

School Based Apprenticeships and Traineeships Program Fee Administration Policy 2017 Version 1.1

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Introduction

This policy sets out the requirements for the application and management of student fees under the School Based Apprenticeships and Traineeships Program.

This policy should be read in conjunction with the following documents:

- Smart and Skilled Contract Terms and Conditions 2017
- Smart and Skilled Operating Guidelines for Activity Period 1/1/2017 – 31/12/2017

In this document a reference to a student means a NSW school based apprentice or NSW school based trainee.

School based apprenticeships and traineeships and student fees

Under the School Based Apprenticeships and Traineeships Program the payment to the Provider is made up of the student fee and the subsidy from the government. Student fees are:

- set for the whole qualification, not annual or semester fees
- set for the student and the qualification and will be the same regardless of the Provider chosen.

Student eligibility

To be eligible to be subsidised to undertake a qualification under the School Based Apprenticeships and Traineeships Program an individual must be a NSW school based apprentice or school based trainee, and the qualification must support the school based apprentice or trainee's apprenticeship or traineeship and be listed on the NSW Skills List as an apprenticeship or traineeship qualification.

Fee categories

There are three categories of student fees, based on the qualification and the characteristics of the school based apprentice or trainee.

The three student fee categories are:

1. Apprenticeship or traineeship

2. Concession
3. Exemption

Student fee types

- **Apprenticeship fees** are the same for school based apprenticeship qualifications as for the relevant apprenticeship qualification under Smart and Skilled.
- **Traineeship fees** are the same for school based traineeship qualifications as for the relevant traineeship qualification under Smart and Skilled.

Concession fees

Concession fees are discounted fees for disadvantaged students charged as a flat fee for the qualification level.

A school based apprentice or trainee who receives a specified Commonwealth benefit or allowance at the time of enrolment is eligible for a concession fee for a qualification up to and including Certificate IV.

The concession fee is also available to a school based apprentice or trainee who is a dependent of a person receiving a specified Commonwealth benefit or allowance. In order for the school based apprentice or trainee to be eligible for a concession, the person who the school based apprentice or trainee is a dependent of must be receiving the benefit or allowance at the time of enrolment.

Fee exemptions

School based apprentice or trainees who qualify for a fee exemption are:

- Australian Aboriginal and/or Torres Strait Islander people
- people with a disability (that is people who meet the disability fee exemption criteria). Details are in the 'Proof of eligibility for fee status' section.

Charging fees

The Provider must assess the student's fee eligibility and where the student is not fee exempt charge the relevant student fee set by the NSW Government. The criteria for determining eligibility for a fee exemption or concession can be found in the 'Proof of eligibility for fee status' section.

The relevant fee can be confirmed during the Notification of Enrolment when the Provider enters the student data into the School Based Apprenticeship and Traineeship Enrolment facility on STS Online and a SID is issued. See also section on Levying of Fees in the Paying Fees section.

Recognition of prior learning

Where an eligible student is granted recognition of prior learning (RPL) for one or more units of competency, the qualification price will be adjusted and a new student fee determined.

The qualification price is based on both fixed and variable costs. The fixed cost of the qualification will be reduced by 50 per cent of the proportion of units of competency granted RPL. The variable cost will be reduced by 50 per cent of the total cost of the units of competency granted RPL.

Once the adjusted qualification price is calculated, the new student fee will be determined at the same percentage of the price as the original student fee for that course (i.e. adjusted qualification price x fee percentage).

Where RPL for a unit (or units) of competency is assessed by the Provider and only partially granted as some training delivery is still required, there is no reduction in the student fee.

Credit transfer

Where an eligible student is granted a credit transfer (CT) for one or more units of competency, the qualification price will be adjusted and a new student fee determined.

The fixed cost of the qualification will be reduced by the proportion of units of competency given credit transfer. The variable cost will be reduced by the total cost of each unit of competency granted credit transfer.

Once the adjusted qualification price is calculated, the new student fee will be determined at the same percentage of the price as the original student fee for that course (i.e. adjusted qualification price x fee percentage).

Calculating and adjusting fees for recognition of prior learning and credit transfer

Where RPL and/or credit transfer is granted, the Provider must report the outcome for the relevant unit(s) of competency in the training activity data file submitted to the Department via eReporting. The Department will make adjustments to the subsidy payment and advise the Provider of the new student fee. The Provider must take all necessary steps to advise those stakeholders responsible for paying the fee of the new fee and to adjust the fee levied, including adjustments to subsequent fee payment instalments.

The Provider must sight appropriate evidence, such as a testamur or a USI transcript to grant credit transfer.

Fee for concession students where recognition of prior learning and/or credit transfer has been awarded.

Where a student is eligible for a concession and has been awarded RPL and/or CT, if the adjusted apprenticeship or traineeship fee is lower than the concession fee, they will pay the adjusted apprenticeship or traineeship fee.

School based apprentices and trainees who started before 2017

These are the fee rules for school based apprentices and trainees who began training prior to 2017 and are continuing their training into 2017.

Continuing school based apprentices and trainees who started training in 2015 or 2016

Student fees under Smart and Skilled are set at enrolment for the whole qualification, and therefore apply until the student has completed training in that qualification. School based apprentices and trainees who started training in a previous activity period (i.e. during 2015 or 2016), and were charged the full fee upfront, will not be charged an additional fee to continue their training in 2017.

Continuing school based apprentices and trainees who started training before 2015

Eligible school based apprentices and trainees who started government-subsidised training before 1 January 2015, and who continued into 2015, would have paid a transition fee to continue their training. This fee was based on the proportion of the course the student had left to complete at the time based on the total nominal hours as determined by the Provider. As this fee was for the remainder of their training, an additional fee will not be charged for the student to continue their training in 2017.

Further information about the calculations for transition fees are in Appendix 2 of the School Based Apprenticeships and Traineeships Program Fee Administration Policy 2015 (this can be accessed at www.training.nsw.gov.au/smartandskilled/contract_policy.html).

Proof of eligibility for fee status

School based apprentices and school based trainees must provide evidence to support eligibility for a concession or fee exemption and must declare that the information provided with regards to eligibility is true, accurate, complete and not misleading. Additionally, the Provider must sight or maintain certain evidence. Details of evidence requirements are described at Appendix 1.

Proof of eligibility for a concession fee

The recipient of a specified Commonwealth benefit or allowance must provide the following proof of eligibility for a concession:

- a letter from the Department of Human Services (Centrelink) confirming receipt of the benefit. The letter should clearly show the Centrelink Reference Number (CRN) and the benefit or allowance category; or
- a current concession card that shows the CRN and clearly shows the benefit or allowance category; or
- a current Centrelink income statement that clearly shows the CRN and the benefit or allowance category and the CRN; or
- any other evidence that clearly shows the CRN and the benefit or allowance category.

An individual who is seeking a concession as a dependent of someone who is receiving a specified Commonwealth benefit or allowance must provide documentary evidence that Centrelink recognises the individual as a dependent. The evidence should clearly show the CRN of the benefit or welfare recipient.

A list of the specified Commonwealth benefits and allowances is at Appendix 2.

Proof of eligibility for a fee exemption

Aboriginal and Torres Strait Islander students

Australian Aboriginal and Torres Strait Islander students prove their status and eligibility for a fee exemption through descent, self-identification and community identification. Students will need to declare their status and be able to provide documentary evidence of community identification, if required.

Students with a disability

Students who seek a fee exemption on the basis of disability will need to provide:

- a letter from Centrelink confirming receipt of the Disability Support Pension. The letter should clearly show the Centrelink Reference Number (CRN); or
- a current Centrelink income statement for the Disability Support Pension, which clearly shows that income is for the disability pension and also shows the CRN; or
- any other evidence that clearly shows the CRN and confirms receipt of the Disability Support Pension; or
- documentary evidence of support needs due to the their disability. This evidence must be a letter or statement from:
 - a medical practitioner; or
 - a TAFE NSW teacher consultant for students with a disability, a school counsellor or special education coordinator, Centrelink, a Disability Service Provider, or a Job Capacity Assessor; or

- a specialist allied health professional (including a rehabilitation counsellor, psychologist, speech pathologist, or occupational therapist).

Students seeking an exemption as a dependent of someone who is receiving a Commonwealth Disability pension must provide documentary evidence that Centrelink recognises the individual as a dependent. The evidence should clearly show the CRN of the Disability Pension Recipient.

Additional costs to students

Incidental expenses

The price of a qualification (made up of the government subsidy and student fee) will cover the total costs incurred by the Provider to deliver the training for that qualification, including assessment. However, there may be some instances of a personal cost to the student over and above the student fee. These costs include:

- essential equipment and other items that the student has the choice of acquiring from the Provider, or from a supplier other than the Provider, that become the physical property of the student, are retained by the student on completion of training, and are not consumed during the training

Example: chef knives, makeup kit, tool kit.

- an optional charge for an item that is not essential for the student to complete the training

Example: A Provider makes available standard flowers to a student for a floristry qualification to create a flower arrangement, but the student would like to use more expensive exotic flowers. The student would be required to purchase the more expensive flowers from the Provider or another supplier.

- an optional charge for an alternative form of access to an item or service that is an essential component of the training, but is otherwise made readily available at no additional fee by the Provider

Example: The textbook for a qualification is an online resource but a student would like a hardcopy. In this instance, the student can purchase the textbook. The textbook would become the student's personal property.

- field trips and food, transport and accommodation costs associated with the provision of field trips that form part of the training
- any textbook the student requires to undertake their qualification that is retained by the student after completion of the qualification.

For each qualification, the Provider must publish on its website any additional costs that students will or may incur and ensure that they are aware of these costs prior to enrolment.

The Provider must provide the student or employer (where relevant) with receipts for any monies collected by the Provider for incidental expenses. The Provider must retain copies of receipts issued.

Paying fees

Levying of student fees

School based apprentices or trainees must not be levied the student fee or any additional costs directly. The payment of student fees and any additional costs, if applicable, is managed by the student's school sector.

The Provider can determine the payment arrangements for student fees, but must publish information and inform the school sector of these arrangements before the student enrolls.

Where a student does not complete the qualification while at school, for example a student undertaking a school based apprenticeship, the Provider must only levy the proportion of the student fee, via the school sector, for the proportion of the qualification undertaken whilst at school. After finishing Year 12, the student can be directly levied the proportion of student fee for the remaining portion of the qualification that will be undertaken. The Provider must collect all student fees by the time the student completes their subsidised training.

The Provider must retain student fees that it collects.

Note: The SID issued by the SBAT Enrolment facility will be retained for the duration of the students training. For example where a school based apprentice continues in the apprenticeship after finishing Year 12.

Subcontracting

Where the Provider enters into a subcontracting arrangement, the subcontractor is not to charge a student fee or any additional costs. All fees and any additional costs must be levied by the Provider in accordance with this Policy.

Discontinuing students

Withdrawal without penalty

The Provider must advise the student, prior to any fees being paid, of the 'withdrawal with no penalty' cut-off date, i.e. the date by which the student can withdraw and be refunded any fees paid at enrolment. This date is determined by the Provider.

Withdrawal after the cut-off date without penalty

Where a student withdraws from training, the Provider must:

- give the exiting student a statement of fees that includes all fees applied and any fees refunded, if applicable
- comply with Paragraph 9 of the Smart and Skilled Operating Guidelines.

Fees for student repeat attempts to complete units of competency

The Provider will not be paid additional subsidy for repeat attempts by a student to complete a unit of competency. The Provider must have a policy on the number of times a student can attempt to complete a unit of competency for their student fee. The Provider must make the student aware of the policy prior to or at enrolment.

Fee refunds

The Provider must have a refund policy.

The policy must include but is not limited to:

- the 'withdrawal with no penalty' cut-off date (as determined by the Provider)

- a process for refunding students who withdraw from training not of their own accord. For example, where the Provider closes or where the Provider is no longer approved to deliver SBAT training
- a process for partial refund of fees (when necessary) where recognition of prior learning and/or credit transfer has been granted.

The Provider must publish and make the student aware of the fee refund policy before enrolment.

Recovery of outstanding student fees

The Provider must have a process for the recovery of outstanding fees from a student. The Provider must publish and make the student aware of this Policy.

Changes to Student Fees

The student will pay the fee that applies in the year when they commence training. The student will not be affected by any subsequent changes to the student fee.

Transferring students

A student undertaking a qualification may withdraw from a qualification with one Provider approved to deliver school based apprenticeship or traineeship qualifications and transfer to another Provider approved to deliver school based apprenticeship or traineeship qualifications to complete their qualification because:

- they choose to of their own accord
- their initial Provider closes
- their initial Provider's Contract has been terminated.

Students who transfer of their own accord

Where a student transfers of their own accord from their initial Provider to another Provider to complete their training, standard credit transfer rules will apply when calculating the student fee. To do this, the student's subsequent Provider must obtain a statement of attainment from the student (issued by the initial Provider) to determine what credit should be granted. In this situation, the student may end up contributing more towards the cost of their training.

Students who transfer due to Provider closure or contract termination

The following rules apply to a student who transfers due to a Provider's closure or the termination of a Provider's Contract:

- The fees charged in total by the two Providers cannot exceed the student fee quoted by the initial Provider.
- Where the combined fee exceeds the original fee quoted, the subsequent Provider must contact the Department to confirm fee to be charged, before enrolling the student and charging any fees. Any fee gap will be paid to the Provider by the Department.

Therefore where a student transfers from their initial approved Provider to another approved Provider to complete their training, and the transfer is not of the student's own accord, the subsequent Provider must obtain from the student:

- a statement of attainment issued by the initial Provider
- an up-to-date training plan (issued by the initial Provider) that lists all units of competency achieved, commenced but not completed, and/or not started
- a statement of fees issued by the initial Provider.

Obtaining the above documentation may not be possible where the initial provider closes. In these instances, the Provider should seek assistance from the Department to determine the student's fee.

Students transitioning from superseded qualifications

Where a student is enrolled in a qualification that is superseded and the student is required to transition to the new qualification to continue training and complete and the price of the new qualification is different to that of the superseded qualification the:

- Provider will continue to be paid the subsidy for the superseded qualification
- student fee will remain the same.

Fee protection mechanisms

Where the student continues training after finishing year 12 and the provider levies the student the fee for the remainder of the training left to complete after leaving school, the Provider must comply with Clause 7.3 of the Australian Skills Quality Authority's (ASQA) *Users' Guide: Standards for Registered Training Organisations (RTOs) 2015* relating to a provider's responsibility to protect prepaid fees by learners.

Clause 7.3 states that where the RTO requires, either directly or through a third party, a prospective or current learner to prepay fees in excess of a total of \$1500 (being the threshold prepaid fee amount), the RTO must meet the requirements set out in the Requirements for Fee Protection in Schedule 6 of the Users' Guide.

The requirements set out in Schedule 6 are summarised below:

- Government entities and Australian Universities must implement a policy addressing learner fee protection arrangements.
- All other RTOs must implement one or more of the following arrangements:
 - The RTO holds an unconditional financial guarantee from a bank operating in Australia; or
 - The RTO is a member of an approved Tuition Assurance Scheme approved by its VET Regulator; or
 - The RTO has any other fee protection measure approved by the VET Regulator.

RTOs may collect up to \$1,500 in prepaid fees from a learner without needing to take any action to protect these fees.

The Users' Guide can be found here:

www.asqa.gov.au/verve/resources/Users_Guide_to_the_Standards_for_Registered_Training_Organisations_RTOs_2015.pdf

Where any changes are made to ASQA's requirements for the protection of student fees, these override fee protection obligations set out in the Smart and Skilled Fee Administration Policy.

Student access to fee policies

School Based Apprenticeships and Traineeships Program Fee Administration Policy

The Provider must give the student and the relevant school sector access to this Policy before or at the time of enrolment.

Provider's policies

As listed throughout this document the Provider must also make the student and the relevant school sector aware of its policies or processes on:

- evidence required fee exemptions and concessions where relevant
- withdrawal without penalty
- repeat attempts to complete a unit of competency
- fee refunds
- recovery of outstanding fees
- levying of student fees.

Appendices

Appendix 1: Proof of eligibility for school based apprentices and trainees - Acceptable evidence

Requirement	Evidence	Evidence sighted or copy of evidence maintained
Proof of Identity/Personal and Program eligibility:		
Proof Identity	School enrolment	Yes
Registration as a NSW School based apprentice or NSW School based trainee	TCID – Department check against Training Contract details in Training Services NSW database	Student declaration/signature at enrolment. Note: Evidence may be requested at provider's discretion or at the request of the Department
Concessions/exemptions:		
Exemption: Aboriginality	N/A	Student declaration/signature This declaration also covers proof of Australian citizenship
Exemption: Disability	<ul style="list-style-type: none"> letter or statement from medical practitioner, or appropriate government agency or relevant specialist allied health professional; or proof of dependency status on a recipient of a Disability Support Pension – Centrelink evidence 	Yes for all types of evidence Yes
Concession	proof of dependency status on a recipient of a specified Commonwealth allowance or benefit – Centrelink evidence	Yes for all types of evidence
Loading to Provider:		
Needs Loading: Aboriginality	Students that meet eligibility/evidence requirements for fee exemption based on Aboriginality will automatically attract a loading. (See also above)	Yes
Needs Loading: Disability	Students that meet the following eligibility/evidence requirements for fee exemption based on Disability will automatically attract a loading: <ul style="list-style-type: none"> letter or statement from medical practitioner, or appropriate government 	Yes

Requirement	Evidence	Evidence sighted or copy of evidence maintained
	<p>agency or relevant specialist allied health professional.</p> <p><i>Note: Dependants of a recipient of a Disability Support Pension do not attract a loading</i></p>	
<p>Location Loading: Residential address – regional or remote</p>	<p>Any Commonwealth or NSW Government issued document providing evidence of living location, or employer-issued document confirming employment in NSW.</p>	<p>Student declaration/signature</p>

Comments:

- Students may identify as:
 - An Australian Aboriginal or Torres Strait Islander
 - A student with a disability
 - Recipient of a specified Commonwealth Government welfare benefit or allowance

at any time in which they are undertaking training. However, providers are encouraged to make every effort to ensure students correctly identify at the time of enrolment.
- Where evidence is sighted but not kept, a record that confirms sighting of the evidence, dated and signed by a person authorised by the Provider, must be maintained.
- Where the evidence, provided by the student, is a copy of the original, the copy must be certified by a person who is on the list of approved witnesses who can verify documents. A list of which is available at the Commonwealth Attorney General's Department website at: www.ag.gov.au/Publications/Pages/Statutorydeclarationsignatorylist.aspx.

Appendix 2: Specified Commonwealth benefits and allowances for concession fees

Commonwealth benefits and allowances	
• Age Pension	• Austudy
• Carer Payment	• Disability Support Pension
• Family Tax Benefit Part A (maximum rate)	• Farm Household Allowance
• Newstart Allowance	• Parenting Payment (Single)
• Sickness Allowance	• Special Benefit
• Veterans' Affairs Pensions	• Veterans' Children Education Scheme
• Widow Allowance	• Widow B Pension
• Wife Pension	• Youth Allowance

Comments:

- A NSW Apprentice on a Newstart Allowance or a NSW Apprentice who is the dependent of a person receiving a Newstart Allowance is not eligible for a concession fee.
- A NSW New Entrant Trainee on a Newstart Allowance or a NSW New Entrant who is the dependent of a person receiving a Newstart Allowance is not eligible for a concession fee.
- The Carer Payment is a specific benefit paid by the Commonwealth Government; this category does not include the Carer Allowance or Carer Adjustment Payment.

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