



**WENTWORTH INSTITUTE  
OF HIGHER EDUCATION**  
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**Document: Refund and Re-Credit of FEE-HELP Policy and Procedure for Domestic Students**

**Approved by: Executive Management Team**

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## 1. Overview

Wentworth Institute of Higher Education (WIN Higher Education) fully complies with the requirements of the Higher Education Support Act 2003 (HESA). This policy details the circumstances and processes for refunds and/or reversal of FEE-HELP debts for domestic students.

## 2. Refund Policy and Procedure

1. If a domestic student withdraws any time on or before the Census Date, the date as prescribed under the WIN Higher Education Academic Calendar, the student will receive a full refund of prepaid fees. A student can apply to the Admission Officer and a decision will be made within 5 working days.
2. If a student withdraws after the Census Date, the date as prescribed under the WIN Higher Education Academic Calendar, there will be no refund of fees or re-crediting of a FEE-HELP debt except under Special Circumstances which have been determined in accordance with Section 79-5 Special circumstances of Higher Education Support Act 2003 as circumstances which:
  - a) Were beyond the student's control; and
  - b) Did not make their full impact until on or after the Census Date; and
  - c) Were such that they made it impractical for the student to complete the study requirements.

Special circumstances, subject to meeting clause 2a, 2b, and 2c above, may include but not limited to the following:

- Serious illness, injury, or mental health condition – where a professional authority or medical certificate states the student was **severely affected** by ongoing or prolonged illness, injury, or mental health condition. The WIN professional authority form must be completed by a medical practitioner or specialist, psychologist, counsellor, who can assess the impact of your condition in relation to your studies at WIN Higher Education.
  - Bereavement of close family members such as parents, grandparents or siblings (death certificate should be provided and a WIN professional authority form must be completed by a medical practitioner or specialist, psychologist, counsellor, who can assess the impact of your circumstances in relation to your studies at WIN Higher Education).
  - A traumatic experience, for example, involvement in or witnessing of a serious crime or accident and this has impacted on the student's mental wellbeing (police report and WIN professional authority form must be provided).
  - Other compassionate and compelling reasons or circumstances may be considered but must have documentary evidence to support the claim.
3. A student can apply to the Admission Officer for a refund of fees or re-crediting of FEE-HELP balance if the student withdraws from studies after the census date and/or has not been able to complete the requirements of a subject or subjects because of *Special Circumstances* outlined in Clause 2. Appropriate supporting documentation will need to be provided.

4. The Census Date for each course offered at WIN Higher Education is published on its Academic Calendar website and made public in all relevant publications and documentation. The Census Date will be at least 20% of the way through the study period for any enrolled unit of study.
5. If an application is successful, the letter detailing the outcome will include the reasons for the decision to:
  - a) refund paid tuition fees and/or re-credit a FEE-HELP balance; or
  - b) the FEE-HELP balance that will be re-credited and the FEE-HELP debt that will be reduced (if applicable); or
  - c) the upfront payment amount that will be refunded if such a payment was made;
  - d) and who to contact for further questions.
6. If an application is unsuccessful, the decision letter will include the reasons for the decision to:
  - a) not to refund paid tuition fees and/or re-credit a FEE-HELP balance;
  - b) how to submit a valid request for a review of this decision; and
  - c) who to contact for further questions.
7. Refunds of fees will be paid within 20 working days of the decision letter.
8. Where a request to re-credit a student's FEE-HELP balance is granted, a student's FEE-HELP debt is removed in respect of the applicable units studied.
9. WIN Higher Education will refund to the Commonwealth the amount of FEE-HELP paid to it on behalf of the student if the student's request is successful. WIN Higher Education will notify the Department of Education and Training through the HELP Variations File.

### **3. Appeals Procedure**

If a student's application for refund is unsuccessful, the student can appeal the decision. Refer to WIN Higher Education's Procedures for Student Review for Re-Credit of FEE-HELP as outlined below.

### **4. Student Review for Re-credit of FEE-HELP**

The procedures for student review for re-credit of fee help fully complies with the requirements of the Higher Education Support Act 2003 (HESA). This procedure deals with requests for a review of certain decisions made by WIN Higher Education in relation to applications by students to re-credit their FEE-HELP balance. Such decisions refer to unsuccessful applications by a student to re-credit their FEE-HELP balance. Review means formal reconsideration of a decision.

## 5. Review Procedure

These procedures are to be published in the Student Handbook and on the WIN Higher Education website so that students have up to date information publicly available to them regarding these procedures.

- At WIN Higher Education, the review officer is the Registrar or Nominee.
- Where a student is not satisfied with the decision made by the Registrar or Nominee, the student may apply for a review of the decision. Reviewable decisions include Refusal to re-credit a student's FEE-HELP balance.
- If a student is not satisfied with the outcome of their request for a re-credit of their FEE-HELP balance, they may appeal in accordance with the *Academic Grievance Handling Policy and Procedure* within 28 days from the day the student first receive the notice of the outcome. The request must specify reasons for seeking the review.
- WIN Higher Education will acknowledge receipt of an application for review of a reviewable decision in writing and inform the applicant that they will be advised in writing of a decision within 10 working days. If the reviewer has not advised the applicant of a decision within 45 days of receiving the application for review, the reviewer is taken to have confirmed or accepted the original decision.
- Written notice of the outcome of a reviewed decision relating to FEE-HELP will be given to an applicant. If an application for review is successful, the Notice of Decision letter will include the reasons for the decision to refund paid tuition fees and/or re-credit a FEE-HELP balance; the FEE-HELP balance that will be re-credited and the FEE-HELP debt that will be reduced (if applicable); the upfront payment amount that will be refunded if such a payment was made; and who to contact or further questions.

## 6. Appeal to the ACCC

If a student's application for review of the decision is unsuccessful, the Notice of Decision letter will include the reasons for the decision not to refund the student's paid tuition fees and/or re-credit your FEE-HELP balance.

The notice will also inform the applicant of their right of appeal to the [Australian Competition and Consumer Commission \(ACCC\)](#). The ACCC will only investigate complaints that are in breach of the *Competition and Consumer Act 2010*. Further information can be found in the [Australian Government's Study Assist](#).

The student has 28 days from the date of the reviewed decision (by their institution/ provider), to apply ACCC requesting an independent review of their institution/provider's decision.

## 7. General

The fees refund policy does not prevent students from taking further action under Australian Consumer Protection laws. Students should also avail of the WIN Higher Education's *Academic Grievance Handling Policy and Procedure for Students* before seeking further advice from the [Australian Competition and Consumer Commission \(ACCC\)](#).

## 8. Publication

The Refund and Re-Credit of FEE-HELP Policy and Procedure for Domestic Students will be published on WIN Higher Education website at [www.win.edu.au](http://www.win.edu.au) and on Student Handbook.

## 9. Legal and Policy Framework

- Tertiary Education Quality and Standards Agency Act 2011 (Tuition Protection in Australia)
- Higher Education Support Act 2003
- Department of Education – Tuition Protection Service
- [Australian Government’s Study Assist](#)
- Australian Competition and Consumer Commission

## 10. Related document

- Academic Grievance Handling Policy and Procedure for Students
- Refund Policy for International Students

Version/Date	Changes	Approval
V3 09/2022	Overall review of Refund Policy - Domestic Students and Procedures for Student Review for Re-Credit of FEE-HELP - Domestic Students; and consolidating these two policies procedures into one document. The old “Procedures for Student Review for Re-Credit of FEE-HELP - Domestic Students-WIN-V-1.3” is now replaced with this policy V3 09/2022	EMT