

FAIRNESS, REVIEW, EQUAL BENEFITS AND OPPORTUNITIES POLICY AND PROCEDURE

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Related References for both Higher Education and VET Sectors

- Higher Education Support Act 2003 (HESA)
- VET Provider Handbook
- VET FEE-HELP Guidelines
- VET Administration Guidelines
- VET Provider Guidelines, issued by the Department of Education, Employment and Workplace Relations (DEEWR)
- Higher Education Provider Guidelines, Amendment No. 3 (Registered on 29 October 2007)
- FEE-HELP Guidelines

Related Standards

- AQTF 2007 *Condition of Registration 3*, Compliance with Legislation and
- AQTF 2007 *Standards 1.1, 2.2, 2.4, 2.6 and 3.1*.

Purpose

This procedure describes how SSNT ensures compliance with requirements for fairness, review and equity in its scope of operations both as a Registered Training Organisation (RTO) and as a Higher Education Provider (HEP).

The SSNT's policy is to treat all students fairly with equal benefits and opportunities. It has also established a process to protect students' fees paid in advance. These aspects are also required for FEE-HELP purposes for both VET and Higher Education sectors. The SSNT is a financial member of the **Australian Council for Private Education and Training (ACPET)** and is a member of the ACPET **Student Tuition Assurance Scheme for fee protection purposes** for both its Higher Education Sector (**ASTAS-HE** - confirmed) and VET sector (**ASTAS-VET** - which is currently provisional until the SSNT VET FEE-HELP application is approved).

Scope of Procedure

This procedure applies to all persons enrolled, seeking enrolment and those employed or contracted to SSNT, particularly those in the school's student/administration services.

Responsible Authority

The Principal is responsible for the school's compliance with these requirements.

Definitions –None specific

See below for Policy and Procedures

POLICY

Fair Treatment

The SSNT is required to treat fairly all of its students. This applies to those who are or who would be entitled to FEE-HELP assistance and all of the persons seeking to enrol with the provider. This requirement is a basic underlying principle of the Higher Education Support Act, HESA.

Specifically the fairness requirements include:

- fair treatment [\[HESA Schedule 1A cl18\]](#)
- equal benefits and opportunities [\[HESA Schedule 1A cl18\]](#)
- student grievance procedures [\[HESA Schedule 1A cl19\]](#)
- student review procedures [\[HESA Schedule 1A cl19\]](#)
- requirements to appoint review officers [\[HESA Schedule 1A cl21-22\]](#)
- personal information procedures [\[HESA Schedule 1A cl23\]](#)
- tuition assurance –VET & HE [\[HESA Schedule 1A cl20\]](#).

The application of fair treatment does not require that all students are treated the same. Fairness must be considered in the context of all the relevant circumstances. There will be situations in which the fair treatment of students may result in students in varying circumstances being treated differently, particularly with regard to FEE-HELP.

The SSNT will publish and make publicly available on its website and in the student's handbook/diary these fairness procedures.

Equal Benefits and Opportunities

As required, the SSNT will have open, fair and transparent procedures that, in the provider's reasonable view, are based on merit for making decisions about students undertaking, and persons applying for, courses.

Application of merit

The application of merit in decision-making processes would generally be expected to involve the SSNT considering each application on a case by case basis and not applying inflexibly policies that preclude eligible applicants from having their application considered.

No income test

The SSNT as a provider may not apply an income test when making decisions about which students are eligible for FEE-HELP assistance.

Educational disadvantage

When making decisions about the selection of students, the SSNT is able to take educational disadvantages that a particular student has experienced into account. This should involve consideration of the actual disadvantages that a particular student has experienced.

As a provider, the SSNT should not use 'proxy indicators' of educational disadvantage in the absence of clear evidence that all students in such a group necessarily suffered educational disadvantage. Such proxy indicators should not be used because they assume that all people who satisfy the proxy condition (eg. being from a low income group or being from a rural area) have necessarily experienced educational disadvantage. A provider is required to consider a particular student's specific circumstances before making a decision about whether the student has actually suffered educational disadvantage.

Restricted access arrangement

When making decisions about the selection of students, a provider is able to take into account students that are enrolled under a restricted access arrangement [VET Provider Guidelines 5.10.5]. A restricted access arrangement is an agreement entered into between a provider and an employer or industry body for the provision of a course(s) or places in a course(s) in which enrolment is limited or restricted to employees of the employer or industry body. [HESA Schedule 1]

PROCEDURES

Student Grievance Procedures

The SSNT has student grievance procedures for dealing with complaints about academic and non-academic matters by students and persons who seek to enroll with the school.

As a provider, the SSNT is required to address complaints and appeals efficiently and effectively. The SSNT publishes and makes publicly available its student grievance procedures. Refer to the student's handbook/diary and the website:

<http://www.southernschool.com/html/student-centre/policies-procedure/index.php>

The student grievance procedures required under FEE-HELP and VET FEE-HELP are in addition to other requirements or responsibilities that the SSNT as a provider may be required to have in place.

Academic matters

Academic matters include those matters which relate to student progress, assessment, curriculum and awards in a course.

Refer to SSNT's 'Grievances, Complaints and Appeals Policy and Procedures – Academic'.

Non-academic matters

Non-academic matters include those matters which do not relate to student progress, assessment, curriculum and awards in a course and includes complaints in relation to personal information that the provider holds in relation to the student [VET Provider Guidelines 1.1.10]. Non-academic grievances tend to arise from events occurring at a provider or from decisions made by a provider and cover issues such as harassment, vilification, discrimination, financial matters, fines and payments, application procedures, exclusions from events and facilities and the use or misuse of personal information.

Refer to SSNT's 'Grievances, Complaints and Appeals Policy and Procedures - Non-Academic'.

Requirements

As a provider, the SSNT must have arrangements for handling complaints that:

- are easily accessible to students
- are provided at no cost, or at a reasonable cost and which encourage timely resolution of complaints
- include provision for independent internal investigation of complaints which remain unresolved
- include provision for external review of decisions made following any internal investigation and a mechanism for considering any recommendations arising from external review
- are complete, unambiguous and are agreed to and ratified by the provider's governing body
- do not discriminate or victimise
- are communicated to staff who are trained in their application
- specify reasonable timelines for responses
- allow third party representation
- if requested, provide reasons and a full explanation in writing of decisions and actions taken
- confidential accurate records of all grievances are kept for at least 5 years.

Students or those persons seeking to enroll with SSNT are entitled to access the student grievance procedures, regardless of the location of the campus at which the grievance has arisen, the student's place of residence or the mode in which they study.

Privacy complaints and advice

Student grievance procedures extend to complaints about breaches of personal information by the SSNT (including its officers, employees and those who perform services by or on behalf of the provider) relating to information obtained by the provider for the purposes of FEE-HELP assistance and repayment of HELP loans. Refer below, *Privacy and Personal Information Policy and Procedures* and to the website for the detailed Privacy Policy.

Applications and Student Review Procedures (reviewable decisions)

Applications

Applications for FEE-HELP should be made on the appropriate application form. **The Manager, Student Services, Ms Cheryl Richter is the contact person for FEE-HELP.** Any queries or initial requests for a change must be made in writing, directed to the Manager, Student Services, clearly stating the reasons for the requested change and including all relevant documentation.

Review

A person has the right to apply for a review of a decision by SSNT to not re-credit or remit their FEE-HELP balance (reviewable decisions). The SSNT has student review procedures for reconsidering such decisions. The minimum requirements for a provider's student review procedures are that they should inform students to submit a valid request for review in writing, including the required content, clearly stating the reasons and provide details of letters or required content of the letters that providers are required to send to a person who has requested the review of a decision to not re-credit or remit their FEE-HELP balance.

A request for a formal review of the decision made should be directed to the Principal, Mr Colin Thomson, who is the person who can review decisions.

The SSNT must acknowledge receipt of an application for review of a decision in writing, and inform the applicant that, if the reviewer has not advised the applicant of a decision within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision.

The SSNT is required to publish and make publicly available its student review procedures [Provider Guidelines VET 6.15.15]. See **Part 13 (Review of Decisions)** for detailed requirements regarding reviewable decisions. These are available on the SSNT website, and at the student services. For details refer to the SSNT's *FEE-HELP Student Review Procedures*, also available on the website, <http://www.southernschool.com/html/student-centre/policies-procedure/index.php>.

Privacy - Personal information procedures

The SSNT must comply with the information privacy principles relating to information obtained by the provider for the purposes of FEE-HELP assistance and repayment of HELP loans. The SSNT has a personal information procedure under the privacy requirements which allows students to apply for and receive information that the SSNT holds about them [HESA Schedule 1A cl23].

Refer to the SSNT Privacy Policy available on the website and available at the student services office.

<http://www.southernschool.com/html/student-centre/policies-procedure/index.php>

This policy does not permit the disclosure of a student's personal information to a third party without specific, written, signed instruction by the student in specific circumstances.

VET fee requirements

The SSNT will comply with the VET fee requirements (3.5) and apply them fairly to all students. These include:

- determining VET tuition fees (tuition fees) [[HESA Schedule 1A cl27](#)]
- schedules of tuition fees [[HESA Schedule 1A cl28](#)]
- fees related to units, courses or matters or things for which fees may be charged [[HESA Schedule 1A cl27A](#)].

Tuition Assurance – VET and Higher Ed

The SSNT is required to protect students' fees paid in advance. To fulfill this purpose, (as stated on p.1 Purpose), the SSNT is a financial member of the **Australian Council for Private Education and Training (ACPET)** and is a member of its **Australian Student Tuition Assurance Scheme (ASTAS)** for students' fee protection. This applies to both its Higher Education Sector (ASTAS-HE - confirmed) and VET sector (ASTAS-VET - which is currently provisional until the SSNT VET FEE-HELP application is approved).

Related Policies

SSNT FEE-HELP Policy and Procedure
FEE-HELP Reviewable Decisions Policy and Procedures

Further information regarding FEE-HELP can be obtained from the related standards and guidelines as mentioned above.:

- Higher Education Support Act 2003 (HESA)
- Higher Education Provider Guidelines
- VET FEE-HELP Guidelines
- VET Administration Guidelines
- VET Provider Guidelines

In the case of any inconsistency between the draft VET Provider Handbook and the provisions of HESA or the Guidelines, the provisions of HESA and the Guidelines latest version with amendments will prevail.