>
<td>Refugee – obsolete code</td>
</tr>
<tr>
<td>817</td>
<td>Protection (Permanent Entry After Entry) Visa – obsolete code</td>
</tr>
</tbody>
</table>

* The historical visa subclass codes are no longer issued by the Department of Immigration and are for reference only. A person who holds a permanent humanitarian visa with one of these obsolete subclass codes continues to be eligible for Commonwealth assistance.
E. Samples of evidence of an Application for a TFN

Sample Certification of Application for a TFN form

Sample of a TFN application summary and Australia Post receipt
F. Sample wording for informed consent

I understand that:
[NAME OF PROVIDER OR TERTIARY ADMISSION CENTRE] is collecting the information in this form for the purpose of assessing my eligibility for the Higher Education Loan Program under the *Higher Education Support Act 2003* and allocation of a Commonwealth Higher Education Student Support Number to me;

[NAME OF PROVIDER OR TERTIARY ADMISSION CENTRE] will disclose this information to the Australian Government for those purposes;

The Australian Government will store the information securely; and

[NAME OF PROVIDER OR TERTIARY ADMISSION CENTRE] and the Australian Government will not otherwise disclose the information without my consent unless required or authorised by law.
G. New Zealand citizens

New Zealand citizens are not eligible for HELP, unless they are also Australian citizens.

Most New Zealand citizens who arrive in Australia are the holders of temporary visas called a Special Category Visa (SCV). This is not a permanent visa. Although a SCV allows its holder to visit, live and work in Australia indefinitely, it does not give them access to HELP.

Following the 2001 changes to social security arrangements for New Zealanders, the Department of Immigration may issue a Certificate of Status of New Zealand Citizens in Australia (Form 1162) to New Zealand citizens who were:

- in Australia on 26 February 2001 as SCV holders; or
- outside Australia on 26 February 2001, but were in Australia as an SCV holder for at least one year in the two years prior to that date, and subsequently returned; or
- who have a certificate, issued under the Social Security Act 1991, stating they are residing in Australia on a particular date.

While this certificate certifies the status of its holder as a permanent resident of Australia for the purposes of accessing certain social security payments, it does not give the holder access to HELP.
H. Sample TFN notifications from the ATO

Sample notification when incorrect tax file number provided

Higher Education Loan Program –
Notice of incorrectly notified tax file number
For your action
The tax file number (TFN) provided to you by the following student could not be matched with our records:
Student name:
Date of birth:
Student identification number:
Under clause 86 of Schedule Tot the Higher Education Support Act 2003 (the Act), the above-named student has been advised they have not provided you with their correct TFN.
The student has been further advised, under clause 89 of Schedule 1A to the Act, they have 28 days to provide you with their correct TFN or a certificate from us they have applied for a TFN, otherwise they will not be eligible for VET FEE-HELP.
If you need more information, phone 1300 650 225 between 8.00 am and 6.00 pm Australian Eastern Standard Time, Monday to Friday.

Sample notification when correct tax file number provided

Higher Education Loan Program –
Withdrawal of Schedule 1A, clause 89 notice
For your action
We refer to the incorrect tax file number (TFN) notification sent to you on [DATE] under clause 86 of Schedule Tot the Higher Education Support Act 2003. This notice advised that we were unable to match with our records the TFN provided to you by the following student:
Student name:
Date of birth:
Student identification number:
This student has now provided further details enabling us to identify their correct TFN as [CORRECT TFN]. Accordingly, we wish to withdraw the clause 86 notice.

If you need more information, phone 1300 650 225 between 8.00 am and 6.00 pm Australian Eastern Standard Time, Monday to Friday.
I. Notice of rights of review

When a reviewable VET decision has been made or reconsidered the person must be provided with a notice of rights of review along with the reasons for the decision/reconsideration.


The first rights of review notice needs to be provided after a reviewable VET decision has been made. An example of this is as follows:

THIS TYPE OF NOTICE SHOULD ONLY BE PROVIDED WHEN A REVIEWABLE VET DECISION HAS BEEN MADE

If you think this decision is wrong, you may request reconsideration by someone who was not involved in making this decision. You will need to make your request in writing and must include the following information:

- the date of this decision; and
- the reasons why you are requesting reconsideration.

You should also include any additional evidence that you think is relevant.

Send or deliver the reconsideration request to: [INSERT POSTAL ADDRESS]

Time limits apply. Your application must be made within 28 days [Or insert greater time period – but no less than 28 days: clause 96(2) of Schedule 1A to the Higher Education Support Act 2003]

[INSERT NAME, POSITION] will:

- review the original decision;
- assess any new evidence provided by you;
- provide you with a written notice of the decision.

If, after [INSERT NAME, POSITION] has reconsidered the decision, you are dissatisfied with the outcome, you may apply to the Administrative Appeals Tribunal (AAT) for a Review of Decision. The application must be lodged at the AAT within 28 days of receiving notice of [INSERT NAME, POSITION]’s decision. You will be provided with further information about this process at the time you are notified of that decision.

See http://www.aat.gov.au for further information on this process.
The second rights of review notice needs to be provided after a reviewable VET decision has been reconsidered. An example of this is as follows:

**THIS TYPE OF NOTICE SHOULD ONLY BE PROVIDED WHEN A REVIEWABLE VET DECISION HAS BEEN RECONSIDERED**

If you disagree with this decision, you may apply to the Administrative Appeals Tribunal for review. The application must be lodged at the Administrative Appeals Tribunal within 28 days of receiving this notice.

This time limit may be extended in limited circumstances by order of the Administrative Appeals Tribunal. The AAT’s address is: [INSERT POSTAL ADDRESS OF NEAREST AAT LOCATION]

If you apply to the Administrative Appeals Tribunal for review of a decision, you may have to pay an application fee of $816 (as at 12 November 2013). This fee is subject to change and you should confirm the fee before you lodge an application. Your application cannot proceed until you pay the application fee or the fee has been waived. If you want to apply to have the fee waived, you will need to make an application for fee waiver to the Administrative Appeals Tribunal.


The VET provider should check the application filing fee on the AAT website regularly as it reviewed at least once a year.
J. Incidental Fees

The table below lists examples of fees that can be set as incidental fees, as outlined in section 8.2 of the VET Guidelines, and an explanation as to why they cannot be included in tuition fees.

<table>
<thead>
<tr>
<th>Examples</th>
<th>Why they can be charged as an incidental fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>A set of tools for that occupation used during the course of study by the student.</td>
<td>The items become the property of the student. The item is essential, but the item can be purchased by the student second hand, or from other supplier, and the item becomes the property of the student.</td>
</tr>
<tr>
<td>Protective clothing determined as essential to the unit of study by the provider.</td>
<td></td>
</tr>
<tr>
<td>Text books</td>
<td></td>
</tr>
<tr>
<td>The accommodation and food component of a residential unit of study.</td>
<td>There are no barriers in HESA to a provider delivering units of study in the manner they determine. Costs that meet the definition of an incidental fee cannot be included in tuition fees for that unit.</td>
</tr>
<tr>
<td>Flights for a unit of study available undertaken as part of a study tour.</td>
<td></td>
</tr>
<tr>
<td>A uniform for a work experience program to obtain licensing - that is not listed as part of the requirements for that qualification in the training package.</td>
<td>As the work experience program is not part of the qualification as defined in the training package then the uniform is not essential to the course of study.</td>
</tr>
<tr>
<td>A fee for a review of grade if a student has already been deemed competent in competencies contained in the VET unit of study, but is seeking to improve their grade.</td>
<td>These are fines or penalties set as a disincentive and not to raise revenue or cover administrative costs.</td>
</tr>
<tr>
<td>Fines or penalties for late enrolments, late variations to enrolments, late withdrawals from a course</td>
<td></td>
</tr>
<tr>
<td>A fee set as a disincentive for students that repeatedly request administrative actions the provider provides for free. For example; a request for credit that has been already been assessed and rejected.</td>
<td></td>
</tr>
<tr>
<td>Charge for damages or non-return of equipment</td>
<td></td>
</tr>
</tbody>
</table>
The table below provides some examples of goods or services that are able to be incorporated into tuition fees set for VET units of study and an explanation as to why they can be.

<table>
<thead>
<tr>
<th>Examples</th>
<th>Why they can be included in tuition fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>▪ Textbooks or materials that are populated by the student with information as part of assessment or that contain a unique single use set of information for assessment, for example, a one-use code required for a one-off compulsory assessment essential to completing a unit of study.</td>
<td>▪ These goods are <em>consumed</em> during course and do not meet the definition of an incidental fee, therefore can be included in the tuition fee.</td>
</tr>
<tr>
<td>▪ Access to provider computer rooms to use particular software only loaded onto computers in that room, that is only available for use through the provider.</td>
<td>▪ Access is essential to the course of study therefore it can be included in the tuition fee.</td>
</tr>
<tr>
<td>▪ A uniform for a placement that is part of the course of study, embroidered with the VET provider’s emblem and student’s name and status as student. The uniform is only available to students of that provider and is determined as essential to the unit of study.</td>
<td>▪ Wearing a uniform is compulsory to undertake placement, therefore is essential to the course of study. The uniform is also not available through any other avenue than through the provider, and so can be included in the tuition fee.</td>
</tr>
<tr>
<td>▪ A set of products used in the occupation that is consumed during the course of study by the student.</td>
<td>▪ These goods are <em>consumed</em> during course and do not meet the definition of an incidental fee, therefore can be included in the tuition fee.</td>
</tr>
</tbody>
</table>
K. Understanding what content can and cannot be included in VET units of study

The key issue in understanding what can be included in VET units of study is the relationship between HESA requirements for VET courses of study and VET units of study and the qualification packaging rules defined in training packages, endorsed by industry skills councils, or VET accredited courses, accredited by ASQA, or a state or territory course accrediting body.

VET FEE-HELP is only available for VET courses of study that lead to a VET qualification at diploma level or above, or other qualifications as defined in the VET Guidelines. VET units of study, that form part of a VET course of study, must include one or more units of competency (or parts thereof) that are listed as part of the diploma level or above qualification in the relevant National Training Package or VET Accredited Course.

Units of competency that are not identified in the relevant Training Package or VET Accredited Course as being able to be delivered as part of a course of study leading to a diploma or above level qualification (for example units of competency that are pre-requisites or entry requirements or that contribute to a qualification that is a pre-requisite or entry requirement) are not able to be included in a VET unit of study and are not eligible for VET FEE-HELP.

Information below describes several scenarios to assist in understanding what content can and cannot be included in VET units of study. It is a VET provider’s responsibility under the VET Quality Framework or the Australian Quality Training Framework, as applicable, to ensure all courses of study leading to the award of VET qualifications by the VET provider are delivered in accordance with the relevant training package or VET accredited course of study. If assistance is required with ensuring the meeting of these requirements, VET providers should contact the ASQA or relevant state and territory registration authority as applicable.

If assistance is required with managing any VET courses of study the VET provider currently offers for VET FEE-HELP purposes, which may contain content that doesn’t meet these requirements, contact the department by email to TSEnquiries@education.gov.au.

Understanding what content can and cannot be included in VET units of study

Scenario 1

Several units of competency are listed as pre-requisites in the Training Package for enrolment in Diploma X.

1. Can these units of competency be included in VET units of study for the VET course of study leading to the award of Diploma X?

NO. VET units of study, that form part of Diploma X, can only include one or more units of competency (or parts thereof) that are listed as part Diploma X in the relevant National Training Package or VET Accredited Course. Pre-requisites are not listed as part of the Diploma so cannot be included.
2. Can these units of competency be delivered concurrently with Diploma X even though the Training Package defines them as pre-requisites?

**NO.** That would be enrolling students in Diploma X before they have met the entry requirements. ASQA provides direction to RTOs on these matters.

3. Can we deliver the pre-requisite units of competency for free as part of Diploma X?

**NO.** That would be enrolling students in Diploma X before they have met the entry requirements. ASQA provides direction to RTOs on these matters. The department may require VET providers to provide supporting documentation confirming the cost of free courses, pre-requisite units of competency or other enrolment incentives are not being included in the tuition fee for subsequent VET units of study.

4. If we have confirmed the students do meet the entry requirements of Diploma X, can we include this as RPL as part of the VET course of study?

**NO.** As in 1 above, that would be including units of competency that are not part of Diploma X. This would be regarded as falsely creating an entitlement to VET FEE-HELP where one does not exist, and depending on the circumstances may be regarded as fraudulent activity.

5. Do we still have to apply the same entry requirements to students wanting to enrol in a Diploma X even though it is a VET course of study?

**YES.** It is still the same qualification and the same rules apply.

**Scenario 2**

The list of units of competency available for delivery as part of Diploma Z includes most, but not all, of the units of competency required to obtain the Certificate IV in A.

1. Can we include the additional units of competency required for the Cert IV in A in the VET units of study for Diploma Z so students can obtain both qualifications?

**NO.** If the units of competency are not on the list of those available for Diploma Z then they cannot be included in VET units of study.

2. We are going to enrol students in Diploma Z and separately deliver the additional units of competency required for the Certificate IV in A for free at the same time. We will recover our costs for the additional Certificate IV competencies by increasing the cost of Diploma Z. All students are aware of this so it is OK.

**NO it isn’t OK.** This would be regarded as falsely creating an entitlement to VET FEE-HELP where one does not exist, and depending on the circumstances may be regarded as fraudulent activity.

If the additional units of competency were delivered to students on an upfront fee-paying basis, that would be acceptable.
**Scenario 3**

Students cannot undertake Diploma Y unless they already hold a Certificate IV in B. The students don't hold a Certificate IV in B but do have relevant industry experience.

1. Can we award the students the Certificate IV based on RPL and include the cost of the RPL in Diploma Y?

**NO.** As in Scenario 2, question 2, above, this would be regarded as falsely creating an entitlement to VET FEE-HELP where one does not exist, and depending on the circumstances may be regarded as fraudulent activity.

**Scenario 4**

The list of units of competency available for delivery as part of Diploma Q includes all of the units of competency required to obtain the Certificate IV in R.

1. Can we include units of competency required for the Cert IV in R in the VET units of study for Diploma Q so students can obtain both qualifications?

**YES.** If the units of competency are on the list of those available for Diploma Q then they can be included in VET units of study.
L. Changes to VET AIP April 2015 edition

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Section</th>
<th>Updates to information regarding</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Quality and accountability</td>
<td>4</td>
<td>Update to highlight restrictions on the use of inducements in vet enrolments in accordance with the VET Guidelines 2015.</td>
</tr>
<tr>
<td></td>
<td>4.5</td>
<td>4.5 Fee requirements, Incentives to Enrol updated to Inducements to Enrol updated to reflect revised VET Guidelines 2015.</td>
</tr>
<tr>
<td>7. Student administration</td>
<td>7.2</td>
<td>FEE-HELP limit and balance, updated FEE-HELP limit to 2015 amount.</td>
</tr>
</tbody>
</table>