

EN5 Re-Crediting VET Student Loan Balance

Version: 1

Policy Owner: CFO

Approved by: CEO

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1.0 Purpose

This policy outlines guidelines the RTO follows for re-crediting a VSL and the decision-making process to grant the re-credit. The policy is in line with the OSRTOs and the approved VSL program.

2.0 Scope

This policy applies to all employee, partners and associates of the RTO in relation to re-crediting a learner's VSL balance due to special circumstances.

This policy includes all regulatory, contractual and legislative requirements that fall under the RTOs obligations.

3.0 Definitions

Term	Definition
The Act	Refers to the <i>VET Student Loans Act 2016</i> .
ATO	Stands for Australian Taxation Office.
Learner	Refers to students, who are Australian citizens or permanent humanitarian visa holders who will be resident in Australia for the duration of their VET Units of Study, and who access VSL for payment of their tuition fees in respect of the VET Units of Study in which they are enrolled.
Census Date	A published date set by the provider, no earlier than 20% of the way through a VET Unit of Study.
RTO	Stands for Registered Training Organisation, in this case means the Selmar Institute of Education (#121531).
SMS	Stands for Student Management System, in this case aXcelerate.
OSRTOs	Stands for Outcome Standards for Registered Training Organisations (RTOs) 2025.
Tuition Fees	Fees paid for a VET Unit of Study that is approved for VSL and applies to learners who are, or would be, entitled to VSL assistance under section 9 of the Act.
Unit or VET Unit of Study	A VET Unit of Study approved for VSL that a learner may undertake with the provider, for which the learner may access VSL assistance to pay for all or part of their tuition fees.
The Department	The Commonwealth of Australia represented by the department which has the responsibility for administering the <i>Higher Education Support Act 2003</i> and the <i>VET Student Loans Act 2016</i> .

VSL	Stands for Vet Student Loans.
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4.0 Policy

4.1 Incurring a VSL Debt

- A learner who is, or would be, eligible for a VSL and has requested VSL Assistance may withdraw from a unit of study on or before the census date and will not incur a VSL debt for the tuition fees for that unit of study.
- Learners who have requested VSL Assistance who remain enrolled after the published census date will incur a VSL debt for the unit of study in which they are enrolled.
- A learner who withdraws from a unit of study after the published census date for that unit will incur a VSL debt for that unit of study.

4.2 Re-Crediting a VETSL Balance Due to Special Circumstances

- Learners who withdraw from a unit of study after the published census date, or fail to complete a unit of study, may apply to have their VETSL balance re-credited with respect to the unit of study if they believe special circumstances apply in accordance with the following points.
- The RTO will re-credit the learner's VETSL balance if it is satisfied that special circumstances apply where:
 - These circumstances were beyond the learner's control; and
 - For circumstances to be beyond a learner's 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 the learner is not responsible. The situation must be unusual, uncommon or abnormal to be considered special circumstances.
 - 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 impracticable for the learner to complete the requirements for the unit in the period during which the learner undertook or was to undertake the unit.
- The RTO will also have regard to the following when determining special circumstances:
 - Whether a learner could do enough private study, attend training sessions and other activities to meet the course requirements; and
 - Whether the learner could complete any assessments or demonstrate competency; and
 - Whether the learner could complete any other requirements arising because of the learner's inability to do the above; and
- The RTO may have regard to the following when determining special circumstances:
 - Medical circumstances of the learner
 - Circumstances that relate to the learner personally or the learner's family
 - Circumstances relating to the learner's employment
- Special circumstances do not include:

- Lack of knowledge or understanding of requirements for VSL assistance; or
- A learner's incapacity to repay a VSL debt (repayments are income contingent and the learner can apply to the ATO for a deferral of a compulsory repayment in certain circumstances).
- The RTO processes and procedures ensure a student is not victimised or discriminated against for:
 - seeking a review or reconsideration of a decision
 - using the provider grievance processes or procedures or
 - making an application for re-crediting the student's HELP balance

4.3 Procedure for Re-Crediting Learners VETSL Balance

- Each application for re-credit of a learner's VETSL balance will be considered on its merits together with all supporting documentation substantiating the special circumstances claim.
- The Group Chief Financial Officer (GCFO) is the designated officer responsible for the assessment of a learner's request for a re-credit of their VETSL balance due to special circumstances and for the initial decision regarding the request.
- A learner must apply in writing to the GCFO at the RTOs head office address within 12 months of the census date, or if the learner has not withdrawn, within 12 months of the specified completion date of the unit of study.
Selmar Institute of Education
Level 2, 80 Dorcas Street, Southbank 3006, VIC
- The RTO 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.
- The application for re-crediting a VETSL balance must include details of the:
 - Unit of study for which a learner is seeking to have a VETSL balance re-credited; and
 - Special circumstances as referred to above, including supporting documentation.
- The RTO will consider each application within 28 days of receipt of the application and will notify the applicant in writing of any decision within the 28 days. It will consider each request to re-credit a VETSL balance in accordance with the requirements of *Part 6 – Re-crediting HELP Balances* of the Act.
- The Secretary of the Department may re-credit a learner's VETSL balance in relation to special circumstances if a provider:
 - Is unable to act or being wound up or has been dissolved; or
 - Has failed to act and the Secretary is satisfied that the failure is unreasonable.

4.4 Re-Crediting a Learner's VETSL Balance Due to Unacceptable Conduct

- Learners may apply to the Secretary of the Department for their VETSL balance to be re-credited under Section 71 of the Act. Section 71 allows for the Secretary to re-credit a learner's VETSL balance if:
 - The provider or a person acting for the provider engages in unacceptable conduct in relation to the learner's application for a VSL; or
 - The provider fails to comply with the Act, or an instrument of the Act, and the failure has adversely affected the learner.

- Applications for re-crediting under Section 71 of the Act must be made within 5 years of the census date of the VET course unless the Secretary allows a longer period.

4.5 Review of Decision

- Where the RTO decides NOT to re-credit a learners VETSL balance, the decision may be subject to review.
- If a learner is not satisfied with the decision made by the RTO, the learner may apply for a review of the decision. The application for review must:
 - Be made within 28 days of receipt of the original decision; and
 - Include the date of the original decision; and
 - State fully the reasons for applying for the review; and
- Applications should be made in writing addressed to the Chief Executive Officer (CEO) of the RTO as they are the designated Review Officer of any decisions relating to a request for re-crediting of a VETSL balance. The contact details of the CEO are available on [National Training Register - 121531 Selmar Holdings Pty Ltd](#)
- The Review Officer is senior to the designated officer responsible for the original decision and was not involved in making the original decision that is now being reviewed.
- The Review Officer will acknowledge receipt of the application for review in writing within 10 working days and will then:
 - Review the information from the original decision and then assess any new evidence provided by the learner; and
 - Provide written notice to the learner of the decision, setting out reasons for the decision; and
 - Include any additional relevant evidence. Inform the learner of their right to apply to the Administrative Reviews Tribunal if they disagree with the Review Decision, and timelines involved (see below).

4.6 Reconsiderations by the Administrative Appeals Tribunal

- At the time of the original decision, and at the time of the subsequent review decision, the learner will be notified of their review rights and responsibilities. The relevant officer will inform the learner in of their right to appeal to the Administrative Reviews Tribunal (ART) if they are not satisfied with the outcome.
- Full details of the application process are available on the ART's website [Homepage | Administrative Review Tribunal](#)
- The RTO will provide ART with copies of all the documents that are relevant to the appeal within 5 business days of being requested.
- Where a decision results in the re-crediting of a person's HELP balance, the RTO will report this outcome via submission of a TCSI revisions file.
- The RTO will repay to the Commonwealth any amounts of the VSL they received from the Commonwealth on the person's behalf through subsequent reconciliations, unless a separate invoice is issued.

4.7 Publication

These procedures are published on the RTOs website to ensure learners have current and accurate information publicly available to them.

4.8 Records Management

All documentations for processes are maintained in accordance with *SP2 Records Management Policy*.

4.9 Monitoring and Continuous Improvement

This policy and subsequent practices are monitored by the RTO and areas of change are implemented through continuous improvement, following the *OR3 Continuous Improvement Policy*.

5.0 Legislative Context

Name	Section
Outcome Standards for RTOs 2025	Quality Area 2
VET Student Loans	Clause 4.7.15

6.0 Related Documents

Name	Document Type
SP2 Records Management Policy	Policy
OR3 Continuous Improvement Policy.	Policy

6.0 Version Control and Revision Information

The RTO reserves the right to vary, replace or terminate this policy from time to time.

Version #	Approval Date	Approved By	Details
1	June 2025	HQC	Document creation to align with OSRTOs 2025