

## **CANCELLATION AND REFUND POLICY** (IN ACCORDANCE WITH H&H REGULATIONS)

### **Scope:**

This policy has been developed to protect the interests and reputation of H&H Accredited Training ('the business') and states that every student has the right to accurate information regarding all fees, including course fees, payment options, applicable administration fees and refunds that may be applicable.

### **Purpose:**

The policy that has been implemented by H&H Accredited Training aims to provide knowledge for the student in regard to fees, charges and payments involved in the enrolment into an H&H course. H&H has a duty under the Standards for Registered Training Organisation (RTO) 2015 to keep students up to date and informed with all matters in relation to refunds of their costs.

### **Guidelines:**

H&H has a responsibility to prove it is financially viable to all stakeholders, and is capable of covering any refunds or applicable costs to the student.

*The H&H refund policy excludes VET Student Loan enrolments.*

### **Suspension Policy:**

- H&H may suspend a student from a course where the student breach H&H Student Conduct Policy, other applicable policy/regulation or Australian law and legislation
- H&H will provide the student with a notice of course suspension letter detailing the incident and will inform the student the period of suspension; the student will also have an opportunity to describe the incident from their viewpoint, which will then be reviewed by General Manager
  - o If the outcome of the review is cancellation of enrolment, the student will be provided with a notice of course cancellation letter, explaining the reason of the outcome and will be refunded based on refund policies below.
  - o If the outcome of the review is continuation of enrolment, the student will be notified by notice of continuation letter

### **Cancellation / Withdrawal Policy:**

- If a student requests to be cancelled from a course, the student will be contacted by an H&H trainer or staff member, who will discuss the possibility of any further support that could be provided, which would assist the student in completing the course
  - o For VET Student Loan student, this process:
    - Does not pressure a student into remaining enrolled
    - Does not pressure a student to enrol in a different course
    - Occurs within a timeframe that allows the student to withdraw on or before the census date, if the student still so chooses
- Should they still wish to cancel from a course, the student is required to notify H&H in writing (this can be via email or SMS), or by completing the H&H Cancellation, Withdrawal Form
- H&H will process the cancellation and, where applicable, apply a refund based on the refund policies below
- H&H may cancel an enrolment where a student is considered as unengaged (missing multiple training sessions or cannot be contacted); not engaging in learning or submitting assessments (distance and classroom students); or if fees, being paid under a payment plan, are outstanding for more than 3 weeks  
NB. In these circumstances, H&H will make a minimum of 3 attempts to contact a student in regard to their attendance; these contact attempts will be recorded in Axcelerate
- Cancellation will be processed within 5 business days, and any payment plans for the student will be stopped immediately (if applicable)

- When the cancellation has been processed, the student will receive confirmation of their course cancellation
  - For the Smart and Skilled program, the student will receive:
    - a statement of fees, explaining all fees (student contribution) applied and any fees refunded, if applicable
    - updated training plan listing all units of competency where an outcome has been achieved, or where commenced but not completed, and/or not commenced
    - a Statement of Attainment and associated transcript for completed Units of Competency within 30 days of notification of cancellation
  - For VET Student Loan program, the student will receive:
    - Confirmation of the cancellation, including date and time of the cancellation, the unit of study, part of a course or whole course from which the student has cancelled and the relevant census day
    - Confirmation regarding whether the student has incurred a debt for the unit, part of the course or the whole course (for cancellation after census day)
    - Advice on special circumstances requirements, if applicable to a student's circumstances
    - Information about the refund of upfront payments as per refund policies below.

#### **Deferral Policy:**

- Students may defer their course for a maximum of 12 months if they have circumstances that will stop them from attending classes or completing their course on time.
- Students cannot defer their study after 3 months of study.
- Students must notify H&H by completing H&H cancellation, withdrawal, transfer form and submit the completed form to Team Leader or General Manager for consideration.
- The H&H Team Leader, or General Manager, will make a decision as to the approval of the deferral (or not) based on class or trainer's availability and the outcome will be advised to the student
- Where a deferral has been approved and the student has not progressed or completed the course within the new training period, the student will be required to re-enrol and may incur additional fees.

#### **Course Re-enrolment Policy:**

- Students may re-enrol in their course after having formally withdrawn from the course by completing a Re-enrolment Form.
- Students when re-enrolling must have a nil balance on previous enrolment before entering the new enrolment.
- The completed Re-enrolment Form must be submitted to the Team Leader or General Manager for approval. The request for re-enrolment must be in writing.
- The Team Leader will advise the student on the adjusted fee schedule and new timeframe to complete the course.
- The Team Leader will also create a new training plan, to enable the student to achieve their qualification within the new timeframe
- Re-enrolment is for a maximum period of 3 months (unless approved by management)
- Students can apply for a maximum 2 re-enrolments (2<sup>nd</sup> re-enrolment subject to approval)
- Re-enrolment is also subject to change in line with training package rules (in line with training.gov.au)

#### **Cancellation by H&H:**

- For the Smart and Skilled program, students will be:
  - Informed on the date of cancellation of the training
  - Advised on options for continuing training, which may include:
    - Referring the student to the Smart and Skilled website to identify other RTO who can provide similar Smart and Skilled training
    - Referring the student to the local Training Services NSW Regional Office for assistance
    - Opting to remain with H&H on a fee for service basis (without funding)

- Suggesting other RTOs who can provide the training on a fee for service basis
  - Issued with their statement of attainment if applicable (within 30 days)
  - Issued with an updated training plan, listing all units of competency where an outcome has been achieved, commenced but not completed or not commenced
  - Issued with a refund in accordance with the refund policies below
  - Provided with results of any outstanding completed training activities and assessments
- For VET Study Loan program, students will be:
- informed of a proposed cancellation date and time
  - provided with 28 days to initiate grievance procedures before the cancellation takes final effect  
NB. cancellation can only take final effect if any grievance procedures initiated by the student have been completed
  - informed of circumstances in which fees for the course, or part of the course will (or will not) be refunded

#### **Refund Policy – Classroom Based Students:**

- Should H&H cancel a course the student will be refunded **100% of all course fees** paid, including the deposit
- Should a student withdraw prior to commencement, H&H will retain 15% as an administration fee (the deposit) that was paid upon enrolment; if more than the 15% deposit was paid at enrolment the difference will be refunded
- Should a student withdraw during the course, a pro-rated amount will be charged to the student; the pro-rated amount will be calculated on how many weeks the student was in attendance in the classroom, as per the attendance sheets

#### **Refund Policy - Distance Students:**

- Should H&H cancel a course the student will be refunded 100% of all course fees paid including the deposit
  - Should a student withdraw/cancel during their course period they will be charged a pro-rated amount based on how many units were provided
- \*\* Please note enrolment fees for distance courses may vary depending on the qualification. This includes the administration fee and the first two workbooks/assessments and the student information paperwork.

#### **Refund Policy - VSL Students:**

- Should H&H cancel a course the student will be refunded 100% of all course fees paid including the deposit
- Should a student withdraw/cancel their enrolment in an approved course on or before the census day, the student will get a full refund for the course or part of the course, to which census day applies. (VSL Act s 58).
- This applies to all tuition fees for the course, or part of the course, to which the census day relates, including:
  - VET Student Loans covered fees
  - Any gap fees
  - Upfront payment of tuition fees
  - Gap fees or tuition fees paid through a loan from the provider
- Should a student withdraw/cancel their enrolment in an approved course after the census day, the student may apply for FEE-HELP balance to be re-credited under Part 6 of the VSL Act
  - The student may apply to H&H for FEE-HELP balance to be re-credited under section 68 of the Act because of special circumstances
    - Special circumstances are any circumstance that is beyond the control of the student, which do not make their full impact on the student until on or after the census day of the course, or part of that course, which then makes it impracticable for the student to complete the requirements of the course, or part of the course. (VSL Act s 68)
    - The application for re-crediting under this section must be made in writing within 12 months after the census day of the course or part of the course or within such longer period for the application as allowed by H&H

- H&H is satisfied that the identified 'special circumstances' prevented, or will prevent, the student from completing the requirements of the course or part of the course
- The student may apply to the Secretary for the student's FEE-HELP balance to be re-credited under section 71 of the Act because:
  - H&H, or a person acting on behalf of H&H, engaged in unacceptable conduct in regard to the student's application for VSL, or
  - H&H has failed to comply with the Act, or an instrument under the Act, and the failure has adversely affected the student
  - The application for re-crediting under this section must be made within 5 years after the census day of the course, or part of the course, or within that period as extended by the Secretary
- The processes available to students in relation to reconsideration and review of the decisions whether or not to re-credit FEE-HELP balances including the time limits that apply can be found in H&H 'Refund Procedures'
- H&H will notify the student of the review decision within 5 business days; the student will be advised of the time limit to apply for a review of the decision within 28 days, after the day on which the student was notified of the decision, or within such extended time as H&H allows (VSL Act s 76(2))
- The H&H review officer will provide written notice of the decision, and provide a statement of the reason for making the decision, to the student within 45 days after receiving the student's request
- In the notice, the review officer will also advise the student's right to appeal to the Administrative Appeals Tribunal (AAT)
- If the H&H review officer does not give the student notice of the decision within 45 days after receiving the student's request, it is concluded that the review officer has confirmed the original decision (VSL Acts s 76(8))
- The student may apply to the Administrative Appeals Tribunal (AAT) for review of a review officer's decision; the student may supply additional information to the AAT they did not previously supply to H&H, including information to the review officer
- H&H will provide the Department, within 5 business days of being requested, copies of all the documents it holds that are relevant to the appeal
- There is no charge for reconsideration or review of the decisions, other than review by the Administrative Appeals Tribunal (AAT)
- The Secretary of the Department of Education and Training may re-credit a student's FEE-HELP balance in relation to special circumstances; these include if H&H is unable to act, or the organisation is being wound up or has been dissolved, or the organisation has failed to act and the Secretary is satisfied that the failure is unreasonable
- Where a decision results in the re-crediting of a student's FEE-HELP balance, H&H will be notified and will report this outcome via submission of a HEIMS revision file. H&H will repay the Commonwealth any amounts of VET student loan H&H received from the Commonwealth, on the student's behalf, through subsequent reconciliations, unless the Department decides to issue a separate invoice (VSL Act s 22)

#### Special circumstances:

H&H will consider these special circumstances which made it impracticable for the student to complete the requirements of the course and are beyond the student's control, but are not limited to:

- Medical circumstances, for example a student might have an illness or a pre-existing condition that worsens after census day and then made it impracticable for the student to complete the course
- Family or personal circumstances, for example a death or severe medical problems within a family, or unforeseen family financial difficulties which affect the student to the extent that it is unreasonable to expect the student to complete the course
- Employment related circumstances, for example where a student's employment status or arrangements have changed, so that the student is then powerless to continue their study, making this change beyond the student's control

When reviewing the decisions to re-credit FEE-HELP balance for the student with special circumstances, H&H will consider these options to help the student to complete their course:

- Distance education with support from the trainer/assessor
- Demonstration of competencies or completion of assessments
- Mixed mode of study

Version Dates	Policy Version 1 approved 3 April 2018
Review Date	Version 1 will be reviewed as policies are updated
Approved by	CEO: Susan Ellis Hill General Manager: Kate Lovett
Relevant to	All staff; trainers and assessors; students

**Risk Rating (Please highlight the appropriate risk level):**

5 = High Risk

4 = Medium Risk

**3 = Medium to Low Risk**

2 = Low Risk

1 = Very Low Risk or N/A