



Australian Government

VET **Student** Loans

APPLICANT GUIDE

APRIL 2022

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Guide for applicants seeking to become a VET Student Loans approved provider

1. Introduction

The VET Student Loans (VSL) program provides income contingent loans to eligible students undertaking vocational education and training (VET) in approved courses with an approved VSL course provider (VSL provider). The program aims to increase access to higher-level VET qualifications for eligible students that may otherwise not be able to afford to pay upfront.

Before completing an application, an applicant must understand what it means to be a VSL provider under the *VET Student Loans Act 2016* (the Act), and the responsibilities and obligations of a VSL provider under the Act and the VET Student Loan Rules 2016 (the Rules). The applicant should also check that at least one of the courses offered by the organisation is listed in the [VET Student Loans \(Courses and Loan Caps\) Determination 2016](#).

More information about the VSL program is also available from the [VET Student Loans](#) webpage.

1.1 Applicant Guide

The Applicant Guide (the guide) sets out the process for applying to become a VSL provider, and the content and format required for preparing and lodging an application. It should be used in conjunction with the VSL Application Workbook Guide (the AWG).

This guide provides additional information regarding:

- the evidence required to be submitted to support claims
- how to complete the Application Workbook
- the support available to applicants.

1.2 Information verification and privacy

What will happen with the information provided?

Personal information provided to the Department of Employment and Workplace Relations (the department) is protected by law, including the *Privacy Act 1988* (Privacy Act). Information collected by the department for the purpose of responding to an application will be used and disclosed only where authorised by law including under Part 9 of the Act, Division 180 of the *Higher Education Support Act 2003* (HESA) and/or the Privacy Act.

The department may disclose information or evidence provided, if required to be checked or verified, to independent qualified auditors or to other relevant government agencies. Further information about the way in which the department manages personal information, including how to access and correct information, is available in our full privacy policy at [Privacy for the Department of Employment and Workplace Relations - Department of Education, Australia Government](#).

What will happen if information is not provided?

Full and frank disclosure is essential. Please ensure all pertinent information is disclosed, as failure to disclose material information will be taken into consideration in the assessment of the application. If further clarification is required, the department will send a request outlining the information needed and the date the information/evidence is required. Failure to provide this information may delay the assessment of your application and impact on the application outcome. When this information is received, the department will recommence processing your application.

2. Applying for approval

2.1 Registering interest

Please email the department (vslprogramintegrity@dewr.gov.au) to express interest to be a VSL provider. An automated response email will be generated, and applicant details will be registered to receive a 2022 application pack.

Applications must be lodged using the department's HELP Information Technology System (HITS). There is no closing time for an application to be submitted; however, an application received on or after 31 October 2022 will not be considered until early 2023.

Only complete applications will be considered as valid, and only when the application fee has been paid can assessment begin. To ensure an application is valid complete all components of the pack as outlined in this guide. The pack will comprise the following:

- Registering in HITS for new HELP providers Quick Reference Guide
- VSL Credentials Information Form
- VSL Application Workbook (the workbook)
- VSL Application Workbook Guide

2.2 Application fee

A fee is payable each time an applicant applies to be a VSL provider. The fee amount for each application is \$5,110. The application fee assists with the recovery of the costs associated with processing and assessing applications.

The department issues an invoice when:

- an application is correctly submitted in HITS and
- the submitted application is accepted as valid for assessment.

Please note that the application fee must be paid within 14 days of the date of the invoice. If the application fee is not paid within this time, the Secretary of the department is not required to consider the application.

The fee is not refundable if your organisation is unsuccessful in the application process. For more information please refer to the [Application fee and annual charge](#) fact sheet.

The department may amend the guide, AWG or application process at any time. If the guide, AWG or process changes before 31 October 2022, all applicants that have registered an interest will be notified by email and directed to information on the department's website. If appropriate, the department may give applicants that have applied the opportunity to update their applications.

If the department amends any aspect of the guide, AWG or the application process after 31 October 2022, it may seek updated applications.

2.3 Support

For any questions regarding the application process, please email vsiprogramintegrity@dewr.gov.au. Information about systems access is at **Appendix A**.

If you are having difficulty accessing HITS or your user account has become disabled, then please email VETStudentLoans@dewr.gov.au for assistance. Alternatively, please call the VSL applicants' enquiry line on (02) 6240 0650 between 9:00am and 5:00pm AEST.

Questions regarding the department's IT systems may include, but are not limited to, how to:

- obtain and use logons and passwords for the HITS system
- lodge application documents in HITS
- use the Excel features included in the workbook.

3. Course provider requirements

3.1 Guiding documents

The [Act](#) and the [Rules](#) set out the requirements that VSL providers must meet. Please ensure that you understand these requirements before applying (see section 25 of the Act and Part 4 of the Rules).

Under section 25 of the Act, the Secretary may only approve a registered training organisation (RTO) as a VSL provider if satisfied the RTO meets the following requirements:

- is a body corporate that is not a trustee
- was established under the law of the Commonwealth, a state or territory
- carries on business in Australia and has central management and control in Australia
- is an RTO listed on the National Register
- meets the provider suitability requirements
- is a fit and proper person.

Divisions 2 and 3 in Part 4 of the Rules provide more detail about the fit and proper person requirements and the provider suitability requirements. These requirements will be assessed based on the workbook and substantiating evidence submitted as part of the application.

3.2 Central management and control

'Central management and control' refer to the control and direction of an organisation's operations. This may involve:

- setting investment and operational policy
- appointing company officers and agents and granting them power to carry on the company's business
- overseeing and controlling those appointed to carry out the day-to-day business of the organisation
- making decisions in matters of finance, including determining how profits are used [see further information at [TD 2017/26 | Legal database \(ato.gov.au\)](#) for guidance].

Confirmation will need to be provided that the organisation:

- has central management and control in Australia and
- the person(s) who make(s) the high-level decisions that set the organisation's general policies, and determines the direction of the organisation's operations, is also based in Australia.

3.3 Listed course providers

Due to the different risk profiles of **government-owned** (referred to in the Act as 'listed course providers') and **privately-owned** training organisations, the Commonwealth exempts listed providers from submitting certain components of information required from an applicant.

Listed course providers are bodies defined in section 27 of the Act and include:

- Australian Universities (Table A and Table B providers)
- Technical and Further Education providers (TAFEs) established under relevant state and territory laws
- other RTOs owned by the Commonwealth, a state, or a territory.

See **Appendix B** for information specific to bodies listed by section 27 of the Act.

4. Credential Information Form for Key Personnel Response

The Credential Information form must cover the suitability of each person uploaded as Key Personnel in the HITS system. The purpose of the form is to gather sufficient information to assess each person against the fit and proper requirements specified in division 2, part 4 of the Rules.

5. VSL Application Workbook

All the worksheets in the workbook must be completed:

- Entity Details
- Financial Details
- Key Personnel
- Course History
- Proposed Courses
- Authorisation Declaration
- Statutory Declaration.

In addition, the worksheets below must be completed if relevant to the application:

- Third Party and
- Articulation Agreements.

The completed workbook must be uploaded into HITS in Microsoft Excel format. No other format will be accepted.

Worksheets that require a signature must be signed and uploaded in HITS in PDF.

General requirements (see section 22 of the Rules)

The application should demonstrate that the applicant:

- is committed to the delivery of high-quality VET and achieving the best outcomes for students
- will act efficiently, honestly, and fairly in all dealings with students, stakeholders and the Commonwealth (including the National VET Regulator, ASQA)
- has a record of satisfactory conduct in relation to any previous VET it delivers, and for which the Commonwealth, a state or a territory provided funding (including loans to students).

5.1 Entity details

This application form requires basic information about the organisation, including contact details.

5.2 Financial Details

This form collects a customised breakdown of your revenue. This is required for the purposes of section 23(3)(d) of the Rules. The benchmark of 20 per cent of trading revenue from non-government sources is an indicator of your financial viability.

5.3 Key Personnel

The form requires information on each key personnel including their experience and expertise in performing the position held in the organisation.

5.3.1 Personnel - Management and Governance

'Key personnel' for this worksheet is a defined term in section 16 of the Rules. It includes:

- a director, officer, or member of a governing body
- any person who is concerned with or takes part in the organisation's executive or senior management
- any person who exercises control or influence over the organisation's management or direction
- any person who exercises control or influence over the allocation of the organisation's resources.

List all persons in the organisation who meet the definition of key personnel and identify the positions they hold. Not identifying all key personnel may delay consideration of the application. Every person listed as key personnel in the workbook must match those entered on the Key Personnel page in HITS.

5.3.2 Personnel - Educators and Trainers

The purpose of this section of the worksheet is to demonstrate that each person delivering training or education in the applicant organisation has experience in providing VET with the appropriate skill level and qualifications for their role [section 31 (2b) of the Rules].

5.4 Course History

This worksheet is used to outline the applicant's course history for the previous three (3) years.

5.5 Proposed Courses

On this worksheet, list each course the applicant proposes to deliver as a VSL provider. It must detail tuition fees and estimated enrolments for each course nominated.

5.6 Third party

This worksheet is a request to approve a third party to deliver a course, or parts of a unit or course, the applicant proposes to offer. This worksheet is only required if third parties are to assist in the delivery of an applicant's proposed courses.

5.7 Articulation Agreement

Applicants with an articulation agreement which guarantees advanced standing of VSL approved courses, into a Bachelor degree, must provide evidence of such arrangement(s) in the worksheet.

5.8 Provider suitability

An application to become a VSL provider must demonstrate that all the provider suitability requirements specified in the Rules are met. Responses and evidence should address each of the provider suitability requirements:

- financial performance
- management and governance
- experience and course offerings
- student outcomes
- workplace relevance.

5.8.1 Financial performance (sections 23 to 25 of the Rules)

The organisation must demonstrate that it meets all the financial performance information requirements set out in sections 23 to 25 of the Rules.

To demonstrate this the applicant must:

- complete the financial details tab in the workbook
- complete the financial performance section of the Provider Suitability tab in the workbook
- submit all the supporting evidence required.

The financial viability of an applicant will be assessed based on the collective result of the indicators and other required information (for example, the percentage of revenue from sources other than Australian Government income-contingent loans is one of the indicators considered when looking at the financial viability of an applicant).

5.8.2 Financial Details

This worksheet collects a customised breakdown of revenue. This is required for the purposes of section 23(3)(d) of the Rules. A benchmark of 20 per cent of trading revenue from non-government sources is just one indicator of financial viability.

To assess the organisation against the requirements of section 23 of the Rules, the department requires audited annual financial statements for the most recently completed reporting period and financial statements for the prior two reporting periods. See section 113 of the Rules for the specific

requirements for audited financial statements. If an applicant is approved, audited general purpose financial statements are to be submitted each year of the approval period.

5.8.3 Management and governance (see sections 26 to 30 of the Rules)

The applicant must demonstrate:

- robust and appropriate management and governance structures
- clearly defined decision-making processes that ensure accountability for decisions and actions
- resources necessary to support employees and students
- systems in place to maintain student records, ensure data integrity and report data consistently, accurately and on time to the department.

To demonstrate this, the applicant must:

- complete the provider suitability requirement, section 2 – Management and governance, under the Provider Suitability worksheet
- provide all mandatory evidence
- respond to all mandatory questions

5.8.3.1 Paying commissions and the use of agents

If the applicant is paying commissions and using third parties or agents to enrol students, the applicant must provide details of its current practises and outline how this will be changed to meet VSL provider requirements.

5.8.3.2 Compliance with laws and meeting standards

The applicant and its key personnel must comply with relevant laws including meeting RTO quality standards for training and assessment. Details of relevant laws and standards are provided in section 29 of the Rules.

If the applicant has been found in breach of any of the laws or standards, the applicant needs to describe the circumstance and the outcome then outline how it will ensure future compliance.

5.8.4 Experience and course offerings (see sections 31 to 32 of the Rules)

The applicant must demonstrate its experience in providing quality VET and a strong history of delivering diploma and advanced diploma qualifications and courses (for at least 3 years). This includes providing student, course and completion rates data.

To demonstrate this the applicant must:

- complete the provider suitability requirement section 3 – Experience and course offerings, under the Provider Suitability worksheet
- advise if it is on a preferred provider register and/or has delivered state-subsidised courses. If so, the applicant must provide evidence and details to support the response.

Applicants can submit additional evidence to support quality of delivery from:

- students
- teachers
- employers

- industry organisations
- community organisations
- interactions with different levels of governments.

Substantiating evidence must be in a form that can be validated by reference to external bodies. Evidence may not be restricted to current students, graduates, or staff.

If the applicant has not been offering one (or more) of the course(s) it proposes for a period of 3 years or more, then it will need to provide verifiable evidence that it is a high-quality provider of the course(s).

5.8.5 Student outcomes (see sections 33 to 34 of the Rules)

The applicant must demonstrate adequate completion rates for each course (or parts of courses) it delivers leading to a diploma, advanced diploma, graduate certificate, or graduate diplomas.

To demonstrate this:

- complete the provider suitability requirement section 4 – Student outcomes, under the Provider Suitability worksheet
- provide mandatory evidence
- complete all mandatory fields.

5.8.6 Workplace relevance (see section 35 of the Rules)

The applicant must demonstrate it has established and maintained relevant and appropriate links with industry and other bodies to ensure their courses meet workplace needs and improve employment outcomes for students.

To demonstrate this:

- complete the provider suitability requirement section 5 – Workplace relevance under the Provider Suitability worksheet
- provide the mandatory evidence
- complete all mandatory fields.

Where the applicant delivers qualifications in different industry sectors, evidence should be provided to support engagement within each industry.

5.9 Senior Authorised Officers Authorisation Declaration

This worksheet must be executed by either a director, company secretary or other person who has legal authority to give assurances and enter commitments on behalf of the applicant. The declaration authorises the department to undertake necessary steps to assess the information submitted in the application. A signed PDF version of this worksheet must be uploaded into HITS.

5.10 Statutory Declaration

This worksheet is required to be executed by either a director, company secretary or other person who has legal authority to give assurances and enter commitments on behalf of the applicant. The declarant states the information submitted in the application is true and correct. A signed PDF version of this worksheet must be uploaded into HITS.

6. Submission of applications

6.1 Substantiating evidence

It is in the applicant's interest to provide completed and relevant information and substantiating evidence against each provider suitability requirement. Substantiating evidence should include:

- documentation from an external source
- copies of the applicant's internal policies and procedures, and evidence of their use.

Claims made by the applicant that are not supported by evidence from external sources and verifiable may result in the delegate not being able to be satisfied that the applicant meets all the requirements under the Rules.

6.2 Word Limits and Presentation

There is a word limit to written responses for each of the provider suitability requirements. There is no word limit on the substantiating evidence documents uploaded to HITS as a part of the application.

There is a document limit for substantiating evidence. One to four (4) separate documents may be submitted for each of the provider suitability requirements in the worksheet. The applicant should compile the portfolio of evidence before scanning it into appendices for each provider suitability requirement (refer to the submission response).

6.3 Applications must be submitted using HITS

An application must be uploaded and submitted through HITS. Therefore, without HITS access credentials, the applicant will not be able to submit its application.

If there is an issue in submitting an application the applicant should notify the department by email (VSLProgramIntegrity@dewr.gov.au).

Note: All HITS logons and passwords are automatically deactivated after 40 days. If the organisation does not have an active HITS logon ID or password, it should immediately obtain new or reactivated HITS credentials (see Appendix A). Initial HITS access will take at least 24 hours to activate.

6.4 Important dates

The following table sets out general information and important dates.

Activity	Date	Description
Applicants to register an expression of interest (EOI) – email VSLProviderIntegrity@dewr.gov.au .	Applicants can register an expression of interest at any time.	Applicants should register an EOI to become a VSL provider to allow enough time to complete and apply in the approved form.

Open period for applications	From March 2022	The application pack, including application form (workbook), will be emailed to applicants that registered an expression of interest.
Deadline for submission of questions	Interested bodies may submit questions at any time	Questions should be submitted by email (VSLProgramIntegrity@dewr.gov.au) or by phone on (02) 6240 0650.
Applying for HITS credentials	Applicants must apply for a HITS account at least four (4) weeks before submitting an application	If applicants do not already have an active HITS account, they must apply for HITS credentials as soon as possible (see Appendix A). HITS accounts deactivate if they are not used for 40 consecutive days.
Deadline for applying for 2022	An applicant has until 31 October to apply to receive a decision in 2022.	Providers may submit a valid application at any time. Applications will be assessed on receipt of a valid application, successfully submitting the application in HITS and following payment of the application fee. Valid applications received after 31 October 2022 will be considered in early 2023. Note it is the applicant's responsibility to ensure the successful submission and payment of fees: applications not submitted in HITS will not be assessed applications where the fee has not been paid will not be assessed.
Applicants advised of the outcome of their applications	Approximately 8 weeks after a valid application is received and confirmation of the payment of application fee is confirmed.	The department will notify applicants once its application is deemed as valid. An applicant will be provided with an application reference number and indicative notification of outcome date. Assessment delays can occur, and these are generally due to the submission of incomplete applications or insufficient evidence being provided by the applicant. The applicant will be issued a written notice from the Secretary, or their delegate, once a decision has been made.

6.5 Deadline for applications

An applicant should submit its application by 31 October 2022 to receive a decision in 2022. Applications received after this date will be considered in early 2023. Applicants should note that the delays in the assessment processes are normally due to insufficient or incomplete applications being submitted and requiring the department to contact the applicant for additional or clarifying information.

The department will acknowledge by email receipt of your application, and will update you as the application progresses through the assessment process.

6.6 Authorised contact person

The HITS system requires every applicant to nominate at least five (5) contacts, selected from the HITS contacts list, including one or more who will be authorised to communicate with the department during the application process. Please refer to the 'Contacts – Adding a contact' section of the [HITS User Guide](#) for further information.

The primary contact person(s) nominated by the applicant must be identified in the Key Personnel worksheet in the workbook and the Credentials Information Form.

6.7 Lodgement policy

For any application received after 31 October 2022, the department may advise the applicant that the application may be considered for the 2023 period. No applications for 2022 will be accepted beyond this date.

7. Assessment of applications

7.1 When applications will not be considered

In accordance with section 32 of the Act and section 39 of the Rules, the Secretary is not required to consider or decide an application in the following circumstances:

- the application is not in the approved form (set out at paragraph 2.1 of the guide)
- the applicant does not pay the application fee

In addition, where an applicant does not meet one or more of the course provider requirements at paragraphs 25(2) (a), (b) or (d) of the Act – that is, to be a body corporate that is not a trustee to be established under the law of the Commonwealth, a state or a territory or to be a registered training organisation on the VET National Register (see training.gov.au), the department will not consider the application any further.

Where the department does not consider an application, the department will give the applicant written notice and reasons for not considering or deciding the application.

7.2 Assessment

Applicants will be assessed based on the information and evidence provided as part of the application. The department may request an applicant to provide further information, but it is at the Secretary's discretion not to request further information and rely on that provided in the application.

The department may use any relevant information obtained in relation to an application (including independent inquiry) in the assessment of applications.

The application fee will not be refunded if the applicant is not approved to become a VSL provider.

Applications will not be assessed until the department has accepted a valid application, and the application fee is paid.

7.3 Clarification

The department may:

- seek further clarification from the applicant by requesting additional evidence or information to assess the application
- make independent enquiries about any matter relevant to the assessment of the application including contacting industry referees.

If further information requested is not provided within the timeframe specified by the department this may adversely affect the assessment of the application.

7.4 Approval

The Secretary, or delegate of the Secretary, will provide notice in writing to the applicant of the application outcome. If approved, the notice will specify the period for which the approval has effect. The period cannot exceed seven (7) years.

If the application is not approved and the applicant wishes to have the decision reviewed, it can seek judicial review (review by the Courts as to whether there has been an error of law) of the decision. Judicial review could be sought in accordance with the *Administrative Decisions (Judicial Review) Act 1997* or potentially in accordance with section 75(v) of the Constitution.

7.5 Conditions

The Secretary may impose conditions on the approval as a VSL provider. The applicant will be given written notice of the conditions and the reasons for imposing the conditions.

A provider fee limit will be imposed on all VSL providers. This will be a limit on the loan amounts that can be paid to a provider in a calendar year. Course fee limits may also be imposed on providers – this is a limit on the loan amounts available for a particular course(s).

8. External dispute resolution scheme

8.1 Approved external dispute resolution scheme

Applicants do not need to demonstrate that they meet this requirement as part of their application. To be a VSL provider, the applicant must be a member of an approved external dispute resolution scheme.

All VSL providers are taken to be members of the approved external dispute resolution scheme operated by the VSL Ombudsman (see further section 42BA of the Act and the VSL (External Dispute Resolution Scheme) Specification 2017). This enables providers to satisfy the course provider requirement at paragraph 25(2)(h) of the Act, if approved.

9. Tuition protection

9.1 Approved tuition protection arrangements

Australian VET students with VSL providers are automatically covered by the Australian Government's Tuition Protection Service (TPS).

The TPS assists students whose education providers are unable to deliver their course of study following enrolment. It was initially established in 2012 as a service for international students. From 1 January 2020, the service was expanded to include eligible domestic students accessing VSL at a private education provider. The tuition protection arrangements are sector-funded and underpinned by a sustainable provider levy framework. The levy framework will cover the long-term costs of tuition protection by requiring all non-exempt VSL providers to pay levies, commensurate with their size and risk. If approved as a VSL approved provider, the applicant would be liable to pay an annual TPS levy. The TPS will notify providers when levy amounts are due for each provider. Further information is available on the [Tuition Protection Service](#) website.

The [VET Student Loans \(VSL Tuition Protection Levy\) Act 2020](#) is the statutory authority for this levy.

10. Policy and Law

10.1 Ethical dealing

Applicants to become VSL providers must not:

- engage in misleading or deceptive conduct, or make false or misleading claims or statements, in relation to the application or the application process
- attempt to solicit information from or influence improperly any current or former officer, employee, contractor, or agent of the department
- violate any applicable laws or Australian Government policies regarding the offering of inducements in connection with the application process
- engage in, procure or engage others to engage in, any activity that would result in a breach of the Lobbying Code of Conduct and Australian Public Service Commission Circular 2008/4 Requirements relating to the Lobbying Code of Conduct and post-separation contact with government
- otherwise act in an unethical or improper manner or contrary to any law.

If an applicant engages in behaviour contrary to the guide, this will impact on the assessment of its application, for example against the 'fit and proper person' requirement. In addition, the department may refer the matter to relevant Commonwealth, state, or territory authorities. This right is in addition to any other recourse the department may have under law.

10.2 Application of law and Commonwealth policy

Applicants should familiarise themselves with all relevant Commonwealth legislation and policies relating to the application process and the provision of VSL – in particular the Act and the Rules.

The establishment of a time or date in this guide does not create an obligation on the part of the department to take any action by that time or date or create any right in an applicant to expect that any action may be taken by that time or date.

10.3 Applicant's sole risk

Participation in any stage of the application process is at the applicant's sole risk, cost, and expense. The department is not responsible in any circumstance for any costs or expenses incurred by the applicant in preparing or lodging an application or in taking part in the process.

10.4 Conflict of interest

The applicant must declare in the workbook (the Senior Authorised Officers Statutory Declaration and Authorisation) if, at the time of lodging its application, an actual, potential or perceived conflict of interest concerning the applicant, or a related entity exists or might arise during the term of approval or in relation to its application.

An actual, potential or perceived conflict of interest means any matter, circumstance, interest, or activity affecting the applicant (including its officers, employees, agents and subcontractors) which may or may appear to impair the assessment of the application or the applicant's ability to be a VSL provider.

A conflict of interest may exist, for example, if an applicant (including any of its officers, employees, agents, and subcontractors) has a relationship:

- professional, commercial or personal with the department's personnel with decision making powers over the evaluation of applications
- with, or obligations to, an organisation where that relationship would or could affect its performance as a VSL provider or would bring disrepute to or embarrass the department.

If at any time before becoming a VSL provider, an actual, potential or perceived conflict of interest concerning the applicant or a related entity arises or may arise for any application, the applicant must immediately notify the department by sending an email to the department (VSLProgramIntegrity@dewr.gov.au).

If an actual, potential, or perceived conflict of interest arises, the department may:

- exclude the application from further consideration
- enter discussions to seek to resolve the conflict of interest
- take any other action it considers appropriate.

11. Confidential information

The department will treat as confidential any information that is by its nature confidential and is provided by applicants in connection with the application process. The applicant should clearly identify in its application the information that it considers should be protected as confidential information. The department will only consider a request for confidentiality where:

- the information to be protected is identified in specific rather than broad terms
- the information is by its nature confidential
- disclosure would disadvantage any of the parties concerned.

The department will not be taken to have breached any obligation to keep confidential any information provided by applicants where that information is:

- disclosed by the department to its advisers, officers, employees, or subcontractors solely to conduct the application process or to prepare and manage any resultant approval
- disclosed to the department's internal management personnel solely to enable effective management or auditing of the process
- disclosed by the department to the responsible Minister
- disclosed by the department in response to a request by a House or a Committee of the Parliament of the Commonwealth of Australia

- shared by the department within the department's organisation, or with another Australian Government department or agency, where this serves the Australian Government's legitimate interests
- shared by the department with any organisation to the extent necessary to inform the department's evaluation process. This may include but:
 - ASQA, the Victorian Registration and Qualifications Agency (VRQA) or the Training Accreditation Council of Western Australia (TACWA)
 - the Tertiary Education Quality and Standards Agency (TEQSA)
 - relevant state and territory training bodies.
- authorised or required by law to be disclosed
- in the public domain for reasons other than due to a breach of the relevant obligations of confidentiality.

12. Other matters

12.1 Public statements

Except with the prior written approval of the department, the applicant should not make a statement, issue any document or material or provide any other information for publication in any media concerning the application assessment or notification that it has been approved as VSL provider.

For the avoidance of doubt, participation in the application process does not limit the applicant's right to enter public debate or criticism of the Australian Government, its agencies, or personnel.

12.2 Additional rights of the department

Without limiting other rights contained in this guide or limiting its rights at law or otherwise, the department may do any of the following at any time:

- seek amended applications
- forward any clarification about the application process to all known applicants on a non-attributable basis and without disclosing any confidential information of an application
- provide additional information to applicants.

13. Appendices

Appendix A: eSAM and HITS information for applicants

How to obtain mandatory HELP IT System (HITS) user access credentials

Applicants must use HITS to lodge applications to become VSL providers. It is important you allow sufficient time to complete and apply for access using the required form. You will not be able to submit your application to become a VSL provider without obtaining HITS access in advance.

If you are registered in HITS and have current eSAM login credentials, you will be able to proceed with your application.

New HITS users

Organisations that do not have an existing record in HITS are New HITS users. If you are a new applicant, please follow the instructions below to set up your HITS user access credentials.

Click on [Register and Apply](#) on HITS. Complete all **required** fields and click 'Submit'.

Please note: If you receive the below error message, your organisation is **already registered** in the system and you should proceed to the next steps:

The Organisation details provided has a matching record in the system. Please contact your Organisation security administrator to access the application. Contact VETStudentLoans@dese.gov.au if you need further assistance.

Within two (2) business days of submitting your registration the department will email an ICT Security Pack to the person listed as your contact during your HITS registration. The ICT pack must be completed and returned to the department as soon as possible.

The department has developed an IT user security arrangement for HITS access whereby each organisation will manage their own staff's access to HITS through 2 nominated Provider Security Contact (PSC) administrators. The ICT pack requires you to nominate 2 PSC administrators on the Initial Access Request form. Each nominated PSC must also complete the ICT Security Declaration form.

Upon receipt of the completed Initial Access Request form and ICT Security Declaration forms, an eSAM registration email and confirmation key will be sent via SMS to each nominated PSC. This will initiate the set-up of their HITS user access credentials. When the organisation's registration is completed, you will be able to log into HITS with your eSAM details via the page.

If your organisation is already registered in HITS

If you are already registered in HITS and have current eSAM login credentials, you will be able to update your HITS profile and proceed with an application.

If your organisation was previously registered in HITS but you do not have eSAM secure identification credentials, or if they have expired, you must request an ICT pack via the [enquiry form](#) to gain access to HITS. The department will then send you the appropriate forms to nominate new PSCs for them to gain access to HITS. The PSCs will then be able to manage HITS access for other staff in your organisation.

IT system requirements for applicants

To use HITS (and to complete the workbook) you must use a computer with Windows 7 or above, Excel 2010 or above, and be able to scan and send the required evidentiary documents (in support of your application) in colour and in PDF.

Please note the HITS URL has an embedded anti-phishing rule that times out the URL for 30 minutes after it is first used. The link must always be refreshed, otherwise a user may experience an error or must enter their password several times before they can log in.

It is the responsibility of the applicant to ensure their IT systems, used for the purpose of their application, support the HITS compatible software.

Tips for HITS

Five (5) tips to avoid common HITS user errors:

1. Only a member of your staff with CEO or SAO user access privileges to the HITS system will be able to click on the 'Lodge' button to apply. You **must** click on '**Lodge**' to submit your application (until this is done your VSL application will be treated as an **incomplete** draft).

Note: If the '**Lodge**' button in HITS is either greyed-out or invisible, this means you are not logged-on to HITS with user access privileges high enough to apply in HITS. Your PSC officer (not the department) can upgrade your HITS access privileges for you.

2. You must not click on 'Lodge' in HITS until you have uploaded every document and completed every required field in HITS, because after you click on 'Lodge' your organisation will be locked out of editing or uploading documents to HITS.

Note: If you inadvertently click on '**Lodge**', and wish to add to, or amend, the application you submitted, please call the department on (02) 6240 0650 between 9:00am and 5:00pm AEST for your application to be unlocked.

3. Documents uploaded to HITS must have names (including the file extension) of less than 100 characters, for example 'Audited Financial Statements 2019.pdf' (35 characters) can be uploaded to HITS without risk of corrupting the file, whereas 'Revised and Annotated Audited Special Purpose Financial Statements for the period ending 31 December 2019.pdf' (112 characters) cannot.
4. Do not 'zip' documents with names longer than 99 characters into a zip file with a 20-character name as the system will not allow unzipping of files containing lengthy file names.
5. HITS enables you to upload up to five (5) documents simultaneously. Individual documents must not exceed 15MB. Some individual documents of over 15MB in size may appear to upload successfully to HITS, but typically become damaged and are unreadable.

Document naming convention in HITS

Your application, including supporting documentation, and completed workbook should use short (less than 100 characters in length), standardised file names comprising:

Example of name	Example of naming convention
<ul style="list-style-type: none"> Your four-character HITS ID number 	4567
<ul style="list-style-type: none"> The document name 	Employer Endorsement from XYZ
<ul style="list-style-type: none"> The date of the document 	20200327
<ul style="list-style-type: none"> Full document name 	4567-Employer Endorsement from XYZ-20200327

All attachments uploaded to HITS should be listed by title in your application submission.

Appendix B: VSL applications from listed providers

Due to the different risk profiles of government-owned (referred to in the Act as 'listed course providers') and privately-owned training organisations, the Commonwealth exempts listed providers from submitting certain components of information required from an applicant.

Under section 37 of the Rules, a listed course provider (see definition below) is taken to meet certain requirements and does not need to establish that it meets the following:

- the requirement in paragraph 25(2)(a) of the Act, to be a body corporate that is not a trustee
- the parts of the Financial Performance provider suitability requirement set out in sections 23 and 24 of the Rules
- the part of the Experience and Course Offerings provider suitability requirement set out in section 31 of the Rules.

1. Which bodies are listed course providers?

A listed course provider is defined in section 27 of the Act as a:

- Table A provider – see section 16-15 of the HESA
- Table B provider – see section 16-20 of the HESA
- body established to provide vocational education or training under one of the following:
 - the Technical and Further Education Commission Act 28 1990 (NSW)
 - the Education and Training Reform Act 2006 (Vic)
 - the TAFE Queensland Act 2013 (Qld)
 - the Vocational Education and Training Act 1996 (WA)
 - the TAFE SA Act 2012 (SA)
 - the Training and Workforce Development Act 2013 1 (Tas)
 - the Canberra Institute of Technology Act 1987 (ACT)
- training organisation owned by the Commonwealth, a state, or a territory.

2. Is the applicant owned by a Commonwealth, a state, or a territory government?

To avoid any uncertainty, applicants that consider they are owned by a Commonwealth, a state or a territory government should provide evidence that demonstrates its ownership and upload it to HITS with its application.

Relevant factors that may be considered in determining whether an applicant is owned by the Commonwealth, a state or a territory government include:

- the entity is established under an enactment and material aspects of its management and operations are specified by enactment
- the entity has annual reporting or like obligations to government and is within the general structure of ministerial responsibility to Parliament
- the entity otherwise has an express statutory accountability to government
- the entity is included within and bound by a specific statutory framework established for government owned entities (for example, the Queensland Government Owned Corporations Act 1993)
- government controls the composition of the board of directors or like governing body

- government can cast, or control the casting of, more than one half of the maximum number of votes that might be cast at a general meeting of the entity
- government holds more than one-half of the issued shares in the entity
- a material portion of the entity's funding is subject to budgetary appropriation.

3. Applications from government-owned Table A and Table B universities and TAFEs

Table A providers, Table B providers and TAFEs are required to complete the Credentials Information Form and the following workbook worksheets and upload them to HITS:

- Entity Details
- Proposed Courses
- Authorisation Declaration
- Statutory Declaration
- Articulation Agreement

They are not required to complete the following forms:

- Financial Details
- Course History
- Key Personnel

4. Applications from other government-owned training organisations

Training organisations owned by the Commonwealth, a state or territory, which are not Table A providers, Table B providers or TAFEs (other government-owned training organisations), are required to complete the Credentials Information Form and the following workbook worksheets and upload them to HITS:

- Entity Details
- Course History
- Proposed Courses
- Authorisation Declaration
- Statutory Declaration
- Articulation Agreement

They are **not** required to complete the following forms:

- Financial Details
- Key Personnel

Other government-owned training organisations are also required to:

- complete and submit a VET application for VSL approval in HITS after completing or updating its key personnel, contact details, and organisation details pages in HITS
- complete the provider suitability worksheet in the workbook but not Financial Performance (aside from evidence of insurance) and not Experience and Course Offerings components
- provide evidence that it is owned by a Commonwealth, a state, or a territory government (see section 2 on the next page for the type of evidence that may be considered). The substantive evidence uploaded to HITS should have a document title of 'Evidence of Listed Status' and be provided in PDF format.

Appendix C: Financial performance requirements

Financial viability is critical to the sustainability of a VSL provider. If a provider is not financially viable then this negatively impacts on the quality of its training and on students.

VSL providers under the [VET Student Loans Act 2016](#) (the Act) are required to meet the information requirements in the [VET Student Loans Rules 2016](#) (the Rules). Information under the relevant provisions is necessary to ensure the integrity of the program and to support monitoring and compliance activities.

Before applying to become an approved VSL provider, applicants may wish to speak to their accountant about their organisations' financial position and performance.

Section 23 of the Rules

Section 23 of the Rules sets out requirements in relation to financial performance. Those requirements are below.

- (1) The provider **must** be able to pay its debts as and when they are due and payable.
- (2) The provider **must** be financially viable.
- (3) Each of the following is an indicator that a provider is financially viable:
 - a) the provider generates sufficient income to meet operating payments, debt commitments and, where applicable, to allow growth while delivering quality training, assessment services and outcomes
 - b) the provider's total assets exceed the provider's total liabilities (the provider has a positive equity position), and there is no evidence to suggest that this might change
 - c) if the provider is not a charitable or not-for-profit organisation registered with the Australian Charities and Not-for-profits Commission, and has been operating for three (3) years or more—the provider has operated at a profit for at least two of the three previous financial years for the provider
 - d) if the provider has at least 100 enrolments in courses leading to awards of qualifications in the Australian Qualifications Framework—at least 20 per cent of the provider's revenue for the previous financial year came from sources other than payments that gave rise to HELP debts or VETSL debts
 - e) the provider has a net positive cash position from operating activities (determined in accordance with the accounting standards)
 - f) the provider is not providing guarantees or loans that could have a material effect on the provider's finances
 - g) the provider is not providing its assets as security other than under a commercial loan arrangement with an authorised deposit-taking institution (ADI).

Section 113 of the Rules

Section 113 of the Rules sets out requirements in relation to annual financial statements. Those requirements are below.

- (1) An approved provider (other than a listed course provider) **must** give the Secretary of the Department of Employment and Workplace Relations general purpose financial statements for each financial year of the provider (within the meaning of section 323D of the Corporations Act 2001), within 3 months after the end of the financial year.

(2) The financial statements must be:

- a) prepared by a qualified accountant (within the meaning of the Corporations Act 2001) in accordance with applicable accounting standards and
- b) audited by a qualified auditor who is independent of the provider.

(3) The financial statements must be accompanied by the following:

- a) a report by the auditor
- b) a copy of the auditor's independence declaration required under section 307C of the Corporations Act 2001
- c) a declaration by a qualified accountant or auditor that the provider has, as at the date of the declaration, complied with all statutory obligations relating to the payment of the following:
 - (i) company tax
 - (ii) goods and services tax
 - (iii) withholding tax, including withholding tax for employees
 - (iv) payroll tax
 - (v) superannuation guarantee for employees.

(4) If the provider is part of a consolidated entity, the financial statements must be accompanied by:

- a) a copy of the most recent consolidated financial statements for the entity prepared in accordance with applicable accounting standards and
- b) such additional information related to the consolidated entity as determined by the Secretary.

(5) The financial statements and accompanying documents and information must be given to the Secretary in a manner and form approved by the Secretary.

Appendix D: Key terms used in this guide

Key term	Definition
Act / (the Act)	<i>VET Student Loans Act 2016</i>
Applicant or organisation	The body applying for approval as a VSL provider
Application fee	The application fee is a one-off fee to submit an application for approval as a VSL provider
Approved Courses	Courses listed on the current VET Student Loans (Courses and Loan Caps) Determination 2016
Approved course provider (VSL provider)	A body approved by the Secretary under section 25 of the <i>VET Student Loans Act 2016</i>
AQF	Australian Quality Framework
Business day	Any day of the week other than Saturday, Sunday or a national public holiday or a public holiday in the Australian Capital Territory. A national public holiday is a Commonwealth public service holiday throughout Australia promulgated in the Commonwealth Government Gazette.
Course provider requirements	The course provider requirements specified in section 25(2) of the Act
Department	The Australian Government Department of Employment and Workplace Relations
eSAM	The department's identification verification system (used to control access to HITS and other departmental systems)
HITS	The HELP Information Technology System: the electronic platform used by the department to collect, distribute, and maintain provider information (other than student records) for each VSL provider or applicant. VSL applications must be submitted using this platform
Key personnel	See definition in section 16 of the Rules
Provider suitability requirements	The provider suitability requirements specified in Division 3, Part 4 of the Rules
The Rules	The VET Student Loan Rules 2016
Secretary	Secretary of the Department of Employment and Workplace Relations
Tuition protection scheme	The scheme in place to protect and support students in the event of a course or provider closure
VSL Applicant Guide (the guide)	This guide, which details the application process and requirements for applicants to apply to become VSL providers.
VSL Application Workbook (the workbook)	An Excel workbook containing 10 forms. The workbook must be uploaded, as a whole to HITS as a key part of the 'Form' of submission approved by the Secretary to be a valid application
VSL Application Workbook Guide (the AWG)	A document containing information to assist the applicant navigate the Application Workbook.