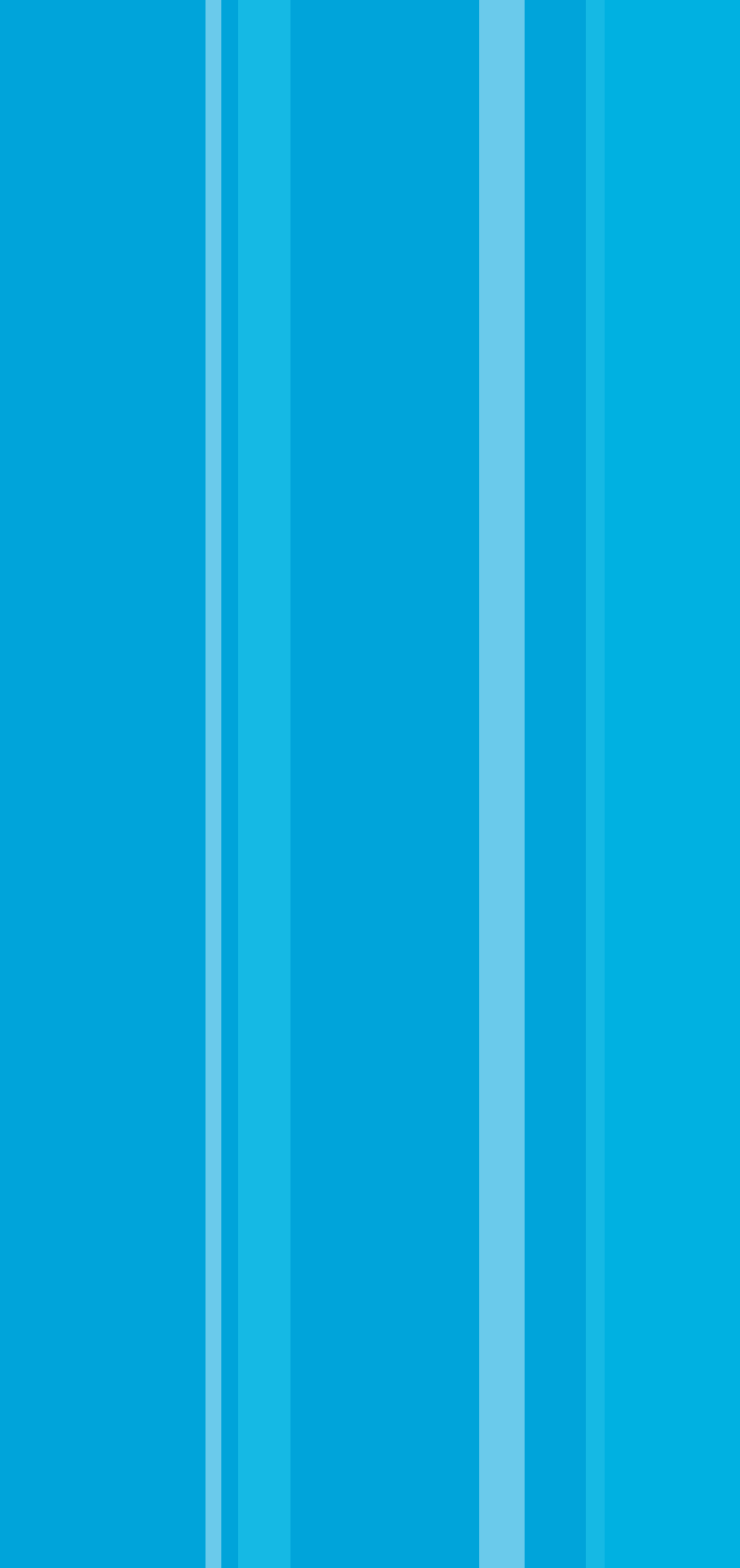


holmesglen

# Policies and procedures

for students who are eligible to receive VET FEE-HELP





# Policies and procedures

for students who are eligible to receive VET FEE-HELP

**Important information** for students undertaking VET courses of study approved for VET FEE-HELP.

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# About

## **About VET FEE-HELP**

VET FEE-HELP is an income contingent loan scheme for the Vocational Education and Training (VET) sector administered by the federal Department of Education, Employment and Workplace Relations. VET FEE-HELP assists eligible students to pay for all or part of their VET tuition fees when studying one or more of the eligible VET courses at Holmesglen:

Further information about VET FEE-HELP and your eligibility to seek assistance is available from the website [www.deewr.gov.au/vetfeehelp](http://www.deewr.gov.au/vetfeehelp) or at the Information Office located at any Holmesglen campus.

Students who intend to apply for VET FEE-HELP must obtain a copy of the VET FEE-HELP Information booklet from the website [www.deewr.gov.au/vetfeehelp](http://www.deewr.gov.au/vetfeehelp) or from the Information Office.

## **About this handbook**

This handbook contains a range of policies and procedures that Holmesglen must publish and make publicly available to all students who are entitled to VET FEE-HELP assistance. This handbook contains Holmesglen's:

- fairness, equal benefits and opportunity policy and procedure
- grievance procedure
- personal information procedure and privacy policy
- VET fee payment policy
- VET tuition fee refund policy
- student review procedure

Make sure you read this handbook and the VET FEE-HELP Information Booklet carefully.

Holmesglen must also publish and make publicly available its statement of VET tuition assurance. This can be accessed from Holmesglen's website.

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## Fairness, equal benefits and opportunity procedures

Holmesglen is committed to the principles and practices of equal benefits and opportunity and ensures that it treats all students, staff and visitors fairly and respectfully. This section of the information handbook outlines Holmesglen policy in relation to fairness and equal opportunity and the procedure to follow if students wish to make a complaint regarding discriminatory behaviour by another member of the institute community.

### Policy

Holmesglen's Equal Opportunity Policy includes:

- ensuring that the principles and practices of equal opportunity are promoted within the institute community
- establishing and maintaining a working and learning environment which is consistent with the principles of justice, equity and the pursuit of excellent
- providing guidelines and procedures for the resolution of complaints regarding discriminatory behaviour or behaviour which is inconsistent with its equal opportunity policy
- specifically forbidding sexual harassment and discrimination against people on the grounds of age, breastfeeding, carer status, disability/impairment, gender identity, industrial activity, lawful sexual activity, marital status, parental status, physical features, political belief or activity, pregnancy, race, religious belief or activity, sex, sexual orientation, personal association with someone who has, or is assumed to have, one of these personal characteristics
- ensuring that the workplace is free from bullying and occupational violence.

Holmesglen has procedures in place to ensure it treats people fairly, makes relevant policies, procedures and rules accessible and implements these in a transparent manner. It makes decisions about students applying for and undertaking its courses based on merit. Its committees observe the principles of procedural fairness. It ensures that individuals raising concerns, complaints or grievances are treated with respect and are not victimised or discriminated against.

### Procedure

Ensuring fairness, equal benefit and opportunity

- Holmesglen staff ensure they treat all students fairly by considering the relevant circumstances of the individuals. This does not necessarily mean that all students will be treated the same, fairness must be considered in the context of the relevant circumstances.
- Decisions regarding students' entry to, progression through and completion of courses are made on a case-by-case basis. Holmesglen does not apply policies or procedures that exclude eligible applicants or appellants from having their application or appeal considered.

- Holmesglen does not apply an income test when making decisions about which students are eligible for VET FEE-HELP.
- If educational disadvantage is taken into account in making a selection decision, the specific circumstances of each student's case is considered before determining if a student has suffered educational disadvantage.
- If Holmesglen enters into an agreement with an employer or industry body to provide a particular course, selection of students may be restricted that employer's or body's employees.

## **How to make a complaint of discrimination or unfair treatment**

In the first instance talk to the local area manager or the next most senior officer of the member of the institute community who you believe has discriminated against you or treated you unfairly. If you do not feel comfortable with this you may discuss your issue with a counsellor in the Student Services Department.

All information and records relating to your complaint will be kept strictly confidential. You may withdraw your complaint at any stage. You may also take your concern to agencies outside Holmesglen such as the Victorian Equal Opportunity and Human Rights Commission.

- Upon receiving your complaint the manager should convene a separate meeting with you and with the person you are making the complaint against (the respondent) within five working days.
- If all parties are prepared to discuss the matter together, the manager will convene a meeting with all parties within five working days.
  - If a resolution is reached, the matter will rest.
  - If you do not reach a satisfactory resolution, you will be asked to submit a written complaint to the Chief Executive.
- If all parties are not prepared to discuss the matter together and you wish the matter to continue to be considered, you will be asked to submit a written complaint to the Chief Executive.
- Within seven working days you will receive a letter from the Chief Executive acknowledging that your letter of complaint has been received and notifying you that your complaint has been referred to the Equal Opportunity Review Committee.
- A copy of your letter of complaint will be issued to the respondent.
- The Equal Opportunity Review Committee will formally advise you of the procedures it will follow to resolve your complaint and when you can expect the committee to complete its investigations. This may involve the committee conducting confidential interviews with other people who have knowledge of the alleged discrimination.

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- The Equal Opportunity Review Committee will attempt to conciliate the matter between yourself and the respondent. This may involve bringing the parties together so that apologies and undertakings about future behaviour may be stated. During this process you may be accompanied by a representative other than legal counsel for support.
- The Chief Executive will write to you notifying you of the Equal Opportunity Review Committee's judgement of the alleged discrimination. If your complaint is found to have substance, appropriate disciplinary action will be taken against the respondent and the matter may be referred to other bodies for further investigation. If your complaint is found not have substance the matter will lapse. If the committee judges your complaint to be malicious or frivolous you will be dealt with in an appropriate disciplinary manner under the Institute Rule for Student Discipline.
- You will receive a copy of all material relating to the complaint that is placed on your student file held by the Registrar.

# Grievance resolution procedure

Holmesglen is committed to providing high quality education and training. It endeavours to treat students fairly and respectfully. However we acknowledge that from time to time students may have concerns or feel the need to lodge a formal complaint. This section of the information handbook explains how students are to lodge a concern or grievance and the steps Holmesglen will take to resolve the matter.

This process is available to all students and potential students who are entitled to VET FEE-HELP assistance. There is no charge to this process.

## Definitions

### *Concern*

A concern is any initial issue or matter you wish to raise in relation to academic and non academic matters. A concern is when you informally contact us (eg verbally or by email) and we can be deal with your concern quickly to the satisfaction of all concerned without requiring further action.

### *Grievance*

A grievance is a written statement of complaint. A grievance may be initiated from a concern that has not been dealt with to your satisfaction and therefore requires further action. Academic grievances include matters that relate to your academic progress, assessment, curriculum issues and awards. Non academic grievances include general administrative issues, privacy matters and issues with non-academic policies or procedures.

## Policy

It is Holmesglen policy to address and resolve issues among those directly concerned in the first instance. All issues are addressed in a timely manner and treated in the strictest confidence. All parties involved in the issue will be treated with respect and will not be victimised or discriminated against. Holmesglen ensures its grievance procedure is communicated to staff and that they are trained in the application of this procedure during their induction.

You may wish to involve a third party representative to assist you. This person may accompany you to meetings set up to resolve the issue. This person may be a friend, family member or counsellor but not a legal representative.

## How to raise a concern

In the first instance raise your concern with the party involved. This needs to happen within 10 working days of the issue arising. If you do not feel comfortable with this you may discuss your issue with a counsellor in the Student Services Department. If your concern is about an assessment decision you should follow the procedure to request a re-mark or re-appraisal outlined in your student diary.

## How to raise a formal grievance

- If your concern cannot be immediately addressed and resolved for all parties concerned you will be asked to write a letter outlining your complaint. This letter must be signed and dated. It is to be forwarded to your centre's Associate Director or the Manager of the area regarding your grievance. Complaints related to a breach of privacy should be forwarded to Holmesglen's Deputy Privacy Officer.
- You will receive a letter acknowledging receipt of your letter. Depending on the nature of the grievance and the parties involved a solution may also be included in this letter. If this is not possible, a timeline to provide a solution will be included.
- You may be required to attend meeting/s with other relevant people to arrive at an acceptable solution. You can be accompanied to these meeting/s by a third party representative.
- You will receive written advice of the outcome, decision and/or actions to be taken as a result of the investigation and resolution process. You will also be notified how to appeal the proposed resolution.

## Appeal proposed resolution

- If you are not satisfied with the decision and suggested actions proposed by Holmesglen to resolve your grievance you must document your position to the Chief Executive within 10 working days of receiving the original advice/decision. You must include the following in your notice of appeal:
  - Your name, address and ID number
  - Brief details of the matter being appealed
  - An outline of the grounds of the appeal
  - A statement of whether or not you wish to appear and to be heard at the appeal hearing or provide a written submission or both

The name and address of any non-legal representative you wish to accompany you to the appeal

- The Chief Executive or nominee will acknowledge receipt of your appeal notice within 7 days and advise you of the action. The Chief Executive will determine if your appeal is valid if you have been adversely affected by one or more of the following:
  - Failure of a Holmesglen staff member to act fairly, including bias shown in the interpretation of evidence by any individual or group within Holmesglen involved in making the original decision
  - Improper, irregular or negligent conduct by a Holmesglen staff member
  - Irregularity in the procedures used to reach a decision in a timely manner

- A breach of any administrative or academic related conditions as specified in official Holmesglen documentation, including any course documentation
- Application of penalties that are deemed too harsh or outside the delegations of the Institute Rule for Student Discipline
- Your appeal shall be heard within a further 10 working days or by mutual arrangement. You will be given at least 5 working days written notice of the appeal hearing. You may select to conduct the appeal in person or in writing or both.

Your appeal will be heard by an independent investigator not involved in the original grievance resolution. If your appeal concerns an alleged breach of privacy, the appeal will be heard by the Privacy Committee. The outcome of your appeal will be provided in writing within 5 working days of the hearing. It will include the finding of the appeal (upheld or dismissed), action/s required by Holmesglen (if applicable), action/s required by you (if applicable) and the time frame for implementation of the action/s.

## **Review of appeal decision**

If you are not satisfied with the outcome of your appeal, you may seek a review with an independent reviewer from an external agency. These agencies include but are not limited to:

- Victorian Ombudsman's Office
- Relevant Victorian or Australian Government Minister.

Holmesglen will co-operate fully with these agencies to effect resolution in a timely manner. It will also implement findings as applicable within any specified time frame.

# Personal information privacy procedures and policy

Holmesglen respects your right to privacy and any personal information provided by you to Holmesglen will be held in confidence. This policy outlines how Holmesglen will handle personal information it collects from you for the purpose of VET FEE-HELP assistance and repayment of HELP loans. This section of the handbook also sets out how you can obtain a copy of your personal information and what to do if you think Holmesglen has breached your privacy.

## Information privacy principles

For the purposes of clause 23 of Schedule 1A of the Higher Education Support Act 2003 (Cth.), Holmesglen staff comply with the information privacy principles set out in the Privacy Act 1988 (Cth.). When handling personal information obtained for the purposes of VET FEE-HELP assistance and the repayment of HELP loans Holmesglen staff will:

- Only collect information that is necessary or directly related to its functions and activities as a VET provider.
- Inform you:
  - of the purpose for which we are collecting information
  - if we are required to collect particular information by law
  - who we usually disclose personal information to.
- Make sure the information we collect is relevant to the purpose for collection and that we do not unreasonably intrude into your personal affairs.
- Protect the security of your personal information against loss, unauthorised access, use, modification or disclosure, and any other misuse.
- Give you access to your personal information and make sure any corrections, deletions or additions you request are implemented. If we are unable to amend your records as requested as they are found to be accurate, we will attach to your record any statement you provide about the correction, deletion or addition you want to make.
- Endeavour to make sure that records are accurate, up-to-date, complete and not misleading.
- Check the accuracy and completeness of your personal information before use.

- Only use your personal information for relevant purposes and the purpose for which it was collected unless:
  - you have consented for it to be used for another purpose
  - Holmesglen believes that it is necessary to use your personal information to prevent or lessen a serious and imminent threat to a person's life or health
  - we are required or authorised under law to use it for another purpose
  - it is necessary to use your personal information to enforce the criminal law, or a law imposing a pecuniary penalty, or to protect public revenue. In this case, we will include a note in your records that we have used your personal information for this purpose.
- Not disclose your personal information to another person, body or agency unless:
  - you have been made aware that we usually pass your information to that person, body or agency
  - you have consented to the disclosure
  - Holmesglen believes that it is necessary to disclose your personal information to prevent or lessen a serious and imminent threat to a person's life or health
  - we are required or authorised under law to disclose it
  - it is necessary to disclose your personal information to enforce the criminal law, or a law imposing a pecuniary penalty, or to protect public revenue. In this case, we will include a note in your records that we have disclosed your personal information for this purpose.

Holmesglen maintains a register that is available for inspection by members of the public and that sets out:

- the nature of the records containing VET personal information
- the purpose for which each type of record is kept
- who each type of record concerns
- how long each type of record is kept for
- who is entitled to access each type of record and the conditions under which they are entitled to have that access
- the steps a person should take to obtain access to that information.

## **Statutory collection and disclosure requirements**

Holmesglen is required to collect and disclose personal information in relation to students who are eligible for VET FEE-HELP assistance to meet our obligations under the Higher Education Support Act 2006. These are:

- Department of Education, Employment and Workplace Relations (DEEWR) – statistical information about student demographics and completions and personal details of students requesting VET FEE-HELP assistance or with a HELP debt
- Australian Taxation Office – DEEWR reports to Tax Office certain personal details (Tax File Numbers, addresses etc) of students with a HELP debt. The Tax Office may also contact Holmesglen directly requesting personal information if a student's HELP debt needs adjusting.
- Holmesglen International Training Services Pty Ltd – if Holmesglen ceases to provide a VET course of study, it will give access to your personal details to the VET tuition assurance administrator.

## **Gaining access to your personal information**

Students may gain access to and make amendments to their personal details at any time through the Student eAdministration service on the Holmesglen website (go to [www.holmesglen.edu.au](http://www.holmesglen.edu.au) – Current Students – Update your personal details).

You may request a copy of your personal information held by Holmesglen by writing to the Registrar, Holmesglen, PO Box 42, Holmesglen, Victoria, 3148. You must include in your request:

- your student ID number
- what personal information you wish to receive a copy of
- the academic period/s (eg the year/s) to which your request relates.

*There is no charge to receive a copy of your personal information.*

## **Complaints procedure**

If you believe Holmesglen staff have breached the policies and procedures set out above, you should first discuss your concerns with the manager of the area in which you lodged the information initially. Generally this will mean that issues arising within a teaching department should be discussed with the Teaching Centre Manager and issues arising within student administration and records should be directed to the Registrar. You are welcome to discuss your concerns with a staff member from Student Services, if you don't feel comfortable approaching the manager concerned.

If a satisfactory resolution can not be reached, the alleged breach should be submitted in writing to the Deputy Privacy Officer, PO Box 42, Holmesglen, Victoria, 3148. Your complaint will be handled in accordance with the Grievance Procedure outlined in this handbook.

# VET fee payment policy

This policy applies to students who are eligible for VET FEE-HELP, regardless of the how they pay their tuition fees (ie up-front payment or defer their payment through VET FEE-HELP).

## Tuition fees

Students who are eligible for VET FEE-HELP have two options to pay their tuition fees:

1. pay some or all of their tuition fees up-front, or
2. submit a Request for VET FEE-HELP Assistance form to defer some or all of their tuition fees through VET FEE-HELP.

If you are entitled to access VET FEE-HELP, you have until the unit Census Date to submit your Request for VET FEE-HELP Assistance form or pay your tuition fees up-front. If you do not submit your form by this date you will be required to pay your tuition fees up-front or your enrolment will be cancelled.

Census Dates are usually set at 4 weeks after the commencement of the unit for a semester long unit. For Administration Dates refer to Holmesglen's website [www.holmesglen.edu.au](http://www.holmesglen.edu.au) and then go to Course Information Page.

The Census Date is also the last date to enrol or vary your enrolment. If you wish to enrol or add units to your current enrolment after this date, you will not be able to request VET FEE-HELP assistance for that unit/s.

If you have requested a VET FEE-HELP loan but change your mind about studying, you must either cancel your request for VET FEE-HELP assistance or withdraw your enrolment in each unit of study on or before the unit Census Date.

## Other fees

You will be charged a general services fee for the provision of non-academic amenities, services and activities. Holmesglen also charges certain incidental fees including the late enrolment and late payment penalty fees described above. Incidental fees also include fees for equipment or items that become your physical property like uniforms or equipment, replacement documentation and other services not essential to study. General incidental fees are published in your student diary and course-specific incidental fees are published in the Course Information on Holmesglen's website.

You can not defer payment of the general services fee and incidental fees through VET FEE-HELP and these fees must be paid up-front as required.

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## **VET tuition fee refund policy**

This policy applies to tuition fees paid for VET units of study that are approved for VET FEE-HELP. It applies to all students whether they pay their tuition fees up-front or seek VET FEE-HELP assistance.

To receive a refund of your tuition fees you must withdraw on or before the unit Census Date. To withdraw your enrolment in a unit/s of study you must complete an Amendment/Withdrawal Form and return your student ID card, your fee receipt (if you paid up-front) and any Holmesglen property which is in your possession (eg library books, loaned equipment). The Census Date is usually set at 4 weeks from the commencement of the unit for a semester long unit. It can not be any earlier than 20% of the way through the unit.

### **1. Up-front payment**

Students who have paid their VET tuition fees up-front are eligible for a refund of their tuition fees, if they withdraw prior to the unit Census Date. After the unit Census Date there are no refunds.

### **2. VET FEE-HELP applicants**

VET FEE-HELP applicants must withdraw by the unit Census Date to ensure they do not incur a VET FEE-HELP debt for that unit.

Students who withdraw from a unit of study after the Census Date, may apply to have their FEE-HELP balance re-credited if they believe special circumstances have prevented them from completing the unit. Refer to the VET FEE-HELP Review and Recrediting Procedure.

# Student review procedure

The purpose of this procedure is to outline how Holmesglen will deal with applications by students to review and re-credit their FEE-HELP balance and remove their VET FEE-HELP debt if they have withdrawn their enrolment on or after the census date or have been unable to complete a VET unit of study due to special circumstances.

You may apply on or after the census date to have your FEE-HELP balance re-credited and your VET FEE-HELP debt removed only if you:

- withdrew your enrolment in a VET unit of study on or after the census date due to special circumstances, or
- did not complete the requirements for a VET unit of study due to special circumstances.

*Special circumstances are circumstances that:*

- were beyond your control;
- did not make their full impact until on or after the census date of the VET unit of study; and
- made it impracticable for you to complete your VET unit of study requirements.

You must apply in writing to the Registrar of Holmesglen, within 12 months of the withdrawal date, or if you have not withdrawn, within 12 months of the end of the period of study in which the unit was, or was to be, undertaken. Your application for re-crediting your FEE-HELP balance must include details of the:

- VET units of study for which you are seeking to have your FEE-HELP balance re-credited
- special circumstances that you believe made it impracticable for you to complete those units.

Holmesglen will consider your application within 10 working days of its receipt. It will consider your request to re-credit your FEE-HELP balance and remove your VET FEE-HELP debt in accordance with the requirements of Schedule 1A of the Higher Education Support Act 2003. Holmesglen will inform you in writing of the Registrar's decision.

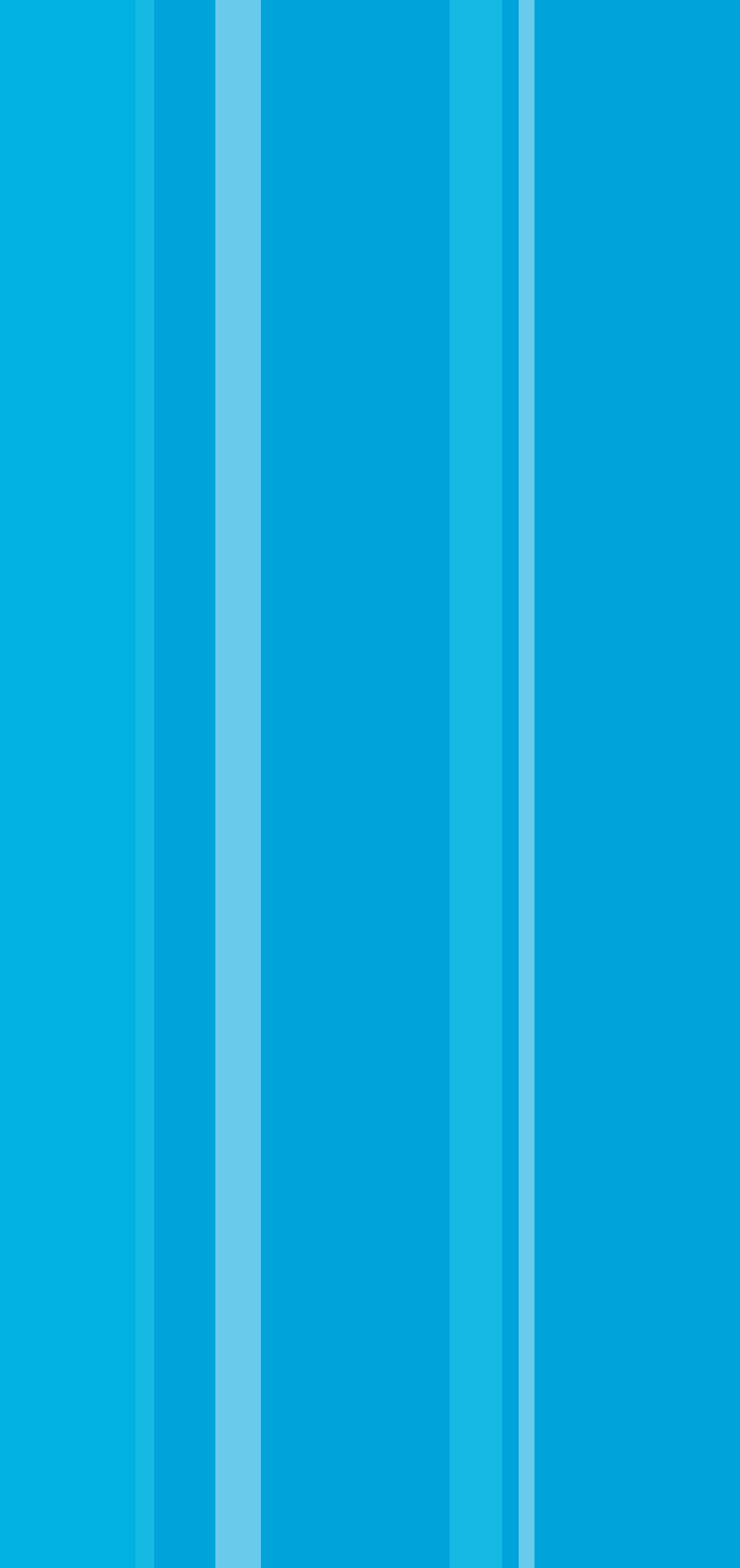
If you are not satisfied with the decision made by Holmesglen Institute, you may apply within 28 days of the receipt of the original decision for a review of the decision. Applications should be made in writing to the Executive Director, Education Development and Design of Holmesglen Institute and must state fully the reasons for applying for the review.

Holmesglen will acknowledge receipt of the application for review of a decision in writing within 5 working days. It will also inform you:

- that if the review officer has not advised you of a decision within 45 days of receipt of the application, it can be taken that the review officer has confirmed the original decision
- of your right to apply to the Administrative Appeals Tribunal (AAT) for review of the decision of the Holmesglen review officer
- of the AAT's contact details and the approximate cost of making an application.

Holmesglen will inform you in writing of the review officer's decision and the reasons for making the decision. It will also inform you of your right to appeal to the Administrative Appeals Tribunal (AAT) if you are unsatisfied with the outcome, the contact details of the nearest AAT and the approximate cost of an appeal to the AAT.

If you apply to the Administrative Appeals Tribunal for review of a decision, you may have to pay an application fee. Full details of the application process and fees payable are available on the AAT Registry's website: [www.aat.gov.au](http://www.aat.gov.au). The nearest AAT Registry is Level 16, HWT Tower, Southgate, 40 City Road, Southbank VIC 3006 Telephone (03) 9282 8444 Fax (03) 9282 8480.



### **Chadstone Campus**

Batesford Road  
Holmesglen 3148  
(PO Box 42 Holmesglen 3148)  
Telephone (03) 9564 1555  
Facsimile (03) 9564 1606

### **Moorabbin Campus**

488 South Road  
Moorabbin 3189  
(PO Box 42 Holmesglen 3148)  
Telephone (03) 9564 1555  
Facsimile (03) 9555 0060

### **Waverley Campus**

585 Waverley Road  
Glen Waverley 3150  
(PO Box 42 Holmesglen 3148)  
Telephone (03) 9564 1555  
Facsimile (03) 9564 6233

