



Welcome

Welcome to the 2014 December edition of the HELP Newsletter. The Student Support Branch would like to wish all of our providers a Merry Christmas and a Happy New Year. If you have questions about the information contained in this newsletter, please email TSEnquiries@education.gov.au.

It is important to note that people who receive this newsletter are listed as contacts in HITS. If an employee in your organisation wants to receive this newsletter please have their details added as a contact in HITS.

We hope you have a safe holiday break and look forward to working with you in 2015.

Update on higher education reform legislation

The Higher Education and Research Reform Amendment Bill 2014 (HERRA) was introduced on 28 August 2014. On 2 December 2014, the Bill was rejected by the Senate.

On 3 December, the Government introduced an amended bill to the House of Representatives, the Higher Education and Research Reform Bill 2014 (HERR). The new Bill differs from the previous Bill in that it:

- Retains Consumer Price Index (CPI) indexation for HECS debts and introduces an interest rate pause on debts for primary carers of children aged less than five years who are earning less than the minimum repayment threshold;
- Establishes a structural adjustment fund to assist universities to transition to the new market;
- Introduces a dedicated scholarship fund for universities with high proportions of low SES students into the Higher Education Participation Programme; and
- Clarifies requirements relating to tuition fees for non-Commonwealth supported students, preserved funding arrangements for students enrolled prior to the announcement of the higher education reforms, and the formula for calculating provider contributions to the Commonwealth Scholarship Scheme.

As a result of the HERRA Bill not being passed in 2014, the measure to extend student loans to certain New Zealand citizens who are Special Category Visa holders will not commence as planned on 1 January 2015. This measure is likely to commence from 1 January 2016 subject to the passage of the HERR Bill.

The previous Government's measures to remove the upfront discount for HECS-HELP and the voluntary repayment bonus from 1 January 2015 similarly have not yet been passed by the Parliament. These measures are included in the revised HERR Bill, and would also be implemented with effect from 1 January 2016.

It is anticipated that the Government will be seeking for the HERR Bill to be considered and passed by Parliament in the Autumn 2015 sitting of Parliament, which commences on 9 February 2015.

Online request for Commonwealth assistance forms – important reminder

Providers are reminded that there are legislated requirements regarding electronic Request for Commonwealth Assistance Forms (eCAFs). It is important to stress these requirements, particularly where marketing agents, educational agents or partner organisations act in some instances on the provider's behalf.

Most importantly, persons other than the student may not submit an eCAF on behalf of the student.

It is the submission of an eCAF *by the actual student* using their unique identifier that is the evidence that the student has signed the form by electronic means and by doing so declares they have read the relevant HELP booklet and understand their obligations.

Should providers be found to be accepting eCAFs that have been populated or submitted by education agents, promotional or marketing services, partner organisations or other RTOs, using information obtained from individuals over the phone or by other means, the department may investigate whether a contravention (or an offence) under the *Higher Education Support Act 2003 (HESA)* framework or any other legal requirements has occurred and take any appropriate action.

To meet the requirement to sign the eCAF online, students need to use a unique identifier, issued by their provider, with associated security arrangements around the use of such an identifier, to identify themselves and indicate their approval of the conditions and requirements set out in the form. The unique identifier is generally in the nature of a username and password, issued to the student at enrolment and is for use only by the student.

The unique identifier and other details should be immediately matched with other data on the provider's system to validate the name and the identifier. If the information provided by the student does not match the data on the provider's system, the form should be rejected and a message provided to the student stating there is an error and advising of any follow-up action required.

The legislated requirements regarding eCAFs are available to VET providers in the [VET Guidelines 2013](#) and in the [VET Administrative Information for Providers](#) manual. For higher education providers, the legislated requirements are available in Chapter 8 of [the Administration Guidelines 2012](#) and in the [Higher Education Administrative Information for Providers](#) manual.

Providers should contact the department **immediately** if these requirements are not clearly being met in their operations by email to TSEnquiries@education.gov.au.

Unethical practices by agents acting on behalf of providers

Providers are responsible for actions taken by education agents or promotional/marketing services acting on their behalf and must ensure actions taken by them are within the requirements of HESA. Providers will be held responsible for any unethical, misleading or fraudulent behaviour of agents acting on their behalf.

Numerous complaints have been received from students who say they have been misled as to the identity of the institution they will be studying with, as well as some instances where marketing agents have induced students to sign up to courses without students necessarily having a commitment or intention to study, nor an understanding of the HELP debt they will incur.

Complaints received indicate that this has been happening through cold calling and marketing undertaken at locations such as Centrelink offices and shopping centres. The provisions of HESA do not stop a provider (or partner organisation delivering a course on behalf of a provider) from utilising the services of an education agent or a promotional/marketing service. It is understood that many providers have relationships with organisations offering these services. Providers should ensure they are aware of practices undertaken by organisations on their behalf, and can confirm they meet legislated requirements.

Further, as noted in our article regarding electronic submission of requests for Commonwealth assistance forms (eCAFs), eCAFs must be submitted by the actual students themselves, **after** they have had an opportunity to consider the offer of enrolment with a particular institution and read the relevant HELP booklet, and the identity of the institution they are enrolling with must be clear to the student.

Incidental fees

Providers are reminded of fee requirements under HESA, including what can be included in tuition fees, what should be charged as an incidental fee, and what fees may not be levied. For higher education providers, information on what fees are incidental to studies is provided in chapter 7 of the [Higher Education Provider Guidelines 2012](#). For VET providers, please refer to chapter 8 of the [VET Guidelines 2013](#).

As an example, it is recognised that providers can choose to deliver units of study for tuition as part of a residential unit of study, field trip or study tour. While students may pay the provider directly for the associated food, transport and accommodations costs, these costs are clearly defined as incidental fees in the legislative guidelines and cannot be included in tuition fees and deferred as loans to FEE-HELP or VET FEE-HELP.

Further information on fees incidental to study is outlined in the VET and HEP Administrative Information for Providers manuals available on the [HELP Resources for Providers](#).

Notification of third party arrangements and partnerships

Under Clause 25 of Schedule 1A of HESA providers must inform the department of events that affect provider's ability to comply with VET quality and accountability requirements.

Under this requirement the department requires providers to enter the details of all third party or partnership arrangements into the HITS system in the field provided (Organisation details).

Providers are reminded that any marketing arrangements put in place by their partners also fall under their responsibility, and must also be entered into HITS. It is essential that providers monitor their partners activities with respect to marketing of VET FEE-HELP to potential students, and ensure all activities undertaken by any organisation acting on their behalf, either directly or indirectly through a partner, are compliant with HESA.

Providers are required to keep this information up to date throughout the year.

The department considers notification of all partner RTOs, marketing and education agents and RTO service organisations as part of this requirement. Agreement documentation must be uploaded into HITS.

Providers that fail to notify the department of all arrangements will be considered to be non-compliant and advance payments may be affected.

2015 FEE-HELP and VET FEE-HELP estimate notifications

The department will soon provide Chief Executive Officers of higher education providers and VET providers with information regarding the approval of 2015 HELP estimates.

Higher education providers are encouraged to access all payment information, including outcomes of periodic reconciliations and schedules of payments, that is available in your FEE-HELP reports at:
<https://internetreports.education.gov.au>.

To obtain access to these reports providers, or nominated provider representatives, can email unipay@education.gov.au to request registration to access the reports. Access to your 2015 estimate information will be available via these reports from Monday, 15 December 2014.

VET providers are encouraged to access all payment information, including outcomes of periodic reconciliations and schedules of payments, available in HITS. <https://extranet.education.gov.au/FrontDoor/>.

2015 variations to estimates of advance payments

Under HESA the Secretary may determine that an advance may be paid to a provider based on an expectation of the student liabilities which will be incurred for that year.

Providers are reminded that as of 1 January 2015, no more than four variations to the estimate of advance payments per year will be considered by the department. This is approximately one per quarter.

Providers can expect that complete and accurate variations submitted will be processed within four weeks. Processing of variations will be delayed where requirements are not met.

Providers are reminded that requested variations are only able to be actioned if sufficient information is submitted by the provider justifying the variation.

In addition to student liability data submitted into HEIMS, information submitted must include:

- Number of actual enrolled students;
- Total liabilities not yet reported that have been incurred by enrolled student, and the census dates when they were incurred;
- Total liabilities that are likely to be incurred by enrolled students, and census dates when they will be incurred
- Anticipated new enrolments, and when they will occur; and
- Details about marketing strategies to secure the new enrolments.

Variations can be submitted up until **1 OCTOBER 2015**. Variations submitted after this date will not be processed, however, top-up payments may be considered based on student liability data submitted.

Upcoming due date for submission of annual financial Information

All FEE-HELP and VET FEE-HELP providers who have an annual financial reporting period which concluded on 30 June 2014 are reminded that their annual financial information submissions are due on **31 December 2014**. Please ensure that all information is provided on or before this date as there is no scope for the provision of extensions in relation to these reporting requirements.

Providers are required to upload all necessary documentation and complete a Financial Performance in HITS as the Department no longer provides work books or accepts submissions made via email. Please ensure that your submission is complete and that the information uploaded into your Financial Performance aligns with the information included in your audited financial statements. If you have any queries regarding the information which you are required to provide please consult the financial viability information checklist for providers which can be found at Appendix 8 of the [Financial Viability Instructions](#).

Once you have completed a Financial Performance and uploaded all of your documentation, you will also need to edit the milestone relating to the submission of your financial information to confirm the completion of this process. Please refer to pages 139-141 of the HITS User Guide available from <http://education.gov.au/help-it-system-hits-user-guide> for detailed instructions on how to do this.

If you require any additional information or assistance to complete your annual submission of financial information please contact the department at TSEnquiries@education.gov.au.

Changes to student payments (Youth Allowance (student), Austudy, ABSTUDY) from 1 January 2015

From 1 January 2015, the following changes will be made to student payments:

- Access to the Relocation Scholarship for dependent Youth Allowance (student) and ABSTUDY (and some independent) recipients, will be restricted to students relocating from regional areas to study and metropolitan students relocating to study at a regional campus. This measure will continue to recognise the reduced level of

course and institution choice in regional areas and the higher proportion of regional students who need to relocate to study, compared to students from major cities; and

- Rules for overseas payment for students and apprentices receiving Youth Allowance (student), Austudy and ABSTUDY will be generally aligned with the rules for job seeker payments, so that recipients of student payments will no longer be eligible for payment while overseas, unless they are undertaking approved activities. Students will only receive payment for up to six weeks while overseas to undertake eligible medical treatment or to attend an acute family crisis. However, tertiary student will still remain eligible for payment while undertaking overseas study or training that forms part of their Australian course or as part of their Australian Apprenticeship.

VET FEE-HELP approved provider training

The department will be conducting training sessions for approved VET FEE-HELP providers throughout 2015. This training is suitable for recently approved VET FEE-HELP providers or existing VET FEE-HELP providers that wish to refresh their knowledge. For more details and schedules of dates and venues please visit the department website at <http://www.education.gov.au/help-approved-provider-training>.

Training dates

Tuesday 3 February 2015	VET FEE-HELP approved provider training - via webinar
Wednesday 4 March 2015	VET FEE-HELP approved provider training - Canberra

Study Assist

During a recent content audit of the *Study Assist* website it was confirmed that course information under VET provider profiles and on the VET FEE-HELP Course Search were not always up to date or accurate. Updates to this course information is currently undertaken by the department who rely on institutions to update their own course information in HITS. The department is concerned that students are being provided with misleading information and as a result, in December 2014, will remove all courses listed under VET provider profiles and on the VET FEE-HELP Course Search. All provider profiles will be updated to inform students that they need to refer to the institutions website for a list of courses on offer.

HITS/I:AM

Please be advised that the department has recently updated the HITS user guide, the new guide can be found at <http://education.gov.au/help-it-system-hits-user-guide>.

Note that HITS and I:AM is now compatible with Internet Explorer 11 (IE11). The department recommends using either IE11 or Firefox when accessing HITS and I:AM. Institutions not using recommended browsers may experience technical issues, for example - if you use Google Chrome you will not be able to reset your password or update any field where a date is required, such as a date of birth field.

Contact information in HITS

The department experiences a number of returned letters and emails and incorrect telephone numbers when attempting to contact people nominated by institutions to administer HELP matters.

HITS is the only contact list utilised by the department when sending providers important information. This may include information regarding any changes to how payments are managed, which is essential to be aware of so that HELP payments are not affected.

All VET and higher education institutions (including universities) should ensure that correct contact details are entered into HITS. This includes contact details for HECS-HELP, FEE-HELP and VET FEE-HELP administrators, staff managing estimates and payments, and external auditor or accountant details if nominated by the provider.

Please regularly review your staff contact details in HITS so that the right people receive the information.