Welcome

Welcome to the August 2016 edition of the HELP Newsletter.

If you have questions about the information contained in this newsletter, please email HEenquiries@education.gov.au.

It is important to note that people who receive this newsletter are listed as contacts in the HELP IT System (HITS). If an employee in your organisation would like to receive this newsletter please have their details added as a contact in HITS. For instructions on how to add a contact in HITS, please refer to the HITS user guide.

The following is applicable to both higher education and VET providers

Financial Reporting Obligations

Those providers that utilise a financial year reporting cycle should now be preparing financial statements for the year ended 30 June 2016 for audit. These statements then need to be uploaded into the HITS system prior to 31 December 2016 in line with the conditions of approval as a HELP provider.

In addition to the provision of audited financial statements, providers are reminded that there is a suite of supporting information that must also be submitted in order to satisfy your reporting obligations. This includes the completion of a Financial Performance in HITS and confirmation of organisations compliance with statutory obligations. Failure to submit all required information in line with the specified time frames constitutes a breach of approval conditions and may lead to compliance action including potential suspension or revocation of approved provider status.

Once you have met all of your financial reporting obligations, please ensure that you also action the milestone confirming this in HITS. If you do not action the financial reporting milestone you will continue to receive emails about overdue reporting obligations, and will not receive automated reminders about future reporting requirements.

For complete information regarding the information you are required to submit in HITS please refer to the Financial Viability Instructions. Detailed instructions on how to create and complete Financial Performances in HITS and action milestones can be found at pages 104 and 156 of the HITS user guide.

New Financial Viability Instructions

Please be aware that the department will be releasing new Financial Viability Instructions for FEE-HELP and VET FEE-HELP providers in the near future. Detailed information about these new Financial Viability Instructions will be made available upon their release.

HELP forms for eligible New Zealanders

The department has developed a range of Commonwealth Assistance forms (CAFs) to be used for eligible New Zealand citizens. These CAFs are available in small numbers and can be ordered by emailing HEenquiries@education.gov.au, they are not available to order through HITS.

The CAFs specific to New Zealand Special Category Visa (SCV) holders have been updated to clarify and simplify the NZ citizen eligibility section. Providers who wish to obtain sample PDFs of the updated NZ CAFs (to update their eCAFs) can email HEenquiries@education.gov.au. (Please note that any previously provided CAFs are still correct and can continue to be used.)

More information for providers on a range of issues, including clarification on who is an SCV holder, evidence required and reporting data, can be found at FAQ document or email HEenquiries@education.gov.au.

2017 HELP publication orders

Providers will be able to place their 2017 HELP publications orders through the Department's HELP IT System (HITS) from **11 August 2016**. You are required to place your orders by **26 August 2016** for round one distribution. We expect round one deliveries to commence late September 2016. Any orders submitted after this date will be distributed in round two, with an expected delivery date in late October 2016.

An email will soon be sent to all contacts in HITS with the opening and closing dates for orders.

All orders are required to be placed through HITS, as the department will not be accepting any offline orders. For information on how to order publications in HITS, please refer to page 191 of the HITS user guide.

Career Expos

The department has attended four career expos in cities around Australia in 2016 and will attend five more during August 2016. The attendance of departmental staff at career expos provide potential students, current students and their parents with information about HELP loans and the *Study Assist* website which contains up-to-date information about financial assistance for tertiary study. Staff distribute brochures, outlining the assistance available and answering any questions that may arise. Please feel free to introduce yourselves and direct enquires to our booth at the following events:

Event dates

3 and 4 August 2016	Canberra Careers Expo	http://www.canberracareersmarket.com.au/
8 August 2016	Townsville Careers Expo	http://www.careersevent.com/townsville/
8 and 9 August 2016	Northern Territory Skills, Employment and Careers Expo (Alice Springs event)	https://business.nt.gov.au/events/skills,-employment-and-careers-expo
12, 13 and 14 August 2016	SkillsWest Expo (Perth)	http://www.skillswestexpo.com.au/
26, 27 and 28 August 2016	Melbourne Career Expo	http://www.careerexpo.com.au/

Study Assist revamp

Content refresh of the *Study Assist* website

Over the next few months, there will be a content refresh of the *Study Assist* website. The content refresh has come about following two key pieces of work completed earlier in 2016.

The first piece of work was an external editor's review of all student-related Higher Education Loan Program (HELP) information products which included all the HELP booklets, brochures, forms*,* the *Study Assist* website text, and the Student Enquiry Line's call scripts. The purpose of the editor's review was to test materials to ensure they were still appropriate for our target audience - prospective and current students. The editor's review of these products also gave

the department an opportunity to further simplify existing information where possible, and provide some significant product redesign ideas.

The second piece of work was a service redesign/call reduction strategy for the department's Student Enquiry Line – a call centre where current and prospective students can seek information about HELP-related questions. Over the last few months, the call centre has been analysing the key drivers that prompt callers to the Student Enquiry Line. The recommendations from the service redesign, combined with the work from the editor's review undertaken earlier this year, will be applied to the *Study Assist* website over the next few months.

Government electronic Commonwealth Assistance Form (eCAF) project – update

The development of the Government eCAF is progressing well and on track for a release date of 1 January 2017.

The training environment for the Government eCAF is now available and we encourage you to have a look and provide feedback about the new system. If you would like access to the training environment, please provide the below details via return email. Access will be provided for both the user interface (standard website) and the API (webservice).

- HITS provider ID
- Legal entity name
- email address (please provide a generic email address)

If you have any questions about the Government eCAF, please email HEenquiries@education.gov.au.

HITS/I:AM

The HITS user guide was updated in June 2016. The new version – 6.0 can be found at HITS.

In addition to the HITS user guides there are also online HITS training videos. These videos provide step by step instructions on how to perform specific tasks in HITS and the I:AM system. Videos are available on the department's website at HITS.

Education Portal update – Single Sign-On

As you may be aware, the department has released its new Education Portal in March 2016. The Education Portal aims to provide stakeholders with a secure, single point of access to some departmental data collections and applications, including HEIMS applications, Program Funding System, Institution Payment Information, access to the Datamart (HE only), and in the future will include the Government eCAF.

The second iteration of the Education Portal, scheduled to be released in later in 2016, will streamline the registration process for system access. The Education Portal will have fully automated online registration and password management, and each organisation will be required to nominate one or more 'portal administrators'. Within the next fortnight you will receive an email containing information about online registration and administrator access.

The following is applicable to higher education providers

2016-17 Budget Update

As part of the 2016-17 Budget, the Government announced it was delaying implementation of its higher education reforms until 2018 and no longer pursuing the full deregulation of fees for students in Commonwealth supported places. This means that proposed reforms such as expansion of the demand driven funding system to all undergraduate places at higher education institutions registered with the Tertiary Education Quality and Standards Agency (TEQSA) and removal of the FEE-HELP and VET FEE-HELP loan fees will now not begin until 1 January 2018.

The Government also released a policy options paper, Driving Innovation, Fairness and Excellence in Australian Higher Education, setting out options for reform that support the Government's vision of a stronger, more sustainable system of higher education. The Government continues to work closely with all stakeholders to inform this revised higher

education reform package, which will be finalised in 2016 and legislated no later than mid-2017 for commencement from 2018.

Recognition of Prior Learning (RPL) and FEE-HELP for higher education students

In the higher education sector, assessment and recognition of prior learning (RPL) is undertaken for the purpose of granting credit either for units of study within a course of study or toward the completion of a qualification. This assessment is conducted according to institutional policies.

RPL fees cannot be paid for with a FEE-HELP loan, and a unit of study cannot be created for the purposes of RPL.

Please contact TESQA for further information regarding provider responsibilities in relation to RPL.

The following is applicable to VET providers

VET FEE-HELP Reforms

Over the course of 2015-16, the Australian Government introduced reforms to enhance the integrity of the VET FEE-HELP scheme. These reforms included:
- banning inducements;
- tightening VET FEE-HELP marketing and recruitment practices, including what is communicated to prospective students;
- strengthening requirements relating to agents or associates; and
- removing barriers to students withdrawing from courses.

On 1 January 2016, several new, additional reforms came into effect. These are:
- strengthening the debt remission processes for students;
- strengthening the assessment criteria for, and ongoing scrutiny of, all training providers;
- ensuring student debt is incurred in line with course delivery;
- increasing protections for students, with debts to be cancelled in cases of provider or agent unacceptable conduct (refer Part 6, Division 2 of the Higher Education Support (VET) Guideline 2015);
- establishing minimum pre-requisite and prior education qualifications, including demonstrated literacy and numeracy requirements;
- freezing the total loan limit for existing VET FEE-HELP providers at 2015 levels;
- moving to payment in arrears for certain providers;
- pausing payments to providers for new enrolments where there are concerns about performance;
- new entry requirements for training providers applying to become VET FEE-HELP providers;
- more stringent financial assessment criteria for providers and applicants; and
- infringement or civil penalties for:

    o publishing information that suggests VET FEE-HELP assistance is not a loan;
    o inappropriate inducements;
    o failure to provide VET FEE-HELP notices;
    o failure to comply with student requests;
    o charging a fee, etc. for a student to cancel an enrolment or request for assistance;
    o accepting requests for Commonwealth assistance, etc. when a student is not entitled;
    o failure to advise about requests, etc.;
    o failure to apportion fees appropriately;
    o failure to publish fees; and
    o failure to report data.

Providers are responsible for ensuring their business practices comply with these requirements, as set out in the *Higher Education Support Act 2003* (www.legislation.gov.au/Series/C2004A01234) and *Higher Education Support (VET)*

Guideline 2015 (www.legislation.gov.au/series/F2015L02124). Further information about the requirements is provided in the student-focused and provider-focused fact sheets.

In the near future, an updated *Administrative Information for VET Providers* manual will be released to help providers understand the legislative requirements. Providers will be notified when this document becomes available. In the meantime, providers should refer to the source legislation for full details, and also refer to the information below, the recently updated Frequently Asked Questions (FAQ) and the Addendum to the VET Administrative Information for Providers document for clarification on some of these measures.

Student entry procedure for VET FEE-HELP

As part of the 2016 entry procedure for students to access VET FEE-HELP, students must sit a language, literacy, and numeracy (LLN) test using an approved assessment tool if they are unable to provide their VET FEE-HELP provider with an Australian year 12 certificate. This is to ensure the academic suitability of the student to undertake studies in diploma level or above courses.

The LLN test is one part of the student entry procedure introduced in 2016. The full requirements are set out in Division 5 of the *Higher Education Support (VET) Guideline 2015*, which can be found at www.legislation.gov.au/series/F2015L02124.

Providers should review these requirements (see *Higher Education Support (VET) Guideline 2015* Section 29 of Division 5) to check that their entry procedure is compliant. In particular, providers must:
- report LLN test results to students as soon as practicable after assessments;
- retain LLN test results for at least five years;
- report LLN test results to the Secretary of the department, if and when required; and
- declare the above requirements in the student entry procedure.

There are currently four LLN tools approved for use by providers. Information about these tools is available at https://docs.education.gov.au/node/39981. In addition, providers can apply to the department for approval of an LLN tool using the instructions in the above resource.

The Foundation Skills Assessment Tool (FSAT) is likely to become available in 2016. FSAT assesses adult learners and job seekers against two national foundation skills frameworks: the Australian Core Skills Framework; and the Core Skills for Work Developmental Framework. Following the completion of a trial and validation process, providers will be able to use FSAT to assess a student's reading and numeracy competency at Exit Level 3 for the purposes of applying for VET FEE-HELP. Further details will be made available soon.

Marketing, advertising or promoting VET FEE-HELP

The *Higher Education Support (VET) Guideline 2015* stipulates that VET FEE-HELP providers, and their agents or associates, must NOT:
- mention VET FEE-HELP in any unsolicited contact (including cold calling) with a prospective student in person, by telephone, by email or by other form of electronic communication;
- directly or indirectly offer or provide inappropriate inducements;
- market, advertise or promote that a loaned item or inducement, such as a laptop, will be provided to the student or another person to induce him or her to enrol in a unit of study or course of study and request a VET FEE-HELP loan; and
- publish information that suggests VET FEE-HELP is not a loan (i.e., information that states generically that government funding is available) or does not need to be repaid, or that a course is free from any fees or charges.

Providers' ongoing publishing requirements

VET FEE-HELP providers must ensure the following information is published on their website in a way that students can readily access:

- a **list of all current and past agents or associates**, including marketing or education agents, engaged by the provider. The list must specify the duration of the agreement(s) entered into with each agent or associate;
- the **student entry procedures**. Visitors to the provider's website must be able to access these procedures clicking no more than two links from the home page, and a single link from the home page for each qualifying VET course;
- the **fair treatment and equal opportunity procedures**;
- the **refund policy and withdrawal procedures**;
- the **grievance procedures**, containing information on internal and external processes to deal with academic and non-academic complaints;
- the **re-crediting FEE-HELP balance procedures**. These must clearly explain:
  - the re-crediting processes for students affected by special circumstances. This information must include the name of the review officer and contact details for the Administrative Appeals Tribunal; and
  - how students can apply under clause 46A of schedule 1A to the *Higher Education Support Act 2003* for their FEE-HELP balance to be re-credited because of circumstances involving unacceptable conduct. This information must direct students to the *StudyAssist* website, where they can apply to have their FEE-HELP balance re-credited;
- the **Statement of VET Tuition Assurance**;
- **Schedules of VET tuition fees and census dates**; and
- **procedures relating to personal information**.

Statutory Declaration - Data

VET FEE-HELP providers must declare by signing the statutory declaration that the students they report are genuine students.

A genuine student is someone who is attending classes, participating in the course, receiving tuition, and progressing through his or her studies. Importantly, a genuine student is not someone who, once enrolled, is completely disengaged from the course.

Providers should clearly communicate expectations to students as part of their enrolment activities. Providers should also have in place processes and procedures to cancel student enrolments in courses and relevant VET units of study, thereby ensuring only genuine students are reported.

Please note that there are no legislative barriers to providers cancelling a student's enrolment due to disengagement, poor academic progress, or unacceptable behaviour.

Providers wanting to restructure

VET FEE-HELP approval is not transferable in all circumstances. VET FEE-HELP providers should contact the department if they plan on restructuring their business or making any changes to the legal entity approved. This is necessary as a restructure may result in the revocation of a provider's VET FEE-HELP approval.

Providers are reminded that clauses 25 and 25A of schedule 1A to the *Higher Education Support Act 2003* require that they provide a notice of events that affect their ability to comply with VET quality and accountability requirements, or a copy of any notice given to the National VET Regulator about material changes to their organisation.

Contact details in HELP IT System (HITS)

HITS assists VET FEE-HELP providers with ongoing compliance and administrative activities, and helps the department complete its business.

For this reason, providers must ensure updates to the information in HITS are incorporated into their regular business administration operation activities. In particular, providers should:

- update their entity, contacts, parent organisation and commercial partnership information on the "Organisation" tab;
- check that their current course delivery and tuition assurance arrangements are properly reflected on the "Courses" tab;
- monitor the Notifications Centre, paying particular attention to Action notifications; and
- make use of the web links to HELP program resources; publications and user guides.

The department uses the contact details in HITS to contact providers on a variety of HELP matters, including important information about the recent reforms. By providing up-to-date contact details, providers ensure the department is able to contact the appropriate person in their organisation. Providers should review all contacts in HITS, including persons of influence, and update these as necessary. This will help providers reduce the number of requests they receive from the department to meet procedural and compliance requirements.

Managing courses in HITS

VET FEE-HELP providers are unable to report student and course data for a VET course in their scope of delivery until it is marked as "Active" in HITS. Superseded courses that are no longer delivered must be changed from Active to Inactive. This does not affect reporting of students in that course.

Providers must also ensure courses that have the "Details required" status are updated to reflect that which is currently being delivered by their organisation.

Finally, providers must ensure tuition assurance arrangements are in place before activating a course in HITS. These arrangements must be sufficient to cover all students enrolled as VET students in VET units of study with the provider at any time. Updated tuition assurance information should be uploaded into HITS and confirmed by email to TSEnquiries@education.gov.au.

Student deferrals

If a student elects to defer a place in a course, they must have their enrolment in the relevant VET units of study cancelled to ensure they do not incur a debt for any units they are not currently undertaking.

Confirming Australian citizenship eligibility

Some students who are not Australian citizens may be claiming they are citizens for the purpose of accessing VET FEE- HELP. VET FEE-HELP providers are responsible for ensuring students meet the Australian citizenship eligibility requirement. This means providers must have in place appropriate evidentiary requirements.

In the event an ineligible student accesses a VET FEE-HELP loan, providers must cancel the debt and repay any associated VET FEE-HELP payments they received.

Confirming Permanent Humanitarian visa holder or New Zealand citizen eligibility

Students who are not Australian citizens must be New Zealand Special Category Visa holders or Permanent Humanitarian visa holders in order to access VET FEE-HELP.

VET FEE-HELP providers are responsible for confirming that individuals who apply for VET FEE-HELP meet this requirement. To do so, providers must have in place appropriate evidentiary requirements.

Providers can confirm an individual's visa details and conditions by using the Visa Entitlement Verification Online tool available on the Department of Immigration and Border Protection website: https://www.border.gov.au/Busi/Visa.

Providers can also find information about HELP eligibility criteria for New Zealand Special Category Visa Holders at https://www.education.gov.au/faqs-new-zealand-special-category-visa-holders.

In the event an ineligible student accesses a VET FEE-HELP loan, providers must cancel the debt and repay any associated VET FEE-HELP payments they received.

Important – end of the Certificate IV trial – 31 December 2016

The trial to extend VET FEE-HELP income contingent loans to certain subsidised Certificate IV courses will end on 31 December 2016.

VET FEE-HELP providers that are participating in the trial must ensure VET FEE-HELP loans are only available for VET units of study that have an end date on or before 31 December 2016, irrespective of when the census date falls.

Providers must notify all students who are enrolled, or considering enrolling, in a participating Certificate IV course, and who will not complete that course before 31 December 2016, that the trial is ending.

In the event a student accesses VET FEE-HELP for units that end after 31 December 2016, providers must cancel the debt and repay any associated VET FEE-HELP payments they receive.

More information is available at https://www.education.gov.au/trial-extend-vet-fee-help-certain-certificate-iv-qualifications.