

Study Assistance Policy

Compliance with this policy and related guidelines is mandatory

Distribution: All MDBA employees

Reference: D21/9600

Summary: This policy provides advice on studies assistance for MDBA employees.

Document governance

Version number	Date of issue	Responsible Area	Description of change	Review by date
1	23 March 2018	People and Culture	Original	2020
2	April 2021	People and Culture	Review	April 2024

Review Cycle

A review of the framework is undertaken biennially or following any significant changes to the MDBA's broader environment.

Approval

Version number	Name	Position	Signature	Date
2	Annette Blyton	Chief Operating Officer		April 2021

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Introduction

1. The MDBA may provide study assistance to eligible employees in accordance with the Enterprise Agreement 2017-2020 (the EA) to support professional development.

Where an ongoing employee, or long term non-ongoing employee with at least a 12-month employment contract, receives approval prior to undertaking formal studies (including maintaining professional qualifications), relevant to the business needs of the MDBA, the Chief Executive may approve study assistance.

[MDBA Enterprise Agreement 2017-2020 cl. 15.1](#)

2. Eligible employees on approved leave without pay (LWOP) can apply for the financial assistance component under the Study Assistance Policy.

Policy

3. Study assistance supports employees to undertake courses of study that will contribute to the improvement of their professional skills and knowledge and is relevant to the business of the MDBA.
4. The study assistance provisions are designed to:
 - foster a high-performance learning culture
 - encourage learning that addresses Portfolio and Program needs
 - encourage equitable access to learning
 - support learning activities that can be accommodated within budget and operational requirements.
5. Study assistance is a joint commitment between the employee and the MDBA to assist in building the employee's capability. Where available, employees are expected to undertake study outside of business hours in order to successfully complete any agreed study.

Eligible course of study

6. Courses or programs of study an employee may apply for under this policy include, but are not limited to:
 - on campus, external and electronic (e-learning) study or a blended approach
 - courses taken at pre-tertiary, vocational, undergraduate or postgraduate levels

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- specialist professional development courses such as Australian Public Service Commission courses
 - seminars targeted towards an employee's professional knowledge
7. Programs not covered above, for example one or two-day workshops, must be funded by a Program's learning and development budget.

Management considerations

8. Managers should discuss with the employee the following factors when endorsing or approving a study assistance application:
- the relationship of the proposed study to the identified capability needs of the MDBA
 - the skills and specific knowledge required by the immediate work area
 - the impact leave for studying purposes will have on the workload of the program/team
 - the relevance of the course of study to the employee's future employment within the agency and their career goals and objectives generally
 - the employee's current work performance
 - whether the employee has studied previously and to what level
 - the capability and professional development gaps of the employee as identified in their Performance Management Plan.
9. The decision to approve studies assistance will also be guided by a consideration of the MDBA's priority capability and program needs.

Study Leave and Financial Assistance

The study assistance approved by the Chief Executive may incorporate paid study leave and/or financial assistance up to a maximum of: five hours per week paid leave for study purposes; and an additional five hours per semester/per unit for preparation and attendance at examinations, subject to operational requirements; and up to \$5,000 per calendar year (reimbursable upon successful completion of each unit/course).

[*MDBA Enterprise Agreement 2017-2020, cl. 15.2*](#)

10. Study assistance approved by the Delegate may include the following:
- **study leave** – up to a maximum of five hours per week paid leave for study purposes. For example: to attend face to face and online classes, tutorials, excursions, or scheduled residential study courses, approved field work or other

learning activities. For employees undertaking an approved doctorate or master's program, study leave would need to be considered as part of the delegate's approval.

- **examination leave** – up to a maximum additional five hours per semester/per unit for preparation and attendance at examinations for all approved courses, subject to operational requirements
- **financial assistance** – reimbursement up to a maximum of \$5,000 per calendar year towards course unit/s.

11. Where an employee undertakes less than the regular program of part-time study, the Delegate may need to consider whether pro-rata financial assistance and study leave is appropriate, noting
 - the reduced number of units being undertaken
 - overall budget considerations given the extension of financial commitment
 - MDBA's capability priorities
 - the reasons for the employee undertaking a reduced program.
12. Where an employee is part-time and undertaking a regular program of part-time study, the employee will be eligible for a pro-rata amount of study leave (financial assistance and examination leave entitlements are not affected).
13. Approval for study assistance is at the discretion of the [Delegate](#):
 - Chief Operating Officer
 - Senior Director, People, Culture and Regionalisation
 - Director, People and Culture.

Study Leave

14. The manager will consider requests to take additional leave (including accrued leave) beyond the weekly study leave entitlement to attend residential schools and/or field trips on a case by case basis. Where possible this should be considered when the studies assistance is being approved, noting that they may be an essential part of the course. The following should also be taken into account:
 - whether the residential school or field trip is a mandatory course requirement
 - the period of absence from work and operational requirements
 - the use of flexible working arrangements, and
 - the use of accrued study leave, flex-time, time off in lieu and/or annual leave.
15. Where an employee does not successfully complete a unit of study and wishes to

undertake the unit for a second time, the employee must submit a new application for Study Assistance to the Delegate. The decision to provide paid leave to repeat the unit will be at the discretion of the Delegate. (Refer 'Course of study not completed', paragraph 40).

16. If the weekly approved leave component of up to five hours maximum is not fully utilised in a given week, the employee may accrue and bank the balance of the agreed number of weekly hours.
17. The banked hours may be used for study purposes (eg. residential schools or field work, excursions etc.) during the semester. Accruals do not carry over from one semester to another.
18. Both the employee and manager must manage the use of study leave via Aurion.
19. Use of study leave accruals must be negotiated with the manager and take into account operational requirements.
20. Where a study day falls on a public holiday or an employee does not attend for any other reason e.g university breaks, recreational leave, personal leave etc, the study leave for that time cannot be accrued.

Financial Assistance

21. An employee may only claim for the reimbursement of course fees on successful completion of the unit/s studied. Study assistance for courses that fall across calendar years are approved on a per unit, term or semester basis upon submission of receipts and academic transcript. Reimbursement of fees and associated financial eligibility is managed on a calendar year basis which may not align with the academic year.
22. Employees undertaking research degrees with relevance to the MDBA, which do not have course fees or charges, may be reimbursed for costs that are directly related to conducting their research. This will be considered on a case by case basis. The employee must follow the study assistance application process.
23. The following expenses will not be reimbursed through study assistance:
 - charges associated with late enrolments
 - travel and accommodation charges associated with residential course

components or field trips not packaged into overall course fees or charges

- text-books or similar.

HECS/HELP

24. For students who elect to defer their fees, reimbursement will only be approved on the presentation of an invoice for payment from the Australian Taxation Office (ATO) or on a statement of HECS-HELP debt from their institution.

Fringe Benefit Tax (FBT)

25. It should be noted that some Study Assistance reimbursements will attract Fringe Benefits Tax (FBT). The MDBA will pay the FBT; however, employees must complete an Expense Payment Fringe Benefit Declaration, which is included in the [Study Assistance Reimbursement](#) form.
26. The form is not required in relation to the Higher Education Loan Program (HELP) component of Study Assistance payments. The HELP component of payments will always be subject to FBT and may result in a reportable fringe benefit amount (RFBA) for the employee.
27. Study Assistance participants should view the FBT and RFBA impact on their individual circumstances through the Australian Taxation Office (ATO) website. If employees are concerned about the implications of FBT and the reportable fringe benefit they should seek independent financial advice.
28. Further information can be found on the [ATO website](#).

Claiming financial hardship for study assistance

29. An employee may claim financial hardship and request the MDBA to make an up-front payment of course fees. This may apply where HECS/HELP is not available for an approved course under this policy.
30. Financial hardship is where an employee would be unable to meet regular living expenses such as mortgage/rent payments, utility bills and/or grocery expenses as a result of paying course fees.
31. A reduction in discretionary spending is not a form of financial hardship.

32. Where an employee claims financial hardship, they must provide detailed evidence to the Chief Financial Officer (CFO). This may include the provision of bank statements, utility bills or other evidence considered suitable by the CFO.
33. Where an employee fails to successfully complete the unit/s studied, the MDBA may seek reimbursement from the employee, depending on the employee's overall circumstances.

Performance Management Plan (PMP)

34. The employee and the manager must include study being considered for Study Assistance in the employee's PMP and these should be amended to include study being undertaken where the study was not identified at the start of the performance cycle.
35. Studies assistance may cease if the employee does not meet performance expectations under their Performance Management Plan.

Notification of changes

36. The employee must notify the Delegate of any issues/changes (for example, a reduction in classes/tutorials or cancellation of field trips) to their original application.

Changing from one course to another

37. If an employee changes from one unit/course to another, study assistance is not transferable. In such circumstances:
 - study assistance approval lapses immediately
 - the employee must notify their manager and People and Culture immediately in writing
 - the employee will need to lodge a new study assistance application for the new units.

Employee transfer

38. Any entitlement to studies assistance ceases when an employee undertakes a permanent transfer/movement outside the MDBA. Study leave lapses immediately and cannot be transferred. The MDBA will not reimburse study assistance costs after an employee leaves the MDBA.

39. Study assistance is likely to cease for temporary transfers, however this may be subject to negotiation between the MDBA and gaining agency, depending on the circumstances.
40. All employees moving into the MDBA will need to apply for study assistance regardless of any approvals in place in their previous agency.

Course of study not completed

41. If an employee withdraws from a course of study or is unable to complete the study for any reason, the employee must immediately inform their manager and People and Culture in writing. In such circumstances:
- any unused leave lapses immediately
 - reimbursement of fees will not be made to the employee
 - any costs incurred will be the responsibility of the employee.

Revocation of studies assistance

42. A Delegate may revoke study assistance when a subject of study is not successfully completed. Consideration will be given to the reason for the unsuccessful completion (serious illness or injury, bereavement or other exceptional circumstances).
43. A Delegate may revoke study assistance on the advice of the employee's manager due to formal misconduct or workplace underperformance.

Workers compensation

44. Under the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act), employees will generally be covered by workers compensation whilst travelling between work and the approved course of study and during attendance at the course of study. However, employees are not covered whilst travelling between home and the approved course of study. Any claim under the SRC Act will be assessed on its merits and will necessarily have regard to the employer approved study approval arrangements.

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Request for review

45. Where the Delegate rejects an application for Studies Assistance, reasons for this decision will be documented. The applicant will be notified in writing of the reason for this decision.
46. If an employee is unsatisfied with the outcome of this decision, they may request a review under the Review of Actions provisions of Section 33 of the [Public Service Act 1999](#) (the PS Act), as set out in the MDBA's [Review of Action Guidelines](#). The request for review must be made within 120 days of the decision being made or the action occurring.

Forms

[Study Assistance Application](#)

[Study Assistance Reimbursement](#)

Further Advice and Information

[MDBA Enterprise Agreement 2017-2020](#)

[HR Delegations](#)

[Performance Management and Development Scheme Policy](#)

[Review of Action Guidelines](#)

[Australian Public Service Commission: Learn and Develop](#)

[Australian Qualifications Framework](#)

[Australian Qualifications Framework Register](#)

[HECS-HELP \(Australian Government student loan scheme\) welcome](#)

[ATO Fringe Benefits Tax](#)

Contact PeopleAndCulture@mdba.gov.au for information about study assistance.

[\[End Document\]](#)