

INFORMATION FOR STUDENTS

VET FEE-HELP

Please note that this information does not affect International Students.

If you have any questions about any of this material, please contact the Student & Course Coordinator

- Personal information policies & procedures
- Statement of VET tuition assurance
- Fair treatment & equal opportunity procedures
- Grievance procedures (Non Academic)
- Grievance procedures (Academic)
- VET tuition fee refund policy
- VET FEE-HELP review & appeals

In addition to the information provided, students

should also refer to the VET FEE-HELP information

booklet or visit the Department of Education,

Employment and Workplace Relations (DEEWR)

website at www.deewr.gov.au/vetfeehelp

or contact the VET FEE-HELP inquiry line

on 13 38 73 for further information

Student First Name _____ Surname _____

Group _____

Elly Lukas Beauty Therapy College RTO 3789 CRICOS 01867G

Elly Lukas House, 345 Flinders Lane Melbourne Vic 3000 P(03) 9923 8888 F(03) 9923 8811

www.ellylukas.edu.au | study@ellylukas.edu.au

Approved April 2011

2011



PERSONAL INFORMATION POLICY & PROCEDURES

Introduction

The rights of access to, and amendment of, personal information are dealt with in these Information Privacy Policy & Procedures, which comply with the information privacy principles contained in section 14 of the Privacy Act 1988. These rights are confined to the person to whom the personal information directly and personally relates.

A person is entitled to access any record that contains their personal information except where access is restricted by any law.

A person is entitled to seek an amendment of any record that contains their personal information that is inaccurate, irrelevant, incomplete, out-of-date or misleading.

Access and Amendment

Individuals can obtain advice about personal information which the College may hold about them, and can request access to that information by contacting:

The Privacy Contact Officer

Ely Lukas Beauty Therapy College

Ely Lukas House, 345 Flinders Lane Melbourne Vic 3000

or by emailing the Privacy Contact Officer at privacy@elylukas.edu.au

Individuals can also contact the Privacy Contact Officer to request an amendment to the personal information held by the College about them, or to request an internal review of a decision made in response to a request for access or amendment. Requests may be made by letter or by e-mail.

Applications for amendment must give particulars of the information believed to be inaccurate, irrelevant, incomplete, out-of-date or misleading, and specify the amendments required.

Requests for access or amendment by individuals to their personal information will be acknowledged in writing within 14 days from the date on which the application was received, and the College will process the request within 45 days from the date on which the application was received, or 60 days if a third party consultation is required. Applicants will be advised in writing of the College's decision.

If an individual is denied access, or the College refuses to amend the information as requested, the Privacy Contact Officer will provide reasons for this decision in the written reply.

If an individual does not agree with the decision of the Privacy Contact Officer, they may request an internal review as outlined below.

Complaints and Internal Review Procedures

If an individual believes that their personal information has not been dealt with appropriately, they may make a complaint to the Privacy Contact Officer, Ely Lukas Beauty Therapy College, Ely Lukas House 345 Flinders Lane Melbourne Vic 3000. Requests must be made in writing and must be made within six months from the date when the breach was suspected to have occurred. Requests may be made by letter or by e-mail.

Requests will be acknowledged in writing within 14 days from the date on which the application was received, and the College will process the request within 60 days from the date on which the application was received. Applicants will be advised in writing of the College's decision.

In advising the applicant on the outcome of the complaint, the Privacy Contact Officer may decide to:

- take no further action on the matter; or
- make a formal apology to the applicant on behalf of the College; and/or
- take such remedial action as thought appropriate, including for example:
 - recommending that disciplinary action be taken against the employee because the conduct constituted a breach of the code of conduct;
 - instructing the officer in question to make a formal apology to the applicant; and/or
 - implementing administrative measures to ensure that the conduct will not occur again.

If an individual does not agree with the decision of the Privacy Contact Officer, they may request an internal review by writing to the College Principal. The Principal will arrange for an internal review to be carried out by a senior officer who has not previously been involved in the matter. This will be done within 45 days. The applicant will receive a response in writing.

Where a person remains dissatisfied with the outcome of an internal review process, the person may request an external review by the Australian Council for Education and Private Training (ACPET) at the following web www.acpet.edu.au

The internal review process outlined above should be exhausted before a complaint is lodged with the ACPET.

Version 3.0



STATEMENT OF VET TUITION ASSURANCE

Under the provisions of the Higher Education Support Act 2003 (HESA) and the associated VET FEE HELP guidelines, Ely Lukas Beauty Therapy College (the First Provider) is required to provide a tuition assurance arrangement for Australian citizens or holders of an Australian permanent humanitarian visa who are enrolled in courses with Credit Transfer Arrangements into Higher Education Degree courses. This requirement is to protect students in the event that Ely Lukas Beauty Therapy College ceases to provide a course of study in which a student is enrolled. The meaning of 'ceasing to provide a course of study' is set out in the HEP Guidelines (<http://www.deewr.gov.au/VetFeeHelp>)

In the event that Ely Lukas Beauty Therapy College ceases to provide a course of study in which a student is enrolled the student is entitled to a choice of:

1. An offer of a place in a similar course of study with Second Provider without any requirement to pay the Second Provider and student contribution or tuition fee for any replacement units (this is known as the "Course Assurance Option");

OR

2. A refund of his or her upfront payments of any unit of study that the student commences but does not complete because Ely Lukas Beauty Therapy College ceases to provide the course of study of which the unit forms part (this is known as the "Student Contribution/Tuition Fee Repayment Option")

Ely Lukas Beauty Therapy College has met the tuition assurance requirements of the HESA through its current membership of the Australian Council for Private Education and Training (ACPET) Australian Student Tuition Assurance Scheme (ASTAS).

Contact details for ACPET are as follows :

Web address : www.acpet.edu.au
Email address : acpet@acpet.edu.au
Office : Suite 12 / Level 14 / 329 Pitt Street Sydney NSW 2000
Phone : 02 9264 4490
Fax : 02 9264 4550

If Ely Lukas Beauty Therapy College ceases to provide a course of study, ACPET will send a student enrolled in the course of study a Written Tuition Assurance Offer (the Offer) advising the student of options available under the 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 unit. ACPET will provide this Offer within twenty business days after it knows, or should know by reasonable enquiries that the Ely Lukas Beauty Therapy College has ceased to provide the course of study.

All of the nationally accredited courses of study offered by the Ely Lukas Beauty Therapy College are covered by the ACPET ASTAS membership.

A student may choose either

THE COURSE ASSURANCE OPTION

If a student accepts a place in the course offered by ACPET as named above, ACPET will offer the student the option of ACPET making all necessary arrangements to ensure a student is able to enroll in a similar course of study with a Second Provider. This course will lead to the same or a comparable qualification without any requirement on the part of the student to pay that Second Provider any student contribution or tuition fee for any replacement units. A student will receive full credit from the Second Provider for any units of study successfully completed at the Ely Lukas Beauty Therapy College.

The Second Provider nominated by ACPET may have different contribution amounts or tuition fees to the amounts of fees the student would have paid for the units of study which were part of the course of study the Ely Lukas Beauty Therapy College ceased to provide.

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

OR

THE STUDENT CONTRIBUTION/TUITION FEE REPAYMENT OPTION

If a student chooses the Student Contribution/Tuition Fee Repayment Option ACPET undertakes to pay the student the total of any up-front payments already paid by the student for any units of study the student has commenced but not completed. Students selecting this option will also get FEE-HELP balance/s re-credited for uncompleted units.

Approved by - Director /January 2011
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345 Flinders Lane
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RTO # 3789 CRICOS # 01867G
Version 3.0



FAIR TREATMENT & EQUAL OPPORTUNITY PROCEDURES

1. Fair treatment

Elly Lukas Beauty Therapy College fairly treats all of its students and all intending students. The College provides equal opportunity to all students and potential students and does not discriminate on the basis of gender, cultural, religious belief, disability or marital status. The College has publically available Grievance & review policies and procedures.

2. Equal benefits and opportunities

Elly Lukas Beauty Therapy College has open, fair and transparent procedures that are based on merit for making decisions about students undertaking, and persons applying for, courses

What do we mean by the 'Application of merit'

The application of merit in decision-making processes would generally be expected to involve the College 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

Our College does not apply an income test when making decisions about which students are eligible for VET FEE-HELP assistance.

Educational disadvantage

When making decisions about the selection of students, our College take's educational disadvantages that a particular student has experienced into account.

This involve's consideration of the actual disadvantages that a particular student has experienced.

Our College does not use 'proxy indicators' of educational disadvantage in the absence of clear evidence that all students in such a group necessarily suffered educational disadvantage. 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. We will consider your specific circumstances before making a decision about whether you have actually suffered educational disadvantage. You are also entitled to a review of this or any decision that we make in accordance with the College's Grievance Procedures.

Restricted access arrangement

When making decisions about the selection of students, our College is able take into account students that are enrolled under a restricted access arrangement. A restricted access arrangement is an agreement entered into between our College 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. For example, a major spa or beauty franchise may request that the College provides specific training delivery to its employees.

3. Admissions policy & selection procedure

The College admission policy is designed to ensure that applicants have an adequate basis of knowledge and skills to successfully undertake the studies proposed in the course. The College endeavors to address the reasonable needs of all students and potential students regardless of gender, ethnicity, age, disability or diversity of background. The College also ensures that admission requirements do not present unreasonable barriers to access. Criteria upon which prospective students will be assessed for admission into Diploma level courses and the required procedure is detailed below :

- A) All applicants must telephone/email the College to make an appointment to attend an initial interview and College tour. During the initial interview applicants are required to complete a 'Pre training review & interview form'. Applicants are required to demonstrate their understanding of the Diploma course and knowledge of the beauty industry.
- B) Following the interview, applicants are invited to attend 1-2 days of course observation in which they observe training and assessment delivery in the course that they wish to apply for. This procedure enables applicants to determine if the course outcomes are consistent with their objectives. There are no costs for attendance at interview or course observation. Applicants attending observation are required to follow the observation guidelines in relation to dress, conduct and OHS requirements.
- C) Following completion of above requirements, candidates will be advised on the outcome of their application.
- D) Applicant's may access the College's Grievance Procedures – Non Academic matters.

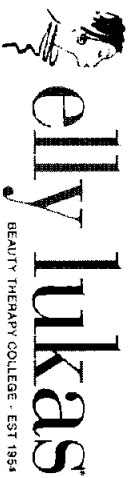
4. Review of all decisions

All students and all intending students are entitled to a review of any decision that we make. If you are not satisfied with any aspect of any decision that is made, we encourage you to follow the review procedures contained in the College's Grievance Handling procedures for both academic and non-academic matters. The processes allow for a fair and independent review of any decision made by the College.

Approved by – Director / January 2011

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GRIEVANCE PROCEDURES: NON-ACADEMIC MATTERS

The following policy and the review procedures are based on Schedule 1A of the Higher Education Support Act 2003.

The person affected by a disputed matter be given the right to present his/her case including the opportunity to be heard, be provided with adequate notice of the allegations and the procedures to be used, and members of the decision making body be free of bias or other personal interest in the outcome.

Under these procedures the complainant and respondent will not be victimised or discriminated against as a result of a grievance being raised.

This policy is communicated to academic and support staff through the Eily Lukas Beauty Therapy College staff handbook. The Principal is responsible for the training of academic staff in the application of this policy. The Vice Principal is responsible for the training of support staff in its application.

Under these procedures these procedures the complainant and/or respondent have a right to be represented by a third person (such as a family member, friend, counsellor or other professional support person but not a lawyer) if they so desire.

A non-academic matter includes any matters, concerns or complaints which do not relate to student progress, assessment, curriculum and awards in a course of study and includes complaints in relation to personal information that the provider holds in relation to the student.

In these guidelines, the following lodgement guidelines apply:-

A formal notice of grievance shall be posted to the Principal, Eily Lukas Beauty Therapy College or lodged in person at, Eily Lukas Beauty Therapy College, Eily Lukas House, 345 Flinders Lane Melbourne Vic 3000.

Students or persons seeking to enrol in course of study are entitled to access the grievance procedure, 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.

A formal review of an investigation shall be posted to the Principal, Eily Lukas Beauty College or lodged in person at, Eily Lukas Beauty Therapy College, Eily Lukas House, 345 Flinders Lane Melbourne Victoria 3000.

A request for an external review of a decision shall be posted to The Executive Officer, Australian Council for Private Education and Training, Suite 101 – Level 1, 126 Wellington Parade, East Melbourne Vic 3002, with a copy of such request also posted to the Principal, Eily Lukas Beauty Therapy College, Eily Lukas House, 345 Flinders Lane Melbourne Victoria 3000.

The grievance policy and review procedures will be made available to students on the College website and at the College.

Access to the grievance procedure should be at no or minimal cost to the complainant. Apart from travel expenses there is no charge to the complainant accessing the review procedures established by Eily Lukas Beauty Therapy College.

The terms of the non-academic grievance policy are to be available to staff and all faculty members.

The procedures of the policy do not replace or modify procedures or any other responsibilities that may arise under other higher education provider policies or under statute or any other law.

This policy applies to complaints by current students or those seeking to enrol with Eily Lukas Beauty Therapy College.

Eily Lukas College will give reasons and a full explanation in writing for decisions and actions taken, if requested by the complainant and/or the respondent.

1 Informal Resolution

1.1 In the first instance, the complainant (which includes a prospective student) should normally discuss the grievance informally with the relevant staff member who should try to resolve it. Where a student is unable to make contact with or is reluctant to approach the relevant staff member, the student may then raise the matter with the Head of Department or the Vice Principal.

1.2 Complainants have up to fourteen (14) working days to initiate the informal review process, from the date of the occurrence which gives rise to the grievance or the date the circumstances giving rise to the grievance are brought to the complainant's notice. The complainant becomes aware of the circumstances giving rise to the grievance.

1.3 During the informal process, the staff member/Head of Department (as the case may be) may take such action as deemed appropriate to resolve the matter. This must include discussing the matter with the complainant.

1.4 The informal resolution process must be completed within ten (10) working days from the date on which the student contacted the relevant staff member of the unit. The Head of Department may grant an extension not exceeding five (5) working days if it seems likely that the matter will be resolved in that time.

1.5 The complainant will be advised in writing within two (2) working days of the conclusion of the informal resolution process (by Express Post notice to the complainant's semester address).

2 Formal Resolution

2.1 If a complainant is not satisfied with the outcome of the informal resolution process, he/she may submit a formal grievance in writing to the Principal. This request must be submitted within five (5) working days of the date of notification of the outcome of the informal resolution process.

2.2 After consideration of all of the available evidence, the Principal may decide to:

- a) dismiss the grievance; or
- b) uphold the grievance and direct that:
 - (i) reparation as appropriate be made to the student; and/or
 - (ii) where relevant, the student's enrolment status be restored; and/or
 - (iii) where relevant, that administration systems, policies or procedures be reviewed;
 - (iv) appropriate actions to address systemic or underlying causes (if any) be undertaken, with a view to preventing problems from occurring or recurring; and/or
 - (v) other actions as appropriate.

2.3 The complainant will be informed of the outcome in writing within ten (10) working days of submission of the formal grievance as identified by the date of receipt by the School of the complainant's letter.

2.4 If the Principal and all suitable nominees have already been involved in the process, or have some other conflict of interest, the Principal will nominate an independent staff member to be appointed (this person may be a senior staff member) to investigate the formal grievance.

3 Appeals

3.1 A complainant has the right of appeal to the Student Grievance Appeals Committee from a decision of the Principal.

3.2 A complainant who wishes to appeal against a decision of the Principal shall lodge the appeal in writing with the office of the General Manager within five (5) working days of receipt of written notification of the decision of the Principal.

3.3 Upon lodgement of the written appeal, the General Manager will determine whether the appeal application meets the criteria for an appeal.

3.4 Where an appeal has been forwarded to the Student Grievance Appeals Committee (Appeals Committee), a meeting of the Appeals Committee shall be convened within 15 working days of lodgement of the letter of appeal. All participants shall be given 5 days notification in writing of the time, date and place at which the appeal is to be heard. Notification will be forwarded to the complainant via express mail to his/her semester address.

3.5 The hearing shall be held in camera. The Committee shall regulate its own proceedings. The Committee may call before it any witnesses to provide additional evidence.

3.6 The complainant shall be given the opportunity to appear in person before the Committee and to call witnesses. An advocate, who is not a member of the Committee and is not a legal practitioner, may represent the student.

3.7 The complainant must be given the opportunity to hear and examine the evidence of all witnesses called before the Committee.

3.8 The Committee must hear the matter on its merits, taking account of all of the circumstances of the case.

3.9 After consideration of all of the available evidence, the Committee shall reach its decision by consensus.

3.10 The complainant will be notified in writing of the decision and reasons for the decision by express post within five (5) working days of the Committee's decision being made.

3.11 After the appeal, if one or both parties are still unhappy with the Grievance Appeals Committee's decision, the unsatisfied party or both parties will be notified of their ability to use external mediator services. Ely Lukas Beauty Therapy College will share the cost of external mediator services if Ely Lukas Beauty Therapy College happens to be one of the parties in dispute. ACPET (Australian Council for Private Education and Training) provides a mediator service, which is external to Ely Lukas Beauty Therapy College. The college accepts selection by students/nominees of only those mediators included in the panel maintained in the relevant ACPET State office. Australian Council for Private Education and Training (ACPET)

ACPET State Office
Suite 101, Level 1, 126 Wellington Parade
East Melbourne Victoria 3002
Tel: (03) 9416 1355
Fax: (03) 9416 1895
Website www.acpet.edu.au: Email vic@acpet.edu.au
Grievance will be addressed within 30 days.

If Australian Council for Private Education and Training (ACPET) makes recommendations in relation to a grievance they have reviewed, (ACPET) will forward

those recommendations to the Principal of Ely Lukas Beauty Therapy College within fourteen (14) working days who will ensure that the recommendations are implemented within a period of 30 days.

3.12 In the case of grievances relating to FEE-HELP please refer to separate procedures.

4 Record Keeping

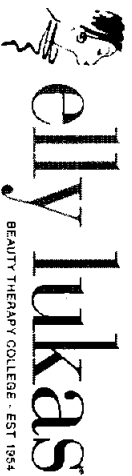
4.1 All outcomes, decisions and dealings associated with the pursuit of a grievance under this Policy and Procedures, and any appeals arising there from are confidential and are to be managed in accordance with the Ely Lukas Beauty Therapy College's policy on confidentiality of student records.

4.2 Confidentiality will be strictly observed throughout the grievance process.

4.3 Records of all grievances, applications for review of decisions and outcomes of the grievance process will be strictly confidential and filed in a separate file (not kept on the student or staff file) and stored in the office of the Head of School for a period of 5 years. Parties to the complaint will be allowed supervised access to these records.

Approved by – Director /January 2011
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GRIEVANCE PROCEDURES: ACADEMIC MATTERS

The following policy and the review procedures are based on Schedule 1A of the Higher Education Support Act 2003.

The person affected by a disputed matter be given the right to present his/her case including the opportunity to be heard, be provided with adequate notice of the allegations and the procedures to be used; and members of the decision making body be free of bias or other personal interest in the outcome.

Under these procedures the complainant and respondent will not be victimised or discriminated against as a result of a grievance being raised.

This policy is communicated to academic and support staff through the Ely Lukas Beauty Therapy College academic staff handbook. The Vice Principal is responsible for the training of academic staff in the application of this policy. The Manager Client Services is responsible for the training of support staff in its application.

Under these procedures these procedures the complainant and/or respondent have a right to be represented by a third person (such as a family member, friend, counsellor or other professional support person but not a lawyer) if they so desire.

In these guidelines, the following lodgement guidelines apply:-

A formal notice of grievance shall be posted to the Registrar, Ely Lukas Beauty Therapy College or lodged in person at, Ely Lukas Beauty Therapy College, Ely Lukas House, 345 Flinders Lane Melbourne Victoria 3000.

Students or persons seeking to enrol in course of study are entitled to access the grievance procedure, 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.

A formal review of an investigation shall be posted to the Principal, Ely Lukas Beauty Therapy College or lodged in person at, Ely Lukas Beauty Therapy College, Ely Lukas House 345 Flinders Lane Melbourne Victoria 3000.

A request for an external review of a decision shall be posted to The Executive Officer, Australian Council for Private Education and Training, Suite 101 – Level 1, 126

Wellington Parade, East Melbourne Vic 3002 with a copy also sent to the Principal, Ely Lukas College, Ely Lukas House 345 Flinders Lane Melbourne Vic 3000

The grievance policy and review procedures will be made available to students on the College website and at the College.

Access to the grievance procedure should be at no or minimal cost to the complainant. Apart from travel expenses there is no charge to the complainant accessing the review procedures established by Ely Lukas Beauty Therapy

The procedures of the policy do not replace or modify procedures or any other responsibilities that may arise under other higher education provider policies or under statute or any other law.

This policy applies to complaints by current students with regard to all Academic matters relating to their participation in the courses conducted by the Ely Lukas Beauty Therapy College.

Ely Lukas College will give reasons and a full explanation in writing for decisions and actions taken, if requested by the complainant and/or the respondent.

Procedure 1 Informal resolution

1.1 In the first instance, the student (which includes a prospective student) should discuss the grievance informally with the relevant academic staff member who should try to resolve the dispute. Where a student is unable to make contact with or is reluctant to approach the relevant academic staff member, the student may then raise the matter with the Head of Department.

1.2 Students have up to fourteen (14) working days to initiate the informal review process, from the date of the occurrence which gives rise to the grievance or the date the circumstances giving rise to the grievance are brought to the student's notice/the student becomes aware of the circumstances giving rise to the grievance.

1.3 During the informal process, the academic staff member/ Head of Department (as the case may be) may take such action as deemed appropriate to resolve the matter. This must include discussing the matter with the student.

1.4 The informal resolution process must be completed within ten (10) working days, from the date on which the student contacted the relevant academic staff member. The Head of Department may grant an extension not exceeding five (5) working days if it seems likely that the matter will be resolved in that time.

1.5 The student will be advised in writing within two (2) working days of the conclusion of the informal resolution process (by Express Post notice to the student's semester address.)

2 Formal resolution

2.1 If a student is not satisfied with the outcome of the informal resolution process, he/she may submit a formal grievance in writing to the Principal. This request must be submitted within five (5) working days of the date of notification of the outcome of the informal resolution process.

2.2 The student will be informed of the outcome in writing within ten (10) working days of submission of the formal grievance as identified by the date of receipt by the Principal of the student's letter.

2.3 If the Principal and all suitable nominees have already been involved in the process, or have some other conflict of interest, the Principal will appoint another person to investigate the formal grievance.

3. Appeals

3.1 A student has the right of appeal to the Student Grievance Appeals Committee from a decision of the Principal of School on one or more of the following grounds:

- (i) that the case was not heard on its merits;
- (ii) that the student is able to provide new evidence which could not reasonably have been provided at the time of the Principal's investigation.
- (iii) that a procedural irregularity has occurred in the hearing of the grievance during the investigation by the Principal.

3.2 A student who wishes to appeal against a decision of the Principal shall lodge the appeal in writing with the office of the Student Grievance Academic Committee Member, within five (5) working days of receipt of written notification of the decision of the Principal. Upon lodgement of the written appeal, the Student Grievance Academic Committee Member will determine whether the appeal complies with the criteria for appeal.

3.3 Where, in the opinion of the Student Grievance Academic Committee Member, the appeal does not comply with one or more of these criteria and therefore should not be heard by the Appeals Committee, the Student Grievance Academic Committee Member will refer the appeal to the Principal for a final decision on whether the appeal is to be rejected or a Student Grievance Appeals Committee convened to hear the appeal.

3.4 Where an appeal has not been rejected, the Student Grievance Academic Committee Member will forward the appeal to the appropriate Student Grievance Appeals Committee

3.5 Where an appeal has been forwarded to the Student Grievance Appeals Committee, a meeting of the Committee shall be convened within 15 working days of lodgement of the letter of appeal. All participants shall be given at least 5 days notification in writing of the time, date and place at which the appeal is to be heard.

Notification will be forwarded to the student via express mail to his/her semester address.

3.6 The hearing shall be held in camera. The Committee shall regulate its own proceedings. The Committee may call before it any witnesses to provide additional evidence.

3.7 The student shall be given the opportunity to appear in person before the Committee and to call witnesses. An advocate, who is not a member of the Committee and is not a legal practitioner, may represent the student.

3.8 The student must be given the opportunity to hear and examine the evidence of all witnesses called before the Committee.

3.9 The Committee must hear the matter on its merits, taking account of all of the circumstances of the case.

3.10 After consideration of all of the available evidence, the Committee shall reach its decision by consensus.

3.11 The student will be notified of the decision and reasons for the decision in writing by express post within five (5) working days of the Committee's decision being made.

3.12 After the appeal, if one or both parties are still unhappy with the Grievance Appeals Committee's decision, the unsatisfied party or both parties will be notified of their ability to use external mediator services. Eily Lukas Beauty Therapy College will share the cost of external mediator services if Eily Lukas Beauty Therapy College happens to be one of the parties in dispute. ACPET (Australian Council for Private Education and Training) provides a mediator service, which is external to Eily Lukas Beauty Therapy College. The College accepts selection by students/nominees of only those mediators included in the panel maintained in the relevant ACPET State office.

Australian Council for Private Education and Training (ACPET)
ACPET State Office
Suite 101, Level 1, 126 Wellington Parade
East Melbourne Victoria 3002
Tel: (03) 9416 1355
Fax: (03) 9416 1895
Website www.acpet.edu.au
Email vic@acpet.edu.au
Grievance will be addressed within 30 days.

If Australian Council for Private Education and Training (ACPET) makes recommendations in relation to a grievance they have reviewed, (ACPET) will forward those recommendations to the Principal of Eily Lukas Beauty Therapy College within fourteen (14) working days who will ensure that the recommendations are implemented within a period of 30 days.

4 Record Keeping

4.1 All outcomes, decisions and dealings associated with the pursuit of a grievance under this Policy and Procedures, and any appeals arising there from are confidential and are to be managed in accordance with the Eily Lukas Beauty Therapy College's policy on confidentiality of student records.

4.2 Confidentiality will be strictly observed throughout the grievance process.

4.3 Records of all grievances, applications for review of decisions and outcomes of the grievance process will be strictly confidential and filed in a separate file (not kept on the student or staff file) and stored in the office of the Principal for a period of 5 years. Parties to the complaint will be allowed supervised access to these records.

Approved by – Director /January 2011

Eily Lukas Beauty Therapy College

Eily Lukas House

345 Flinders Lane

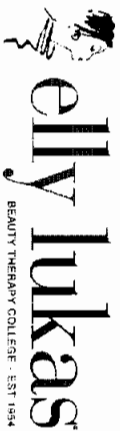
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VET TUITION FEE REFUND POLICY

RE-CREDITING A FEE-HELP BALANCE

Elly Lukas Beauty Therapy College undertakes the following procedures to ensure that it complies with the fairness requirements in relation to review procedures for VET FEE-HELP as set out in subdivision 4-D of Schedule 1A of the Higher Education Support Act 2003 and the requirements of the VET Provider Guidelines.

1. A student may apply after the census date to have their FEE-HELP balance re-credited if the student has been unable to complete the requirements of a unit of study due to special circumstances.
2. In requesting a re-credit of the FEE-HELP balance, a student must provide relevant and appropriate evidence that they are unable to continue their study in the unit due to special circumstances as detailed in the Special Circumstances Form. Students can obtain the form or further information about special circumstances from the VET FEE-HELP Officer.
3. A student must apply in writing for withdrawal and re-crediting of their FEE-HELP balance within 12 months of the specified completion date of the unit or units of study.
4. Once a request to re-credit a person's FEE-HELP balance is approved, a student's VET FEE HELP debt is removed for the relevant units studied
5. Elly Lukas Beauty Therapy College will refund to the Commonwealth the amount of VET FEE-HELP paid to the College on behalf of the student, if the student's request is successful.
6. Elly Lukas Beauty Therapy College will notify DEEMW through the HELP Variations File.
7. Elly Lukas Beauty Therapy College has the discretion to disallow an application for withdrawing from a unit or units of study, after the census date if it considers the student's request is not based on special circumstances. If it believes there is not sufficient and relevant evidence or if it believes the student's request does not fall within the relevant timeframes for the application and processing of requests for re-crediting of FEE-HELP balances.

8. The VET FEE-HELP Officer for Elly Lukas Beauty Therapy College will consider the student's application as soon as practicable. Applications will be considered within 15 working days. Applicants will be notified of the decision in writing, within a further 15 working days. (This procedure is further detailed below).

Special Circumstances

Elly Lukas Beauty Therapy College will only consider applications for re-crediting the FEE-HELP balance after the census date where there are special circumstances.

To assist students with making their application and to guide Elly Lukas Beauty Therapy College staff in providing advice to students and processing requests for re-crediting the FEE-HELP balance after the census date, the following definitions and guidelines are to be applied in determining special circumstances.

1. Special circumstances which would make it impracticable for the person to complete the requirements for the unit of study may include:
 - _ medical circumstances;
 - _ family circumstances;
 - _ personal circumstances;
 - _ employment related circumstances;
 - _ course related circumstances.
2. Special circumstances need to be:
 - _ beyond a person's control; AND
 - _ do not make their full impact until on or after the census date for the unit of study in question; AND
 - _ make it impracticable for a person to complete the requirements for the unit of study.
3. For circumstances to be beyond a person's control, the situation should be that which a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the person is not responsible.
4. Elly Lukas Beauty Therapy College needs to be satisfied that a person's circumstances did not make their full impact on the person until on or after the census date for a unit of study if the person's circumstances occur:
 - _ before the census date but worsen after that day; or
 - _ before the census date, but the full effect of magnitude does not become apparent until on or after that day; or
 - _ on or after the census date.
5. The situation must be unusual, uncommon or abnormal to be considered special circumstances.

Review Procedure for re-crediting FEE-HELP BALANCE

Introduction

In accordance with the VET Provider Guidelines, Ely Lukas Beauty Therapy College has put in place the following procedure for reviewing certain decisions related to the re-crediting of a FEE-HELP balance. The decisions to be reviewed under these procedures relate to requests made by students who have not successfully completed a unit or units of study because of special circumstances and seek to withdraw from the unit after the census date. In this procedure, review means the 'formal reconsideration of a decision'.

Publication

1. These procedures are to be published for students in a hardcopy Ely Lukas Beauty Therapy College Information to Students and on the College website to ensure current and prospective students have up to date and accurate information publicly available to them.

Responsible Officers

2. The VET FEE-HELP Officer of Ely Lukas Beauty Therapy College is responsible for the assessment of a student's request for re-crediting FEE-HELP balance due to special circumstances and for the initial decision regarding the request.
3. The Principal of the Ely Lukas Beauty Therapy College is the designated review officer of any decisions relating to the re-crediting of a FEE-HELP balance.
4. A student may apply after the census date to have their FEE-HELP balance re-credited if the student has been unable to complete the requirements of the unit and believes that this was due to special circumstances. Ely Lukas Beauty Therapy College must consider these applications and must agree to such requests if satisfied that there were special circumstances in the student's case.
- 4.1 The completed Special Circumstances Form must be sent to the VET FEE-HELP Officer, Ely Lukas Beauty Therapy College, Ely Lukas House, 345 Flinders Lane Melbourne Vic 3000.
- 4.2 The VET FEE-HELP Officer will acknowledge receipt of the application and inform the student of any likely delays.
- 4.3 The VET FEE-HELP Officer will assess each application against the VET Provider Guidelines for determining special circumstances taking into account the explanation and evidence provided by the student and must reach a decision within 15 working days.

- 4.4 The VET FEE-HELP Officer will advise the student in writing of a decision within 15 working days of the date of reaching a decision and notify that either the application is approved or disallowed.

5. Where a request to re-credit a student's FEE-HELP balance is granted, the VET FEE-HELP debt is removed in respect of the applicable unit/s studied.

6. Where a request is not approved and the student is not satisfied with the decision made by the VET FEE-HELP Officer the student may apply for a review of the decision.

7. The VET FEE-HELP Officer will notify the student in writing of the decision not to approve the request for re-crediting FEE-HELP balance and provide information on how the student can request a review of the decision by the Principal, including contact details of the Principal.

8. Students must lodge the request for review within 28 days of receiving notice of the original decision. It must be made in writing. It must specify reasons for applying for a review and it must be addressed to the Principal of Ely Lukas Beauty Therapy College

9. The Principal will acknowledge receipt of an application for review of a reviewable decision in writing and inform the applicant that, if he/she has not advised the applicant of a decision within 45 days of receiving the application for review, the original decision is taken as confirmed. The acknowledgement of receipt will also contain information on the student's right to appeal to the Administrative Appeals Tribunal including details of the closest office and the approximate cost as detailed below.

10. Written notice of the outcome of a reviewed decision relating to VET FEE-HELP will be given to the student. The notice will contain reasons for the decision. The notice will also inform the student of their right of appeal, to the Administrative Appeals Tribunal (AAT) and provide details about contacting the AAT and the approximate costs of making an application.

The contact details and address of the nearest AAT registry is : Level 16, HWT Tower, Southgate, 40 City Road Southbank Vic 2006 . A filing fee (currently \$777) is normally payable to the AAT. However there are some circumstances in which you do not have to pay the fee and you should contact the AAT to obtain more information.

Tuition Fee Refund Policy

A FEE-HELP eligible student (that is a student who is or would be entitled to VET FEE-HELP) who has paid their own fees is entitled to a refund of the paid tuition fees for a VET unit or units of study before or on the census date, if the student is no longer enrolled in the VET unit or units of study before or on the census date, provided that the student has completed the formal withdrawal procedure by lodging a withdrawal form to the College on or before the census date. Refunds apply only to the tuition component of student fees. Refunds are processed from the date of formal notification in writing of the student's intent to withdraw. A late withdrawal fee may be charged. Where a student who is, or would be entitled to VET FEE-HELP assistance withdraws from a VET unit of study after the census date, any refund of the student's paid VET tuition fees for the unit is at the discretion of Eily Lukas College. Where a student has requested VET FEE-HELP assistance and withdraws from a VET unit of study after the census date, he or she will incur a VET FEE-HELP debt.

Approved by – Director / March 2011
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Version 7.0



VET FEE-HELP REVIEW AND APPEALS PROCEDURES FOR STUDENTS

Review and Appeals Procedures for the Refund of Paid Tuition Fees and/or Re-Credit of FEE-HELP Balance

1. Introduction

The document describes the College's processes and procedures for handling the refund of paid tuition fees and/or re-credit of FEE-HELP balance, and the review of associated decisions. It covers:

- informal enquiries from students concerning VET FEE-HELP; formal requests from students for refund of paid tuition fees and/or re-credit of FEE-HELP balance;
- formal review of decisions associated with refund of paid tuition fees and/or re-credit of FEE-HELP balance.

These processes and procedures are intended to complement the College's Student Grievance Resolution Policy.

The processes and procedures described in this document are consistent with obligations prescribed in Schedule 1A of the Higher Education Support Act (HESA).

2. Information

You can apply for a refund of paid tuition fees and/or re-credit of FEE-HELP balance if you withdraw from your studies after the census date or you have not completed the requirements of the unit; and special circumstances apply that are:

- beyond your control;
 - do not make their full impact on you until on, or after, the census date; and
 - make it impracticable for you to complete the requirements for the unit.
- Your FEE-HELP debt in relation to a VET unit(s) of study is taken to be remitted if your FEE-HELP balance is re-credited.

You can clarify your FEE-HELP balance through the [Going to Uni](http://www.goingtouni.gov.au) website (www.goingtouni.gov.au). Student Administration staff can assist you in understanding your tuition fees and/or FEE-HELP debt.

Am I eligible for re-credit/refund?

Refund of paid tuition fees and/or re-credit of FEE-HELP balance is dependent on various conditions and circumstances. Find out more about these below:

Special circumstances

Special circumstances do not include, for example:

- a person's incapacity to repay a VET FEE Higher Education Loan Program (FEE HELP) debt;
- lack of knowledge or understanding of HESA requirements; or

Beyond a person's control

Circumstances are beyond a person's control if a situation occurs which a reasonable person would consider is not due to the person's action or inaction, either direct or indirect, and for which the person is not responsible. This situation must be unusual, uncommon or abnormal. (For example, a lack of knowledge of how VET FEE-HELP works is not considered beyond a person's control.)

Do not make their full impact on the person until on, or after, the census date

Circumstances that do not make their full impact on the person until on, or after, the census date for the unit if the person's circumstances occur:

- before the census date, but worsen after that day;
- before the census date, but the full effect or magnitude does not become apparent until after that day; or
- on or after the census date.

Impracticable to complete the requirements for a VET unit(s) of study

Circumstances that make it impracticable for the person to complete the requirements for their VET unit(s) of study include:

- medical circumstances. For example, where a person's medical condition has changed to such an extent that he or she is unable to continue studying;
- family/personal circumstances. For example, death or severe medical problems within a family, or unforeseen family financial difficulties, so that it is unreasonable to expect a person to continue studies;
- employment-related circumstances. For example, where a person's employment status or arrangements have changed so that the person is unable to continue his or her studies, and this change is beyond the person's control; or
- course-related circumstances. For example, where the College has changed the unit it had offered and the person is disadvantaged by either not being able to complete the unit, or not being given credit towards other units or courses.

A person is unable to complete the requirements for a unit, for example, if the person is unable to:

- undertake the necessary private study required; or
- attend sufficient lectures or classes; or
- meet other compulsory attendance requirements in order to meet their compulsory course requirements; or
- complete the required assessable work; or
- sit the required examinations; or
- complete any other course requirements because of their inability to meet the above.

How the Review for the Refund of Paid Tuition Fees and/or Re-credit of FEE-HELP Balance works at Ely LUKAS Beauty Therapy College

The flowchart below is designed to help you:

- make an informal enquiry to Student Administration regarding your tuition fees and/or FEE-HELP balance;

- request a formal review of your Commonwealth Assistance Notice;
- request refund of paid tuition fees and/or re-credit of FEE-HELP balance; and
- appeal any decision with which you are not satisfied.

These processes and procedures are intended to complement the College's Student Grievance Resolution Policy.

3. Flowchart Outlining Steps in the Review for the Refund of Paid Tuition Fees and/or Re-credit of FEE-HELP Balance

Step 1 – Informal Enquiry

Step 2 – Commonwealth Assistance Notice (CAN) Review
Step 3 – Request for Refund of Paid Tuition Fees and/or Re-credit of FEE-HELP Balance

Step 4 – Review of Decision

Step 5 – Appeal under the College's Student Grievance Resolution Policy

Step 6 – Appeal to Administrative Appeals Tribunal (AAT)

Step 1 - Informal Enquiry

Student Administration can assist you to understand your tuition fees and/or FEE-HELP debt. Contact the Student Administration Enquiry Staff in person or contact on (03) 9923 8888

Student Admin Enquiry Staff will try to answer your questions on the spot.

Step 2 - Commonwealth Assistance Notice (CAN) Review

Following the census date in each teaching period, ELLY LUKAS COLLEGE will issue to eligible students a Commonwealth Assistance Notice (CAN). This notice contains details of units enrolled at the census date and financial liability.

The information in your CAN will be reviewed if, within 14 days (or longer if the CAN notice specifies a later date greater than 14 days), you write to the ELLY LUKAS COLLEGE Student Administration Officer (Fees) including details of the grounds for your request for

- confirm tuition fees and/or FEE-HELP balance for the relevant teaching period;
- re-issue a new CAN where a correction/refund of paid tuition fees and/or re-credit of FEE-HELP balance is approved
- advise relevant sections of DEEMR and the ATO if required.

The Student Administration Officer (Fees) will write to you, normally within 14 days, advising the outcome of your review.

Step 3 – Request for Refund of Paid Tuition Fees and/or Re-credit of FEE-HELP Balance

You may request a formal review for the refund of paid tuition fees and/or re-credit of your FEE-HELP balance by submitting a completed *Application for Refund of Paid Tuition Fees and/or Re-credit of FEE-HELP Balance in Special Circumstances* to the Student & Course Coordinator. Your request must be made within 12 months of the period of study in which the unit was, or was to be, undertaken. Where you are permitted to defer completion of your studies, the twelve month period applies from the end of the extended period.

Your application requesting a formal review for the refund of paid tuition fees and/or re-credit of FEE-HELP balance must include the reasons for the request. You must also supply any additional documentation that may assist your case such as a letter from your doctor or counselor which demonstrates:

- that your circumstances changed after the census date;
- how your circumstances prevented you from continuing your studies;
- when you became aware you could no longer continue with your studies; and
- that these circumstances beyond your control prevented you from withdrawing from your studies prior to the census date[s].

The Student & Course Coordinator will write to you, normally within 14 days, advising the outcome of your review (i.e. refund/re-credit if successful).

If your application is successful, the Notice of Decision letter will include the reasons for the decision to refund your paid tuition fees and/or re-credit your FEE-HELP balance; the FEE-HELP balance that will be re-credited and the FEE-HELP debt that will be reduced (if applicable); the upfront payment amount that will be refunded if you have made such a payment; and who to contact for further questions.

If your application is unsuccessful, the Notice of Decision letter will include the reasons for the decision not to refund your paid tuition fees and/or re-credit your FEE-HELP balance; how to submit a valid request for a review of this decision; and who to contact for further questions.



Step 4 – Review of Decision

If you are not satisfied with the outcome of your request for refund of your paid tuition fees and/or re-credit of VET FEE-HELP balance you may appeal to the College Principal (who is in a more senior position to the original decision maker) within 28 days from the day you first receive notice of the outcome. Applications can also be made after this period where applicants can demonstrate grounds that it would not be, or was not, possible for the application to be made before the end of this period.

Your application for a review will be acknowledged in writing. You will be advised of a decision within 45 days. If the reviewer has not advised you of a decision within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision.

If your application for review of the decision is successful, the Notice of Decision letter will include the reasons for the decision to refund your paid tuition fees and/or re-credit your FEE-HELP balance; the FEE-HELP balance that will be re-credited and the FEE-HELP debt that will be reduced (if applicable); the upfront payment amount that will be refunded if you have made such a payment; and who to contact for further questions.

If your application for review of the decision is unsuccessful, the Notice of Decision letter will include the reasons for the decision not to refund your paid tuition fees and/or re-credit your FEE-HELP balance; advise you where to obtain further information on the College's Formal Student Grievance Resolution Policy; and who to contact for further questions.

If additional relevant information or evidence has come to hand which was not available previously and that you believe will impact the outcome of your application, please submit this additional information to the Student & Course Coordinator.



Step 5 – Appeal under the College's Student Grievance Resolution Policy

If, after completing all the steps above, you consider that the College's published procedures were not followed, you may wish to consider lodging a submission under the College's Student Grievance Resolution Policy. The College is not empowered to use this procedure to reconsider or change decisions made by the review of decision officer in relation to refunding paid tuition fees and/or re-crediting FEE-HELP balance. However, you may access the procedures if you think there has been maladministration in relation to your application for refund of paid tuition fees and/or re-credit of your FEE-HELP balance.



Step 6 – Appeal to Administrative Appeals Tribunal (AAT)

If, after completing all the steps above, you are still not satisfied with the outcome of the review of decision, you may apply to the Administrative Appeals Tribunal (AAT) for a review within 28 days from the day you first receive notice of the review of decision outcome. The contact details and address of the nearest AAT registry is: **Level 16, HWT Tower, Southgate, 40 City Road Southbank Vic 2006**. A filing fee (currently \$777) is normally payable to the AAT. However there are some circumstances in which you do not have to pay the fee and you should contact the AAT to obtain more information.

Approved by – Director / January 2011

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