

## Statutory and regulatory compliance

- National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standard 3, 6, 7, 8, 9, 10
- ELICOS Standards 2018
- Australian Privacy Principles

## Related Policies

- Assessment Processes
- Assessment Moderation
- Compassionate or Compelling Circumstances
- Student Support Services and Welfare policy
- Embassy English General Standards of Conduct and Misconduct Policy
- Privacy
- Refunds
- Enrolment Offer and Acceptance Agreement
- Welfare of Younger Students
- Transfer between Registered Providers
- Completion within Expected Duration
- Monitoring Course Progress
- Attendance
- Deferment, Suspension or Cancellation of Enrolment
- Information provided to applicants prior to enrolment
- MEE Portal

## Related Documents

- Complaint or appeal lodgement form
- Case Review Request
- Appeals Flow Chart

## Policy and Definitions

Embassy English will take all complaints and appeals seriously. They will be resolved quickly and equitably. The procedures for complaints and appeals will be fair, objective and accessible.

The internal complaints and appeals processes will take place at no cost to the student who lodges the complaint or appeal. Embassy English will ensure to commence the assessment of all complaints and appeals within 10 working days of it being made in accordance with this policy and process. Any decision to be implemented as an outcome of a complaint or appeal (internal and/or external) which is in favour of the student who lodged it will be immediately implemented along with any preventative or corrective action required. The student will be advised immediately of a favourable outcome.

The complaints and appeals process is an important part of the Embassy English continuous improvement process.

### Definitions

#### Complaint

A 'complaint' is a statement that something is unsatisfactory or unacceptable. A formal complaint occurs when a grievance cannot be resolved informally at Embassy English, and is written down for official processing. Students are urged to provide Embassy English with feedback at all times during their student life cycle.

#### Appeal

If a student is dissatisfied with a decision made by the College, he/she has 20 working days from the date on the written notification by the College in which to lodge an appeal to have the case reviewed. This includes decisions relating to complaints outcomes and assessment appeals, as well as notification of unsatisfactory academic progress, unsatisfactory attendance, misbehaviour, and/or pending cancellation of enrolment.

## Procedures

### References and Compliance requirements

Complaints and appeals by students about actions or decisions made by Embassy English will be considered in reference to and in compliance with the following:

- SGA code of practice
- Embassy English Student code of conduct
- Australian Privacy Principles
- Education Services for Overseas Students Act 2000 (ESOS Act 2000)

- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (National Code 2018)
- Education Services for Overseas Students Regulations 2001
- ELICOS Standards 2018

### Information about the complaints and appeals process

If a student feels dissatisfied with some aspect of our service, Embassy English believes that this can often be easily resolved at an early stage by talking informally with the person directly responsible.

Complaints at Embassy English may largely concerns:

- a classroom or assessment matter, the student will be advised to talk honestly to their teacher, Academic Manager, or Centre Director;
- a homestay problem, the student will be advised to talk with the Student Services Manager.
- an issue about fees, the student will be advised to talk in the first instance with the Student Services Representative.

Complaints and Appeals at Embassy English contain four (4) phases:

- Phase 1: Informal Discussion
- Phase 2: Formal Complaint
- Phase 3: Internal Appeal
- Phase 4: External Review

Once an issue is raised informally in this way, discussion and negotiation will be the favoured forms of resolution.

All complaints will be treated confidentially, impartially and with sensitivity. Complainants will not be victimised in any way. Students may bring a support person with them at any stage of this process.

If there has been an attempt to resolve matters informally without success, the student is advised to make a formal complaint.

Embassy English has internal complaints and appeals processes which are available to students both before and after enrolment. Embassy English believes that students are entitled to have access to effective systems for handling any complaints that might arise during the course of their studies. The formal complaints procedure comprises a number of stages and can be used for complaints about the delivery and quality of services, teaching or any other matters relating to a student's experience in the school.

### Phase 1: Informal Discussion

All students are encouraged, at all times, to raise any complaints or feedback they may have about Embassy English directly with the relevant staff member or department. For example, if the student has a grievance about tuition fees, the concern should be directly discussed with the Student Services department. A grievance about assessment tasks should be discussed with the relevant teacher.

An informal discussion will be held with the student and relevant staff member of Embassy English to try and come to an amicable solution. All students have the option of bringing with them, a support person, during the informal discussion.

In instances where the students attempt to directly resolve the issue with the relevant staff member and the student is not satisfied with the outcome or does not wish to directly approach the staff member concerned, the student can always approach the Embassy English Centre Director.

The Centre Director will consider the issue the student has and may suggest a course of action to resolve the issue or attempt to mediate between the student and the staff member or other student.

If the student is not satisfied with the outcome of the informal discussion and wants to escalate the matter, the student is then urged to place a formal complaint.

## **Phase 2: Formal Complaint**

### **How to make a formal complaint**

Where an attempt to resolve matters informally has been unsuccessful, a student may make a formal complaint. At this point, students are advised to seek advice from the person appointed at their centre to deal with complaints. During Orientation, each student will be advised of the Complaints and Appeals Policy and Procedure, including the name of the person appointed at their centre to deal with complaints at first instance, and where that person may be found on campus – depending on the documented procedure of individual centres, this will be a Manager like the Academic Manager, Student Services Manager or the Centre Director.

Students will also be provided with information about the complaints and appeals process on the MEE Portal which they are able to access via centre desktop computers or any personal smart device.

The complainant will be asked to complete a Complaint Form and provide the following information in writing:-

- details of the complaint;
- supporting information the complainant wishes to be considered as part of their complaint;
- an explanation of the steps that have already been taken to try to resolve the complaint informally and why the responses are not considered satisfactory;
- the manner in which the complainant believes his/her concerns need to be addressed.
- The complaint will be considered within 10 working days of receipt of the correctly submitted Complaint Form. In considering a complaint, a meeting will be arranged with the complainant to enable his/her case to be formally presented. The complainant may bring a support person to any relevant meeting.
- The complaint will be considered and the complainant provided with a written statement of the outcome, including details of the reasons for the outcome. If the outcome results in a decision that supports the complaint, Embassy English will immediately implement the decision and/or any corrective and preventative action required.
- All reasonable measures will be taken to finalise the complaints process as soon as practicable.
- A written record of the complaint and its outcome will be retained.

## Phase 3: Internal Appeal

### Appeals – the Case Review process

If the complainant is not satisfied with the decision taken in respect of their complaint made in the manner outlined above, he/she has 20 working days (+3 days after the nominal date of receipt of the notification letter) in which to request a Case Review by submitting a Case Review Form. This request will be considered by the Centre Director who may:

- decide to establish a Case Review Panel; or
- determine there are insufficient grounds to take further action, thus concluding the College's internal review of the matter.

The complainant will be advised in writing of this decision.

### Case Review Panel

The Case Review Panel will have three members: the Centre Director or their nominee (in the Chair), another Manager or their nominee, and another member of the College staff (who is not one of the complainant's teachers).

The complainant will be informed of the membership of the Case Review Panel, and the procedure to be followed, at least 14 days in advance of the review date.

The review will be conducted in private and all relevant facts will be taken into consideration. The complainant may attend and formally present his/her case. He/she may be accompanied by a friend or representative who may speak and act on their behalf. The complainant may bring along any person prepared to give evidence on their behalf.

If the complaint involves a member of staff, that person will also be invited to respond to the complaint in front of the panel.

A written record of the review process will be taken by one of the panel members.

### Record Keeping and Notification

The complainant will be notified of the decision of the Case Review Panel in writing. This written notification will contain the outcome and the reasons for the outcome. If the complaint is upheld, the complainant will be informed of any action to be taken to resolve the matter. The student's files will be updated to record the outcome of each stage of the process, and any subsequent actions. A copy of all related documentation, will be retained on the student's file.

### Appeals against cancellation of student enrolment

If the appeal is against the College's decision to report the student for either unsatisfactory academic progress or unsatisfactory attendance, the College will not report the student until the external case review process is complete, and findings have supported the College's decision.

If the appeal is against the College's decision to either defer or suspend a student's enrolment due to misbehaviour, or to cancel a student's enrolment, the College will only wait for the outcome of the internal appeals process to ensure it supports the College, before making the necessary notification of the change to the student's enrolment.

Once the government body has been notified of a deferment, suspension or cancellation of a student's enrolment, the student has 28 days in which to:

- leave Australia
- show the Department of Human Affairs (DHA; [www.homeaffairs.gov.au](http://www.homeaffairs.gov.au)) a new Confirmation of Enrolment; or
- provide DHA with evidence that he or she has accessed an external appeals process

#### **Phase 4: External Review**

In the event of the complainant remaining dissatisfied with the result or conduct of the College's internal procedures for handling of the complaint, the complainant has the right to access an external appeals process at minimal cost to him/her.

The College recommends External Students Appeals Services to which a complainant may refer an unresolved complaint. The independent external review will be conducted in accordance with their policies and procedures.

In the case of international students studying with the College on a valid student visa and in the event of the complainant remaining dissatisfied with the result or conduct of the College's internal procedures for handling of the complaint, the complainant has the right to access an external appeals process.

The College recommends the student contact the Overseas Students Ombudsman who provides an External Students Appeals Service. This service is free of charge. The form is available from the website:

<http://www.oso.gov.au/making-a-complaint/>

#### **Time Limits**

The College is unlikely to consider a complaint from a former student whose enrolment was finalised 6 months or more prior to the time of lodging the complaint.

#### **Promotional Material**

Before a contract is formed between Embassy English and prospective overseas students, the students are provided with access to Embassy Terms and Conditions which includes information for Dispute Resolution located on the Student Offer Letter.

This information is also made available to key international markets to ensure students have access to the policy in their own language.

At Orientation, students are provided with access to this complaints and appeals process located which they can access via the My Embassy English portal.

#### **State Specific requirements**

The following additional advice is provided to students prior to enrolment:

- the chief executive of the Queensland Department of Education and Training has power under the Education (Overseas Students) Act to suspend or cancel the registration of a provider or a course within that state, and

- students concerned about the conduct of a provider may contact officers of the Queensland Department of Education and Training; and
- the dispute resolution process outlined within this policy does not prevent a student from exercising the student's rights to other legal remedies.

This advice is also provided within the Orientation programme for each international student.

Policy Version Details	
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### Document History

Commencing Date	Summary of Changes	Next Review Date
December 2017	v5.0 Review, minor amendment and approval	December 2022
06 April 2018	v5.1 Review and amendment to maintain currency with business and regulatory changes	December 2022
31 August 2018	v5.2 Administrative amendments	December 2022