



International Students Complaints & Appeals Policy

General Guidelines

- Students are encouraged to achieve a resolution by using the AIE complaints process.
- Students may choose to use an advocate (such as a counsellor or student association representative) to assist in resolving the matter.
- Assistance and advice can be obtained from the Office of the Community Advocate, the local Ombudsman's Office and/or the Human Right's Office. AIE is also a member of ACPET (Australian Council for Private Education and Training) who will organise mediation services if required.

Policy

AIE has a documented procedure by which it ensures that students will be granted immediate access to AIE complaints and appeals process.

AIE undertakes to ensure that:

1. All disputes Complaints and Appeals will be handled professionally, equitably, confidentially, and in a timely manner, with a view to achieving satisfactory resolution;
2. All parties will have a clear understanding of the steps involved in the Student Complaints and Appeals procedure, prior to, and during the carrying out of the procedure;
3. Students are provided with a copy of the Student Complaints and Appeals Procedure prior to enrolment and by accessing AIE's internal website throughout duration of study.
4. Relevant staff members are familiar with the Student Complaints and Appeals Procedure.
5. Student's enrolment will be maintained throughout the duration of the Complaints and Appeals Procedure.

Counselling

AIE can arrange access to appropriate counselling support for all students. In the first instance students should contact the Administration Manager and/or Head of School.

The following resources may also be of assistance:

Lifeline (24-hour telephone counselling): phone 13 11 14, and www.lifeline.org.au

Beyond Blue (depression and anxiety information): www.beyondblue.org.au

Ybblue youth site (depression and anxiety information): www.ybblue.com.au

Procedure

Informal Resolution

Stage 1: Students are encouraged, in the first instance, to resolve the concern or difficulty directly with the staff member(s) and/or students concerned.

Stage 2: Where satisfactory resolution is not reached as Stage 1, the matter is referred to the Senior Teachers, Administration Manager and/or Head of School.

If you have exhausted all possible avenues within AIE without resolving the problem, you may choose to refer the matter to an agency outside the AIE.



Internal Formal Resolution

Stage 3: If the relevant staff member(s) is unable to resolve the situation at Stage 2, then, the student may submit the formal 'Student Complaint & Appeals' Form to Head of School. At this point a formal serious complaint/appeal has been lodged. The formal resolution process will commence within 10 working days of the lodgement of the complaint or appeal and supporting information, and all reasonable measures will be taken to finalise the process as soon as practicable. The student will be advised that there will be minimal or no cost to themselves.

Stage 4: The CEO will be informed by the Head of School when the 'Student Complaint & Appeals' Form has been received. The CEO will then convene the Internal Complaints and Appeals Committee. The complainant will be informed in writing as to the date, time and location and members of the Committee meeting. The Internal Complaints and Appeals Committee will consist of the student, and the student's representative (if requested), the Head of School/Administration Manager, an independent member and will be chaired by the CEO.

At the completion of the internal committee hearing a written statement of the outcome including reasons and details for the decision will be provided to the complainant.

External Formal Resolution

Stage 5: Where the Internal Complaints and Appeals Committee is unable to resolve the issue at Stage 4, and/or the student lodges an appeal against the decision of the Internal Complaints & Appeals Committee, then the CEO gives the student the ACPET Student External Appeals form

and offers to assist the student to contact ACPET to request that an independent mediator convene the External Complaints and Appeals Committee. The student is advised by the CEO that they must contact ACPET within 5 working days of the date of written statement of the outcome of the Internal Complaints and Appeals process. The student will also be advised of the cost to apply for an external review. The CEO will also advise the student that ACPET "will only consider additional compassionate or compelling grounds" relating to their case. Where the student elects to access the External Complaints and Appeals process then the CEO forwards the documentation from the Internal Complaints and Appeals Committee to ACPET.

Attendance/Course Progress

The student may access and receive the outcome of only one external appeals process before AIE may report the student to DIBP/Department of Education with regards to non-compliance for attendance and course progress issues (Standards 10 and Standards 11 – National Code 2007).

Suspension/Cancellation of Enrolment

Where the appeal relates to AIE's decision to defer/suspend or cancel a student's enrolment for misbehaviour (Standard 13 - National Code 2007), AIE will only await the outcome of the internal appeals process if it supports AIE before notifying DIAC/Department of Education through PRISMS of the change to the student's enrolment.

Stage 6: If the student is unsatisfied with the outcome of the appeal, then the CEO can assist the student to contact other Authorities or agencies for assistance or advice. The student may also contact Department of Education through the ESOS mailbox esosarcmailbox@education.gov.au if they are dissatisfied with AIE' complaints and appeals process.

If the outcome of the internal or external appeals process results in a decision favouring the student the AIE will immediately implement any corrective action, decision or measures required and advise the student of the outcome.

Details relevant to the Complaints and Appeals Procedure

Students may raise any matters of concern relating to teaching/training delivery and assessment, certification,

compliance, student amenities, discrimination, harassment and any other issues that may arise.



Description of types of Complaints/Appeal:

1. Academic matters – something to do with teaching, learning, or assessment issues in a student’s course

2. Administrative matters – anything to do with the management of the AIE and/or the administration of a student’s enrolment at the AIE
3. General matters – anything to do with a student’s comfort, safety and general well being whilst attending the AIE.

Information contained in this Complaints and Appeals procedure does not prevent students from exercising their rights to other legal remedies or obtaining advice from other authorities or agencies.

ACPET External Review Process

ACPET administers the applications received for external review and refers the complaints to a panel of independent External Reviewers to undertake external review in accordance with the National Code 2007.

ACPET and the External Reviewer are independent from the Registered Provider, the Department of Education) and the Department of Immigration and Border Protection (DIBP).

The External Reviewer is a member of the External Review Panel. The External Reviewer is separate and independent from ACPET.

The External Reviewer has no personal or professional interest in the outcome of the complaints or appeals process and has no influence on the policy setting of the Registered Provider. The External Reviewer is separated in structure from both parties involved in the complaints and appeals process and is financially and administratively independent of the Registered Provider.

ACPET’s involvement in the external review process is to administer the applications made by students and to forward the applications and supporting documents to the External Reviewer. ACPET has no involvement in the decision making process.

To ensure fair and equal treatment of students and Registered Providers, and to avoid conflicts of interest, the members of the External Review Panel do not currently have or in the past had any dealings with the student or Registered Provider in relation to the nature of complaint.

Members of the External Review Panel are practising lawyers with thorough knowledge and understanding of the National Code 2007 and the relevant provisions of the Migration Act and Regulations relating to student visas.

To apply for External Review a student must complete an **application form** and pay a lodgement fee \$200 to ACPET. A student must provide handwritten signatures for the following sections of the application form:

- *Consent to ACPET to Access Student File from Education Provider*
- *Terms and Conditions*

An application for external review may be lodged via an email student.appeals@acpet.edu.au or posted to *Student Appeals, ACPET, PO Box 551, East Melbourne Vic 8002*.

Once an application is made, ACPET will advise the Registered Provider of the external review application made by the student. Both the student and Registered Provider are requested to provide documents in support of the application within 14 days, including student files and records, to ACPET. ACPET will then forward all documents to an available External Reviewer.

The External Reviewer considers the documents and makes a determination. The decision and determination is forwarded to ACPET. ACPET sends the decision to all parties.

Turnaround time for an appeal is within 4 to 6 weeks of lodgement.

References

- ESOS Act 2000
- National Code 2007, Standard 8
- ACPET Student External Appeals Policy
- Standard for Registered Training Organisations (RTOs) 2015