



REVIEW PROCEDURES – FEE-HELP RE-CREDIT

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These are the proposed procedures for prompt and effective handling of a request by any student to have their FEE-HELP re-credited after the census date in special circumstances.

This procedure complies with the requirements under the Higher Education Support Act 2003 and addresses Section 4 of the Application Pack 2004 for Bodies Seeking Approval as Higher Education Providers, where it requires that:

“Higher education providers must have review procedures in place for dealing with certain decisions made under the HESA in relation to FEE-HELP and Commonwealth supported National Priority Places. These decisions are described in further detail in Chapters 8 and 9 of the Information Pack. Review procedures must comply with the requirements of the Higher Education Provider Guidelines. HEPs must comply with their review procedures and must publish and make publicly available up to date information setting out the procedures. The higher education provider must also appoint a review officer of the provider for the purposes of reviewing decisions made by the provider relating to assistance under Chapter 3 of the HESA.”

This procedure falls within:

- **Policy S1.02 Complaints Grievances and Appeals Policy**
- **Procedure S1 Complaints Grievances and Appeals Procedure**

The steps in the Review Procedure are:

Oceania Polytechnic Institute of Education assures students that all requests for FEE-HELP re-credit will be given top priority and consideration with due attention to details with the objective of immediate resolution. Requests will initially be assessed against criteria set under the Higher Education Support Act 2003.

Lodgement of a Request of a FEE-HELP re-credit (Actioned by the Student)

- An appellant must lodge a request for FEE-HELP re-credit should they find themselves in special circumstances or wanting to withdraw from studies in any unit they are currently enrolled.(as defined in HESA section 104-30).
- Students are informed of the requirements to request a FEE-HELP re-credit in orientation and enrolment documents and advertising materials.
- The appellant must make the request in writing, detailing all the reasons and circumstances surrounding the review request. The student is also made aware of the cut-off dates for withdrawal without penalty and the census dates for FEE-HELP. The FEE-HELP re-credit is then considered and continues in line with the HESA section 110-5.

The appellant must ensure that the request is given to the Registrar, who will record the date and documentary evidence supplied.

Receipt of Request for FEE-HELP re-credit (Actioned by the Registrar)

- Record in the register, the date of receipt of written notification from student to have their FEE-HELP re-credited.
- Assess contents of documentation and assess whether request falls within the allowable deadline since the date of withdrawal and whether further information is required.
- Advise Head of OPIE of receipt of written request.
- Compile report including, documentary evidence provided regarding the applicant’s special circumstances, date and circumstances of withdrawal, the refund policy of OPIE for students with FEE-HELP debt, any required recommendations for consideration, and an outline of the requirements under the Higher Education Support Act 2003 (HESA).
- Arrange for the matter to be addressed by the Initial Review Officer, a member of the Academic Council of OPIE at the earliest possible date and submit the report.



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Action on Request for FEE-HELP Re-Credit (by Initial Review Officer, a member of the Academic Council)

(Initiate Step 1: Local Level Resolution)

- Resolve that the Managing Director will not partake in the decision to re-credit the applicant's FEE-HELP.
- Assess the applicant's request on its individual merits by considering all documentation provided in the application report.
- Consult the HESA and any other relevant legislative or regulatory requirements.
- Resolve a decision.

Notification of the Initial Review Officer's (any member of the Academic Council) Decision (by the Registrar)

- Record the reviewer's findings in the register.
- Notify the applicant of the reviewer's decision in writing, including the reasons for the decision and inform the applicant of further steps to have the decision reviewed if unsatisfied with the decision, including the timeframe to request a review (within 28 days of receipt of the original decision) and requirements to be met (HESA section 209 – 210).
- If applicant requests for the decision to be reviewed, arrange for the matter to be addressed by the Review Officer (any member of the Committee of Management of OPIE) at the earliest possible date and submit the report together with the Initial Review Officer's findings.

Lodgement of a Request for a review of a FEE-HELP re-credit (Actioned by the Student)

- An appellant must lodge a request for review within 28 days of receiving notice of the original decision. Students are informed of the requirements to request a review (HESA section 209 – 210) in all published documents and advertising materials.
- The appellant must make the request in writing, detailing all the reasons and circumstances surrounding the review request.

The appellant must ensure that the request is given to the Secondary Review Officer (any member of the Committee of Management) or the Registrar who will log receipt and direct the request to the Secondary review Officer.

Action Review of the decision to re-credit a student's FEE-HELP (by the Secondary Review Officer - a member of the Committee of Management consisting any of: Managing Director, Legal Advisor, Financial Advisor, all of whom are senior to and independent of those in the Academic Council)

(Initiate Step 2: Resolution by an Arbitrator)

- Advise the individual in writing, informing them of receipt of their request for review. This notice of receipt will detail:
 - Whether the allowable deadline has lapsed and/or the student meets the requirements set out in the HESA section 209 – 210 and/or whether further information from individual is required.
 - Providing that no more information is required, the appellant is thereby notified that after 45 days of the reviewer receiving the application, if no correspondence has been forwarded to the appellant, the reviewer is taken to have confirmed the original decision.
- A disclaimer advising of the appellant's right to apply to the Administrative Appeals Tribunal (AAT) for a review of the reviewer's decision is included. Including the contact details of the



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nearest AAT registry and the approximate costs of lodging an appeal. **See attached form – Administrative Appeals Information detailing all costs and contact points for the tribunal.**

- Advise individual of the steps taken to assess the request.
- Assess the applicant's request on its individual merits by considering all documentation provided including the reviewer (from the original findings from the Initial Review Officer from the Academic Council).
- Provide appellant with opportunity to formally present his/her/their case.
- Consider the case and make a decision as to the outcome, clearly documenting the reasons for the decision and the outcome of the decision.
- Provide a written statement of appeal outcomes including reasons for the decision to the appellant
- Advise appellant of external independent authorities available under **Step 3: Further Resolution**, if he/she/they are dissatisfied with the resolution decided by Review Officer and again advise them of the option to have the case taken to the Administrative Appeals Tribunal. Included in this correspondence will be the contact details of the nearest AAT registry and the approximate costs of lodgement of an appeal with the AAT.

Policies influencing this proposed procedure:

S1.02 Grievance Policy

S2.05 EEO Policy

S6.14 Access and Equity Policy

Code of Practice

AAT Information

Proposed Review Date

This procedure should be periodically reviewed and revised. Revisions should be made as and when required. The period between reviews must not exceed 3 yrs. The date for review of this procedure is on or before

Authorised By

Signature:

Name: Nicodemos Charalambous.

Position: Head of Oceania Polytechnic Institute of Education.

Date: