

Student Review Policy

Policy Number: POL-D.023

Responsible Officer: Johan Pienaar (Director/CEO)

Date of Approval: July 2014

Scheduled review: 12-monthly

Review Expiry Date: 30 April 2018

Cross References: Higher Education Support Act 2003); VET Student Loans Act (2016).

A student has the right to request a review of a decision by FTA to not re-credit their FEE-HELP balance (reviewable VET decisions). There is no charge for reconsideration or review of decisions, other than review by the Administrative Appeals Tribunal. Students are advised to read this policy in conjunction with POL-D.021 Tuition Fee Refund and Re-Crediting Policy.

The student will submit form TRG-F.060 Request for Review, which is available on the FTA website. The student will complete personal details, course details and the reasons why they are applying for a review.

The request must be made within 28 days from the date of receiving notice of the decision. In deciding whether to grant an extension of the 28 day period, FTA will consider:

- a. Whether the student has 'an acceptable explanation of the delay' and that it is 'fair and equitable in the circumstances'.
- b. Whether the application took action that make the provider aware that the student contests the finality of the decision and did not merely rest on his or her rights; any prejudice to FTA, through the mere absence of prejudice is not enough to justify the grant of an extension.
- c. Whether granting an extension would result in the unsettling of other people or of established practices.
- d. The merits of the substantial application.
- e. Fairness as between the student and other persons in a like position.

TRG-F.060 should be sent to Johan Pienaar (CEO) at ppienaar@flyfta.com or by mail to Flight Training Adelaide, Hangar 54, Kittyhawk Lane, Parafield Airport, SA, 5106 as the designated review officer of any decision relating to a request for re-crediting of a FEE-HELP balance, with support documentation attached. FTA's review officer is not involved in the original decision and occupies a position that is senior to that occupied by the original decision-maker.

The review officer will acknowledge receipt of an application for review of a decision to not re-credit the student's FEE-HELP balance in writing within 10 working days and inform the student that, if the reviewer has not advised the student of a decision within 45 days of receiving the application for review, the reviewer is taken to have confirmed the original decision.

The review officer will review the information from the original decision and then assess any new evidence provided by the student and provide written notice to the student of the decision setting out the reasons for the decision.

FTA will advise the student of their right to appeal to the Administrative Appeals Tribunal (AAT) if they disagree with the review decision.

The student is able to contact the AAT at:

The South Australia Office of the AAT is located at:

11th Floor, Chesser House, 91 Grenfell Street, Adelaide SA 5000

Alternatively the postal address is: Administrative Appeals Tribunal, GPO Box 9955 Adelaide SA 5001.

National number: 1300 366 700 (local call charge from fixed phone lines, calls from mobiles may cost more)

The email address is: Adelaide.Registry@aat.gov.au.

The opening hours are Monday to Friday Monday to Friday 8.30 a.m. to 5.00 p.m.

When applying to the Administrative Appeals Tribunal (AAT) for review of decisions, there is **no application fee**. In certain circumstances, you do not have to pay an application fee.

If a fee is payable, the full application fee is \$816. In certain circumstances, this fee can be reduced to \$100. Full details of the application process and fees payable are available on the AAT Registry's [website](#). Fees are subject to change, refer to the AAT website for up to date fee information.

The Secretary of the Department, or Secretary's delegate, will be the respondent for cases that are before the AAT. Upon the Department's receipt of a notification from the AAT, the Department will notify FTA that an appeal has been lodged. Upon receipt of this notification of the application to the AAT, the review officer will provide the Department with copies of all relevant documents within ten (10) business days.

Publication

The method this Review Policy will be made public to VET students will be on **Flight Training Adelaide's website** (www.flyfta.com). **Flight Training Adelaide** will also advise students about where this Policy may be obtained from as part of their enrolment information.

Review

The policy will be reviewed every 12 months or more often due to legislation or circumstantial change.



Johan Pienaar
(Chief Executive Officer/Director)