

Student Fees and Refunds Policy

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2. Preamble

HEA has responsibilities to ensure mechanisms are in place to financially protect domestic and overseas students by complying with:

Education Services for Overseas Students Act 2000 (ESOS Act)

FEE-HELP or HECS-HELP – Higher Education Support Act 2003 (HESA) and the

Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)

In addition, this policy complies with the *Higher Education Standards Framework (Threshold Standards) 2021* and the obligations for providers to ensure there are credible business continuity plans and adequately resourced financial and tuition strategies to prevent disadvantage to students who, due to changes in a provider's operations, cannot progress in a course of study.

3. Purpose

The purpose of the policy is to articulate the principles and requirements associated with payment of student fees, student refunds, financial penalties and cancellations, ensuring that all processes are equitable and comply with government legislation. Details of processes are outlined in the *Student Fees and Refund Procedure*.

4. Scope

This policy applies to all domestic and international students enrolled at HEA, students previously enrolled, prospective students and students on leave where the relevant fee was incurred while they were enrolled and all relevant staff involved in the administration and management of student fees.

5. Definitions

Please refer to the Glossary of Terms.

6. Policy

6.1 Principles

- 6.1.1 HEA will comply with all relevant legislation and responsible financial practices in relation to student fees and refunds.
- 6.1.2 The financial interests of students will be respected and protected.
- 6.1.3 Student fees will be managed ethically, honestly, transparently and fairly.
- 6.1.4 HEA will ensure that this policy and the related procedure is publicly available to all students and applicants prior to accepting an offer from HEA.
- 6.1.5 International students will be given access to this policy prior to accepting an offer at HEA.
- 6.1.6 All refunds will be made in Australian dollars (AUD) and will be payable to the student's nominated account except in limited circumstances.
- 6.1.7 Variations to enrolment such as withdrawal, deferment, suspension, cancellation, leave of absence or extension may incur a fee.
- 6.1.8 HEA will ensure students are informed, prior to enrolment and via the website and Student Agreement, of any specialist equipment, specifications, and software required to undertake their course of study, and that this information is clearly disclosed so as not to constitute an unexpected financial barrier.
- 6.1.9 A full refund of tuition fees less any administrative fees will be paid when a student withdraws in writing prior to the census date subject to applicable legislation and the Student Fees and Refund Procedure.
- 6.1.10 Withdrawal after the census date will require a special request and supporting evidence, the outcome of which will be determined based on the nature of the withdrawal.
- 6.1.11 A deferral, leave of absence and extension will not warrant the refund of any fees unless required by law or in exceptional circumstances as determined under the Student Fees and Refund Procedure.
- 6.1.12 A student's failure of a subject or course, or lack of attendance, will not warrant a refund.
- 6.1.13 Refunds will not be paid when a student breaches a condition of their enrolment, when a student provides false, fraudulent, or forged documentation or misleads HEA.
- 6.1.14 Fees will not be refunded if a student is guilty of misconduct, is in breach of visa conditions or involved in illegal behaviour.
- 6.1.15 A refund of administrative related fees, including Admission Fees and Confirmation of Enrolment fees which do not include any tuition fees, is not permitted under any circumstances.
- 6.1.16 Higher Education Australia (HEA) reserves the right to increase its fees and charges at any time with reasonable notice to the student. Whilst fees or charges may change at any time, no student will be disadvantaged for any given year in which they are already enrolled. This means that once a student is enrolled, the fees and charged for that student for that year of study will not change. Any increase in fees will apply from the next calendar year. Other than in exceptional circumstances, the maximum increase of fees in any year over the previous year will be capped at 10%.

6.2 Tuition Protection Service

In the unlikely event that **Higher Education Australia (HEA)** is unable to deliver a course of study, the Australian Government's **Tuition Protection Service (TPS)** will assist eligible students.

The TPS ensures that affected students are able to either:

- complete their studies in another course or with another education provider, or
- receive a refund of their unspent tuition fees (for international students), or a re-credit of their FEE-HELP balance for units of study commenced but not completed (for domestic students).

Where HEA is unable to continue delivery of a course, eligible students will be supported in accordance with the requirements of the **Education Services for Overseas Students Act 2000 (Cth)** and the Tuition Protection Service arrangements.

Further information about the Tuition Protection Service is available at:

<https://www.education.gov.au/tps>

6.3 Complaints and Appeals

Students who are not satisfied with the resolution of their refund application may make a complaint in accordance with the *Student Complaints and Appeals Policy and Procedure*.

6.4 Record Keeping

All records created through the application of this policy and accompanying procedure must be retained according to the *Records and Information Management Policy*.

6.5 Breach of this Policy

Any breach of this policy may also be considered a breach of the Code of Conduct and will be dealt with in accordance with the relevant procedure.

6.6 Governance and Accountability

The Board of Directors retains ultimate accountability for this Policy, including oversight of financial viability and student fee protections, in accordance with the *Higher Education Standards Framework (Threshold Standards) 2021*.

7. Referred Legislation and References

Australian Competition & Consumer Commission (ACCC)

<https://www.accc.gov.au/consumers/problem-with-a-product-or-service/repair-replace-refund-cancel>

Higher Education Support Act (2003) (2022)

<https://www.legislation.gov.au/Series/C2004A01234>

Higher Education Support (Transitional Provisions and Consequential Amendments) Act 2003 <https://www.legislation.gov.au/Details/C2005C00023>

Higher Education Funding Act 1988 (2016)

<https://www.legislation.gov.au/Series/C2004A03750>

Higher Education Standards Framework (Threshold Standards) 2021

<https://www.teqsa.gov.au/higher-education-standards-framework-2021>

International Education <https://internationaleducation.gov.au/Pages/default.aspx>

International Student Course Variation <https://immi.homeaffairs.gov.au/programs-subsite/files/student-course-variation-report-options-reference-guide.pdf>

National Code of Practice of Providers of Education and Training for Overseas Students 2018 <https://www.legislation.gov.au/Details/F2017L01182>

TEQSA - Tertiary Education Quality and Standards Agency 2011 (2022)

<https://www.legislation.gov.au/Details/C2022C00004>

TEQSA Tuition Protection - Information for Providers <https://www.teqsa.gov.au/provider-registration/maintaining-provider-registration/tuition-protection-information>

Tuition Protection Services <https://www.education.gov.au/tps/about-tuition-protection-services-tps>

8. Relevant HEA Policies and Procedures

- Aboriginal and Torres Strait Islander Peoples Policy
- Academic Documentation and Graduation Policy
- Admissions Policy
- Admissions Procedure
- Credit and Recognition of Prior Learning Policy
- Credit and Recognition of Prior Learning Procedure
- Enrolment Variation Policy
- Equity and Diversity Policy
- Marketing Policy
- Records and Information Management Policy
- Student Fees and Refund Procedure
- Student Handbook
- Student Complaints and Appeals Policy
- Student Complaints and Appeals Procedure

- Student Orientation Policy
- Student Orientation Procedure

9. Document and Version Details

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10. Policy Inquiries

For any inquiries about this policy, please email us. (studentsupport@heau.edu.au)