

Our reference: CIT FOI 2025–005

[REDACTED]
By email: [REDACTED]

DECISION ON YOUR ACCESS APPLICATION – CIT FOI 2025-005

Dear [REDACTED]

I refer to your access application made under the *Freedom of Information Act 2016* (FOI Act) received by the Canberra Institute of Technology (CIT) on 8 May 2025.

In your application you requested access to the following information that may be held by CIT:

“Specifically, I seek access to copies of the following categories of documents:

1. ***Internal Procedural Documents and Assessment Tools:*** Current (i.e. in force) **internal** documents including policies, procedures, manuals, handbooks, or guides, as well as any associated checklists, rubrics, scorecards, or similar evaluative tools used by CIT staff for processing and assessing student applications from domestic students under its **Re-crediting of HELP Balances, fee waivers and refunds after the Census Date process** (or relevant policies/procedures for assessing such applications), in accordance with the *Higher Education Support Act 2003 (Cth) (HESA)* and/or other legislation for domestic students. This includes guides used to ensure all legislative (such as the three core criteria for special circumstances in HESA) and policy criteria are addressed and any interpretation of the HESA, the *Higher Education Support (Administration) Guidelines*, and the *Department of Education’s Guide to special circumstances decision-making*.
2. ***Decision Letter Templates:*** Current (i.e. in use) templates used by the CIT in relation to its **Re-crediting of HELP Balances, fee waivers and refunds after the Census Date process** (or related processes for remission/refund in special circumstances), including (but not limited to) templates for communicating: (a) Approval of application; (b) Rejection of application; (c) Requests for further information from applicants.
3. ***Staff Training Materials:*** Any training materials (e.g., PowerPoint presentations, workshop notes, internal briefing documents, de-identified case studies) provided to CIT staff involved in assessing applications from domestic students under its **Re-crediting of HELP Balances, fee waivers and refunds after the Census Date process** (or relevant policies/procedures for assessing such applications), relating to the interpretation and application of the HESA, and CIT’s relevant procedures.

4. **Guidelines on Interpreting Evidence:** Current (i.e. in force) **internal** policies, guidelines, or protocols detailing how CIT staff should assess the sufficiency, independence, and probity of supporting documentation submitted for applications from domestic students under its **Re-crediting of HELP Balances, fee waivers and refunds after the Census Date process** (or relevant policies/procedures for assessing such applications) (e.g., for medical, family/personal, employment-related, or course-related reasons).
5. **Guidelines on 12-Month Application Waiver:** Current (i.e. in force) **internal** policies, guidelines, or criteria used by CIT staff to assess applications for a waiver of the 12-month submission deadline for applications from domestic students under its **Re-crediting of HELP Balances, fee waivers and refunds after the Census Date process** (or relevant policies/procedures for assessing such applications), including guidance on what constitutes circumstances where it was not possible for the application to be made in time.
6. **Internal Review Procedures:** Current (i.e. in force) **internal** policies, procedures and other documents detailing the process for CIT's internal review or appeal of a decision made on an application from domestic students under its **Re-crediting of HELP Balances, fee waivers and refunds after the Census Date process** (or relevant policies/procedures for assessing such applications), beyond what is stated in public policy.
7. **Internal Communications (Teams, Emails, etc) regarding 12 month waivers:** Internal communications (such as emails, meeting minutes, Microsoft Teams messages, or other internal correspondence) between CIT staff relating to the circumstances in which the 12-month application submission rule for Re-crediting of HELP Balances, fee waivers and refunds after the Census Date applications (or equivalent) can be waived. This includes, but is not limited to, discussions or guidance on situations where an applicant has been diagnosed with a medical condition, or where other relevant special circumstances became apparent, more than 12 months after the completion of the course or unit of study in question.

The time frame for this specific category of documents is between 1 January 2022 to today (8 May 2025)."

On 14 May 2025 you agreed by telephone to a revised scope of Point 7 of your application. Your revised scope for Point 7 now being:

7. Internal Communications (Teams, Emails, etc) regarding 12 month waivers: Internal communications (such as emails, meeting minutes, Microsoft Teams messages, or other internal correspondence) held by the CIT team responsible for making decisions relating to the 12-month application submission rule for Re-crediting of VET HELP Balances, and when fee waivers and refunds after the Census Date applications (or equivalent) can be waived.

This includes, but is not limited to, discussions or guidance on situations where an applicant has been diagnosed with a medical condition, or where other relevant special circumstances became apparent, more than 12 months after the completion of the course or unit of study in question.

Authority

I am a Senior Executive officer appointed as a CIT Information Officer to make decisions about access to government information, in accordance with section 18 of the FOI Act.

Timeframes

In accordance with section 40 of the FOI Act, CIT is required to provide a decision on your access application within 30 days. Accordingly, CIT was required to respond to your application by 23 June 2025.

Document Search and Material Considered

Thorough searches for records held by CIT were undertaken to identify and locate any documents within scope of your request. These searches identified 4 documents within the scope of your request.

As several of the documents requested (for example CIT policy related documents) respond to multiple categories of the information you seek (i.e. across categories 1 -7 described in your application), only one instance of each document has been provided to avoid duplication.

Decision

I have decided to fully release all 4 documents to you.

A schedule of all documents is included as **Attachment A**. All response documents are included as **Attachment B**.

My statement of reasons for this decision is below.

Statement of Reasons

In reaching my decision on your access application, I have taken the following into account:

- Your original access application.
- The FOI Act.
- The ACT Ombudsman FOI Guidelines
- Consultation undertaken under section 38 of the Act.
- The documents which fall within the scope of your request.

As a decision maker I am required to decide if release of the documents found to be within the scope of your request are within the public interest. Schedule 1 of the FOI Act provides categories of documents where release is not considered to be in the public interest. On reviewing the documents

within the scope of your request, I do not consider that any of these documents fall within the categories prescribed under schedule 1 of the FOI Act.

As I am not satisfied that any of the documents within the scope of your request are exempted from release in accordance with Schedule 1 of the FOI Act, I am required to consider the factors favouring disclosure and non-disclosure as found in Schedule 2.

Section 17(1) of the FOI Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. Taking into consideration the information contained in the documents, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the 'public interest'.

Factors favouring disclosure:

I consider that the following factors favouring disclosure apply in relation to these documents.

- promote open discussion and accountability (section 2.1 (a)(i)).
- reveal the reason for a government decision and any background or contextual information that informed the decision (section 2.1(a)(viii)).

I consider the information requested would, on balance, support the factors favouring disclosure described as their release will provide you with information to understand CIT's administrative arrangements and processes relating to HELP balances, refunds and fee waivers. The release of this information promotes accountability as well as providing you with background information about decision making and application of HELP related policies at CIT.

Factors favouring non-disclosure:

I have not identified any factors favouring non-disclosure in relation to these documents.

Consideration of Factors

Taking into account the factors favouring disclosure and having undertaken the test under section 17 of the Act I consider that all of the information you have requested should be released to you in full.

Charges

You have not been charged for this request.

Disclosure Log

Section 28 of the FOI Act requires publication of access applications and any information subsequently released on CIT's disclosure log at:

<https://cit.edu.au/about/freedom of information/disclosure log>.

Review Rights

You may apply to the ACT Ombudsman to review my decision under section 73 of the FOI Act. An application for review must be made in writing within 20 days of the date of my decision.

You may submit a request for review of my decision to the ACT Ombudsman by writing in one of the following ways:

Email (preferred): actfoi@ombudsman.gov.au

Post: The ACT Ombudsman

GPO Box 442

CANBERRA ACT 2601

More information about ACT Ombudsman review is available on the ACT Ombudsman website at:

<http://www.ombudsman.act.gov.au/improving-the-act/freedom-of-information>.

Yours sincerely



Daniel Riley

Executive Branch Manager Audit, Risk and Corporate Governance, and
CIT Information Officer

23 June 2025