

Student Refund Policy and Procedure

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Policy

Sydney City College of Management's refund policy observes the principles outlined in the ESOS (Education Services for Overseas Student) Act 2000 and the VET Quality Framework. This policy applies equally to all new, current and re-enrolling students unless otherwise stated, and provides the details and circumstances of applicable refunds to students where:

- **Sydney City College of Management defaults (Provider default)**
- **The Student defaults (Student default)**

Definitions

• Tuition Fees

Fees directly related to provision of a course. Note that students must pay Tuition Fees in advance for all courses. See each programs Course Information Sheet for the cost of Tuition Fees for each course

• Other Fees and Charges

Application Fees, Student Workbooks and all Other Fees and Charges that may be incurred by the student during their enrolment. See each program's Course Information Sheet for a list of Other Fees and Charges. Other Fees and Charges are non-refundable under any circumstance

• Unused prepaid Tuition Fees

Tuition for which the student has paid but has not yet been delivered by the Institute. Does not include items listed as other fees and charges

• Nature of Guarantee

The nature of guarantee given by Sydney City College of Management relating to the completion of training and/or assessment once the student has commenced study in their chosen qualification or course. Sydney City College of Management's nature of guarantee is outlined in point 1.0 of this policy

Guidelines

1.0 Provider Default

1.1 Sydney City College of Management will be considered to have defaulted when:

1.1.1 The course the student has enrolled in does not start on the agreed starting day; or

1.1.2 The course the student has enrolled in ceases to be provided at any time after it starts but before it is completed; or

1.1.3 The course the student has enrolled in is not provided in full to the student because a sanction has been imposed on Sydney City College of Management

1.2 In cases where Sydney City College of Management defaults, the Institute will advise affected students in writing of the default within 3 working days of the default taking place.

1.3 Within 10 working days of the default taking place, the Institute will calculate the refund amount eligible

for the student (based on unused prepaid tuition fees) and will offer students placement into a suitable alternative registered course, or a full refund of unused prepaid tuition fees. In each instance, the Institute will give the student a statement explaining how the unused prepaid tuition fees have been calculated

- 1.4 Where students choose to accept placement in a suitable alternative registered course, Sydney City College of Management will require the student to sign a document to indicate that they have accepted the placement and will take reasonable measures to assist in the transition of the student to the new course. Note that students may have to pay other additional fees and charges to the new provider, such as purchasing of any texts or materials, as well as tuition fees that have not been covered by their unused prepaid tuition fees
- 1.5 Where the student chooses to accept the full refund of unused prepaid tuition fees, the amount will be paid to the student within 10 working days of the default taking place. Note that international students ceasing studies are advised to contact the Department of Home Affairs (DHA) for implications to their student visa
- 1.6 In the event that Sydney City College of Management is unable to provide a refund of unused prepaid tuition fees or place the student in a suitable alternative registered course, the Tuition Protection Service (TPS) for international students will attempt to place the student in a suitable alternative course with another provider, or, if this is not possible, will provide the student with a refund of their unused prepaid tuition fees. Note that international students ceasing studies are advised to contact the Department of Home Affairs (DHA) for implications to their student visa
- 1.7 The Institute's fee protection measures for tuition fees paid in advance by international students is through membership of the Tuition Protection Service (TPS) which is implemented by the TPS Director
- 1.8 Sydney City College of Management will ensure that at all times, it maintains current membership with each scheme and meets each schemes membership and compliance obligations

2.0 Student Default

- 2.1 A student will be considered to have defaulted when:
 - 2.1.1 The student has failed to pay an amount he or she was liable to pay to Sydney City College of Management for the course he/she is enrolled in
 - 2.1.2 The student withdraws after their agreed starting day
 - 2.1.3 The student is deemed to have breached a condition of his or her student visa
 - 2.1.4 The student has been expelled by the Institute due to serious misconduct
- 2.2 In the case of student default, no refunds will be made. Sydney City College of Management reserves the right to claim any outstanding fee for the course(s) the student has enrolled in

3.0 Refund Unavailable

Sydney City College of Management will not refund fees in the following circumstances:

- 3.1 The terms and conditions of the enrolment agreement entered into by the student and the Institute are breached, including breach of the Institutes policies;
- 3.2 The student is found to have supplied fraudulent, forged or deliberately misleading documentation to the Institution;
- 3.3 The student's enrolment is cancelled by SCCM, including cancellation caused by a breach of student visa conditions or any illegal or unlawful conduct by the students;

- 3.4 Where the student has had their enrolment terminated due to either academic or behavioral misconduct; or
- 3.5 The student visa is refused by the Department of Home Affairs due to the submission of fraudulent documents by or on behalf of the student.

4.0 Refund Situations

4.1 The following table provides an itemized list of the situations a student may apply for a refund and the amount of refund the student is entitled to

Circumstance	Refund due
PROVIDER DEFAULT*	
Sydney City College of Management cancels course before commencement	Full refund of all fees
Sydney City College of Management cancels course following commencement	Full refund of all unspent fees calculated as follows: Weekly tuition fee multiplied by the weeks in the default period (calculated from the date of default).
Sydney City College of Management has not provided a Student Agreement that meets the requirements of the National Code 2018	Full refund of all unspent fees calculated as follows: Weekly tuition fee multiplied by the weeks in the default period (calculated from the date of default).
STUDENT DEFAULT**	
Student withdraws up to 10 weeks prior to course commencement	Application fee not refunded. Refund of 85% of all other fees and charges.
Student withdraws up to 7 weeks prior to course commencement.	Application fee not refunded. Refund of 80% of all other fees and charges.
Student withdraws up to 4 weeks prior to course commencement.	Application fee not refunded. Refund of 70% of all other fees and charges.
Student withdraws less than 4 weeks prior to course commencement.	Application fee not refunded. Refund of 50% of all other fees and charges.
Student does not commence on the agreed start date and has not previously withdrawn.	No refund. Fees for full study period (term) to be paid.
Student withdraws after commencement.	No refund. Fees for full study period (term) to be paid.
Student's enrolment is cancelled due to disciplinary action.	No refund. Fees for full study period (term) to be paid.
Student breaches a visa condition	No refund. Fees for full study period (term) to be paid.
Student has supplied incorrect or incomplete	No refund. Fees for full study period (term) to be



Circumstance	Refund due
information causing Sydney City College of Management to withdraw the offer of the course prior to commencement.	paid.
Student is refused a visa because they did not pay start their course at the agreed location on the agreed starting day or they withdrew from their course with Sydney City College of Management, or they did not pay an amount due.	No refund. Fees for full study period (term) to be paid.
Student is refused a visa and therefore does not commence their course on the agreed starting day or withdraws from the course on or before the agreed starting day because of the visa refusal.	The total amount of all course fees (tuition and any non-tuition fees) received or less whichever is the lower amount of 5% of the total amount of the fees or the sum of \$500.
Student is refused a visa and has already commenced their course.	The total amount of all course fees (tuition and any non-tuition fees) received for less whichever is the lower amount of 5% of the total amount of the fees or the sum of \$500.
Withdrawal from study – (current students enrolled in a packaged courses)	Refund policy applies in the same way that it does for the first course.

Note:

**Student can also accept placement into another suitable registered course.*

***Refund policy applies in the same way to students enrolled in one course and to students enrolled in the packaged course.*

***Refunds granted may also incur an education agent's fee, except in the case of visa refusal prior to course commencement*

**** No refund of fees unless it is a genuine/compassionate reason with supported evidence.*

5.0 Refund Guidelines

- 5.1 Timeframes and the amount for refund, except in cases identified in point 1.1, are considered from the day the Institute receives the complete refund application including supporting evidence, not from the day the student has signed the refund forms
- 5.2 Applications for refund must be supported by enough evidence supporting the students claim to the satisfaction of the Institute
- 5.3 Sydney City College of Management reserves the right to withhold granting the award attained by the student if student fees remain outstanding
- 5.4 The Refund policy applies equally to all Sydney City College of Management students including students on student visas, permanent residents or Australian citizens
- 5.5 The Enrolment Fee and Other Fees and Charges as stipulated in each programs Course Information Sheet are non-refundable
 - 5.5.1 All processed refund to the overseas bank account will incur \$20 international transfer fees, which will be deducted from the amount of refund.
 - 5.5.2 Student are advised that SCCM will only refund the applicable refund in Australian dollar value, this may cause in variation on the amount in their home country.

- 5.6 Students who have applied for refund and have been unsuccessful in their application are able to access the Institute's complaints and appeals policy (See Complaints and Appeals Policy)
- 5.7 This policy and the availability of complaints and appeals processes does not remove the students right to take action under Australia's consumer protection laws.
- 5.8 Sydney City College of Management's dispute resolution processes do not circumscribe the students right to pursue other legal remedies

6.0 Written Agreement

- 6.1 Sydney City College of Management enters into a written agreement with each student prior to commencement of their studies and acceptance of any fees. This agreement consists of the Letter of Offer and Student Acceptance Agreement, which, when signed, becomes the Contract of Enrolment **(The Contract)**
- 6.2 If after accepting the agreement, the student chooses to cancel the Contract before commencement or completion of the qualification, the student will be liable to pay outstanding tuition fees and the costs incurred by the Institute in recovering any outstanding monies, including debt collection agency and solicitor fees, in line with the requirements stipulated in this policy

7.0 Non-Commencement of Studies

- 7.1 Where a student accepts an offer to admission and fails to attend the college on the agreed starting day, or notify the institute of his/her intentions, Sydney City College of Management will consider the student to have defaulted and will be entitled to retain all tuition fees due for the first 6 months of the students' enrolment. This also applies to students recommencing studies after an approved suspension or deferment and students enrolled in a package of courses. For international students, this may affect their student visa

8.0 Deferring/Rejoining Student

- 8.1 If after accepting an offer to admission, an applicant gives written notice before the commencement of the course of his/her intention to defer or postpone his/her place to the next available intake, all tuition fees will be transferred to the next available intake, however new fee structures and reenrollment fees will apply. The next available intake may be the following term or in following subsequent terms, depending on course availability. The applicant will need to apply to defer studies (see deferment, suspension and cancellation policy).
- 8.2 Where a student defers commencement to a later commencement date and then gives written notice of their intention to not take up a deferred place prior to commencement of the new agreed start day, a refund will be assessed based on the period of notification and circumstances of the original agreed starting day
- 8.3 Note that Sydney City College of Management is only permitted to approve deferral of studies to overseas students on the grounds of compassionate or compelling circumstances in line with the Institute's deferment, suspension and cancellation policy and compassionate and compelling circumstances policy

9.0 Exceptional Grounds for Refunds

- 9.1 Sydney City College of Management will give special consideration to refunds of fees in extenuating circumstances following a written application being received by the Operations Manager
- 9.2 A written notice of withdrawal from a course and refund application due to exceptional circumstances may be lodged up to the last day before the students agreed starting day. Applications received after this date will be treated in line with point 4.0 of this policy

9.3 Sydney City College of Management will use its discretion to consider the written notice as grounds for either a total or partial refund of fees, provided acceptable documentary evidence is provided, in support of the refund application. Exceptional circumstances may include:

- a) An illness or disability (certified by a licensed medical practitioner or registered psychologist).
- b) The death of a close family member (parent, grandparent, sibling, spouse or child).
- c) A political, civil or natural event that prevents full payment of fees or enrolment.
- d) An onshore student's visa being cancelled by DHA due to a report submitted by a previous institution, or their application for review being unsuccessful.

10.0 Refund Application Procedure

- a) Student must complete an Application for Refund form and an Application to Withdraw form
- b) Student must attach a written statement providing details and reasons for their request. Statements can be handwritten or typed
- c) Evidence (such as visa refusal, air tickets, medical or death certificates etc.) must be attached with the application
- d) All applications will be considered by the Operations Manager within 10 working days of the completed application being submitted
- e) The Applicant will be notified of the outcome in writing and the reasons for the decision. In general, there will be two possible outcomes:
 - (i) Application approved and refund issued
 - (ii) Application not approved and in line with the students written agreement and refund policy, the student will need to make appropriate payment of outstanding monies
- f) If approved, Sydney City College of Management Student Services Staff will log into PRISMS (for International Students) and cancel the students CoE's, provide the student with a letter of release (for International Students) and provide a letter advising of CoE cancellation advising the student to contact DHA to find out what action, if any, they need to take in regards to their student visa. Students will also be provided with a letter detailing how their refund amount was calculated and determined
- g) Until the application has been assessed and a decision reached, students must continue to attend scheduled classes and maintain their course progress and attendance. Attendance and course progress will be continued to be monitored in line with the Institute's attendance and course progress policies
- h) Students who are unsuccessful in their refund application may appeal the decision (see complaints and appeals policy). ***Note that this policy, and the availability of complaints and appeals processes, does not remove the students right to take action under Australia's consumer protection laws. Further, Sydney City College of Management's dispute resolution processes do not circumscribe the students right to pursue other legal remedies***
- i) If the application for refund is successful, Sydney City College of Management will pay the refund within 20 working days of the decision. All refunds will be reimbursed in Australian Dollars and will be returned to the student by cheque or deposited into the students nominated account. If another person or organisation is identified as having originally paid the fees, the refund will be made to them instead of the student.

11.0 Additional Fees

Additional fees that may apply in addition to tuition and non-tuition fees include:

Please note that the following fees can apply in addition to the fees advertised in the Course Brochure.

Additional fees that may apply	Amount
Deferral fee: Student initiated deferral other than compassionate or compelling circumstances	\$250
Re-assessment fee (students have a total of 2 attempts and any attempt thereafter will incur the stated fee). *	\$100
Repeating a full unit of competency	\$400
Fees for late payment of course fees	\$250 per invoice for course fees if the payment not made by due date
Credit transfer (CT) Only one-off Credit transfer assessment fee apply	Unit fee is Nil \$250
Recognition of Prior Learning (RPL)	Application fee of \$250 Unit fee \$200
CoE Extension fee (up to 30 days) CoE Extension fee (for a full term)	\$1,000 Equivalent to one term of relevant course fee
Fees for missed placement/practical session	\$300 for one session \$500 for two sessions
Re-issuance of academic certificate and transcripts	\$100 (\$50 per credential)

- 11.1 Student are required to pay all fees and charges by the date indicated on the invoice. Where you are unable to make a payment by the specified date, please contact us to discuss alternative arrangements.
- 11.2 All payments are to be made into the account specified on the invoice.
- 11.3 Where fees are overdue and you have not made alternative arrangements, a first warning, second warning and notice of intention to report regarding non-payment of fees will be sent to you as follows:
- 11.4 First warning letter: failing to pay an invoice within 5 days of receipt or contacting us to make alternative arrangements.
- 11.5 Second warning letter: failing to pay an invoice within 9 days of receipt of the first warning letter or contacting us to make alternative arrangements.
- 11.6 Notice of intention to report: failing to pay an invoice within 7 days of receipt of the second warning letter or contacting us to make alternative arrangements.
- 11.7 Following cancellation of enrolment due to non-payment of fees, your debt will be referred to a debt collection agency.

12.0 Administrative Notes

- 12.1 This policy and related documentation are accessible via Sydney City College of Management Reception, Website, Student Handbook, Student Services team, or Marketing team and is provided to the student prior to enrolment
- 12.2 All notes relating to refund applications will be recorded in the Institute’s Student Management System (TEAMS) and hard copy documents retained in the student’s file
- 12.3 The approval of transfer of a student to another institution does not indicate the agreement to provide any refund. Refunds are governed by this Refund Policy
- 12.4 Where Sydney City College of Management defaults, the Institute will:
- 12.4.1 Under section 46B of the ESOS Act, notify the Secretary, the TPS Director and affected students in writing within 3 business days of the default occurring
- 12.4.2 Under section 46D of the ESOS Act, satisfy its tuition protection obligations to students within 14 days after the default day
- 12.4.3 Under section 46F of the ESOS Act, give notice to the Secretary and the TPS Director of the outcome of the discharge of obligations within seven days after the end of the obligation period
- 12.5 Where an International Students visa is refused (whether there is a compliant written agreement in place), the Institute will report to the Secretary and TPS Director on whether the Institute provided a refund to the Student. In this case, SCCM will report that the Institute has discharged its obligations to the Student within seven days after the end of the provider obligation period of 28 days, which is in total, 35 days after the default occurs.

Related Documents

- Application for Refund
- Application to Withdraw
- Course Information Sheets
- Release Letter

Related Policies

- Deferment, suspension and cancellation policy
- Compassionate and compelling circumstances policy
- Student fees and charges policy

Policy Implementation Manager

- Accounts Manager