

STUDENT COMPLAINTS AND APPEALS POLICY

PREAMBLE

The College aims to provide an effective and acceptable procedure for students to bring complaints and appeals to the attention of the College.

All complaints and appeals by a student will be handled professionally and confidentially, with the aim of achieving a satisfactory resolution as soon as practicable. The College is committed to conducting the assessment of all complaints or appeal in a professional, fair and transparent manner.

In accordance with access and equity principles this Policy is available to all students and stakeholders via the College's website.

DEFINITIONS AND ACRONYMS

"College" means Australian Pacific College, English Unlimited and Australian Pacific Travel and Tourism.

"ELICOS" means English Language Intensive Courses for Overseas Students.

"ESOS Act" means the Education Services for Overseas Students Act 2000

"Extenuating Circumstances" relating to the welfare of the student include, but are not limited to circumstances where the student:

- refuses to maintain approved care arrangements (only for students under 18 years of age);
- is missing;
- has medical concerns, severe depression or psychological issues which lead the provider to fear for the student's well being;
- has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others; or
- is at risk of committing a criminal offence.

"National Code 2018" means the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

"Overseas Student" means a person (whether within or outside Australia) who holds a student visa as defined by the ESOS Act.

"Policy" means this Student Complaints and Appeals Policy.

1. RESPONSIBILITIES OF STAFF AND MANAGERS



Managers and other designated staff are responsible for responding to student complaints in an appropriate manner. They also have the responsibility of ensuring that students involved in the complaint and appeals process understand their rights and responsibilities in relation to this Policy.

The officer charged with conducting the Complaints and Appeals process must ensure that all determinations are actioned and outcomes properly documented in a Complaints and Appeals Form (paper based or digital).

2. INTERNAL COMPLAINTS AND APPEALS PROCESS

The College has a two (2) step internal complaints and appeals process as follows:

Step 1 involves an *informal internal stage* to resolve complaints or appeals.

Step 2 involves a *formal internal stage*, which requires a complaint or appeal to be made in writing and formally lodged with the College. The College will undertake an investigation of the complaint or review the decision subject to appeal and a written report of the outcome of the investigation or appeal will be prepared.

Steps 1 to 2 are discussed in detail below.

The College's internal complaints and appeals process is provided at no cost to the student.

2.1 Step 1 – Informal Internal Stage

Students are encouraged to attempt informal resolution of any complaint or appeal they may have by directly talking to the staff member or student to whom the complaint or appeal relates.

For **academic matters**, that is, matters concerning teaching, learning, or assessment issues in your course, please discuss the matter with the relevant teacher or trainer. If you believe that the matter cannot be resolved by discussion with the teacher or trainer, please see the Coordinator/Academic Manager.

For **administrative matters**, that is, matters concerning the management of the College including the administration of your enrolment, the College's education agent or any related party the College has an arrangement with to deliver courses or related services, please see Student Care.



For **personal or welfare matters**, that is, matters concerning your security, safety and general well-being please see Student Care. ***In cases concerning your immediate safety and security, please see any staff member or security guard.***

SERIOUS COMPLAINTS

If you have a serious complaint regarding inappropriate conduct or behaviour of any teacher, trainer or staff member please arrange to see the Assistant Academic Manager (ELICOS) or the Principal Academic Director immediately.

If it is not possible to resolve complaints informally proceed to the formal Complaints and Appeals Process set out in Step 2 immediately.

2.2 Step 2 – Formal Internal Stage

The procedure in Step 2 should only be used after you have, where possible, attempted to resolve your matter informally and may be used where you have a complaint regarding any matter concerning the College, teacher, trainer or staff member or where you are appealing a decision of the College.

NOTE: All complaints and appeals must be submitted in writing on the **attached Complaints and Appeals Form**, which is also available on the College websites (www.apc.edu.au – www.aptt.edu.au – www.eu.edu.au) and from Student Care or Reception.

When completing the Complaints and Appeals Form, you should provide a detailed report of your complaint or appeal and if necessary attach any documentation you believe to be relevant.

Your completed Complaints and Appeals Form must be submitted to the Academic Manager or Principal Academic Director via Reception or Student Care. You will receive a receipt slip (or on screen message in the case of digital forms) acknowledging that your complaint or appeal has been received by the College.



2.3 Investigation of your complaint or appeal

The College will commence an investigation of your complaint or appeal no later than 10 days of receipt of your completed Complaints and Appeals Form.

As part of the College's investigation, you will be given an opportunity to present your complaint or appeal at a formal meeting if necessary. You may invite a support person to accompany and assist you in the meeting. You may also be asked to provide relevant supporting documentation. The College may require you to provide additional documentation and may take steps to verify the authenticity of the documents you provide (including medical certificates, if relevant).

Where a complaint concerns another person, that person will be given the opportunity to provide a formal response to your complaint.

In the event that your complaint/appeal takes longer than 60 calendar days the College will advise you in writing of the reasons for why the process needs additional time.

2.4 Finalisation of complaints and appeals

The College will finalise the Complaint and Appeals Process as soon as practicable.

The College will communicate the outcome of the investigation of your complaint or appeal and a written report of the outcome, including the reasons for the outcome, will be provided to you. A copy of the complaint or appeal, written report (including the outcome and reasons for the outcome) and other related records will also be kept by the College.

3. FORMAL EXTERNAL COMPLAINTS AND APPEALS PROCESS

- 3.1 Students who are not satisfied with the result or conduct of the College's internal complaints and appeals process have the right to access an external complaints handling and appeals process at minimal or no cost. The College will remind students of this right within 10 days when they have not been successful in the internal complaints and appeals process.
- 3.2 The Overseas Students Ombudsman investigates complaints about problems that overseas students or intending overseas students may have with private education and training in Australia. The Overseas Students Ombudsman provides a free, independent and impartial service. The Ombudsman does not represent



either overseas students or private education providers and can make recommendations arising out of investigations.

- 3.3 Students who access the external appeal process should be aware that the College may be requested to disclose information that is private and personal to the student and, by accessing the external appeal process, the student consents to the disclosure of such private and personal information by the College.
- 3.4 Students may also take action under Australia's consumer protection laws and, where a student does so, the student is deemed to have accessed the College's Complaints and Appeals Process. This can be done through the Department of Fair Trading or the Australian Skills Quality Authority.
- 3.5 External review agencies include the Overseas Student's Ombudsman (1300 362 072), the Anti-Discrimination Board (02 9268 5555) or the Department of Fair Trading (13 3220). Further information may be obtained from the Department of Fair Trading's website www.fairtrading.nsw.gov.au
- 3.6 Students who access the external complaints and appeals process will need to follow the procedure set out by the relevant external body.

4. DECISIONS

Where any internal or external Complaints and Appeals Process results in a decision that supports the student, the College will immediately implement the decision/recommendation and any corrective and/or preventative action required and advise the student of the outcome.

5. UNSATISFACTORY COURSE PROGRESS / ATTENDANCE

- 5.1 The College is, in some cases, required to report a student to the relevant Australian government authorities for unsatisfactory course progress or unsatisfactory attendance. *Reporting a student for unsatisfactory course progress or unsatisfactory attendance has serious consequences and may impact on the student's visa.*
- 5.2 In the case where the College intends to report the student for unsatisfactory course progress or unsatisfactory attendance, the student will be notified in writing and given **20 working days** to access the College's internal Complaints and Appeals Process (Step 1 and Step 2). The 20 working day period will commence from the date the student receives notification of the College's intention to report the student. If the student does not access the College's internal Complaints and Appeals Process within the 20 working days then the College will report the student without further notice.



- 5.3 Where the student accesses the Complaints and Appeals Process, the College will maintain the student’s enrolment and not report the student until the College’s internal Complaints and Appeals Process and, if accessed, the external Complaints and Appeals Process is complete and a decision has been made to support the action of reporting the student.

6. CANCELLATION OR SUSPENSION OF STUDENT’S ENROLMENT

- 6.1 The College is entitled to suspend or cancel a student’s enrolment at the College in certain circumstances including, but not limited to, where the student fails to pay fees or other monies due and payable or misbehaviour by the student.
- 6.2 In the case where the College intends to suspend or cancel the student’s enrolment at the College, the student will be notified in writing and given **20 working days** to access the College’s internal Complaints and Appeals Process (Step 1 and Step 2). The 20 working days will commence from the date the student receives notification of the College’s intention to suspend or cancel the student’s enrolment. If the student does not access the College’s internal Complaints and Appeals Process within the 20 working days then the College will suspend or cancel the student’s enrolment without further notice.
- 6.3 Failure to comply with the time limit above will result in the suspension or cancellation of the student’s enrolment, which may impact on the student’s visa.
- 6.4 If the student accesses the College’s internal Complaints and Appeals Process, the College will maintain the student’s enrolment until the internal Complaints and Appeals Process is completed, unless Extenuating Circumstances relating to the welfare of the student apply, in which case the College may immediately suspend or cancel the student’s enrolment prior to the completion of the internal Complaints and Appeals Process.

7. FURTHER INFORMATION

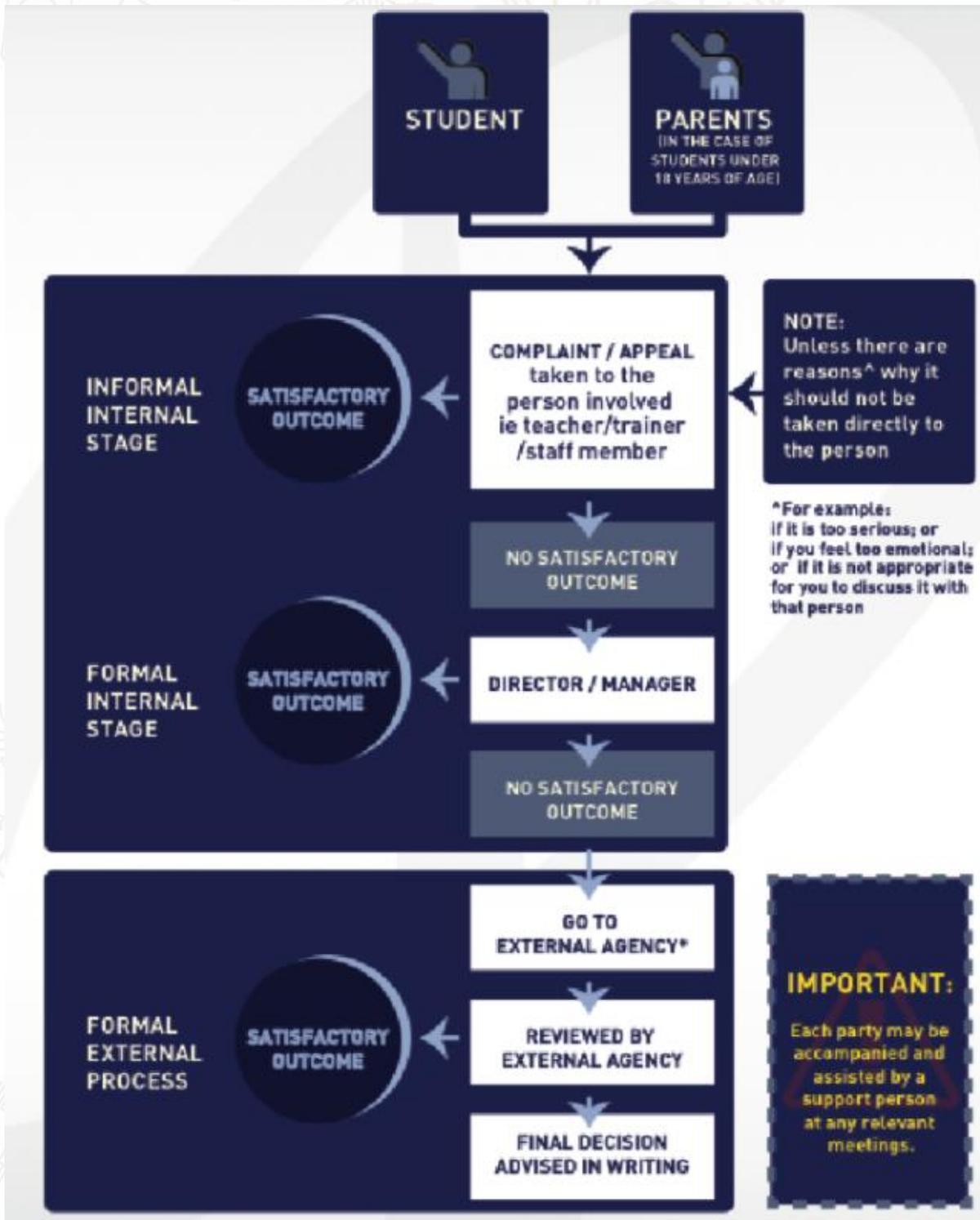
For further information please contact:

Australian Pacific College	Australian Pacific Travel & Tourism	English Unlimited
Reception or Student Care Tel: 9251 7000 Email: appeals@apc.edu.au Web: www.apc.edu.au	Student Administration Tel: 02 9387 4230 Email: info@aptt.edu.au Web: www.aptt.edu.au	Reception or Student Care Tel: 07 3003 0088 Email: info@eu.edu.au Web: www.eu.edu.au

The College websites also contains links to important legal sites in Australia.



Students should be aware that the College's letter of offer and the availability of the Complaints and Appeals Process does not remove the right of the student to take action under Australia's consumer protection laws.



COMPLAINTS & APPEALS FORM (GRIEVANCE FORM)

Student Name: _____ Student Number: _____

Course: English Other _____

Did you receive a notice of intention to report? No Yes → *Please attach copy*

Details of Grievance

Student's Signature: _____ Date: _____

A grievance is a problem you might experience with the College, about something that has happened which you believe is unfair. Generally, the first person to see about this problem is your trainer/teacher or Student Care. If the problem cannot be resolved through speaking with your trainer or Student Care, you should discuss it with the Academic Manager or Principal Academic Director (PAD). If the grievance involves a personal or welfare matter, you can approach Student Care or Reception.

You may also put your concerns in writing. If grievances are not resolved after discussion with the College, you may wish to refer to an external agency, e.g. The Overseas Students Ombudsman (1300 362 072), the Anti-Discrimination Board (9268 5555) or the Department of Fair Trading 13 3220. Further information may be obtained from the Department's website: www.fairtrading.nsw.gov.au

All grievances will be taken seriously and a written statement will be given, outlining the complaint or grievance, how it has been handled on appeal, the outcome and reasons for any decisions made. Also refer to the College's website which has links to important legal sites in Australia.

The College's Complaints and Appeals Process does not limit the rights of students to take action under Australia's consumer protection laws.

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Form received on: _____ Received by: _____

Name: _____ Student ID: _____

Signature of Student: _____

Submitted at Kent St Brisbane Melbourne

Name of Receiving Officer: _____ Date Received: _____

Signature of Receiving Officer: _____

Your complaint/grievance/appeal is being processed



COMPLAINTS AND APPEALS (GRIEVANCES) REPORT

Student Number: _____
Student Name: _____ : _____
Other interested parties: _____
Date received: _____

DETAILS

Grievance: _____

Investigation: _____

Resolution: _____

Follow up Action: _____

POLICY REVIEW



This Policy will be reviewed as part of the College's three (3) yearly review or as legislation requires.

RELEVANT LEGISLATION

Relevant Legislation/codes/standards	
Commonwealth	National Code of Practice for Providers of Education and Training to Overseas Students 2018 and Education Services for Overseas Students Act 2000 (Cth)

RELATED POLICIES AND PROCEDURES

Related Policies and Procedures	
Policies	Course Progress Policy and Attendance Policy

KEYWORDS

Keywords	complaints, appeals, internal complaints procedure, external complaints procedure, ombudsman
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POLICY/PROCEDURE HISTORY

Policy History			
Current version	Current version release date	Author	Description of changes
Student Complaints and Appeals Policy v2.1R	23 March 2015	Sharon Luhr	Original Document
Student Complaints and Appeals Policy v2.3R	December 2017	Sara Gaudry	Full update in accordance with the Policy and Procedure Template v1.0, Guidelines for Drafting Policies and Procedures v1.0 and the National Code 2018.

