

POL013_ Student Fees Refund Policy

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1. Scope

Student Fees Refund policy provides all enrolled students with transparent and readily accessible information regarding fee refund terms, conditions and process at Danford College.

The Student Fee Refund Policy is in accordance with:

- Standards for RTOs 2015: Standard 5 (5.3)
- ESOS ACT 2000: Part 5 – Tuition Protection Service
- ESOS National Code 2018: Standard 2 (2.1.7), Standard 3 (3.4.2, 3.4.3, 3.4.4 and 3.4.5) and Standard 10

The Policy applies to all prospective and currently enrolled students studying at Danford College.

Additionally, it is applicable to all the relevant staff members from but not limited to Finance Department, Administration Department and Compliance Department.

2. Purpose

The purpose of this policy is to:

1. Outline the process for students and time frame for students wishing to apply for a refund;
2. Outline the terms and conditions for a full refund, partial refund or no refund that apply for enrolled students at Danford college
3. Set clear definitions on the way that refund amounts are calculated in accordance with the legislative instruments;
4. Provide students with information on how to access information should they wish to raise a complaint regarding the payment of a refund.

3. Fee Refund Process and Conditions

- Danford College provides a clear outline regarding the process and conditions for refund in this section. Information regarding conditions in which refund is provided to all the students intending to enrol with Danford College is provided in the Letter of Offer prior to receiving the eCoE from Danford College and the Student Handbook.

3.1 Refund Application Process:

1. Student must complete and submit the online form Application for Refund of Fees & Charges available on Danford College website www.danford.edu.au All applications must be submitted with the relevant documentation as evidence. Danford College does not accept enrolment cancellation or refund requests through phone calls, SMS, email or by advising a staff member.
2. The Finance Manager or (delegate) will process the refund application within 20 working days of receiving it and if the application is approved, the refund will be processed within the same timeframe other than where a refund is made under provide default, the refund will be processed within 14 days of the default date.
3. Danford College will provide the outcome of the refund application in writing via email. In case of the refund approval, the outcome statement will outline the total refund amount the student is eligible to receive.

3.2 Payment of Refund:

- Danford College abides by the [Anti-Money Laundering and Counter-Terrorism Financing Act 2006 \(Cwlth\)](#) and has adopted a best practice approach to preventing money laundering and terrorist financing activities. As a result, all refunds for which a student is eligible will be paid to the student account as nominated in the Application for Refund of Fees & Charges form by the student.
- If a student wishes to nominate another person to receive the refund, they may provide the details of the authorised person and a signed declaration by the student in the Application for Refund of Fees & Charges form.
- Danford College will not pay any refund in cash.
- All refunds are made in Australian dollars (AUD), and any fees associated (such as bank fee, conversion rate, etc) in processing the payment will be borne by the student.

3.3 Bank Charges & Non – receipt of refunds:

- Danford College is not liable for any variance due to foreign exchange rate fluctuations.
- Bank charges may be incurred by the refund recipient. These charges are imposed by the banking institutions and are deducted from the payment made by the College. Danford College has no control over such charges and is not responsible for amounts deducted.
- Where bank charges are incurred by Danford College because of the student providing incorrect or incomplete bank account details, alternative payee details or any other information, these charges will be deducted from the refund paid to the student.
- If the refund payment is not received after the refund approval, the recipient must advise Danford College of the circumstances. Where necessary, Danford College will contact its bank to either have the payment re-processed or arrange for the return of funds to the Danford College account.
- Danford College will re-credit the remaining funds to the student's account, less any bank charges. Students will be required to re-apply for a refund of these funds with correct bank details.

3.4 Refund Policy Conditions:

Full Fee Refund			
<p>Visa refused before commencement date</p>	<p><u>For Offshore Application:</u></p> <ul style="list-style-type: none"> Danford College will cancel the eCoE based on the PRISMS report and inform the student. After the cancellation of eCoE, the student must complete the Application for Refund of Fees & Charges available at www.danford.edu.au The student must provide the Immi Refusal Letter and cancelled eCoE with the application. <p><u>For Onshore Application:</u></p> <ul style="list-style-type: none"> Before applying for refund, student must complete and submit the Application to Defer or Suspend from your studies or Cancel your Enrolment available at www.danford.edu.au After the cancellation of eCoE, the student must complete Application for Refund of Fees & Charges available at www.danford.edu.au The student must provide the Immi Refusal Letter and cancelled eCoE with the application. <p><i>(The student enrolment (eCoE) with Danford College must be cancelled prior to the application for refund of the fees.)</i></p> <p>Application and documentation received after 28 days will incur a cancellation fee of AUD \$500 in addition to the Enrolment Fee.</p>		<p>FULL REFUND of fees received by the College will be issued to the student less the Enrolment Fee (currently AUD \$200).</p> <p>Without Immi Refusal Letter from the DHA and cancelled eCoE, NO REFUND will be issued.</p>
<p>Visa refused after commencement date</p>	<p><u>For Offshore application:</u> Same process as defined above.</p> <p><u>For Onshore application:</u> If the student has commenced the course No refund is paid for any monies paid to Danford College including the enrolment fee, course tuition fee and digital access fee.</p>		
<p>Provider Default:</p> <ul style="list-style-type: none"> Danford College fails to start to provide the course to the student on the agreed starting day because a sanction has been imposed 	<p>Students have the right to choose:</p> <ul style="list-style-type: none"> A refund of course fees or Accept a place in another course at no extra cost. If a student chooses placement in another course, Danford College will ask the student to sign 	<p>FULL REFUND of refundable course tuition fees paid will be made within 14 days from the default date provided the student has not withdrawn from the course before the default date.</p> <p>In provider default, student tuition fees are protected under Tuition Protection Service (TPS).</p> <p>For more information on TPS refer to section 6 of the policy</p>	

Full Fee Refund			
<p>Or</p> <ul style="list-style-type: none"> The course ceases to be provided to the student at any time after it starts but before it is completed because a sanction has been imposed 	<p>a new Letter of Offer to accept the place</p>		
<p>Danford College does not commence Course delivery on due date</p>	<p>Students have the right to choose:</p> <ul style="list-style-type: none"> A refund of course fees, or Accept a place in another course at Danford College at no extra cost. 	<p>A FULL REFUND of tuition fees paid will be made within 20 working days of the specified starting date.</p>	
<p>Withdrawal from the course</p>	<p>Student withdraws more than 60 days before the course commencement date</p>	<ul style="list-style-type: none"> Student should complete and submit the Application to Defer or Suspend from your studies or Cancel your Enrolment available at www.danford.edu.au signifying withdrawal at more than 60 days prior to the initial course commencement. After the cancellation of eCoE, the student must complete Application for Refund of Fees & Charges available at www.danford.edu.au <p><i>(The student enrolment (eCoE) with Danford College must be cancelled prior to the application for refund of the fees.)</i></p>	<p>Any and all fees including the Digital Access Fees paid are FULLY REFUNDABLE after the enrolment is cancelled by Danford College, less the Enrolment Fee of AUD \$200.</p>

Partial Fee Refund			
Withdrawal from the course	Student withdraws at or less than 60 days but more than 28 days before course commencement date:	<ul style="list-style-type: none"> Before applying for refund, student must complete and submit the Application to Defer or Suspend from your studies or Cancel your Enrolment available at www.danford.edu.au signifying withdrawal at or less than 60 days but more than 28 days prior to the initial course commencement. After the cancellation of eCoE, the student must complete the Application for Refund of Fees & Charges available at www.danford.edu.au <p><i>(The student enrolment (eCoE) with Danford College must be cancelled prior to the application for refund of the fees.)</i></p>	70% of the tuition fees and 100% Digital Access Fees, less the enrolment fee of \$200 will be refunded.

No Fee Refund		
Danford College will NOT REFUND any tuition fees paid in advance in the following circumstances		
Course Withdrawal	Student withdraws (cancels) from the course 28 days or less before course commencement date: <ul style="list-style-type: none"> Student completes and submits an Application to Defer, suspend or cancel the enrolment available at www.danford.edu.au Danford College will assess and approve/refuse the application as per the POL009_Deferment, Suspension or Cancellation of Student Enrolment Policy 	NO REFUND of any monies paid to Danford College
Course Withdrawal	Student withdraws (cancels) from the course after course commencement date: <ul style="list-style-type: none"> Student completes and submits an Application to Defer, suspend or cancel the enrolment available at www.danford.edu.au Danford College will assess and approve/refuse the application as per the POL009_Deferment, Suspension or Cancellation of Student Enrolment Policy 	NO REFUND of any monies paid to Danford College

Enrolment cancelled by Danford College under the following circumstances **will NOT BE entitled to receive a refund** or have balance of tuition fees waived where the cancellation is due to:

- The student's failure to commence the course
- Unsatisfactory course progress
- Non – payment of fees
- The student's failure to comply with visa conditions relating to their course with Danford College.
- The student providing false or misleading information at the point of application and this has been substantiated (e.g. falsified documentation such as passport, qualifications issued by other education providers, etc.).
- A breach of student visa conditions or any illegal or unlawful conduct by the student;
- Breach of the terms and conditions of between the student and Danford College (e.g. non-payment of tuition fees).
- The student's visa is cancelled by the Department of Home Affairs.
- Where student's enrolment is cancelled because of misconduct of student with Danford College' POL011_Student Code of Conduct Policy or breach of student visa conditions.

<p>Transfer to another registered provider</p>	<p>Student completes and submits an Application to Transfer Between Registered Providers available at www.danford.edu.au</p> <p>Students wishing to transfer to another provider:</p> <ol style="list-style-type: none"> 1. <u>Prior to completion of six (6) months' study of the principal course:</u> Student may apply for a release. Danford College will assess and approve/refuse of release as per the POL010_Overseas Student Transfer Policy 2. <u>Completed 6 months in their principal course of studies:</u> Students do not need to apply for release. The Application will be assessed and approved/refused as per the POL010_Overseas Student Transfer Policy. 	<p>NO REFUND of any monies paid to Danford College for the current course in either of the cases.</p>
<p>Visa granted under SSVF (Including Package) using Danford College COE or another provider</p>	<p>Once the initial visa is granted or if a student has a packaged COE through another provider into any higher AQF level courses and the student is in Australia or have arrived in Australia and they have decided to cancel or withdraw their enrolment before or after commencement, NO REFUND will be provided on any fees paid to Danford College inclusive of initial and other courses in the package.</p>	
<p>Abandonment of Course / Failure to return after scheduled break in the event that a Student abandons their course without formally cancelling their enrolment.</p>	<p>NO REFUND will be issued, which includes all monies paid or scheduled to be paid to Danford College and the balance of all outstanding fees for the course will be invoiced to the Student.</p>	

Other Refunds

<p>Fee for Recognition</p>	<p>There is NO REFUND of the RPL Fee</p>	<p>The student may lodge an internal appeal on</p>
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Other Refunds		
of Prior Learning (RPL)	should the student be deemed as unsuccessful in RPL.	RPL decision no cost – Refer to the <i>POL007_Complaints & Appeals Policy</i> .
Fees for Student Services	Refunds for any monies received by Danford College on behalf of the student for services other than tuition fees must be requested from the company delivering the service and students will be subject to the respective companies refund policies.	
Enrolment Fee	Non-Refundable & Non-Transferable in the case of a Student withdrawing after the issuance of Letter of Offer.	
In case of a deceased student	<p>In the instance of a student who is deceased the personal legal representative of the deceased student must apply for any excess payments which are to be refunded and must supply details about who is to receive the refund. Danford College reserves the right to request official documentation to support any such claims such as a certified copy of the death certificate.</p> <p>Danford College may be required to investigate the legal requirements of the student's home country.</p> <p>Refunds will only be processed once all requirements of the Danford College and the student's country of nationality have been fulfilled. When Danford College is satisfied with all information received, it will endeavour to process the refund as per the policy</p>	

4. Refund Calculations

Danford College abides by the relevant Australian Commonwealth legislation in the calculation and payment of all refunds including as specified in the *Education Services for Overseas Students (Calculation of refund) Specification 2014*;

Terminology	Definition	Calculation
Weekly Tuition Fee	In relation to a course provided to a student	<p>(Total Tuition Fees for the course ÷ by the number of calendar days in the course) x 7</p> <p>If the fee calculated is not a whole dollar amount the fee is rounded up to the nearest whole dollar.</p>
Weeks in a default period	In relation to a course: (a) during which Danford College or a student defaulted; and (b) for which Danford College received payment of tuition fees in respect of the student;	<p>Number of weeks calculated as follows:</p> <p>Weeks in a default period =</p> <p>(Number of calendar days from the default day to the end of the period to which the payment relates) ÷ 7</p> <p>If the fee calculated is not a whole dollar amount the fee is rounded up to the nearest</p>

Approved by: Vikas Wadhwa Approved Date: 29 Nov 2024 Created by: Neha Patil POL013_Student
Fees Refund Policy Doc #: DOC13645 Next Review: 29 Nov 2025 Revision: 1.2 Revision Date: 25 Nov 2024

Terminology	Definition	Calculation
		<i>whole dollar.</i>
Calculation to determine the amount of refund of tuition fees in event of provider default	Refund amount = weekly tuition fee x weeks in default period	
Calculation to determine the amount of refund if provider does not enter into compliant student default agreement	Refund amount = weekly tuition fee x weeks in default period	
Calculating the amount of refund in event student fails to start a course due to visa refusal	<p>This applies if Danford College is required to provide a refund to a student under section 47E of the ESOS Act 2000 because:</p> <ul style="list-style-type: none"> i. the student was refused a student visa; & the refusal was a reason for the student's failure to start the course on, or ii. withdrawal from the course on or before, the agreed starting day; 	<p>The amount of a refund is the amount of the course fees, minus the lesser of the following amounts:</p> <ol style="list-style-type: none"> 1) 5% of the amount of course fees received by the provider in respect of the student before the default day; 2) \$500. <p>The <i>course fees</i> for a course is the sum of:</p> <ol style="list-style-type: none"> a) the tuition fees received by the provider in respect of the student; and b) the non-tuition fees (if any) received by the provider in respect of the student
Calculating the amount of refund in event of other than student default	<p>This applies if:</p> <p>(a) Danford College is required to provide a refund under section 47E of the Act because of a default by a student; and</p> <p>(b) section 8 and section 9 do not apply.</p> <p><i>Note</i> This section would apply where a student whose visa has been refused has withdrawn from the course after it commenced, or has failed to pay an amount he or she was liable to pay the provider in order to undertake the course.</p>	<p>The amount of a refund is calculated as follows:</p> <p>Refund amount = weekly tuition fee x weeks in default period</p>

5. Simplified Student Visa Framework (SSVF)

The SSVF [Simplified student visa framework \(homeaffairs.gov.au\)](http://homeaffairs.gov.au) was designed to support the sustainable growth of the international education sector by making the process of applying for a Student (subclass 500) visa (Student visa) simpler to navigate for genuine students, to reduce red tape for business and to deliver a more targeted approach to immigration integrity.

Under the SSVF, Danford College is responsible for the immigration outcomes of students they recruit offshore, even if the student chooses to change providers onshore.

All education providers registered with the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) [The Australian Commonwealth Register of Institutions and Courses for Overseas Students \(CRICOS\) \(education.gov.au\)](http://education.gov.au) have been allocated an immigration risk rating between one (lowest risk) and three (highest risk), based on the immigration risk outcomes of their international students over the previous 12-month period.

Students with the lowest immigration risk will generally have streamlined evidentiary requirements. This means these students will generally not be required to provide evidence of financial and English language capacity with their visa application. The Department will however retain the discretion to seek this evidence where appropriate. All students (including where streamlined evidentiary requirements apply) will continue to have to meet all other core student visa criteria, such as the Genuine Student (GS) criteria.

Course transfers Visa Condition 8202 [Check visa details and conditions \(homeaffairs.gov.au\)](http://homeaffairs.gov.au) requires a Student visa holder in most cases to obtain a new visa if they transfer to a lower AQF level course. In this scenario, the new provider becomes responsible for the immigration outcomes of that student.

6. Tuition Protection Service (TPS):

The Tuition Protection Service (TPS) assists international students whose education institutions are unable to fully deliver their course of study, and ensures that international students can either:

- Complete their studies in another course or with another education institution, or
- Receive a refund of their unspent tuition fees.

The TPS helps in protecting the student tuition fees.

In the unlikely event where Danford College is defaulted by government sanction and is unable to deliver a course, Danford College will provide:

- the student an alternative course at no extra cost or;

- refund of the unspent tuition fees.

If the student accepts to change to an alternative course, the student will receive a new Letter of Offer. Upon accepting the offer and signing the Letter of Offer, Danford College will issue a new CoE.

If the student wishes to receive a refund, Danford College will refund the unspent prepaid tuition fee under provider's default obligation within 14 days of the day on which the course ceased to be provided.

Note: Should Danford College not pay the refund, it may be paid by the TPS Director out of the Overseas Students Tuition Fund (OSTF), under Division 4; Part 5: ESOS Act 2000 (<https://www.legislation.gov.au/C2004A00757/latest/text>)

Notification obligations:

In the unlikely event that the College defaults, it will notify the Secretary (or delegate) and Tuition Protection Service (TPS) Director within 3 business days of the default and will have a period of 14 days to satisfy its tuition protection obligations in relation to an affected student.

For further information visit TPS website at <https://www.education.gov.au/tps>

7. Complaints and Appeals

All students enrolled at Danford College have the rights to access the complaints and appeal process at no cost should they be not satisfied with an outcome provided by College in regards to the refund application within 20 working days of receiving the outcome.

In the event a student lodges an internal appeal:

- The student must remain at the College and comply with the student responsibilities during the internal appeal process including payment of fees;
- Danford College will not cancel the student enrolment while the internal appeal is in process.

If the student has exhausted the internal appeal process and is not satisfied with the outcome of the internal appeal process, the student has the right to appeal externally with the Commonwealth Ombudsman with minimal or no cost within 10 working days of concluding the internal appeal. The student must inform Danford College in writing if they have appealed externally within 10 working days.

Below are the contact details for the Commonwealth Ombudsman:

GPO Box 442

Canberra ACT 2601

Email: ombudsman@ombudsman.gov.au

Tel: (in Australia): 1300 362 072 Tel: (outside Australia): +61 2 6276 0111

For more information please refer to Danford College's POL007_Complaints and Appeals Policy

Australia's Consumer Protection Law

Approved by: Vikas Wadhwa Approved Date: 29 Nov 2024 Created by: Neha Patil POL013_Student Fees Refund Policy Doc #: DOC13645 Next Review: 29 Nov 2025 Revision: 1.2 Revision Date: 25 Nov 2024

This policy, and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

8. Associated Documents

- POL012_Student fees and charges policy
- POL007_Complaints and Appeals Policy
- POL009_Deferment, Suspension or Cancellation of Student Enrolment Policy
- POL010_Overseas Student Transfer Policy

Appendix:

Definitions:

- 1) **Course Commencement Date:** Typically, the actual start date of the course as mentioned on the eCoE.
- 2) **eCoE:** Confirmation of Enrolment (eCoE) confirms the student's eligibility to enrol in a course with the registered provider and contains information about the provider, course and duration of study in which the student has enrolled. This evidence is required before the Department of Home Affairs issues a visa to a student.
- 3) **DHA:** The Department of Home Affairs (DHA) is responsible for central coordination, and strategy and policy leadership in relation to: cyber and critical infrastructure resilience and security, immigration, border security and management, counter-terrorism, the protection of our sovereignty and citizenship and social cohesion.
- 4) **TPS:** The Tuition Protection Service (TPS) may assist students to either continue their studies through another course or different provider, or by being provided a refund or loan re-credit for education and training they paid for but did not receive.
- 5) **SSVF:** The Simplified Student Visa Framework (SSVF) was designed to support the sustainable growth of the international education sector by making the process of applying for a Student (subclass 500) visa (Student visa) simpler to navigate for genuine students, to reduce red tape for business and to deliver a more targeted approach to immigration integrity.
- 6) **Provider Default:** A registered provider defaults, in relation to an overseas student or intending overseas student and a course at a location, if:
 - a. either of the following occurs:
 - the provider fails to start to provide the course to the student at the location on the agreed starting day;
 - the course ceases to be provided to the student at the location at any time after it starts but before it is completed; and
 - b. the student has not withdrawn before the default day.

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