



HELP Newsletter

December 2013 Edition

Welcome

Welcome to the December 2013 edition of the HELP e-newsletter. If you have questions about the information contained in this newsletter, or if you would like to be added to the mailing list, please email

TSEnquiries@innovation.gov.au

Please note that the URLs provided in this document may change in the near future as a result of the Machinery of Government changes following the election. We will advise of new contact details and websites as the information becomes available.

Important dates

Thursday 31 January 2014	Due date for VET student data for 2013 interim reconciliation of advance payments.
Wednesday 5 February 2014	VET-FEE HELP introductory HELP training – Canberra
Tuesday 4 March 2014	VET-FEE HELP introductory HELP training webinar
Monday 31 March 2014	Due date for final 2013 HE Student and VET Student data for census dates 1 Sept to 31 Dec 2013
Wednesday 2 April 2014	VET-FEE HELP introductory HELP training – Canberra

Proposed change to the HECS-HELP discount and voluntary repayment bonus

As you are aware, the previous Government's 2013-14 Budget included changes to the HELP scheme from 1 January 2014. The legislation to give effect to these changes was not passed in the last Parliamentary sitting period. This means that the HECS-HELP upfront discount and the HELP voluntary repayment bonus will continue for the time being. From a reporting perspective there will be no change to the way you report discounts for upfront payments.

HELP IT System

The HELP IT System (HITS) is designed to manage applications from providers seeking approval under the *Higher Education Support Act 2003* (HESA) and to assist already-approved providers with ongoing compliance and administrative activities. The Department is in the final stages of the HITS roll out and is increasingly utilising the functions and facilities made available by the system to complete our business.

As HITS is a conduit to effective, streamlined communication and reduced red tape, providers are reminded of the increasing need to incorporate HITS into their regular activities and are encouraged to:

- regularly update your entity, contacts and commercial partnership information on the "Organisation" tab;
- check that your current course delivery and tuition assurance arrangements are properly reflected on the "Courses" tab;
- monitor the Notifications Centre, with particular attention to Action notifications; and

- make use of the web links to HELP resources; publications and user guides.

The department uses contact details listed in HITS to contact providers on a variety of HELP matters. Providing up-to-date contact information ensures that we are able to reach the appropriate person in your organisation. Updating contact information will assist you to plan ahead for upcoming organisational changes. By making full use of HITS, providers can reduce the number of extra requests from the department to meet procedural and compliance requirements.

VET Providers are reminded that until a VET course within your delivery scope has been marked as “Active” in HITS, you will not be able to report on that course. Superseded courses that are no longer being delivered must be changed from Active to Inactive. This does not affect reporting of students in that course.

Marketing of HELP by organisations representing providers

The provisions of HESA do not prevent a provider from utilising the services of education agents or other promotional or marketing services. It is understood that many providers have relationships with organisations offering these services.

It is a provider’s responsibility, however, to ensure that eligible students enrolling or seeking to enrol in a course of study are treated fairly and that any student information published by a promotional or marketing service representing a provider is correct. This includes ensuring that an education agent, promotional or marketing service does not represent themselves as an approved higher education provider or VET provider (or as an RTO if they are not) and that any marketing on behalf of the provider does not mislead students or misrepresent programmes available under HESA.

Providers are reminded that they are responsible for actions taken by education agents, promotional or marketing services that breach the requirements of HESA and that actions will be taken with the provider by the department accordingly.

Notification of partnership delivery (otherwise known as Third Party Arrangements)

Providers must notify the department of any existing or new partnership delivery arrangements, update the partner details section of HITS and submit partnership documentation into HITS.

It is acknowledged that partnership delivery is a common feature in both the higher education and VET sectors; however, standard partnership agreements may include provisions that are not allowable under HESA. Providers must ensure that students receiving tuition from a partner on behalf of the provider are treated as if they were undertaking study at the provider. The identity of the approved HELP provider as the responsible entity should be clear in any information published on the partner website or in any printed material.

The approved provider must ensure that all requirements of HESA are adhered to by the partner organisation to protect the welfare of students. The identity of the approved HELP provider must be made clear and transparent in all documentation and marketing material.

VET and Higher Education Administrative Information for Providers (AIPs)

The November 2013 VET and the Higher Education Administrative Information for Providers (AIPs), are now available on the new [Department of Education](#) website.

Information in the November 2013 AIPs clarifies some information items published in previous AIPs, and provides new information and guidance for providers in applying the recent changes to HESA and associated Guidelines. Each AIP contains an appendix with details of which sections have been changed for your information.

Providers are strongly encouraged to refer to the November 2013 AIPs for guidance on applying the HESA requirements in their operations. Please forward this information to other people in your organization as

Publication orders

Thank you to all our HELP providers for their patience during the distribution of the 2014 HELP information products. All products have now been distributed. As you are aware, the Higher Education Support Amendment (Savings and Other Measures) Bill 2013 was not passed by the Senate, therefore the HECS-HELP upfront discount and the HELP voluntary repayment bonus will continue for the time being. When we initially called for HELP publication requests we asked that you only order enough publications to see you through until February 2014. As we will not be required to make changes to the HELP Publications (as the Bill was not passed) providers may now place additional orders if required, for delivery in March 2014. Providers are reminded that the information booklets are available electronically on the *Study Assist* website, and the department will not be printing additional copies once our current stock is exhausted.

All providers should now be aware that publication orders are now to be made through the HITS system. Please ensure that all staff who will be responsible for ordering publications in 2014 have access to HITS. Please contact tsenquiries@innovation.gov.au if you require assistance with access to HITS.

Did you know?

Occasionally a provider will be asked what happens to a student's HELP debt if they die.

The Australian Tax Office (ATO) requires that a trustee or executor lodge all outstanding income tax returns on behalf of a deceased person, up to the date of the person's death. Any compulsory repayment included on an income tax notice of assessment relating to the period before the person's death must be paid from the Estate, but the remainder of the HELP debt is cancelled.

Neither the deceased person's family nor the trustee is required to pay the remainder of the accumulated HELP debt.

More details can be found on page 11 of the document entitled '[Repaying your HELP debt](#)' on the ATO website.

Providers are reminded that the department undertakes ongoing monitoring of VET providers to assist in continued compliance with the VET quality and accountability requirements defined in Division 4 of Schedule 1A to HESA.

Request for VET FEE-HELP Assistance or Request for FEE-HELP Assistance form requirements for new or superseding courses

All students who wish to access VET FEE-HELP or FEE-HELP to meet the cost of their tuition fees must submit a valid *Request for VET FEE-HELP Assistance* or *Request for FEE-HELP Assistance* form for the course they are enrolling in.

Students who change courses, enrol in new courses or more than one course, are required to complete a new form if they wish to seek VET FEE-HELP or FEE-HELP for each course.

VET providers are not able to defer the cost of a student's tuition fees to VET FEE-HELP if the student has not met all the entitlement requirements of Schedule 1A paragraph 43(1)(h) to HESA, which includes submitting this form.

It is acknowledged that vocational education and training courses are often replaced (superseded). The Australian Skills Quality Authority (ASQA) has set timeframes for registered training organisations to teach-out or transition students to the new course. ASQA teach-out and transition rules are separate to any requirements of HESA. It is the responsibility of the VET provider to ensure any requirements regarding ASQA teach-out and transition rules are met as well as the requirements of HESA.

While a new course may have similar VET units of study to the superseded course, it is the Industry Skills Council's decision that superseding courses are different to the course they superseded, and apply a new course code, and sometimes a new course name. For HESA purposes a new course code means a different course, irrespective of how similar the two courses are, and therefore VET providers will need to publish a schedule of VET tuition fees for the new course (with a new course code) in line with the requirements of HESA and the *VET Guidelines 2013*.

Students who are transitioning to the superseding course and wish to access VET FEE-HELP must have submitted a completed *Request for VET FEE-HELP Assistance* form specific to the new course in order to be eligible for VET FEE-HELP. A *Request for VET FEE-HELP Assistance* form that has been completed for a superseded course is not transferrable to the new course.

Specific to VET providers

Extension of VET FEE-HELP to subsidised students

Under the National Partnership Agreement on Skills Reform, reached at the Council of Australian Governments (COAG) meeting in April 2012, all states and territories agreed to the expansion of the income contingent loan scheme in the VET sector. VET FEE-HELP will be extended to state and territory government subsidised students across all states and territories over the next few years, with Western Australia and Queensland to implement in January 2014, joining Victoria and South Australia.

Administrative arrangements for making VET FEE-HELP assistance available for the subsidised courses will be as for any other VET FEE-HELP matters. That is student protections and administrative requirements for students in subsidised places are the same as for other VET FEE-HELP students: determining tuition fees and census dates, provision of refunds, debt remission in special circumstances and review requirements, tuition assurance, and grievance, fairness and equity provisions.

When publishing schedules of tuition fees, it must be clear to students which schedule applies to them.

Newly approved VET providers

Where a VET provider has only recently been approved, students who are currently enrolled in a diploma level or above course, which meets the requirements of HESA, can choose to defer the cost of their fees by completing and submitting to their provider a valid Request for VET FEE-HELP assistance form.

Please note, students who commenced their course prior to VET provider approval are only entitled to VET FEE-HELP assistance for any units of competency, or parts of units of competency, that have not yet been delivered, and that have been included in VET units of study. The start date for a VET unit of study cannot be before the date of VET provider approval.

Further information on transitioning students (including the requirements for the *Request for VET FEE-HELP assistance* form is available at subchapter 2.5 of the [VET Administrative Information for Providers](#).

2014 Estimates

Some providers have not submitted their VET FEE-HELP estimate of advance payments for 2014 which were due on 1 November 2013.

Estimates received late are unlikely to be processed in time for the first payment on 15 January 2014.

If you do not intend to submit an estimate for 2014 please advise the Payments team via TSEnquiries@innovation.gov.au

I submitted an estimate for 2014 but haven't heard anything yet!

The Payments Team has been busy working through the estimates for 2014. If you submitted your estimate by 1 November 2013 your estimate will be approved by Christmas. The formal letter advising of the approved advance for 2014 will be sent before Christmas, but may not arrive until January 2014.

Did you know you can check in HITS to view the status of your 2014 estimate submission by checking to see if:

- the "Estimate Status" has changed from "Submitted" to "Approved" in HITS; and
- a 2014 payment schedule has been created and is in "Approved" status.

VET FEE-HELP Interim Reconciliation of 2013 Advance Payments

In the last two years the department has undertaken an interim reconciliation in February of advance payments against reported student liability data from the previous year. This enables providers who have been underpaid to receive the additional funds sooner, and for providers who have been overpaid it enables them to quickly repay the debt.

In 2014 the department will again perform an interim reconciliation of funds in early February. **Providers will be required to submit into HEIMS their student data for all census dates occurring in 2013 by 31 January 2014.**

The department will make additional payments or undertake recovery action based on the 2013 data in the HEIMS system on 31 January 2013.

Why is this called an Interim Reconciliation?

As the data submitted by 31 January has not been verified, the reconciliation is subject to changes in the data. The final reconciliation of the 2013 advance payments will be undertaken around May or June 2014, once the verification of the 2013 data is complete. If your data is complete and accurate on 31 January 2014, no further action will be required after the data verification process.

I have changed my student liability data for previous years – what happens now?

Sometimes a provider may need to submit a revision file into HEIMS which affects the liabilities in previous years. As a result, additional funds may be due to the provider or the provider may owe funds to the department.

The Payments Team analyses previous data for prior years around May and June of each year, after providers have completed the data verification process. Adjustments to payments are then made in the July/August period.

Only in exceptional circumstances will the Payments Team undertake a review of prior year's funding outside of the May/June period.
