

Policy

Student Encumbrance



Date of approval	8 May 2026	Approved by	Academic Board
Date of effect	1 July 2026	Review date	31 July 2029
Relates to	Batchelor Institute of Indigenous Tertiary Education Act 1999, Student Code of Conduct, Academic Rules, Assessment Rules, Student Fees Policy	Version	v1 2026
Responsible Owner	Director, Student Experience		
Functional Manager	Manager, Student Administration		

1. Outline

- 1.1 The purpose of this policy is to outline Batchelor Institute of Indigenous Tertiary Education (the Institute) activities in relation to students who fail to meet certain requirements of their enrolment at the Institute, such as:
 - not paying fees or fines levied by the Institute,
 - having an academic penalty assigned based on a breach of the Student Code of Conduct or Academic Rules.
- 1.2 This policy is aligned with the Institute's strategic and corporate plans and external Commonwealth and State/Territory standards. Adherence to this policy will ensure that:
 - all activities reflect consistent applications.
 - all activities comply with national standards; and
 - all activities adhere to the principles of natural justice and procedural fairness.
- 1.3 A fundamental philosophy of the Institute is the Both-ways approach. While originally a philosophy of education that brings together Indigenous Australian traditions with western academic disciplinary contexts it also frames many of the administrative, operational and support activities of the Institute, including the Institute's approach to the principles and operation of student fees. Both-ways impacts not only how the Institute approaches the principles and operation of student fees, but also how staff, students and others view the Institute.
- 1.4 This policy does not remove the right of the student to take action under Australia's consumer protection laws.

2. Summary

- 2.1 All aspects of Batchelor Institute Student Encumbrance policy are managed by the Director, Student Experience in conjunction with the Chief Financial Officer.

3. Policy

- 3.1 An encumbrance is a sanction or 'hold' applied to a student record which limits the access to Institute services. The limitations placed on the student record depend on the type of encumbrance applied; which may be Academic or Administrative (e.g.: due to outstanding obligations, non-payment of outstanding student fees, fines, or debts).
- 3.1.1 All encumbrance types prevent the issuance of AQF certification documents, including Statement of Results, Academic Transcripts, National VET Qualifications, Statement of Attainments and VET and Higher Education Testamurs, and will prevent a student from graduating either in person or in absentia.
- 3.1.2 An academic encumbrance will lead to the cancellation and/or exclusion of a student enrolment or re-enrolment.
- 3.2 This policy applies to all past, commencing and continuing students enrolled in Higher Education and VET courses, qualifications, VET recognised skill sets, VET short courses or stand alone units.
- 3.3 This policy will also be published on the Batchelor Institute website.

Types of Student Encumbrances

- 3.4 Types of student encumbrances include:
- 3.4.1 *Administrative Encumbrance.* An administrative encumbrance includes outstanding debts or obligations to the Institute, such as:
- Outstanding student fees,
 - Library fines,
 - Other student debt such as student travel or damage to property, or
 - Unreturned Institute equipment.
- 3.4.2 *Academic encumbrance.* An academic encumbrance is the result of an issue(s) relating to a breach of the Student Code of Conduct or Academic Rules.

Student Fee, Fines, Debts, Invoices and Collection

- 3.5 The responsibilities in relation to student fees, fines, debts, invoices, and collection are:
- Student Administration: Invoicing student fees
 - Financial Services: collection of student fees, Invoicing and collection of student Library fines and other student debts and the collection of fees, fines, and debts.

Removal of an Encumbrance

- 3.6 Upon payment of outstanding student fees, debts, obligations, and the lifting of an administrative or academic encumbrance, a student may apply to be issued with the relevant AQF Certification.

5. Responsibilities

<i>Description</i>	<i>Task</i>	<i>Responsible Officer, Committee</i>
Student Fee Invoices and Fees Collection	Invoice students	Student Administration
	Collect Student Fees	Financial Services
Library Fines	Identify Fines	Library & Information Services
	Invoice Students and collect fines and other	Financial Services
	Apply or remove encumbrance	Student Administration
Other student debt	Identify debt	Institute Staff
	Invoice Students and collect fines and other	Financial Services
	Apply or remove encumbrance	Student Administration
Academic encumbrance	Formal charge of breach Student Code of Conduct	Director of Student Experience or Dean, Higher Education and Research
	Apply or remove encumbrance	Student Administration
Compliance	Monitor compliance	Director of Student Experience

6. Acronyms & Terms

<i>Acronym/Term</i>	<i>Definition/Description</i>
ASQA	Australian Skills Quality Authority
AQF	Australian Qualifications Framework
Certification Documentation	Certification documentation is the set of official documents that confirms that a qualification has been completed and awarded to an individual.
RTO	Registered Training Organisation.
TEQSA	Tertiary Education Quality and Standards Agency

7. Supporting Documents

- Academic Rules,
- PhD and Master's Degree Rules,
- Student Fees Policy,
- Student Withdrawal and Fee Refunds Procedure.

8. Related documents

- *National Vocational Education and Training Regulator (Outcome Standards for Registered Training Organisations) Instrument 2025*
- *Higher Education Support Act 2003,*
- *Higher Education Support Amendment (VET FEE-HELP Reform) Act 2015,*
- [Higher Education Standards Framework \(Threshold Standards\) 2021 | Tertiary Education Quality and Standards Agency](#)
- [Higher Education Administrative Information for Providers - Department of Education, Australian Government](#)
- VET Administrative Information for Providers 2015,
- VET Administrative Information for Providers – Addendum Incorporating the VET FEE-HELP reforms 2015/2016.

9. Non-Compliance

- 9.1 Non-compliance with Governance Documents is considered a breach of the Staff Code of Conduct and is treated seriously by the Institute. Reports of concerns about non-compliance will be managed in accordance with the applicable disciplinary procedures.
- 9.2 All staff members have an individual responsibility to raise any suspicion, allegation or report of fraud or corruption in accordance with the Fraud and Corruption Control Policy and Whistleblower Reporting (Improper Conduct) Procedure and Guideline.

10. Modification history

Date	Version	Authority	Sections Modified & Details
Jan 2016	1	SMC	new policy
Feb 2016	1.1	Policy Officer	Changes to format Add definition
Sep 2016	1.2	Director PMR	Current to date Current to date amended to be consistent with other student fee policies & procedures
Nov 2018	2018 v3	Director PMR	Title Information - Amended to new responsible officers

Date	Version	Authority	Sections Modified & Details
June 2020	2020 v4	Academic Board	Amend approval authority from ELT to Academic Board Add clearer description in 3.2 to encompass all past and present students Include Higher Education students in 3.5 Changes to reflect organisational changes
September 2021	2021 v5	Senior Policy Officer	Changes to reflect organisational title changes Additional information added to Responsibilities (4)
November 2023	v1 2023	Academic Board	Minor amendments to wording (whole document) Removal and addition of Acronyms/Terms (5) Adding mention of removal of encumbrances in Responsibilities (4)
May 2026	v1 2026	Academic Board	Minor amendments to wording (whole document)

11. Feedback

If you have any comments or feedback about this Policy, please contact Manager Student Administration, SMS Compliance and Government Load Reporting.