

# Refund and Withdrawal Policy and Procedure

## Compliance Focus

**ASQA Standards**, Clauses: 5.3, 7.3

**National Code**, Section D Standard 8, Standard 13

## Policy Purpose

The purpose of this policy and procedure is to outline the approach to granting refunds, to meet our obligations under State and Federal Legislation, Funding Body contracts and VET Regulatory Body requirements. The Policy will provide a clear understanding of student eligibility for a full or part refund of any fees and charges.

## Policy Scope

This policy applies to all students enrolled in full or part qualifications. All staff are to adhere to this policy and associated procedure. The General Manager will provide guidance and advice to all staff on the policy. A clear and concise procedure to guide staff on maintaining compliance supports the policy statements.

In accordance with the Standards for Registered Training Organisations (RTOs) 2015, consideration will be provided to all students in relation to the issuing of a refund.

## Definitions

**Commencement of Training:** the date the student was sent confirmation of enrolment into a course.

### 1. Commitment

- All students receive upfront, clear, concise information on fees and charges for their course
- Maintain a 5-day cooling off period from the date of enrolment into any course
- Not allow a transfer of course fees to another person
- That refunds are made available to students entitled to receive them
- That no barrier, either financial or administrative is placed in front of a student wishing to withdraw from any course
- Offer alternative arrangements acceptable to a student when a course has been cancelled or postponed
- Refund all course fees if cancels or postpone a course commencement by more than 4 weeks
- Cancel any remaining fees and charges where student cancels or withdraws from a course
- Accept, via written correspondence **only**, a student's request to re-enrol into a previously withdrawn course or an alternative course option

### 2. Student initiated withdrawal

All students, who have made the decision to withdraw from a course must officially:

- Completing the Student Cancellation or Withdrawal Form – available on request
- Provide an email to Student Services

Students under the age of 18 will require authorisation from their parent or guardian to withdraw or undertake a change of enrolment.

An enrolment **will not** be cancelled on a verbal request.

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## 3. Refunds

Course refunds will be considered under the following circumstances:

**RTO Initiated Change** - Where the RTO has changed a program date, time, location, or other changes not listed and the student is unable to complete their program under the new format, a full or partial refund will be offered.

The amount of refund will be pro-rata to the amount of training an assessment already completed by the student and paid directly to the nominated bank account of the person or organisation who paid the initial invoice.

Course refunds will not be considered under the following circumstances:

**Student Initiated Withdrawal** - No refund will be provided once a student has enrolled and commenced their training.

For the purposes of this policy, the term “commenced their training” is the date the student was sent an email or letter confirming enrolment into a program.

*Specifically, refunds will not be issued under the following circumstances:*

- Student changes their mind or does not need to do the course any longer
- Student employment, personal or financial status changes
- Student has commenced training
- Student decides course is “too difficult”
- Student is terminated from course. This may include non-submission of work, behavioural issues, or academic misconduct

**Instalment Payments** - If a student is paying their course fee via instalments, no refunds will be issued on payments already received. The balance of the course fee will be cancelled. Refunds will only be considered where it is required by state or federal law.

**Funded Training** - If a student has been funded under contract whereby, they have contributed payments towards training, the RTO’s will abide by the prescribed refund policies set out in any signed contract. If there is no guidance regarding refunds in the contract, the pre-existing Refund Policy will be applied.

### Staff Responsibilities (in summary)

<b>Student Services Staff:</b>	Will assist the student to complete a refund request form
<b>General Manager or Delegated Manager:</b>	Will approve or reject a refund request
<b>Angus Knight Finance:</b>	Will pay the refund amount

## Procedure or Process to obtain a refund

**Step One** - Any student enquiring about a refund request will be emailed the Refund Request Form by Student Services team.

**Step Two** - The student must forward the completed and signed form to email address [admin@learningsphere.com.au](mailto:admin@learningsphere.com.au).

**Step Three** - Once the Refund Request Form is received by the Student Services the following steps are performed:

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- Student Services will acknowledge receipt of the Refund Request Form by emailing the student and a file note will be made against the student account in the Student Management System regarding the receipt date of the form
- A copy of the Refund Request Form will be saved in the student folder in the Student Management System and the Refund Request Form will be forwarded to the appropriate Manager for review. The Manager will review and obtain approval, then advise Student Services the refund decision within 20 business days to then notify the student of the decision.
- If a full or partial refund is approved – the refund request will be forwarded to Angus Knight Finance team at email address [accts.payable@angusknight.com.au](mailto:accts.payable@angusknight.com.au) for payment to the student. The Finance team may request to verify the bank account and support evidence before payment is made.
- The student should expect to receive payment of refund within 14 business days of the approval date. Details of the processed refund amount will be recorded in the Refund Register by Student Services.

## 1. Our Guarantee to Clients

If unable to fulfil the service agreement with a student, a full refund must be issued for any services not provided. The basis for determining “services not provided” is to be based on the units of competency completed by the student and which can be issued in a statement of attainment at the time the service is terminated.

## 2. Limiting fees being paid in advance

Under the Standards for RTOs a limit to fees paid in advance by students exists. To meet this responsibility, a payment of no more than \$1,500 from each student prior to the commencement of the course will be accepted. This requirement applies regardless of the payment for the fees are being made directly or through a third party.

Following the course commencement, we may require payment of additional fees in scheduled payments in advance from the student but only such that at any given time, the total amount required to be paid in advance does not exceed \$1,500.

## 3. Payment of GST

GST Tax Ruling GSTR 2003/1 explains the supply of a course for ‘professional or trade’ is a GST-free education course. Where a student is enrolled in a course which is offering units of competency or a whole qualification, the course fees attached to this enrolment will be GST-free.

GST does apply on the payment of some miscellaneous charges where these charges are in addition to and outside the normal services offered in a course.

## 4. Student complaints about fees or refunds

Students who are unhappy with the RTO’s collection and refunding of tuition fees are entitled to lodge a complaint. This should occur in accordance with our complaints policy and procedure.

## 5. Review of decision

The General Manager or delegated Manager who reviews the student request for a refund will return a decision in writing, including reasons for the decision. A student who is not satisfied with any review result has the right to apply to the Administrative Appeals Tribunal (AAT). 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) and lodged within 28 days.

## 6. Communication

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All students regardless of funding arrangement will be sent a Confirmation of Withdrawal Letter within 30 days of finalisation as confirmation, and information about any applicable refunds.

## Related Documents and Forms

- Fees and Charges Policy
- Student Enrolment Policy and Procedure
- Complaints and Appeals Policy
- Student Entry Policy
- Equal and Fair Treatment Policy and Procedure

## Responsible Officer

The responsible officer for the implementation of this Policy is the General Manager

## Publishing details

<b>Document Name</b>	Withdrawal and Refund Policy and Procedure
<b>Approved by</b>	General Manager
<b>Date of Approval</b>	02-09-2022
<b>Version</b>	2
<b>Summary of content (new) or amendments (revised)</b>	New policy, all changes will be captured in the Continuous improvement and Version Control Registers
<b>Next Review Date</b>	02-09-2023