VET Student Loans (VSL) Provider Newsletter – April 2020

Note – if you did not receive this newsletter and would like to, please include your name and email address as a contact in the HELP IT System (HITS).

Information for VSL Providers regarding the Coronavirus (COVID-19)

For the latest information on COVID-19 relevant to vocational education and training facilities, providers are encouraged to regularly check the information available at the following websites:

- [Department of Education, Skills and Employment](#) (the Department) website
- [Australian Skills Quality Authority's (ASQA's)](#) website
- [Department of Health](#) website.

Additionally, there is information on the [Information for VSL Approved Providers](#) page relating to flexible arrangements, students diagnosed with COID-19 and temporary cessation of operations.

Please read the information below prepared in response to frequently asked questions by providers, as well as other relevant advice regarding operational matters in the current COVID-19 context.

Loan fee exemption

On 12 April 2020 the Australian Government announced a package of measures to lift the financial pressures on registered training organisations. Among the measures announced are:

- waivers of fees and charges for providers registered with the Australian Skills Quality Authority (ASQA) between 1 January 2020 and 30 June 2021
- delaying ASQA's move to full cost recovery until July 2021
- exempting students for six months (from 1 April 2020) from the 20 per cent loan fee that applies to full fee paying VSL students.

ASQA and the Department will work through the necessary details to put this relief into effect and implement the changes as quickly as possible.

In regards to the loan fee exemption for VSL students, the changes need both legislative and system amendments. Providers will be informed of the progress of these changes as they occur. In the interim, providers should **continue to report the loan fee as if it was still applicable**. Revisions adjustments will be made at a later date to ensure the exemption applies to all relevant student data, which will subsequently be reflected in students' VETSL debt records at the Australian Taxation Office.

Providers (or students) do not need to apply for the loan fee exemption. It will be applied automatically when providers report their student loan data to the Department – subject to the passage of legislation.

The Department will update information for students on the website, including the VSL Information Booklet, to reflect this announcement.

Statutory declaration requirements

Providers that are able to supply a properly executed statutory declaration, signed and witnessed, should upload it to HITS as usual.

For providers unable to meet this requirement due to the impacts of COVID-19, the Department will accept two alternatives:

1. An unexecuted statutory declaration, signed by either the CEO/CFO (but not witnessed), emailed to VFHVSLPayments@dese.gov.au, or

2.   An unexecuted statutory declaration, not signed or witnessed, emailed by the CEO/CFO to VFHVSLPayments@dese.gov.au, with a statement in the email by the CEO/CFO affirming the accuracy of the information provided.

Consistent with advice provided in January, statutory declaration information must still be submitted by the 7th of the month for all non-listed providers, or by 7th July for all Listed providers.

Student withdrawal or cancellation due to illness

Question: How do providers deal with a student's cancellation of their unit enrolment due to illness or COVID-19 impacts where the census day has passed and student's loan has already been reported?

Brief period of illness
Providers may wish to agree to an extended period for the student to complete the unit, or a brief deferral of the unit until the student is well enough to continue. In that case, the student's unit completion can be reported as 'continuing' (Code 4 for Element 355) and reported with the outcome when the student resumes and completes. No other action is necessary. Refer to 'Temporary interruption to training' below.

Student formal withdrawal or incomplete due to illness
Providers should refer to the special circumstances information that was recently sent to providers and published on the Information for VSL Approved Providers page.

On application by any student who has not been able to complete a unit, the provider should assess the student's *special circumstances* and, if satisfied that the requirements of section 68 of the *VET Students Loans Act 2016* are met (refer below), the provider should re-credit the student's HELP balance by submitting a revision file using the process outlined below – nominating Code 1 for Element 446. Also outlined below is the process regarding reporting the re-credit/remission.

i.   Special circumstances
All training providers must have a process in place for students to request a re-credit and the cancellation of their debt if 'special circumstances' prevent the student from completing the requirements of the course or part of the course (i.e. unit or subject).

Special circumstances are not all circumstances but only those circumstances (such as illness or a motor vehicle accident) that are:

- beyond the student's control,
- do not make their full impact on the student until on or after the census day, and
- make it impracticable for the student to complete the requirements for the course or part of the course during their enrolment.

Depending on the circumstances, a student's infection with the COVID-19 virus may meet the special circumstances criteria if the student is unable to complete the course or part of the course.

All training providers should ensure that information on how to apply for special circumstances is easily accessible for students on their website. Further information about the requirements of a special circumstances application and re-crediting a student's HELP balance is available in section 4.8.15 of the VET Student Loans Manual for Providers (Provider Manual).

ii.   Re-crediting the student's HELP balance, and remitting the associated student debt
To re-credit a student's HELP balance/debt, a provider must report a 'Student Revision file' using the HEPCAT data reporting application. Detailed instructions on how to remit a debt are available on the HEIMSHELP website. For special circumstance revisions, element 446 will nominate variation reason code 1. When the revision file has been reported, the student's HELP balance in the myHELPbalance portal will be updated. The Department will transfer the student's data to the Australian Taxation Office (ATO), which then applies the revision to the student's tax records, which is reflected in updates to the student's MyGov account. Please note, there can be a time lag of several weeks

between when a provider reports to the Department the cancellation of a debt and when the ATO removes it from a student's tax record.

Changes to past delivery periods

*Question: Our organisation is suspending/changing its delivery to give our students online study options where the census day has already passed. Can we make changes to **past** delivery periods? Does the census day need to be adjusted?*

Changes to published units where the census day has passed require the Department's approval if the changes are to fees or census days. To vary fees or census days providers are required to email the Department with details for approval (refer Provider Manual sections 4.8.14 and 4.9.5).

Where census days have passed, the Department's approval is required even if fees are being reduced. For example, if the change is to reduce fees as some components of the units cannot be delivered as they require face-to-face or other interaction that cannot take place at this time, fee variation request should be first approved and then revisions made to submitted data. The census date may not need to be adjusted in these circumstances.

If the change is just to alter some of the content from practical or face-to-face delivery to online delivery, which may extend the end date for the unit, no census day change is required.

If the change results in adjustments to fees, approval is required.

Extending unit end date re past census days

Question: We are extending the end date for current units where the census day has already passed – do we need to change the census day to a later date as the unit is now longer than originally published?

No change is required to the census day in these circumstances where the unit end dates are extended but the census day has already passed. The Department considers a provider's compliance with the requirements to determine and publish a census day, as at the date the census day was determined and published.

If census days have passed, students would have incurred the financial liability for the unit, the unit data should have been reported to the Department, been or in the process of being assessed for payment, with debts subsequently sent to the Tax Office. Students should be allowed reasonable additional time in the circumstances such as these to complete the units as provided by the provider at no additional cost. Providers will report the unit completion status as continuing (Element 355 'Unit-Status' Code 4: 'unit of study … still in process of completing or completion status not yet determined').

Changes to future delivery periods

*Question: Our organisation is suspending/changing its delivery to give our students online study options. Can we make changes to **future** delivery periods? Does the census day need to be adjusted?*

Providers may be changing delivery arrangements to offer flexible learning options to their students, such as delivering theory units earlier and online to allow students to continue with their studies, or extending the completion date for the unit. If a provider does so, it may also wish to vary its tuition fees and should adjust census days accordingly. In most circumstances where the length of a **future** unit is to be adjusted, it would be necessary to ensure the census day meets the requirements in section 131 of the *VET Student Loan Rules 2016* (the VSL Rules) (where the census day is at least 20 per cent of the way through the unit between the start and end date).

Specific advice in relation to adaptive measures and flexibility in regulatory compliance is available directly from ASQA through its Info Line on 1300 701 801. You are encouraged to talk to ASQA directly about your current circumstances.

Providers may adjust or vary tuition fees or census days without having to seek the Department's approval for **future** units if the variation occurs:

- before the census day
- does not disadvantage students (bringing the census day forward in time or increasing tuition fees would disadvantage students, pushing the census day to a later date or reducing tuition fees would not), and
- is necessary to correct an administrative error *or deal with a change in circumstances* (such as a temporary suspension to delivery due to these unprecedented circumstances).

This is provided for by sections 126 and 133 of the VSL Rules. In other circumstances, approval of the Department is necessary to vary tuition fees or census days.

Publishing the changed information

When changes are made to the published information regarding tuition fees or census days, the varied information must be published on the provider's website as soon as practicable (VSL Rules s127 and s134), as well as issuing students with an updated VET Student Loan Statement of Covered Fees and VET Student Loan Fee Notice (if the information in these notices has changed).

Please see sections 4.8.13, 4.9.4, 4.11.2, and 4.11.3 in the VET Student Loans Manual for Providers (Provider Manual) for more information.

Temporary interruptions to training

Question: We are experiencing a temporary interruption to a student's training. Do we need to re-credit the student's debt?

There is no requirement for a provider to re-credit a student's HELP balance in circumstances where the interruption to a student's training is only temporary. A provider should however, consider any application for a re-credit (e.g. a special circumstances application) in accordance with its usual procedures.

If students have passed the census day for a part of the course and incurred a liability for tuition fees and only a temporary interruption is anticipated, the provider may consider that a short deferral for the students to continue studies at a later date might be appropriate in these circumstances. However, it is important that clear advice is provided to students of the provider's planned approaches to support the continuity of education and training delivery. It is expected that in this scenario the students will pick up studying again within a short period.

If students are reasonably progressed through part of their course, the census day has passed and a provider needs to shut down for a longer period (but permanent closure is not contemplated), it may be more appropriate to deem that part of the course to have been completed and reduce fees for that part to reflect the reduced teaching for that part. Students would be enrolled in subsequent parts of the course that address the outstanding components of the original part of the course upon the provider recommencing. To vary fees and census days after the census day has passed, providers are required to email the Department with details for approval (refer sections 4.8.14 and 4.9.5 in the Provider Manual).

Restructure of the delivery of the course may also enable those components of a course that can be delivered online to be brought forward and delay any practical or face-to-face components when COVID-19 restrictions are eased.

Specific advice in relation to adaptive measures and flexibility in regulatory compliance is available directly from ASQA through its Info Line on 1300 701 801. You are encouraged to talk to ASQA directly about your current circumstances.

Data reporting delays

Question: Due to the workloads with adopting an online platform, we are experiencing a temporary delay to our data reporting. What should we do?

The Department advises that in these unprecedented circumstances, a provider may notify the Department if it anticipates a temporary delay in meeting its reporting obligations. Whilst no exemptions to the requirement to report data by specified dates can be granted, the Department will register the provider's request and given the circumstances, it is more than likely no compliance action will be taken in response.

Notifications should be made via the online provider form. Information should include the reason for the delay, periods impacted and when regular reporting will recommence.

It should be noted that payments cannot be made to a provider unless data has been submitted. Please contact the Payments team if there are specific issues (VFHVSLPayments@dese.gov.au).

Student protections in case of permanent interruption to training

Question: What are the student protections in case of permanent interruption to training?

If a student does not complete a course or part of a course due to illness, or the course ceases or provider closes due to COVID-19, there are protections for VET Student Loans students.

Special circumstances debt remission
Where students are impacted by a COVID-19 event, for example illness or self-isolation, and are unable to complete their current unit of study, they may apply to their provider for a special circumstances re-credit/debt remission. Further information about the requirements for special circumstances and re-crediting a student's HELP balance/debt remission is available in section 4.8.15 of the VET Student Loans Manual for Providers (Provider Manual), and has been published for students on the Information for VSL Students page on the Department's website.

Tuition protection
Where a provider fails to start a course as scheduled or ceases to deliver a course, tuition protection provisions will assist the student to continue studying the course with another provider, or where no suitable replacement course is available, obtain a re-credit/remission of debt for any incomplete units. Information on tuition protection arrangements is available on the Department's website and in section 4.3 of the Provider Manual.

Verification of documents

Question: Can we amend our normal processes for verifying documents?

Providers are required to have processes and procedures to collect and verify information in relation to an application by a student for a VET Student Loan. This is to ensure that students are both genuine and that they meet the VET Student Loans eligibility requirements.

It is open to providers to revisit their usual processes and procedures for collecting and verifying information during this period, but providers must still ensure they continue to comply with the requirements in section 85(2) of the VSL Rules. 'Verification' of a document does not necessarily require the document to be certified. For example, verifying information about a student's identity might be achieved by sighting a number of different forms of identification or contacting a referee.

Progressions

Question: How should we manage the issuing of June 2020 progressions during a temporary pause/extended break, owing to COVID-19 impacts?

Where providers have changed delivery to online, and are still teaching the majority of their students, the issuing of June 2020 progressions are required to continue as normal. Where providers are pausing delivery (either in full or for particular courses) no census days should occur during the pause*. In these circumstances, if systems allow, the issuing of the June 2020 progressions may be

paused until studies resume. Progressions need to be issued by providers and responded to by students prior to the next census date.

Providers that are intending to pause issuing June 2020 progressions must advise the Department via the online providers form.

*Note: census days may be varied prior to them occurring – refer to 'Changes to future delivery periods' above.

Further detail

Where COVID-19 is causing disruption to the delivery of training resulting in providers pausing delivery or extending breaks between terms/delivery periods, please see the following guidance as to how to manage progressions during this period. Disruption may occur only to specific courses due to the nature of the hands on practicum based components, and/or ASQA guidance.

To help decrease the risk of students submitting progressions with the wrong status, potentially interrupting access to the loan, as well as helping to minimise student disengagement with their course during this challenging period, providers may choose to trigger progressions so they are in alignment with their reformatted delivery schedule. If delivery is either paused or students are on a planned break from study at the time of the June 2020 progression point providers may choose to pause the triggering of progressions until such time as training has resumed. This pause could be at the course level if a provider has organised flexible and adaptive training delivery for only some of its courses, but not others.

Once training has resumed, providers should trigger progressions so that students are able to submit a progression before the next census day for the course/part of a course. This will allow students who wish to continue in their studies to submit a 'continuing' progression, and also for those students who wish to defer or withdraw the ability to respond to the progression form appropriately. For example, if training resumes in August, progressions should be issued, responded and monitored prior to the first census day occurring after resumption. Subsequently, progressions should return to the normal pattern from October 2020.

Please note, this advice applies only if no training is being conducted (at either the course or provider level), and as such is in relation to a period with no census days (census days either having already passed or being in a future delivery period). If a provider is continuing its delivery through adaptive and flexible arrangements, progressions must be triggered as normal. Please see the Quick Guide - Progressions on the Department's website for further information.

Providers should also monitor progression responses and manage students who advise that they wish to withdraw or defer studies during this period, in accordance with their published policy and procedures.

Changes to payment arrangements

The Department has made some changes to improve VSL payment arrangements.

Provider payment reports will now be available for download in HITS by the 12th of each month. The payment date will move forward to the 24th, in the same month the data is submitted. (Payment was previously made the 1st of the following month).

The new timeline is as follows:

- 7th – deadline for submission of data and statutory declarations (remains the same)
- 12th – provider payment report available in HITS
- 24th (or the first working day thereafter, subject to banking requirements) – payment made.

These new arrangements will apply from the current month, April 2020.

Providers are asked to ensure their data and a correctly completed statutory declaration are submitted on time.

Tertiary Collection of Student Information (TCSI)

Extension to the TCSI transition period

On 20 March 2020, providers were notified that there will be an extension to the TCSI transition period. Following concerns raised with the TCSI team relating to COVID-19 and how this continues to cause major disruptions to education providers and TCSI developers, the transition period for providers to on-board to TCSI is extended. This will increase the development and testing timeframes for developers and providers. The TCSI project team is also experiencing some technical delays due to COVID-19.

In light of this delay to the planned production release of TCSI in May 2020, the TCSI Support team will work with you over the coming weeks to clarify reporting arrangements. This includes options for extending the use of HEPCAT for reporting 2020 data. It is therefore expected at this stage that HEPCAT may continue to be able to be used for all 2020 data.

Completing your PRODA set-up

Some providers are still finalising their PRODA registration. The common issue amongst providers with finalising PRODA registration is the Australian Business Register (ABR). Delays to PRODA registration may occur if your organisation's records are out of date (For example, your Associate needs to be updated or you need information not readily available and need to consult with another member of your organisation). If you need to make changes to your ABR record, it can take up to seven days before you are able to complete your PRODA organisations registration. Visit ABR to find out more information about accessing and updating your organisations records.

Don't forget the [HEIMShelp](#) website have a number of PRODA guides to help you through your set-up, these guides can be located under the 'Transition' tab on the TCSI resources page.

If you experience issues or have any questions on PRODA, you can contact PRODA Support at proda@servicesaustralia.gov.au.

If you have any TCSI specific questions, please email TCSI.SUPPORT@servicesaustralia.gov.au.

COVID-19 and Student Centrelink Payments

If you have students concerned about their payments from Centrelink, Services Australia website has the most up to date information, please refer your students to [Services Australia - Affected by coronavirus (COVID-19)](#).

January 2020 TCSI Readiness Survey

Thank you to providers who have taken the time to complete the TCSI readiness survey sent our earlier in January 2020.

The Department appreciates and values your contribution.

General updates

HITS – Contact list reminder, and Key Personnel updates

Providers are reminded to ensure that details of personnel are up-to-date in the HELP IT System (HITS) at all times. This requires updates to two HITS tabs – 'Contacts' and 'Key Personnel'.

To avoid confusion and unnecessary delays in communication, please ensure that:

- all relevant staff are listed in HITS – the Department will not respond to enquiries on behalf of an organisation unless the correspondent is listed in the HITS 'Contacts';
- contact details for staff that have left the organisation are removed from the contacts list. This is particularly relevant for Chief Executive Officer (CEO), Senior Authorised Officer (SAO) and VET Primary Contact roles. Both 'Contacts' and 'Key Personnel' tabs should be updated; and

- if you make changes to the 'Key Personnel List', ensure the appropriate details are also reflected in 'Contacts'. These entries are not linked in HITS, and require separate updates.

To distribute provider notifications such as this one, the Department relies on the contact information available from the 'Contact List' in HITS. Information on adding, deleting and updating contacts and key personnel is available in the HITS User Guide.

Who are the 'Key Personnel' within your organisation?

'Key personnel' is a defined term in section 16 of the VSL Rules. It includes a director, officer or member of the provider's governing body; any person that is concerned with or takes part in the provider's executive or senior management, or that exercises control or influence over the provider's management or direction; or a person who exercises control or influence over the allocation of the provider's resources. These details must be kept up-to-date (ongoing information requirements – refer VSL Act s52; VSL Rules s110 – civil penalty/strict liability provision for failure to comply).

Who are the 'Contacts' within your organisation?

Providers are required to nominate at least five (5) mandatory contact types in HITS: CEO, SAO, VET Primary Contact Officer, Accountant (Internal and/or External), and Auditor (Internal and/or External). Other administrative staff that liaise with the Department should also be listed, as the Department will not respond to enquiries on behalf of an organisation unless the correspondent is listed in the HITS 'Contacts'. These details should be kept up-to-date.

Reminder to securely manage IT systems (HITS, eCAF)

Given current events, and the potential for staff absences, it is important to remember the obligation to securely manage access to Departmental systems, such as electronic Commonwealth Assistance Form (eCAF) and HITS.

Individual credentials are issued for access to Departmental systems, ensuring identified, authorised individuals leave an auditable record of their activities. Each user is accountable for all actions undertaken using their logon IDs/passwords.

As part of gaining access to systems, users agree to maintain the integrity of access to those systems including, but not limited to:

- not sharing their user account, nor using another person's user account; and
- ensuring the safekeeping and confidentiality of their password and of course not sharing their password.

Reminder about eSAM/HITS and account inactivity

To avoid your eSAM and HITS account being disabled – please regularly log in.

There is a security feature of eSAM where user (HITS) accounts are disabled after **40 days** of inactivity and then disabled at the core identity level after **90 days** of inactivity.

What this means is that the Department will not be able to re-enable your eSAM and HITS account if it is disabled at the core identity level. If this occurs you will need to initiate a new registration process for you to create a new account to access HITS and eSAM.

Suspension of HITS access: If staff will be away for an extended period, their user account can be suspended for that period of absence to avoid disabling. Provider Security Contact Officers can find more information in the HITS User Guide.

Tuition Protection Service (TPS) Information Sessions

The TPS understands that the current COVID-19 situation may be concerning for some students and providers. On 19 March, the TPS Director, Vipan Mahajan, wrote to providers regarding COVID-19 and the challenges it presents to the sector. Providers are encouraged to engage with the TPS early via operations@tps.gov.au, if in any situation, the viability of their business appears at risk.

The TPS Director, Vipan Mahajan, ran a series of information sessions nationally in March. Unfortunately, travel restrictions meant the TPS was unable to physically visit each state. An information session webinar was held on 1 April, and is available on the TPS website for provider's consideration (TPS VSL webinar). The information sessions included an overview of the new arrangements, as well as discussion on the levy risk factors and replacement provider experience. The TPS was pleased to see the high degree of provider interest and engagement with the new arrangements.

Extension to closing date for the current VET Student Loans application round

The current VSL Course Provider applications round opened on 13 December 2019. The Department has extended the closing date for applications to become a VSL Approved Course Provider from 31 March 2020 until **30 June 2020**.

Please be advised that Registered Training Organisations may submit an application at **any time** until the revised closing date. Applications will be processed on a rolling basis, actioned upon receipt and following payment of the application fee. Further information will be published on the Department's website.

The Department may be required to extend processing times given the uncertainty associated with the COVID-19 pandemic.

Communications

Webinar

On Thursday 26 March, the Department hosted a webinar presenting three new learning modules to assist providers better understand program requirements, and offer an opportunity to ask questions. It was well attended, with 96 participants representing 61 organisations.

Thank you to all those that participated. If you have any further questions or feedback the presentation, please send it to VETStudentLoans@dese.gov.au by **Friday 24 April**. Your feedback will assist finalisation of the modules prior to their reproduction as online resources.

Stakeholder engagement survey

Thank you to those that responded to the Provider Engagement Survey. Your feedback is appreciated and will help guide future planning of VSL stakeholder engagement and communication activities.

HELP Communications Working Group

The HELP Communications Working Group is a webinar run by the Department to liaise with tertiary education providers (HELP and VSL) on relevant policy updates and communication activities. If you would like to be added to the HELP Communications Working Group email HEenquiries@dese.gov.au.

HELP newsletter

The HELP Newsletter assists administrative staff with operational and policy matters relating to the HELP and the VSL program. The newsletter covers legislative changes, distribution of HELP products, reporting dates and other important information.

If you do not already receive the HELP Newsletter directly from the Department, you can subscribe by registering your information.