

**Senate Committee: Education and Employment**

**QUESTION ON NOTICE**

**Supplementary Budget Estimates 2015 - 2016**

**Outcome: Skills and Training**

**Department of Education and Training Question No. SQ15-000907**

Senator Carr, Kim provided in writing.

***Dodgy providers***

**Question**

So if you are the victim of a dodgy provider, or broker after 1 July 2016 you will have recourse to a fair process? But if you are a victim before 1 July next year you will be subject to the none to tender mercies of the finance department?

**Answer**

The reform introducing expanded circumstances in which a student can seek a re-credit of their debt will not be applied retrospectively; it will be applied to inappropriate behaviour which occurs on or after 1 January 2016. This will be the first time students will have had the option of recourse for unfair enrolments since the scheme was established in 2009.

Prior to 1 January 2016 students could apply to their training provider for a re-crediting of their debt in 'special circumstances'. Special circumstances are set out in Schedule 1A, Clause 48 of the *Higher Education Support Act 2003*.

If the special circumstances provisions do not apply, students who wish to raise a grievance about their recruitment or study experiences may follow the existing grievance processes providers are required to have in place to participate in the scheme. This gives students the opportunity to approach their provider and request consideration of their complaint, and seek both internal and external review of the outcome.

Where there are possible breaches of Australian Consumer Law, students can also make a complaint to the Fair Trading body in their state or territory or the Australian Competition and Consumer Commission that is currently investigating the enrolment practices of some registered training organisations.