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TUITION PROTECTION SERVICE (TPS) POLICY AND ASSOCIATED PROCEDURES

PURPOSE OF THE POLICY

Syndey College of Professional Education (SCPE) is committed to safeguarding the significant financial investment made by international students in their education while ensuring compliance with the regulatory requirements of the Tuition Protection Service (TPS). This policy outlines SCPE's approach to the collection of fees, management of refunds, and financial oversight in accordance with the Standards for Registered Training Organisations (RTOs) 2025, the Education Services for Overseas Students (ESOS) Act 2000, National Code 2018.

POLICY STATEMENT

SCPE is committed to ensuring the protection of prepaid tuition fees for all students in accordance with the Tuition Protection Service (TPS) guidelines and relevant legislation. The policy guarantees financial transparency, regulatory compliance and support for students in the following ways:

- Prepaid tuition fees are protected in compliance with TPS requirements.
- No more than $1500 AUD of the student's total tuition fees is collected before course commencement unless the course is 24 weeks or less.
- Prepaid tuition fees are securely deposited into a designated account within five (5) days of receipt and maintained there until the student begins their course.
- SCPE ensures sufficient funds are available in this account to cover potential refunds for non-commenced students.
- Refunds are processed promptly and transparently, as outlined in written agreements.
- Reporting obligations via PRISMS to the Secretary (or delegate) and the TPS Director are met within prescribed timeframes.
- Students affected by provider default are offered a suitable alternative course or a refund for unused tuition fees

SCOPE

The policy applies to all prospective and current internation students of SCPE and to all staff involved in fee collection, refunds and compliance reporting.

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DEFINITIONS

- **Australian Consumer Law (ACL)** - Federal legislation outlining consumer rights and obligations. Under ACL, students are entitled to a refund or remedy if services do not meet consumer guarantees.
- **Cancellation** - The formal termination of a student's enrolment at SCPE, either initiated by the student or SCPE due to defined circumstances (e.g. misconduct).
- **Enrolment Application Fee** - A fee (if applicable) charged for processing a student's application for enrolment. This fee may or may not be refundable, depending on the RTO's policy.
- **Extenuating Circumstances** - Unforeseen or exceptional personal situations beyond the student's control that may justify a discretionary refund (e.g. serious illness, bereavement).
- **Misconduct** – Breaches of the Student Misconduct Policy including academic dishonesty, harassment, or damage to property that may lead to cancellation of enrolment and forfeiture of fees.
- **Prepaid Fees** – Monies paid by a student before training and assessment services are delivered. Under the Standards for RTOs 2025, no more than $1,500 may be collected in advance unless approved protections are in place.
- **Prospective Student** – A person who has not yet commenced training but has paid fees or is engaged in the enrolment process.
- **Schedule of Fees and Charges** - A document issued during pre-enrolment that itemises tuition, resource and incidental fees together with their refund status.
- **Student Default** - Circumstances where a student breaches their agreement and fails to commence, withdraws without notice, or breaches visa or course conditions.
- **Tuition Fees** - Charges levied for the delivery of training and assessment services.
- **Tuition Protection Service (TPS)**: A safety mechanism to protect international student fees and ensure course continuity.
- **Non-Tuition Fees** - Additional fees such as material costs, re-assessments and administrative services.

PROCEDURE

1. **Written Agreement**

SCPE will have written agreements with students that include:

- Agreed start date
- Default day
- Prepaid fee information
- Length of study period
- Tuition fees for each study period
- Approved unit of study
- Refund requirements

2. Recordkeeping

The TPS legislative amendments strengthen obligations on providers to keep up to date student records related to academic progress and contact details. The purpose of this measure is to:

- Make it easier to contact students affected by a provider closure and to facilitate timely and accurate placement in an alternative course
- Improve protection for the welfare of students, particularly those under 18 years of age
- Ensure students are kept informed of course progress and to support the timely identification of and intervention by the provider where a student is not making good course progress, and
- Improve provider business practice through effective student information systems.

SCPE has established systems and processes to comply with new record keeping requirements as following:

1. SCPE will ensure that students update their contact details at least every study period (20 weeks not including study breaks) to include address, mobile phone, home phone, email, etc
2. SCPE will keep and maintain up to date academic records for every unit of competence being assessed.

3. Fee Collection and Designated Account Management

All prepaid tuition fees are deposited into a dedicated Tuition Fees Holding Account. This account is used exclusively for the receipt and retention of prepaid fees and is not used for operational or discretionary spending. To ensure financial protection and refund capability, the account must always retain a credit balance sufficient to cover all prepaid tuition fees for courses that have not yet commenced.

SCPE further commits to maintaining a minimum surplus buffer of $2,000 above the total value of prepaid fees held at any given time to mitigate the risk of accidental underfunding.

4. Prepaid Fees

Tuition fees are any fees that are directly related to the provision of a course and only tuition fees are protected under TPS. SCPE will comply with the limits on prepaid tuition fees as follows:

- SCPE will not receive more than $1500 AUD of the student's total tuition fee for a course before the student begins the course unless the course has only one study period which is 24 weeks or less, in which case 100% of total tuition fees can be received.
- SCPE will not require any remaining fees earlier than 2 weeks before the start of the student's second study period.
- A student may voluntarily pay earlier than two weeks but must not be required to do so
- An exception to the 2-week rule is if the fees are in relation to the first study period, or if it is a debt.
- After the second study period there are no restrictions on when or how much tuition fees SCPE can collect.

5. Obligations to Provider Protected Account

SCPE will maintain a designated account as follows:

- The account will be for initial prepaid tuition fees until a student commences studies.
- It will be a normal bank account that allows deposits and withdrawals (not necessarily a trust account)
- With an Australian ADI (Authorised Deposit-taking Institute)
- Will be a separate account from the day-to-day business operating account.
- Any tuition fees received from students before the student has begun the course will be deposited directly into the account.
- Always ensure there is enough in the account to repay all tuition fees of non-commenced students.
- Commit to a $2,000AUD surplus
- Will not use this money for payment of other debts.
- Strict penalties will apply for non-compliance against both SCPE and the CEO/PEO
- The account balance is monitored to ensure it covers all un-commenced student's tuition fees.

6. Handling Provider and Student Defaults

Reporting requirements in case of **provider default**;

- Notify the student, Secretary (or delegate) and the TPS Director via PRSIMS within three (3) business days.
- Provide an alternative course or refund within fourteen (14) days of default.
- Report the outcome within a further seven (7) days.

In the event of **student default**, SCPE follows the regulatory requirements for notification and resolution within the prescribed timeframes to ensure compliance with TPS obligations. Reporting requirements in case of student default:

- Notify student, Secretary (or delegate) and the TPS Director via PRISMS within five (5) business days of the default.
- Notify Department of Home Affairs (DHA) within fourteen (14) days to report cancellation of the student's enrolment via PRISMS) (i.e. a section 20 notice)
- Twenty-eight (28) days to finalise the student default obligations as set out in the written agreement with the student, and
- A further 7 days to report the outcome of the student default (via PRISMS).

7. Giving information about accepted students

Under this amendment, SCPE will report particulars of any breach by an accepted student of a prescribed condition of a student visa on PRISMS even if the student has ceased to be an accepted student. Students cannot avoid being reported to Department of Home Affairs (DHA) for non-attendance or unsatisfactory academic progress by cancelling their CoE.

8. Refund Process

Refund requests must be submitted in writing using the Refund Application Form, and approved refunds will be processed within 28 days. Refunds will be issued to the person who made the original payment and be in Australian dollars.

SCPE will not issue refunds for:

- Application fees, and non-tuition fees such administrative / materials fees
- If you withdraw from your course after the course has commenced
- If you withdraw from your course not in accordance with your visa obligations and behaved not in good faith
- Change in student's work hours
- Inconvenience of travel to class
- Moving interstate or overseas
- Job changes or retrenchment
- Students who leave before completing the course &/or qualification
- If a student becomes a permanent resident of Australia during the program. No guarantees of university or other pathway places will apply to such students
- If DHA has rejected your student visa application based on their finding that you have supplied fraudulent documents along with your student visa application.

9. Refund in Other Cases

Where SCPE has not entered into a written agreement that complies with Section 47B or where a student has been refused a visa, SCPE will pay the student a refund worked out in accordance with the legislative instrument under subsection 47E(4) of the Act.

PROCEDURE SUMMARY TABLE

Action	Responsible	Timeframe	Reference/Use
1. Collect prepaid tuition fees (<$1500) and issue receipt	Accounts Officer / Student Administration Officer	At pre-enrolment	Tax Invoice, Written Agreement
2. Deposit prepaid tuition into designated protected fee account.	Accounts Officer	Within 5 business days of receipt	Bank Transfer Record, Account Reconciliation Sheet
3. Record fee data in SMS and flag next PRISMS reporting date	Student Administration Officer	Same day	SMS fee ledger

4. Student default occurs (no show. Visa refusal, withdrawal) – log case and acknowledge	Student Administration Officer	Within 5 business days of request	Default log; Acknowledgement email
5. Calculate refund or confirm no refund under policy	Student Administration Officer / Accounts Officer	Within 10 business days of request	Refund Calculation Sheet
6. Notify student of refund decision and appeal rights	Student Administration Officer	Within 2 business days after Step 5	Decision Letter
7. Pay approved refund	Accounts Officer	Within 28 calendar days of Step 3 notification	Bank proof, SMS update
8. PRIMS Reporting Student default (5 business days) Provider default (3 business days) Outcome of default (7 days after finalisation)	Student Administration Officer	Per ESOS/TPS timelines	PRISMS ID confirmation
9. File all documentation in SMS; archive in TPS evidence folder	Student Administration Officer	Immediately on completion	Student file checklist
10. Escalate all unresolved complaints via Complaints and Appeals Policy	Any staff member	Upon student request	Complaints Register

POLICY IMPLEMENTATION

SCPE embeds this policy through the following operational controls:

- Designated Tuition-Fee Account – Finance transfers every prepaid amount to the segregated "Student Fees Holding Account" within five (5) business days of receipt and reconciles the balance weekly to ensure it always covers 100 % of un-commenced students' tuition plus a $2,000AUD surplus.
- Automated SMS Workflows – PRISMS-API tasks (default notices, outcome reports) and refund-due alerts are scheduled in the Student Management System, guaranteeing regulatory timelines are met.
- Version-controlled templates – Written Agreement, Refund Application Form, Provider-Default Action Plan and PRISMS Report Checklist are stored in OneDrive with mandatory version stamps.
- Staff capability – Induction for all Admissions, Finance and Compliance staff includes a TPS micro-module; refreshers are delivered each January and July.
- Cross-policy linkage – Key clauses in this policy mirror the Fees Management & Refund Policy, Deferment / Cancellation Policy and Financial Viability Policy to prevent conflicts or gaps.
- CEO oversight – Monthly dashboard (fee-account balance, refund turnaround, PRISMS notices) is tabled at the Monthly Management Meetings and signed-off by the CEO

MONITORING AND EVALUATION

Ongoing monitoring includes:

- Monthly - Finance reconciles the Designated Fee Account; Compliance samples 10 % of refund files for 28-day payment rule and PRISMS lodgement dates.
- Quarterly - Dashboard KPIs (average refund turnaround, fee-account coverage ratio, overdue PRISMS notices) are reported to the CEO and logged in the Continuous Improvement Register.
- Annually - Internal audit against TPS Framework and ESOS Act ss46–47 using the TPS Audit Checklist; findings form part of the annual Self-Assurance Report required by Standard 4.

SCPE will review and update this policy every year, or sooner, to ensure compliance with legislative and regulatory requirements. Review outcomes are reported to the CEO for approval and implementation.