

Institution	Universal English
Policy Name	Complaints and Appeals Policy and Procedure

1. Scope

This Policy applies to prospective and current students of Universal English, and former students whose enrolment ended no more than six months before the date of the complaints or appeals was lodged. This Policy is also applicable to UE staff dealing with student complaints.

2. Purpose

This Policy is in place to that UE has a fair, objective, and accessible framework for resolving grievances, complaints, and appeals effectively, efficiently, and with a spirit of conciliation.

3. Regulatory Alignment

This Policy is created and implemented to comply with the regulatory requirements informed in the:

- Education Services for Overseas Students Act 2000
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018): Standards 1 - 11
- ELICOS National Standards 2018: Standard 3 Teaching ELICOS; Standard P6 ELICOS Specialist Staff

4. Definitions

Term	Definition
<i>Complaint</i>	An informal or a formal written allegation of a breach of rules, policies or governing regulations of UE either by a staff member or a student.
<i>Appeal</i>	A request that an administrative decision or a complaint outcome be resubmitted for formal review or reconsideration
<i>Appellant/ Complainant</i>	A student (or staff member) who wishes to activate the complaints and appeals process
<i>External Appeals Process</i>	For International students there is free access to the Overseas Students Ombudsman Service (http://www.oso.gov.au/)
<i>Natural justice</i>	It is the principal that complaints and appeals are treated without bias and a decision is made based on relevant evidence.

5. Policy

- 5.1 UE endeavours to create a positive learning environment for students, one in which each student has the opportunity to achieve their personal best. However, complaints may occasionally arise that require formal resolution or students may appeal if they are unsatisfied with the complaint outcome. Complaints and appeals can be on various matters, including but not limited to teaching and learning, assessment, the quality of instruction, student support, facilities, discrimination and sexual harassment.
- 5.2 Any student has the right to express grievances and file complaints and appeals regarding an education agent or any third party engaged by UE.
- 5.3 Internal complaints and appeals will be at no cost to the complainant/appellant.
- 5.4 Complaints and appeals are addressed promptly, fairly, and objectively, with sensitivity and confidentiality, and privacy will be maintained by law.
- 5.5 Complaints and appeals are managed with an open mind, without bias stemming from any previous interactions with the student.
- 5.6 Anonymous complaints and appeals will not be accepted. Each complaint and appeal must pertain to a specific issue or set of issues concerning a particular student. The Appeals Form is located on the UE website and available at the reception desk.
- 5.7 While a student is undergoing any formal complaint or appeal process, they must remain enrolled at UE, continuing their studies and assessments as usual, and adhering to the student code of conduct. However, if the complaint or appeal concerns suspension or exclusion due to a breach of the student code of conduct stated in the Student Handbook, the suspension or exclusion will remain in effect until it expires or the complaint or appeal is resolved in the student's favour.
- 5.8 Students are entitled to have a support person or advocate with them during the complaints and appeals process.
- 5.9 UE considers complaints and appeals as opportunities to enhance its operations. If a decision is made in favour of the student, the student will be notified in writing, and UE will implement a corrective action plan.
- 5.10 Grievances serve as valuable feedback on UE's performance. Therefore, UE will track the registration of complaints and monitor the progress toward their resolution. Complaints and appeals are also regularly reviewed to identify any trends or issues that can be addressed at the institutional level.
- 5.11 UE will take measures to prevent any conflicts of interest. If a grievance or complaint involves a staff member, it will be investigated by a different staff member. Staff members handling grievances or complaints must report any conflicts of interest and withdraw from the investigation and decision-making process related to that grievance or complaint.
- 5.12 All appeals will be reviewed by a delegated UE staff. No member involved in the appeal process will have previously participated in investigating or adjudicating the original complaint or in making the initial decision.
- 5.13 Students have a right to escalate an issue to an external dispute resolution service if all avenues for appeal at UE are exhausted.

- 5.14 All determinations made regarding formal complaints or appeals will be recorded in the Complaints and Appeals Register. Records of complaints and appeals will be maintained for five years for audit purposes.

6. Procedure

- 6.1 The following procedure provides students and staff the opportunity to have any issues relating to a substantiated complaint or appeal resolved amicably. Internal complaints and appeals process will be at no cost to the student.

Informal Complaints

- 6.2 Whenever possible those with a grievance should attempt to resolve the issue with the person/persons directly involved. For example, a student should approach their trainer in the first instance on any matters relating to their training or assessment.
- 6.3 Response to informal complaints may include advice, discussions, and general mediation in relation to the issue and the student's complaint. Any staff can be involved in this informal process to resolve issues. If, after all attempts, the issue remains unresolved then a formal complaint may be lodged.

Formal Complaints

- 6.4 Any student or a potential student may submit a formal complaint to UE with the reasonable expectation that all complaints will be treated with fairness, integrity and privacy. There is no cost for the complaints process unless it is referred to a third party. Complaints must be lodged using the Complaints Form available at Reception, or via the UE website.
- 6.5 The steps to be followed for both a complaint and an internal appeal are shown in the process map (Section 6.6). The process to be followed for an external appeal is documented by Overseas Students Ombudsman (OSO) who provides the services (See Section 6.8).

Internal Appeals

- 6.7 All students have the right to appeal decisions made by UE where reasonable grounds can be established. The areas in which a student may appeal a decision made by UE may include:
- a. Assessments conducted – for rules relating to assessment criteria see the Assessment Policy and Procedure
 - b. Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
 - c. Or any other conclusion / decision made after a complaint has been dealt with by UE in the first instance.

Complaint or Appeal Process

6.8 The following actions must be completed for a compliant or internal appeal:

Review of Complaint or Appeal	Once a complaint or appeal is received and is checked for completeness it should be forwarded to the review person (identified in the categorisation table below) for review
Cost	There will be no charge to the complainant or appellant for the lodgement or presentation of their case. Incidental expenses for attending UE offices to lodge the document or attend a meeting or any charges incurred (e.g. telephone) will not be reimbursed.
Presentation of case	All complainants and appellants must be given the opportunity to formally present their case and to be accompanied by a friend or third party to support them (and if language is an issue to help them present their case). The cost to accompany that friend/third party will be at their own cost.
Determination	<p>The Review Person may gather evidence and constitute a review committee as they see fit.</p> <p>They must commence the process within 10 working days of the lodgement of the complaint or appeal (and receipt of all supporting evidence) and complete the process within a reasonable period.</p> <p>If further evidence is requested, then the Review Person must communicate with the complainant or appellant as soon as practical and within 5 working days asking for evidence. The process will be put on hold until the evidence is received.</p> <p>How a decision is reached will be advised in the written response to the complainant or appellant.</p>
Timescale	<p>The complaint or appeal should normally be commenced within 10 working days of the receipt of completed form and associated supporting material. See “Determination” above in relation to request of supplementary information.</p> <p>If, for some reason, it should take more than 10 working days to finalise the complaint or appeal, UE will:</p> <ul style="list-style-type: none"> • inform the complainant or appellant in writing, including reasons why more than 10 working days are required; and • regularly update the complainant or appellant on the progress of the matter
Appeal following a complaint	If the complainant is not happy with the decision they may appeal. That appeal is on the fairness and objectivity of the decision.

Formal response to a complaint	A template for a formal written response has been developed for when the complaint is accepted or rejected. This will be modified to include detailed reasoning as to the determination. This included the complainant's right to access the Internal Appeals process.
Formal response to an appeal	A template for a formal written response has been developed for when the appeal is accepted or rejected. This includes the complainant's right to access the External Appeal process.
Documentation	All documentation relating to a formal complaint or appeal must be lodged on the student file. This is to include the initial form, supporting evidence, meeting minutes, determination and copy of correspondence with all concerned parties. This information will be kept confidentially and stored securely for 7 years.
Complaints and Appeals Register	All formal complaints or appeals must be recorded in the Complaints and Appeals Register.
Learning	A complaint or appeal is a learning opportunity for UE. The outcome will be seen as an input to the continuous improvement process. Any decisions that support students will be immediately implemented.

6.9 Categorisation:

The nature of the complaint or appeal will be categorised as follows:	Matter referred to the following:
Administrative Complaint. Complaints against the delivery of administrative and support services and facilities	Administration Manager/ Student Services Officer
Academic Complaint. Complaints against teachers, assessment etc.	Academic manager
Student Conduct Complaint. Complaints against misconduct/ misbehaviour of students.	Academic Manager/ Administration manager
Appeal	Managing Director or delegate

External Appeals

6.10 The purpose of the external appeals process is to consider whether UE has followed its student complaint and appeals policy and procedure and should only be enacted after exhausting of the internal procedures described above.

- 6.11 If a student wishes to lodge an external appeal or complaint about a decision made by the internal appeal process, they can contact the Overseas Students Ombudsman (OSO). The OSO offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the OSO's website <http://www.oso.gov.au> or phone 1300 362 072 for more information.
- 6.12 The Overseas Students Ombudsman can investigate complaints about action taken by private providers in connection with overseas students.
- 6.13 There is no charge for lodging a complaint with the OSO.
- 6.14 Students may also contact UE's regulator, ASQA (Australian Skills Quality Authority website) for external complaint. The process can be found on <http://www.asqa.gov.au/complaints/making-a-complaint.html>.
- 6.15 Upon receiving the investigation results from the external body, UE will implement the decision and place a copy of the documentation in the student's file within the Student Management System.
- 6.16 The student will be informed of the outcome by the external body.
- 6.17 UE will maintain the student's enrolment throughout the appeal process. UE will not report the student to the Department of Home Affairs (DoHA) via PRISMS and not cancel the student's enrolment until the complaints and appeals process is concluded.
- 6.18 The student is entitled to access and receive the outcome of only one external appeal process before UE reports the student.

Version History

It is the joint responsibility of the Implementation Officer and Responsible Officer to ensure compliance with this policy.

Responsible Officer	Academic Manager
Implementation Officers	Academic Manager, Student Support Officer, ELCIOS teachers
Review Date	19 July 2027
Approved by	
Managing Director	
Associated Documents	
Attendance Monitoring Policy Course Progress Policy Critical Incident Policy Health and Safety Policy International Student Handbook Privacy Policy	

Version	Brief Description of the changes	Date Approved	Effective Date
5.0	<ul style="list-style-type: none"> • Formatted the document by updating the section headings • Added the Scope Section • Added the Regulatory Alignment Section • Numbered the section for easier reference • Added the definition of Natural Justice • Added Section 5.11 regarding conflict of interest • Added the Version History 	19 July 2024	19 July 2024