

HELP LOAN REVIEW OF DECISIONS POLICY

1. Purpose and Objectives

- 1.1 This Policy aims to ensure fair outcomes from decisions made by Le Cordon Bleu Australia (LCBA) in regard to reviews of Student Higher Education Loan Program loan debts and payments.

2. Scope

- 2.1 This policy applies to students accessing assistance through the Higher Education Loan Program (HELP).

3. Legislative Context

- Higher Education Support Act 2003
- Higher Education Funding Act 1988 (HEFA)
- Higher Education Provider Guidelines 2012

4. Policy Statement

- 4.1 LCBA provides a clear and accessible procedure for students to request reconsideration of reviewable decisions made in relation to HELP loans.

5. Policy

- 5.1 Students who withdraw from their studies after the census date, or do not complete the requirements of a unit of study during the period in which the person undertook, or was to undertake, the unit, can apply to:
- have their FEE-HELP balance re-credited
OR
 - as applicable, have either or both their HECS-HELP debt remitted; and/or
 - have their up-front payment of a student contribution amount repaid.
- 5.2 A request for credit of a FEE-HELP balance, remittance of a HECS-HELP debt and/or repayment of an up-front payment of a student contribution amount must be made within 12 months of the withdrawal date of the unit, or, if student has not withdrawn, within 12 months of the end of the study period in which the unit was undertaken.
- 5.3 Students may request an internal review of decisions made to not re-credit their FEE-HELP balance, remit their HECS-HELP debt and/or repay their up-front payment of a student contribution amount.
- 5.4 There is no charge for the internal review.
- 5.5 Other types of grievances in relation to HELP loans or any other non-academic or academic matter can be raised and dealt with under the [Student Complaints and Appeals Policy](#).

6. Roles and Responsibilities

Roles	Responsibilities
Finance Manager	Acts as the Review Officer, unless they were involved in the original decision, in which case they will appoint another senior officer of LCBA to act as the Review Officer.

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Roles	Responsibilities
HELP Loan Administrator	Makes original decisions on re-credit, remittance or re-payment in relation to HELP loans and student contribution amounts

7. Definitions

‘Census date’ is the date on which LCBA finalises student enrolments. Students cannot withdraw or defer from an enrolled unit after 11:59pm on the census date without incurring financial liability for full tuition fees and receiving a grade for the unit. For domestic students who have government support, it is also the last opportunity to make up-front fee payments, the latest date to apply for FEEHELP and the day they become liable for FEEHELP debts. Census dates for each study period are available on the Le Cordon Bleu Australia website.

‘Higher Education Loan Program (HELP)’ consists of loan schemes to assist eligible students with tuition fees and student contribution amounts, including:

- FEE-HELP, which provides eligible fee-paying students, enrolled at an eligible provider, with a loan to cover some or all of their tuition fees up to the FEE-HELP limit; and
- HECS-HELP, which provides eligible Commonwealth supported students with a loan to cover their student contribution amount.

‘Student Contribution’ fees payable by students who are participating in a HELP scheme.

8. Related Documents

- Enrolment Policy
- Fees and Refunds Policy - Domestic students
- Fees and Refunds Policy - Overseas students
- HELP Loan Review of Decisions Templates
- Student Complaints and Appeals Policy

9. Implementation

9.1 The Registrar is responsible for ensuring that future major changes to this policy will be accompanied by a completed Implementation Plan, and presented with the policy to the Corporate Board.

9.2 The Implementation Plan will include a Communication Strategy that identifies key stakeholders and the requirements for effectively implementing and monitoring this policy.

10. Procedures

10.1 Students are advised that they may apply for re-credit, remission and/or repayment by the HELP Loan Administrator when they withdraw from a unit of study after the census date or do not complete the requirements of a unit of study during the period in which they undertook, or were to undertake, the unit.

10.2 Students are advised of original decisions regarding re-crediting their FEE-HELP balance, remitting their HECS-HELP debt and/or repaying their up-front payment of a student contribution amount, by the HELP Loan Administrator.

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- 10.3 Students should make a request for a review of such a decision not to re-credit, remit or repay in writing by completing the [Online Appeal Form](#), stating the reasons they are asking for a review, within 28 days of first receiving notice of the original decision.
- 10.4 If the application for review is made outside the 28-day time limit, the Review Officer decides whether to accept the out-of-time application.
- 10.4.1 In deciding whether to extend the 28-day period, the Review Officer takes into consideration matters they consider appropriate, such as explanations provided as to why the student has not applied for the review within 28 days.
- 10.4.2 If the time limit is not extended, the student is advised that their application has been rejected because it was made out of time and provided with written reasons why the time limit was not extended.
- 10.4.3 If the time limit is not extended, students are provided with the option to appeal the decision not to accept the application through the [Student Complaints and Appeals Policy](#).
- 10.5 LCBA then acknowledges the receipt of the request for review, and:
- informs the student, if they have not received a decision within 45 days of the reviewer receiving their application, that the Review Officer has confirmed the original decision;
 - informs the student of their right to apply to the Administrative Appeals Tribunal (AAT) for a review of the reviewable decision that has been confirmed, varied or set aside; and
 - provides the contact details of the closest AAT registry and the approximate costs of lodging an appeal with the AAT.
- 10.6 The Review Officer commences the review within 10 working days and provides a decision to the student within 20 working days of receiving the request for review.
- 10.7 After receiving the request, the Review Officer:
- reconsiders the decision and either:
 - confirms the decision;
 - varies the decision; or
 - sets the decision aside and substitutes a new decision; and
 - notifies the student in writing of the decision and, if applicable, the day the decision takes effect, including in the notice reasons for making the decision; and
 - advises the student of their right to appeal to the Administrative Appeals Tribunal (AAT) within 28 days of the date of the reviewer's decision; and
 - provides the applicant with the contact details and address of the nearest AAT registry and the approximate costs of lodging an appeal.
- 10.8 All review and appeals applications and ensuing correspondence are regarded as confidential and are kept on the student's file.



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11. Summary of changes since last review

Authored by	Description
Registrar	Name change from 'Fee Help Review for Reconsidering Commonwealth Assistance' to 'Help Loan Review of Decisions Policy' Adoption of new template Update of position titles Clarification of procedure