



Withdrawal, Refund and Re-Credit Policy

Adamattrin Pty Ltd as Trustee for Mesaric Family Trust T/A Forme Education

[ABN: 43 288 767 600 ACN: 130 686 001]
[RTO No. 31744]



Overview

Forme's Withdrawal, Refund and Re-Credit Policy applies to all learners.

The Policy is a fair, reasonable and transparent process that has been developed in accordance with the legislative requirements set in the Higher Education Support Act 2003 and the Standards for Registered Training Organisations 2015.

Census Date

The information provided regarding refunds (whether refund of actual fees paid or re-crediting Fee Help balances) applies to all learners including those accessing VET FEE-HELP arrangements.

'Census' date is a term applied for VET FEE-HELP purposes to nominate a publication date set by Forme (no earlier than 20% of the way through a VET Unit of Study), on which decisions about the status of enrolment and the determination of VET FEE-HELP obligations are made. Under the VET FEE-HELP scheme, liability for the VET FEE-HELP debt is incurred by the learner on the day after Census Date and remains the financial responsibility of the learner thereafter.

In the interests of equity, Forme has applied the census date to all refund decisions for both VET FEE-HELP Diploma learners and non-VET FEE-HELP Diploma & Certificate learners.

In the very unlikely event Forme ceases to provide a VET course of study, it will refund all 'prepaid' fees for units of competency not completed or will facilitate the continuation of your qualification with an alternative RTO.

A full refund of all fees paid for Diploma & Certificates courses will be made if you withdraw (you must formally notify Forme of your withdrawal) prior to census date. No VET FEE-HELP liability will be incurred if you withdraw prior to the census date.

Learners should be aware that the 'Census Date' is the last day they can:

1. submit their forms to access a VET FEE-HELP Loan; and or
2. withdraw from their enrolment without incurring the VET FEE-HELP debt.

Fees paid for Units of Study commenced where the learner has not formally withdrawn by the census date are not refundable (and VET FEE-HELP learners will incur full liability);

Learners are liable for payment for the units commenced at this date for the study period. Forme treats all subjects the learner is enrolled in prior to receiving notification of withdrawal as 'commenced' (regardless of participation)

If a learner withdraws, all outstanding course work and full payment must be received prior to the issuing of any certification including qualification or statement of attainment.

Professional Programs

Forme offers a range of professional programs (accredited units of competency) to develop specialist or broader areas of expertise and practice, where a statement of attainment will be issued on successful completion.

Forme requires a \$500 non-refundable deposit to secure a place in professional programs, with the full balance payable prior to the commencement of the program.

Cancellations prior to commencement will receive refund of all fees less the \$500 deposit. No refunds will be payable for withdrawal or cancellation post program commencement date.

Forme treats all subjects the learner is enrolled in prior to receiving notification of withdrawal as 'commenced' (regardless of participation or attendance)

Withdrawal & Application for Refund or Re-Credit Process

All Forme learners must submit a notification of cancellation or withdrawal in writing.

The Notification of Withdrawal and Application for Refund or Re-credit Form must be completed in its entirety including:

1. the learner's name;
2. enrolment course details;
3. unit/s the learner nominates to be withdrawn from;
4. census date (if applicable); and
5. reasons for withdrawal.

Learners applying for a refund or re-credit (of VET FEE-HELP liability) are required to supply all supporting documentation as required.

The form, and supporting documentation, can be submitted via email to:

Forme Review Officer
Phone: (07) 5646 5154
Email: admin@forme.edu.au

If the learner contacts Forme via telephone about their request to withdraw, Forme will lodge a communication note on the learner's file, however the learner will still be required to submit the withdrawal



notification in writing to Forme to provide express written consent of their withdrawal.

Forme will not enrol learners in any subsequent units of study unless expressly requested by the learner in writing.

Forme will reasonably consider all applications for refunds or re-credit based on 'special circumstances' however, if a VET FEE-HELP learner's application is not approved, the learner's enrolment will be withdrawn, but the learner's VET FEE-HELP debt will not be re-credited and will remain the financial responsibility of the learner.

This policy ensures the protection of consumer rights under Australian law. However, the existence of this policy and the complaints and appeals process does not prevent learners taking further action under Australia consumer protection laws.

'Special Circumstances' Post Census Date

Learners who withdraw from a unit after the published census date, or fail to complete a unit, may apply for a refund or to have their VET FEE-HELP balance 're-credited' with respect to the unit if they believe special circumstances apply in accordance with the following procedures.

Medical or other extenuating circumstances associated with the withdrawal shall be assessed on a case by case basis. Where a learner can provide a medical certificate or show extreme personal hardship, a different refund scheme may be authorised on a case by case basis determined by the Director and in accordance with the Higher Education Support Act 2003.

Forme will refund fees paid, or re-credit the learner's FEE-HELP Balance, if it is satisfied that special circumstances apply where:

- the learner's withdrawal or failure to complete are beyond their control; and
- these circumstances did not make their full impact on the learner until on, or after the census date; and
- these circumstances were such that it was impractical for the learner to complete the requirements for the Unit.

For circumstances to be considered to be 'beyond control', the situation should be that which a reasonable person would consider is not due to the learner's action or inaction, either direct or indirect, and for which they are not responsible. That is, the situation must be unusual, uncommon or abnormal to be considered special circumstances.

Special circumstances do NOT include:

- lack of knowledge or understanding of requirements for VET FEE-HELP assistance; or

- a learner's incapacity to repay a VET FEE-HELP debt (repayments are income contingent and the learner can apply to the Australian Taxation Office for a deferral of a compulsory repayment in certain circumstances).

The Review Officer (admin@forme.edu.au Phone (07) 5646 5154) is the designated officer responsible for the assessment of a learner's request for a refund or re-credit of their VET FEE-HELP balance due to special circumstances and for the initial decision regarding the request.

A learner must apply in writing within 12 months of the withdrawal date, or if the learner has not withdrawn, within 12 months of the specified completion date of the Unit of Study. Forme has the discretion to waive this requirement if it is satisfied that it was not possible for the application to be made within the 12-month period. Relevant supporting documentation will be required to substantiate the claim.

Forme will consider each application within 28 calendar days of receipt of the application and applicants will be notified in writing of the decision.

Application for review of original decision

If a learner is unsatisfied with the reasons for decision provided by the Review Officer, the learner is entitled, per the Complaints and Appeals Policy and Procedure, to submit an appeal of the decision in writing within 28 days of the date of the Review Officer's Reasons for Decision which will be reviewed internally by Forme's Senior Review Officer and/or Director.

Learners should submit Forme's Complaint and Appeal Form providing all necessary reasons and supporting evidence.

The Senior Review Officer/Director is senior to the designated review officer responsible for the original decision and was not involved in making the original decision to be reviewed.

The Senior Review Officer will:

- acknowledge receipt of the application for review of a decision in writing within 10 working days, including informing the learner that if the Senior Review Officer/Director has not advised them of a decision within 45 days of receipt of the application for review, it is taken that the Senior Review Officer/Director has confirmed the original decision.
- review the information from the original decision and then assess any new evidence provided by the learner;
- provide written notice to the learner of the decision with 28 calendar days, setting out the reasons for the decision;



- inform the learner (VET FEE-HELP learners) of their right to apply to the Administrative Appeals Tribunal if they disagree with the Review Decision, and timelines involved (see below)

Reconsideration by the Administration Appeals Tribunal (VET FEE-HELP learners)

An application for reconsideration must be lodged at the AAT within 28 days of receiving written notice of the review decision. This time limitation can be extended in limited circumstances by order of the AAT.

Full details of the application process and fees payable are available on the AAT Registry's website: www.aat.gov.au. Applications cannot proceed until the application fee has been paid or waived. Applications for fee waiver must be made to the AAT. Refer to the AAT website for more details.

Details of closest AAT office:
Administrative Appeals Tribunal
Level 6, 295 Ann St
Brisbane QLD 4000

Phone: (07) 3361 3001/ 1800 228 333
Website: www.aat.gov.au
Email: generalreviews@aat.gov.au

The Federal Government's Department of Education and Training (DET), will be the respondent for cases that are brought before the AAT. Upon DET's receipt of a notification from the AAT, DET will notify Forme that an appeal has been lodged. Upon receipt of this notification, the Review Officer will provide DET with copies of all the documents that are relevant to the appeal within ten business days.

Application Fee

The current Administrative Appeals Tribunal Application fee as at 25 June 2015 is \$861.00, set out in the Administrative Appeals Tribunal Regulations 2015.

Further information for VET FEE-HELP assisted learners

Clause 46A of schedule 1A of the Higher Education Support Act 2003, enables VET FEE-HELP assisted learners to apply for re-credit in the unlikely event that Forme Education or its agents, is found to have engaged in unacceptable conduct, which could include (but is not limited to): inappropriate advertising of VET FEE-HELP as other than a loan; offering inducements; failing to provide VET FEE-HELP notices; or failing to comply with student requests to cancel or withdraw.

Learners should refer to the Study Assist website for information about unacceptable conduct, how to apply if they consider the circumstances are applicable and to access the Cancellation of a VET FEE-HELP Debt (unacceptable conduct) Application form.

<http://studyassist.gov.au/sites/studyassist/payingbackmyloan/cancelling%20a%20help%20debt%20under%20special%20circumstances/pages/cancelling-a-vet-fee-help-debt--unacceptable-provider-conduct>

The Queensland Training Ombudsman

The Queensland Training Ombudsman is an independent office that provides Queenslanders with dedicated support to resolve training issues or make complaints.

To find out more about the Queensland Training Ombudsman, please visit their website <http://trainingombudsman.qld.gov.au/>

National Training Complaints Hotline

The National Training Complaints Hotline is a joint initiative between the Commonwealth, state and territory governments.

Anyone with a complaint or query about the training sector now has one number to call, so they can report a complaint and have it referred to the right authority for consideration.

To find out more about the National Training Complaints Hotline, please visit their website <https://www.education.gov.au/NTCH>