

Approved by:	Board of Directors	Date approved:	24/2/2015	Next review:	24/2/2017
Document No:	4P07	Version No:	1.0		
Supporting documents	4P01 Grievances, Complaints and Appeals Policy 4P03 Enrolment Policy 4P06 Fees and Charges Policy 4P08 Consumer Protection Policy 4F08 Enrolment Form 4F12 Student Handbook				
References & Legislation:	The Australian Consumer Law Competition and Consumer Act 2010 National Vocational Education and Training Regulator Act 2011 NSW Department of Education and Communities Smart and Skilled Consumer Protection Strategy NSW Department of Education and Communities Smart and Skilled Fee Administration Policy NSW Department of Education and Communities Smart and Skilled: NSW Quality Framework NSW Department of Fair Trading Consumer Guarantees, Warranties and Refunds Standards for Registered Training Organisations (RTOs) 2015				

1. Purpose

This policy provides a systematic and transparent framework for staff and participants regarding the management of refunds of fees paid by WEA Illawarra students and corporate clients for accredited and non-accredited courses.

This policy meets the requirements of Standard 5 of the *Standards for Registered Training Organisations (RTOs) 2015*, in providing clear and accessible information regarding fees, charges and refunds. The policy also meets the requirements of the NSW Smart and Skilled Fee Administration Policy. The policy should be read in conjunction with the WEA Illawarra Fees and Charges Policy and the Consumer Protection Policy.

2. Scope

This policy applies to the refund of fees applicable to the provision of education, training and assessment services, including students undertaking courses under government training contracts and subsidised programs, and students and corporate clients paying full fees for accredited and non-accredited education and training courses.

3. Definitions

Accredited courses – education, training and assessment programs which provide a nationally recognised qualification in accordance with the Australian Qualifications Framework

Non-accredited courses – education, training and assessment programs which do not lead to a nationally recognised qualification

Refund – the process by which monies are returned to an individual or organisation for services not provided

Smart and Skilled - a reform of the NSW vocational education and training system, providing eligible students with an entitlement to government-subsidised training up to and including Certificate III qualifications or government funding for higher-level courses (Certificate IV and above) in targeted priority areas. Approved Adult and Community Education (ACE) providers, such as WEA Illawarra, receive Community Service Obligation (CSO) funding to provide Foundation Skills and other training for disadvantaged students and regional and remote communities that need assistance to access training under the Smart and Skilled entitlement program.

Withdraw – a process by which a decision is made to cease a student’s participation in an accredited or non-accredited course. The decision to withdraw may be made by WEA Illawarra or by the student participating in the course.

4. Policy

When a student makes an application for enrolment into a WEA Illawarra course and pays the associated course fees and charges, the student is entering into a contract with WEA Illawarra for the provision of education and training services. To ensure prospective students are able to make informed decisions regarding entering into this contract, WEA Illawarra staff will provide clear information regarding the payment of fees and charges and WEA Illawarra’s Refunds Policy prior to the student’s enrolment in the course, and the student will be asked to agree to the terms and conditions of the enrolment.

WEA Illawarra complies with the Australian Consumer Law regarding the provision of refunds for services not provided.

The circumstances and conditions of applicable refunds are detailed as follows:

Circumstances	Conditions
The student has overpaid the advertised course fee	A refund of the difference between the fee paid and the advertised course fee will be paid within 10 working days
WEA Illawarra cancels the course before it commences	Full refund provided within 10 working days of the cancellation date
WEA Illawarra cancels the course before its expected end date	The balance of the course fees paid for that portion of the course not yet delivered will be refunded within 10 working days of the cancellation date
WEA Illawarra defers the course start date and the new date is unacceptable to the student	Full refund within 10 working days of notice of rescheduling
The student does not commence the course on the start date and provides a written notice of withdrawal from the course before the course start date	If WEA Illawarra is able to find a replacement student for the same course, a credit note will be issued for the value of the course fees less Administration Fee equivalent to 10% of the

Circumstances	Conditions
	course fee or minimum of \$10 (whichever is the greater)
Student commences in the course and completes any portion of a term and withdraws	No refund. In some instances and at the discretion of the Training and Operations Manager, transfer to another course may be granted upon application by the student.
Student does not return to their course after a term break and subsequently provides a written notice of withdrawal from the course	No refund of any prepaid course fees
A student withdraws from a course prior to or after the start date of a course due to extenuating circumstances. Extenuating circumstances may include, but are not limited to, serious sudden illness or injury, or other reasons that are out of the ordinary. Evidence must be successfully provided to support the student's circumstances which indicate that the student is unable to continue their studies and would not reasonably be able to continue.	A credit note or refund of the course fees paid less 10% Administration Charge may be provided at the discretion of the Training and Operations Manager, based on % of the course already completed, and assessed on a case by case basis. Requests for a credit note or refund must be lodged within the term in which the student was enrolled.
WEA Illawarra withdraws the student from enrolment in the course because of the student's repeated misbehaviour, misconduct or breach of the Students' Code of Conduct	No refund
Closure of WEA Illawarra	Refund of balance of course fees paid for that portion of the course not yet delivered, or full refund if the course did not commence, paid within 10 working days
Student withdraws from an Online Learning course	No refunds are available after the student has enrolled and received access to the online course
Student withdraws from a Distance Learning course	Once the student has enrolled and received details of the competencies of a course and an outline of distance learning study procedures, no refund is available. In cases of hardship, a student may be permitted to transfer to a later WEA course.

WEA Illawarra will not accept responsibility for refunds arising from a student's withdrawal from a course because of:

- changes in a student's personal circumstances;
- changes in the student's work commitments; or
- a student changing their mind about the course.

An application for a credit note or refund must be made in writing and submitted to the Training and Operations Manager, stating the reasons and relevant details for the request and supported with appropriate documentation. All credit notes and refunds must be approved by the Training and Operations Manager. If a refund or credit note is provided, the student will be provided with a statement explaining how the amount of the credit note or refund was calculated. The credit

note or refund will only be provided to the student who enrolled, or the person or organisation making the original payment.

All students have the right to appeal a refund decision. Appeals processes are detailed in WEA Illawarra's Grievances, Complaints and Appeals Policy which is available on request from WEA Illawarra.

5. Implementation

All WEA Illawarra staff and tutors will be provided with this policy and be trained in how to manage student requests for refunds. The policy is available to WEA staff via the WEA Illawarra network.

Prospective students are provided with details of the Refund Policy via the Enrolment Conditions section of the WEA Illawarra Enrolment Form. Students enrolled in accredited courses are also provided with a Student Handbook with information regarding fees, charges and refunds. The Student Handbook is available on the WEA Illawarra website.

6. Responsibilities

The Training and Operations Manager is responsible for disseminating information to WEA Illawarra staff regarding this Refunds Policy, and for assessing and approving credit notes and refunds in accordance with this Policy.

The Chief Executive Officer is responsible for handling the appeals process in relation to this Policy and for reviewing as necessary the terms and conditions of the Refunds Policy.

Version	Date Approved	Approved By	Brief Description
1.0	24/2/2015	Board of Directors	Creation of original document