

VET FEE-HELP PROCEDURES

Australian National Memorial Theatre Ltd
Registered Training Organisation 3600

September 22nd 2010/version 14

Publication

The method these VET FEE-HELP procedures will be made public to students will be on the ANMT website (www.nationaltheatre.org.au). The ANMT will also advise students about where the procedures may be obtained from as part of their enrolment information.

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1 Statement of VET Tuition Assurance

1. Under the provisions of *Schedule 1A of the Higher Education Support Act 2003* (HESA) and Chapter 3 of the VET Provider Guidelines The Australian National Memorial Theatre (ANMT) (the First Provider) must comply with the VET Tuition Assurance requirements. This is to protect students in the event that ANMT ceases to provide a VET course of study that comprises VET units of study that meet the course requirements under subclause 45 (1) of Schedule 1A of the *Act* in which a student is enrolled. The meaning of 'ceasing to provide a VET course of study' is set out at paragraph 3.1.25 of the *VET Provider Guidelines*. A copy of these is available at:

<http://www.deewr.gov.au/vetfeehelp>

The method this *Statement of VET Tuition Assurance* will be made public to students will be on the ANMT website (www.nationaltheatre.org.au). The ANMT will also advise students about where the *Statement of VET Tuition Assurance* may be obtained from as part of their enrolment information.

2. ANMT has met the VET tuition assurance requirements as specified in the VET Provider Guidelines through its current membership of ACPET ASTAS-VET. Contact details for ACPET are:

Australian Council for Private Education and Training,
Suite 12, Level 14,
329 Pitt St,
Sydney, NSW, 2000,
Phone: 02 9264 4490, FAX: 02 9264 4550

3. If ANMT ceases to provide a VET course of study, ACPET will send a student enrolled in the VET course of study a Written VET Tuition Assurance Offer (the Offer) advising the student of the options available under the VET tuition assurance requirements. The Offer will include directions that the student must follow in order to notify ACPET of the choice they have made for each affected VET unit. ACPET will provide this Offer within twenty *Business Days* after it knows, or should know by reasonable enquiries that the ANMT has ceased to provide the VET course of study.

4. In the event that ANMT ceases to provide a VET course of study in which a student is enrolled the student is entitled to a choice of:

- a) an offer of a place in a similar VET course of study with a Second Provider without any requirement to pay the Second Provider any VET tuition fee for any replacement VET units (this is known as the "**VET Course Assurance Option**");

OR

- b) a refund of his or her up-front VET payments for any VET unit of study that the student commences but does not complete because ANMT ceases to provide the VET course of study of which the VET unit forms part (this is known as the "**VET Tuition Fee Repayment Option**")

5. For the purposes of VET FEE-HELP, all courses offered by ANMT in accordance with the course requirements of clause 45 of Schedule 1A of the *Higher Education Support Act 2003* are covered by ACPET ASTAS-VET ('the Scheme') as part of ANMT's membership of the Scheme.

6. A student may choose either:

The VET Course Assurance Option:

7. Under the VET course assurance option, a student will be offered a place in a similar VET course of study ACPET. If the student accepts this option, ACPET will make all necessary arrangements to ensure a student is able to enrol with the Second Provider in the similar VET course of study. This offered VET course will lead to the same or a comparable qualification without any requirement on the part of the student to pay the Second Provider any VET tuition fee for any replacement VET units (that is, units that the student had commenced but not completed because the VET course ceased to be offered). A student will receive full credit from the Second Provider for any VET units of study successfully completed at ANMT.

8. The Second Provider nominated by ACPET may have different VET tuition fees to the fees the student would have paid for VET units of study which were part of the VET course of study the ANMT ceased to provide but which the student had not yet started studying.

9. A student is not obliged to enrol in a VET course of study with a Second Provider offered by ACPET under the VET Course Assurance Option. However, if he/she enrolls with any other VET provider there is no obligation on that VET provider to offer full credit transfer for the VET units of study completed with the ANMT or to offer replacement VET unit/s free of charge.

OR

The VET Tuition Fee Repayment Option

10. Under the VET Tuition Fee Repayment Option, ACPET undertakes to pay the student the total of any up-front VET payments already paid by the student for any VET units of study the student has commenced but not completed because the VET course ceased to be offered. Students selecting this option will also have their FEE-HELP balance re-credited for the uncompleted VET units.

2 Fair Treatment and Equal Opportunity

(A) Introduction:

The Australian National Memorial Theatre (ANMT) upholds the principle that all persons who are or would be entitled to VET FEE-HELP assistance and who are enrolled or who are seeking to enroll in a VET Unit of Study with the School are treated fairly and given equal benefits and opportunities. This principle applies at all stages of the selection process and throughout the period of the students' enrolment.

(B) Selection policies and procedures:

Students who are eligible and are seeking to enroll will be selected on merit, based on the published criteria. Access to the courses is by application, one or more prepared auditions before a panel of tutors and a subsequent interview by the director and at least one tutor. Each applicant will be assessed for their suitability to the course for which they are applying. The ***audition selection criteria*** are as follows:

- (i) the ability to work harmoniously and collaboratively in a group
- (ii) the ability to demonstrate appropriate basic performance skills
- (iii) the potential to undertake study at higher performance skills levels
- (iv) the potential to prepare meaningfully for a professional career in the arts

There are no formal educational prerequisites for entry into ANMT courses and the selection criteria in no way discriminate against applicants who have suffered educational disadvantage. Auditions test for basic performance skills rather than academic potential. VET restricted access arrangements are not applicable to ANMT courses.

Audition selection criteria are published on the School's website under Accredited Courses Information and are also published and distributed as part of the Audition Information Registration pack sent to potential auditionees. All dance students auditioning should be of Intermediate Exam standard of the Royal Academy of Dance or the equivalent thereof and be a minimum of 15 years of age upon commencement of the course. All dance candidates will be required to present a medical certificate stating their physical suitability to the course. All Acting candidates need to be a minimum of 19 years of age.

(C) Treatment of students:

All students undertaking a VET course of study will be treated in an open, fair and transparent manner. Information about course content and assessment criteria, dates, methods and procedures will be made available to students before the commencement of any VET unit of study and information about appeal and review mechanisms will be readily available via the website and the student handbook. Students who require assistance with literacy and numeracy or who have other personal, financial or health issues will be treated with sensitivity and discretion and may be accorded special consideration if this is deemed warranted and reasonable.

3 Privacy Procedures

The Australian National Memorial Theatre (ANMT) and its officers and employees comply with the Information Privacy Principles set out in Section 14 of the *Privacy Act 1988* when handling VET personal information for the purposes of VET FEE-HELP assistance.

(A) Collection and storage of Personal Information:

VET personal information collected by the ANMT and its officers and employees may include but is not limited to that required for:

- (i) Providing services to students
- (ii) Processing applications for enrolments
- (iii) VET FEE-HELP Assistance applications
- (iv) Repayment of loans under the HESA
- (v) Maintaining academic, financial and compliance records
- (vi) Supplying information required by Federal and State Governments and Laws

The ANMT ensures that:

- (i) the information is collected for a purpose that is a lawful purpose directly related to a function or activity of the organization and is necessary and related to that purpose;
- (ii) shall not be collected by unlawful or unfair means;
- (iii) the individual concerned is generally aware of:
 - (a) the purpose for which the information is being collected
 - (b) whether the collection of the information is required by law
 - (c) the fact that they are able to gain access to the information
- (iv) information is collected in a timely and thorough way such that it is accurate, up-to-date, complete and not misleading;
- (v) secure storage arrangements including limiting access to senior staff and administrators, locking filing cabinets and restricting computer access are in place to protect privacy and security of VET personal information.
- (vi) personal information is not disclosed or copied unless in the course of the ANMT officers' official employment.
- (vii) personal information is destroyed or permanently de-identified if it is no longer needed for any legitimate purpose. (See below: Use and Disclosure of Personal Information.)

(B) Use and Disclosure of Personal Information:

All VET personal information collected by the ANMT is only to be used for the purposes for which it was collected or other purposes allowed by the *Privacy Act 1988* as below:

- (i) when the CEO of the ANMT believes on reasonable grounds that use of the information for that other purpose is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person;
- (ii) when the use of the information for that other purpose is required or authorized by or under law;
- (iii) when the use of the information for that other purpose is reasonably necessary for enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue; and/or
- (iv) the individual concerned has consented to use of the information for that other purpose.

NB: Where VET personal information is used for enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue, the Administrator shall include in the record containing that information a note of that use.

VET personal information will only be disclosed in accordance with the *Privacy Act 1988* thus where:

- (i) the individual concerned is reasonably likely to have been aware, or made aware that information of that kind is usually passed to that person, body or agency;
- (ii) the individual concerned has consented to the disclosure
- (iii) the Administrator believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or of another person;
- (iv) the disclosure is required or authorized by or under law; or
- (v) the disclosure is reasonably necessary for the enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the protection of the public revenue.

NB: Where VET personal information is disclosed for the purposes of enforcement of the criminal law or of a law imposing a pecuniary penalty, or for the purpose of the protection of the public revenue, the Administrator shall include in the record containing that information a note of the disclosure.

NB: A person, body or agency to whom personal information is disclosed under shall not use or disclose information for a purpose other than the purpose for which the information was given to the person, body or agency. Informed consent for information provided to the Australian Government will be obtained in regard to Application Forms and is included in the Request for VET FEE-HELP Assistance. Where the CHESSN is allocated prior to the submission of the Request for VET FEE-HELP Assistance from the student is required to fill in the Informed Consent Form A.

(C) Access to Personal Information:

The ANMT ensures that students have access to their own VET personal information at no charge except where:

- (i) providing access would provide a serious and imminent threat to the life and health of any individual
- (ii) providing access would have an unreasonable impact on the privacy of other individuals
- (iii) providing access would be unlawful
- (iv) providing access would prejudice:
 - (a) an investigation of possible unlawful activity
 - (b) the protection of the public revenue
 - (c) the prevention, detection, investigation, prosecution or punishment of criminal offences.

A student may request in writing on the *Access to VET Personal Information Form* (Attachment "A") to see and/or obtain a copy of all or part of the information held by the ANMT in relation to that student. This form is to be handed to the Administrator on the same day and where there is an urgent request the information must be supplied within the next three working days. Where any record is found to be inaccurate a correction must be made and the date of the correction noted. Where a student requests amendment of inaccurate information but the record is found to be accurate the details of the request are also noted.

(D) Publication:

These Personal Information Procedures are included in the Student & Staff Induction and Orientation Procedures.

4 Fees Policy

(A) Introduction

The ANMT is a full fee-paying School but Diploma and Advanced Diploma students have the option of paying fees up-front (term by term or in full) and/or applying for VET FEE- HELP assistance through the VET FEE- HELP Assistance Scheme. The full details of this Scheme including eligibility criteria and the rules governing its operation are available in the Department of Education, Employment and Workplace Relations (DEEWR)'s VET FEE-HELP Information Booklet which can be accessed on-line at www.deewr.gov.au/vetfeehelp

Students who apply for, and are granted, VET FEE- HELP assistance incur a VET FEE- HELP debt for each *VET Unit of Study** after the *census date** for that Unit is reached. Students have the option of paying part of their fees up-front and using VET FEE- HELP assistance for the balance. VET FEE- HELP can be applied for at any time during the life of the course and any students who are, or would be entitled to VET FEE- HELP assistance, have until the end of the

census date to make any up-front payment of tuition fees that they choose to make and/or submit their Request for VET FEE- HELP Assistance form.

Students who are enrolled in a VET unit of study and who withdraw on or before the census date for that VET unit of study will not incur a VET FEE- HELP debt for that VET unit of study and/or will have their tuition fees refunded.

Certain additional *incidental fees** may be levied on students and details of these are available from the Administrator.

Audition fees are non-refundable.

(B) Student review procedures (FEE-HELP Balances)

(i) Re-crediting FEE-HELP Balances:

The ANMT will re-credit a student's FEE-HELP Balance with an amount equal to the VET FEE-HELP assistance the student has received for a VET unit of study if the person has not completed the requirements for that VET unit of study during the period which they undertook, or were to undertake it, provided that the ANMT is satisfied that special circumstances apply in the case.

In this instance "special circumstances" is taken to mean circumstances that:

- (i) are beyond the person's control and
- (ii) did not have their full impact on the person until on or after the census date for the VET unit of study in question and
- (iii) make it impracticable for the person to complete the requirements of the VET unit of study in the period during which the person undertook, or was to undertake, the VET unit of study.

"Special circumstances" do not include;

- (i) lack of knowledge or understanding of requirements for VET FEE-HELP assistance
- (ii) a person's incapacity to repay a VET FEE-HELP debt, as repayments are income contingent and the person can apply for a deferral of a compulsory repayment in certain circumstances.

* *VET unit of Study* is a subject or unit that a person may undertake with a VET Provider as part of a VET Course of Study

* *Census date* is the date nominated by the VET Provider as the last day students can withdraw from a VET unit of study without incurring a VET FEE-HELP debt (this can be set no earlier than 20% through the duration of that unit of study)

* *Incidental fees* are charges for goods or services which are not essential to the VET course of study or are essential to the course of study but can be acquired from a supplier other than the ANMT

(ii) Advising students of the process:

If a person withdraws from a VET unit of study after the census date the ANMT will advise them that they may apply for a re-credit of their FEE-HELP balance of an amount equal to the amount of VET FEE-HELP assistance that they received for that VET unit of study if they believe that "special circumstances" apply in their case. Students who have made an up-front payment of fees for that VET unit of study may also be entitled to a refund of the whole or part of that payment if they can establish that "special circumstances" apply. In this instance students should apply in writing to the School Administrator outlining their case.

(iii) The process:

In order to establish that special circumstances do apply in their case, the person must withdraw from the VET unit of study (and have this withdrawal officially acknowledged) and then apply in writing to the ANMT (School Administrator) detailing their situation and requesting to have their FEE-HELP balance re-credited. This application should include any relevant independent supporting documentation (such as letters from doctors or counselors.)

Applicants have up to 12 months from the day they have been advised that the withdrawal takes effect to submit their request. The National Theatre may waive the requirements that an application for review be made before the end of the application period, on the ground that it would be, or was not, possible for the application for review to be made by students before the end of that period.

The School Director (being the supervisor of the School Administrator) will then, as soon as practicable, consider the matter and notify the applicant of the decision that is made in the case and detail reasons for the decision.

(iv) Reviewing the decision:

A person has the right to apply for a review of a decision taken by the ANMT not to re-credit their FEE-HELP balance. This application, giving reasons for making the request, should be made in writing to the General Manager/CEO of ANMT and submitted to the ANMT within 28 days after the day on which the person first received notice of the decision, unless otherwise agreed. The ANMT must acknowledge receipt of an application for review of a reviewable VET 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 review of the decision will be undertaken by the General Manager/CEO (the reviewer) who is the most senior staff member in the company.

Once this review has been conducted the applicant will be advised in writing, within 45 days, whether the original decision has been confirmed, varied or set aside and a new decision substituted and reasons given for the decision.

Administrative Appeal Tribunal review:

If a person is not happy with the results of the review undertaken by the ANMT that person may make an application to the Administrative Appeals Tribunal (AAT) for a review of that decision. The closest AAT office to the ANMT is located at:

Administrative Appeals Tribunal
Level 16, East Tower,
Herald and Weekly Times Building
40 City Road,
South Melbourne Vic 3205
Phone: 1300 366 700 or 03 – 9282 8444

Current costs of the AAT can be obtained by calling them direct (as at July 1stst 2010 the application fee was \$777.00, though this may be waived under certain conditions). The Secretary of DEEWR, or the Secretary's delegate, will be the respondent for cases that are before the AAT.

5 Student Grievance Procedures (Academic & Non-Academic)

(A) Australian National Memorial Theatre Ltd Policy:

The Australian National Memorial Theatre Ltd (ANMT) is committed to developing and maintaining an effective, efficient, no-cost, fair and equitable complaints-handling system which is easily accessible to students who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of *Schedule 1A of the Higher Education Support Act 2003 (HESA)* and all persons seeking to enroll in a VET unit of study and who are or would be entitled to VET FEE-HELP assistance under clause 43 of *Schedule 1A of the Higher Education Support Act 2003 (HESA)*.

The ANMT aims to:

- (i) develop a culture in which complaints are seen as an opportunity to improve how the organization and its systems work (continuous improvement)
- (ii) develops student-focused mechanisms which help to minimize the recurrence of complaints
- (iii) ensure that any complaints are resolved promptly and sensitively and in confidence
- (iv) ensure that the views of each complainant and respondent are respected and that any party to a complaint is not discriminated against
- (v) ensure that there is a consistency of response to complaints

(B) Relationship to the Essential Standards and HESA:

This policy and procedure is designed to meet the requirements of Essential Standard 2.6 which requires that complaints and appeals are addressed efficiently and effectively. This policy and procedure is also designed to capture data to assist the ANMT to continuously improve its operations as required by Essential Standards 1.1, 2.1 and 3.1. This policy is also designed to meet clause 19 of *Schedule 1A of the Higher Education Support Act 2003 (HESA)*.

(C) Definition of a complaint:

A complaint can be defined as an expression of dissatisfaction by a student who is, or would be, entitled to VET FEE-HELP assistance under clause 43 of *Schedule 1A of the Higher Education Support Act 2003 (HESA)*, or a person seeking to enroll in a VET unit of study who is, or would be, entitled to VET FEE-HELP assistance under clause 43 of *Schedule 1A of the Higher Education Support Act 2003 (HESA)*, with any aspect of the services and activities of the ANMT including both academic and non-academic matters such as

- (i) the selection, enrolment, induction or VET FEE-HELP application processes;
- (ii) the quality of training and assessment
- (iii) the way someone has been treated
- (iv) access to personal records including information obtained for the purpose of VET FEE-HELP Assistance and repayment of VET FEE-HELP loans.

(D) Procedure:

This procedure is designed to be utilized by students who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of *Schedule 1A of the Higher Education Support Act 2003 (HESA)* and all persons seeking to enroll in a VET unit of study who are, or would be, entitled to VET FEE-HELP assistance under clause 43 of *Schedule 1A of the Higher Education Support Act 2003 (HESA)* who wish to lodge a formal complaint. This procedure can be accessed regardless of the student or person's place of residence or the mode in which they study.

Where a student lodges a formal complaint their enrolment will be maintained throughout the process. There is no cost for a student or a person seeking to enroll to lodge a complaint or an appeal. The complainant or respondent may be accompanied and assisted by a third party if desired at any stage in this procedure. If requested by the complainant and/or respondent a full explanation in writing for decisions and actions taken as part of the procedures will be provided.

Stage One: Complaints must be submitted in writing to the Drama School Administrator, or Ballet School Administrator. The receipt of any complaints will be acknowledged in writing within five days and the complaints process will commence within ten days of the receipt of the complaint.

The Drama School Administrator or the Ballet School Administrator, or another nominee of the ANMT will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve. When such clarification occurs in a face-to-face situation the complainant may ask another person to accompany them. The ANMT representative will then endeavor to resolve the complaint and will provide a written report to the complainant within twenty working days about the proposed action that will be taken to address the complaint and the reasons for the decision.

A Complaint Handling Record will be initiated during this stage and details of the complaint, and actions arising and outcome of the complaint will be recorded.

Stage Two: If the complainant is unsatisfied with the outcome of the complaint they may appeal the decision taken. This must be done in writing and addressed to the CEO of the ANMT within fifteen days of receiving the written report of the outcome of Stage One. The CEO will appoint a person who was not involved in the original decision to (i) investigate the complaint internally and then (ii) consult with the complainant. Where possible such consultations should take the form of face-to-face interviews. The complainant may ask another person to accompany them to the interviews.

Once the CEO receives a report on the consultation procedure, which should be completed within one calendar month of the CEO receiving the complainant's appeal, he/she will provide a written report within fifteen days to the complainant on the further steps taken to address the complaint, clearly stating the reason for the decision.

Stage Three: If the complainant is unsatisfied with the outcome of their appeal they may make a written request to the ANMT that they wish the matter to be dealt with an external dispute resolution process facilitated by the Australian Council for Private Education and Training (ACPET).

The ANMT will then advise ACPET in writing of the request within five working days. ACPET will then arrange for a round-table discussion to be held between the RTO and the complainant within ten days of the written notification from the RTO.

If the matter remains unresolved after the discussion then ACPET will appoint an independent mediator within fourteen days of the round-table. It is then up to the mediator, the complainant and the RTO to resolve the complaint.

The complainant and/or respondent may ask another person to accompany them to meetings with ACPET or the mediator.

The mediator will then report to the ANMT the outcome of the mediation including any recommendations arising within fourteen days of the completion of the review. Once the ANMT receives the report of the outcomes from the discussion or independent mediation they will provide a written report to the complainant within ten working days on the recommended actions to resolve the grievance.

The ANMT agrees to be bound by the independent mediator's recommendations and will ensure that any recommendations are referred to the CEO for action.

Further Action: If the complaint still remains unresolved the complainant may decide to refer the matter to an external agency such as the Victorian Registration and Qualifications Authority or contact the National Training Complaints Hotline on 133873.

NB: Nothing in this Complaints Handling and Resolution Policy and Procedure replaces or modifies responsibilities or rights under any other policy or Federal or State statute or law. Thus it does not limit the rights of students or person to take action under Australia's consumer protection laws or circumscribe a student's rights to pursue other legal remedies.

(E) Continuous Improvement:

Any areas for improvement which arise where a complaint is found to be substantiated are documented in the ANMT's Continuous Improvement File and handled according to the Organisation's Continuous Improvement Policy and Procedures.

(F) Record-keeping and Confidentiality:

Records of all complaints handled under this procedure and their outcomes shall be maintained for a period of at least five years to allow all parties to the complaint appropriate access to these records, upon written request to the ANMT.

All records will be treated as confidential and will be covered by the ANMT's Personal Information Policy.

(G) Publication:

This Complaints Handling and Resolution Policy and Procedure is included in the student orientation and induction process.

For the information of Staff this Policy and Procedure is included in the Staff Handbook and in the Staff Professional Development and induction processes.

(H) Approval:

This Complaints Handling and Resolution Policy and Procedure was agreed to and ratified by the ANMT Board on 25th March 2010. Subsequent updates were approved by the Managing Director as authorised delegate September 21st 2010.

(I) Staff contacts at September 21st 2010:

Drama School Administrator: David Harford 0395340223 drama@nationaltheatre.org.au

Drama Director: Ken Boucher 0395340223 directordrama@nationaltheatre.org.au

Ballet School Administrator: Terese Phillips 0395340224 ballet@nationaltheatre.org.au

Ballet Director: Beverly Jane Fry 0395340224 directorballet@nationaltheatre.org.au

General Manager/CEO: Robert Taylor 0395340221 ceo@nationaltheatre.org.au

Note: the School Administrator reports to the School Director. Both Directors report to the CEO. All staff are located at The National Theatre 20 Carlisle St, St Kilda Sth 3182.



Access to VET Personal Information Form

I,....., of.....
....., being a student of the
Australian National Memorial Theatre, request access to my VET Personal Information
records.

I wish to view/receive copies of the following material:

.....
.....
.....
.....

Request date:.....

I acknowledge that the above material was viewed/received by me on.....

Signature:..... Date:.....

Supplying officer:.....