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Complaints and Appeals Policy and Procedure

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Document Control

Version History

Version	Date	Description
V1	December 2018	Policy defined and outlined
V2	February 2020	Policy reviewed and minor updates
V3	November 2020	Policy reviewed under new management and minor updates
V4	November 2022	Review and update of minor details including address

Review Process: This policy shall be reviewed annually in compliance with education industry standards including the Standards for Registered Training Organisations (SRTOs) 2015, the ESOS Act 2000 and the National Code of Practice for Providers of Education to Overseas Students 2018 and the ELICOS Standards 2018.



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Purpose

The purpose of this policy is to ensure New England College students are managed responsibly and in accordance with the requirements of the ESOS Framework including the ESOS Act 2000 and Standard 10 of the National Code 2018.

This policy specifies the manner in which New England College will approach complaints and appeals regarding both academic and non-academic matters, including the procedure for the internal and external complaints and appeals process.

Scope

The scope of this policy includes all overseas students studying qualifications offered by New England College.

Policy Statement

The college shall provide processes for handling grievances (grievances/complaints) to resolve disputes brought by prospective, enrolled and former overseas students regarding academic and non-academic matters.

Grievance means a statement of concern by a student that:

- (a) Has been reported by the student to an officer in the college; and
- (b) Requires action or a response under the policies or regulations of the college.

General feedback and comment from students about administration, academic programs and services will not be treated by the college as a grievance unless action or a response is required under the policies or regulations of the college.

Whenever possible, grievances will be handled at college level. However, should these internal processes not resolve the matter, provision is made for external independent grievance handling/dispute resolution at minimal or no cost to the complainant.

Outcomes of the grievance will be provided to the student in writing, recorded and placed in the student's file and the New England College Complaints Register.

Information contained in this policy statement must be given to students before an agreement is entered into or before any fees are paid, whichever occurs first, and within seven (7) days of starting an award course at the college.

Underpinning Principles

- (a) Actions within the process will be undertaken in a timely manner and timelines for responses will be specified at each stage of the process
- (b) Students will be permitted to participate in the process, and the student may include a support person in formal meetings if so desired
- (c) The process will be as simple as possible and easily accessible to students
- (d) The process will not victimise or discriminate against any student or respondent
- (e) As part of the process, reasons and full explanations will be given for decisions and actions taken
- (f) appropriate records of the handling of a grievance/complaint will be kept in the student's file and the College Complaints Register, and treated as confidential, with appropriate access available to involved parties
- (g) Any required arrangements for external independent grievance handling/dispute resolution will be inexpensive to the student
- (h) All staffs involved in a complaint or appeal have a duty to observe the principles of procedural fairness (natural justice)



- (i) If a student chooses to access the College complaints and appeals process, his or her enrolment is maintained with the College while the complaints and appeals process is ongoing
- (j) If the outcome of a student's appeal through internal or external complaints and appeals handling process is favourable to the student, the College will immediately advise the student of this and implement any decision and/or corrective and preventive action required
- (k) New England College **will not** report the overseas student through Provider Registration and International Student Management System (PRISMS) for unsatisfactory course progress or attendance until the overseas student has accessed the internal and external complaints handling and appeals process, and the decision or recommendation supports New England College.

Advocacy

A student and/or the college may nominate an advocate to accompany, represent, and support them at any stage of the internal complaint and grievance processes, or external independent processes.

Procedure for complaints and appeals regarding academic matters

Informal resolution with a Trainer

Students concerned about an academic matter (including but not limited to training delivery and assessment, and the quality of the teaching) in a unit of study should initially discuss the issue informally with the relevant trainer. The trainer should deal with the issue promptly, giving a full explanation to the student and offering her or him a possible solution. All information given will be recorded and placed in the client's file and the New England College Complaint Register.

If the student's concerns are not resolved by this means, the trainer should: Explain the next step in the procedure, set out below; and give the student a copy of this policy.

Reference to the Campus Manager

If the student's concerns cannot be resolved by the relevant trainer, or because of a failure to follow procedures, the student may then choose to approach the Campus Manager. The student may approach the Campus Manager on an informal basis, or else make the complaint formal by putting the grievance in writing, specifying the nature of the complaint and the grounds for their appeal. The student should do either of these things within 15 working days of the outcome of discussions with the trainer.

Informal complaints

If the student chooses to approach the Campus Manager informally, this does not preclude later lodgement of the grievance formally in writing to the Campus Manager.

The Campus Manager should deal with informal complaints promptly, giving a full explanation to the student of the reasons for the academic decision and offering her or him a possible solution.

Formal complaints

The Campus Manager must acknowledge receipt of a formal complaint in writing within five (5) working days of receipt.

The Campus Manager must start the process to resolve the complaint within 10 working days of receiving the complaint. To resolve the issue, the Campus Manager may discuss with the relevant trainer and the student, and arrange a meeting between the student and Campus Manager in an attempt to find an acceptable solution.



Reference to the CEO/Director/Executive Level Officer of the College

If the student's concerns cannot be resolved by the Campus Manager, or because of failure to follow procedures, the student may only formally approach the CEO/Director/Executive Level Officer of the College by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the Campus Manager. Again the nature of the complaint and the grounds for appeal should be detailed.

The Director/ Executive Level Officer must acknowledge receipt of the formal complaint in writing within five (5) working days of receipt and start the process to resolve the complaint within ten (10) working days of receiving the complaint. If the complaint relates to the mark for an intra-semester assessment, the Director/ Executive Level Officer may appoint an independent assessor who will re-mark the assessment script under dispute.

Following investigation of the matter, the Director/Executive Level Officer will advise the student in writing of his or her decision:

- a) Setting out the reasons;
- b) if the complaint relates to the mark on an intra-semester assessment, advising that his/her decision is final;
- c) on other academic matters, advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- d) Giving the student a copy of this policy, if the student does not already have a copy.
- e) All information given will be recorded and placed in the client's file and the College Complaint Register.

Procedure for complaints and appeals regarding non-academic matters

Non-academic/administrative issues are not limited to, but include, matters related to fees, withdrawals, New England College's education agent or related third party New England College engages with etc., and other issues students may consider are interfering with the progress of their studies.

Informal resolution with the International Liaison/Support Officer

In the first instance, a student who is concerned about a non-academic decision made or action taken by any staff of the College should discuss their grievance with the International Liaison/Support Officer. The International Liaison/Support Officer will promptly notify the student of any action taken or any decision made by them in relation to the grievance.

If, following the notification from the International Liaison/Support Officer, the student's grievance is not resolved to their satisfaction; the student should seek advice from the International Liaison/Support Officer who will advise the student to whom the student may next address their grievance. If the matter relates to the College policy or regulations, the student may address the College Campus Manager. The International Liaison/Support Officer will give the student a copy of this policy.

Reference to the College Campus Manager

If the student's concerns relate to the College policy or regulations and have not been resolved by the International Liaison/Support Officer, or because of a failure to follow procedures, the student may then choose to formally approach the Campus Manager of the College. The student should put the complaint in writing to the College Campus Manager within 15 working days of the outcome of discussions with the International Liaison/Support Officer, specifying the nature of the complaint and the grounds for their appeal.

The College Campus Manager must acknowledge receipt of a formal complaint in writing within five (5) working days of receipt, and start the process to resolve the complaint within 10 working days of receiving the complaint.

Following investigation of the matter, the College Campus Manager will advise the student in writing of his or her decision:



- a) Setting out the reasons;
- b) Advising that if the student does not agree with the decision, then the student has the right of formal appeal to the CEO/Director of the College;
- c) Giving the student a copy of this policy, if the student does not already have a copy.
- d) All information given will be recorded and placed in the client's file and the College Complaint Register

Reference to the CEO/Director/Executive Level Officer of the College

If the student's concerns cannot be resolved by the College Campus Manager, or because of failure to follow procedures, the student may only formally approach the CEO/Director by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the College Campus Manager. Again the nature of the complaint and the grounds for appeal should be detailed.

The CEO/Director must acknowledge receipt of the formal complaint in writing within five (5) working days of receipt, and must begin to resolve the complaint within ten (10) working days of receiving the complaint.

Following investigation of the matter, the CEO/Director/Executive Level Officer will advise the student in writing of his or her decision:

- a) Setting out the reasons
- b) Advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- c) Giving the student a copy of this policy, if the student does not already have a copy.

A full copy of the New England College Complaints and Appeals Policy and Procedure, including the necessary forms, is available on the website and provided in full in the Written Agreement/Student Contract.