



Overseas Students Complaints and Appeals Policy

1. Purpose

The purpose of this Policy is to provide Overseas Students with the opportunity to access procedures to facilitate the resolution of a complaint or appeal, pursuant to Standard 10 of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth) (National Code)*.

2. Scope

- 2.1 This policy applies to prospective and current Overseas Students in relation to a decision made by the School, the School's Education Agents or any related party the School has an arrangement with to deliver the Overseas Student's course or related services.
- 2.2 Grievances brought by a current Overseas Student against another School student or School employee will be dealt with in accordance with the Student Complaints Policy available on the School's Portal.
- 2.3 Overseas Students should also refer to the *Overseas Students Complaints and Appeals Flowchart* available on the School's website and Portal for further information.

3. Guiding principles

- 3.1 The School will ensure that:
 - 3.1.1 This Policy and associated procedures are accessible to all Overseas Students.;
 - 3.1.2 the School maintains Overseas Student's enrolment during the complaint or internal appeal process;
 - 3.1.3 the School maintains the Overseas Student's accommodation and welfare arrangements during the complaint or internal appeal process. This may include the Overseas Students being required to stay with a Nominated Homestay Provider;
 - 3.1.4 all complaints and appeals are dealt with confidentially, fairly, promptly and in a transparent manner;
 - 3.1.5 the complaints and appeals process promotes a conciliatory approach to resolving an issue, providing open communication with the Overseas Students wherever possible;
 - 3.1.6 the rights of the Overseas Students and anyone else involved in the process are protected;
 - 3.1.7 all parties have a right to having a support person present throughout the process;
 - 3.1.8 victimisation of anyone involved in the complaint or appeal process will not be tolerated;
 - 3.1.9 if an appeal is against the School's decision to report an Overseas Student for unsatisfactory course progress or unsatisfactory course attendance, a Overseas Student's enrolment will be maintained until the external complaint process is complete and there has been an outcome in the School's favour; and
 - 3.1.10 while a Overseas Student may choose to access more than one external appeals process, the School will allow one external appeal only before exercising its right to report a Overseas Student for unsatisfactory attendance or progress. It is recommended that students discuss further appeals with DHA.

4. Informal Complaints and Appeals Resolution

- 4.1 The School will respond to any complaint or appeal the Overseas Student makes regarding his or her dealings with the School, the School's Education Agents or any related party the School has an arrangement with to deliver the Overseas Student's course or related services.
- 4.2 In the first instance the School requests that there is an attempt to informally resolve the issue through mediation/information resolution of the complaint.
- 4.3 Overseas Students should contact their Head of House or Unit, Head of Middle School or Senior School (Corio), Head of Campus (Corio, Bostock House, Toorak campus or Timbertop) in the first instance for mediation or informal resolution of the complaint.
- 4.4 Prospective Overseas Students should contact the Admissions Team in the first instance for mediation or informal resolution of a complaint.
- 4.5 If further consultation is required to resolve the issue, the matter can be referred to the Head of Campus, Vice Principal (Culture and Community) or when necessary, the Principal. In circumstances where the Principal is involved, the School's formal Complaints and Appeals Handling Procedure will be followed.

5. Formal Complaints and Appeals Handling

- 5.1 This grievance procedure is confidential and any complaints or appeals are a matter between the parties concerned and those directly involved in the complaints handling process.
- 5.2 The Overseas Student must notify the Head of Campus in writing of the nature and details of the complaint or appeal.
- 5.3 Written complaints or appeals will then be provided to the Principal.
- 5.4 Where the internal complaints and appeals process is being accessed because of unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the Overseas Student has twenty (20) working days from the date of notification in which to lodge a written appeal.



- 5.5 Overseas Students have the right to be accompanied and assisted by a support person at all relevant meetings.
- 5.6 The process is at no cost to the Overseas Student, unless the Overseas Student engages representation, in which case, the associated cost is the responsibility of the Overseas Student.
- 5.7 The formal grievance process will commence within five (5) working days of the lodgement of the complaint with the Principal and the School will finalise the outcome as soon as practical.
- 5.8 Once the Principal has come to a decision regarding the complaint or appeal, the Overseas Student will be informed in writing of the outcome and the reason for the outcome.
- 5.9 If the grievance procedure finds in favour of the Overseas Student, the School will immediately implement the decision and any corrective and preventative action required.
- 5.10 The School will keep written records of the complaint or appeal including the outcome and reason for the outcome.
- 5.11 The School undertakes to finalise all grievance procedures within fifteen (15) working days.
- 5.12 For the duration of the appeals process, the Overseas Student is required to maintain enrolment and attendance at all classes and other School commitments as normal.
- 5.13 In the event that resolution is not possible using the resources available within the School, the Principal (or delegate) will forward the complaint to an independent appeal avenue. If this occurs, the Overseas Student has access to legal assistance for arbitration of the issues.

6. Notification to PRISMS

- 6.1 If an appeal is against the School's decision to defer, suspend or cancel an Overseas Student's enrolment due to unsatisfactory behaviour, the School will, on completion of the internal process supporting the decision to defer, suspend or cancel, notify DET through the PRISMS of the change to the Overseas Student's enrolment status. Once DET has been notified of the deferment, suspension or cancellation, the Overseas Student will have 28 days from this date in which to:
 - 6.1.1 leave Australia; or
 - 6.1.2 show DHA a new COE; or
 - 6.1.3 provide DHA with evidence that he/she has accessed an external appeals process.

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8. External complaints and Appeals Processes and Further Resources

- 8.1 If an Overseas Student is not successful in the internal complaints and appeals process, the Overseas Student will be advised of their right to access external complaints handling and appeals process at minimal or not cost. This advice will be provided to the Overseas Student within 10 working days of the completion of the internal complaints handling and appeals process.
- 8.2 Further assistance may be sought from:
 - 8.2.1 the Overseas Student Ombudsman (www.oso.gov.au);
 - 8.2.2 Dispute Resolution Centre of Victoria, (<https://www.disputes.vic.gov.au>); or
 - 8.2.3 Victorian Registration and Qualifications Authority (VRQA) (www.vrqa.vic.gov.au).

9. Associated documents

- 9.1 Student Complaints Policy (current Overseas Students, available on the Portal); and
- 9.2 Student Complaints and Appeals Flowchart.

10. Definitions

CAAW letter	means Confirmation of Appropriate Accommodation and Welfare letter
COE	means Confirmation of Enrolment
DET	means the Department of Education and Training
DHA	means the Department of Home Affairs
ESOS Act	means the <i>Educational Services for Overseas Students Act 2000</i> (Cth)
National Code	means the <i>National Code of Practice for Providers of Education and Training to Overseas Students 2018</i> (Cth)
Nominated Homestay Provider	means a person or family that provides accommodation, support and welfare to overseas students on behalf of the School as part of the School's overseas student program
OSO	means Overseas Student Ombudsman
Overseas Student	means a student on a student visa and issued with a CAAW letter by the School
PRISMS	means Provider Registration and international Students Management System

11. Review and circulation

Responsible Department:	<input type="checkbox"/> Academic <input checked="" type="checkbox"/> Corporate Services and Risk <input type="checkbox"/> Finance and Operations <input type="checkbox"/> Head of Campus <input type="checkbox"/> Human Resources <input type="checkbox"/> Medical <input type="checkbox"/> Vice Principal
Version:	2
Approved by:	<input checked="" type="checkbox"/> Director of Corporate Services <input type="checkbox"/> Principal <input type="checkbox"/> School Council
Effective Date:	07.10.2020



Review Date:	07.10.2022
Applicable Location:	<input checked="" type="checkbox"/> School wide <input type="checkbox"/> Bostock <input type="checkbox"/> Corio <input type="checkbox"/> Timbertop <input type="checkbox"/> Toorak
Applicable Audience:	<input checked="" type="checkbox"/> School Community <input type="checkbox"/> Students <input type="checkbox"/> Parents <input type="checkbox"/> School Employees