



## **INTERNATIONAL STUDENT COMPLAINTS AND APPEAL POLICY**

**Macallan College** is the trading name of Macallan College Pty Ltd

RTO No: 41030 | ABN: 36 165 356 141 | CRICOS 03468F

**Reference:** International Student Complaints and Appeal Policy

**Version:** V1.2

**Date:** November 2020

**Status:** Published

## Copyright

Copyright © 2020 Macallan College. All rights reserved.

## Disclaimer:

The information contained within this document is the property of Macallan College, which is confidential and protected by international copyright laws and any unauthorized use of this document or its contents may violate copyright, trademark, and other laws. No part of this document may be photocopied, reproduced or translated in any form or by any means, or stored in a retrieval system or transmitted electronically or otherwise, without the prior written consent of Macallan College

## Macallan College Campuses:

**Adelaide Campus:** Level 10, 50 Grenfell Street, Adelaide 5000 SA

**Brisbane Campus:** Address- 6 B, 44-88, Station Rd Yeerongpilly, Qld 4105

**Perth Campus:** Level 3- 440 William Street, Perth 6000

**Sydney Campus:** 11 Parkes St, Harris Park, 2150 NSW

## DOCUMENT CONTROL

### Version History

Version	Date	Details
V1.0	March 2019	Policy defined and outlined under new Management
V1.1	August 2019	Adding information of additional campus.
V1.2	November 2020	Minor Edits and update on format and designs.

## Review Process:

This policy shall be reviewed annually in compliance with education industry standards including the National Code of Practice for Providers of Education and Training to Overseas Students 2018

**Next Review Due:** 1 Nov 2021.

## Contents

<b>INTERNATIONAL STUDENT COMPLAINTS AND APPEAL POLICY .....</b>	<b>1</b>
<b>Copyright.....</b>	<b>2</b>
<b>Disclaimer: .....</b>	<b>2</b>
Responsibility and Authority .....	4
Policy Statement.....	4
Principles Underpinning This Policy Include:.....	4
Advocacy.....	5
Procedure .....	6
Complaints and Grievances about Academic Matters .....	6
Informal resolution with a Trainer .....	6
Reference to the Campus Manager.....	6
Informal Complaints .....	6
Formal Complaints.....	6
Reference to the CEO .....	7
Appeals Regarding Non-Academic/Administrative and Other Issues .....	7
Informal Resolution with the Student Support Officer / International Liaison Officer.....	7
Reference to the College Administration Manager.....	8
Reference to the CEO .....	8

## Responsibility and Authority

The CEO of Macallan College (the College) shall define the Dispute Resolution Policy and ensure the policy is developed, distributed, reviewed, maintained, understood, and implemented throughout the member Colleges.

## 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 a member of the College or 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 recorded on the College's 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.

## Principles Underpinning This Policy Include:

- (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 nominee 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 recorded

in 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 staff 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) Macallan 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 Macallan College.

\*However Macallan College can report an overseas student for unsatisfactory course progress or attendance in PRISMS after:

- The Internal and External Complaints Processes have been completed and the breach has been upheld;
- The Overseas Student has chosen not to access the internal complaints and appeals process within the 20 working day period;
- The Overseas Student has chosen not to access the external complaints and appeals process; Or
- The Overseas Student withdraws from the internal or external appeals process, by notifying the registered provider in writing.
- 

Nothing in the College's policies and procedures negate the right of any student (Australian or overseas students) to take action under Australia's consumer protection laws in the case of financial disputes. This Dispute Resolution Policy does not circumscribe the student's right to pursue other legal remedies.

## 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 to resolve problems.

## Procedure

### Complaints and Grievances about 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 student's file and the College Complaint Folder.

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 (CM) 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 CM may discuss with the relevant trainer and the student, and arrange a meeting between the student and CM in an attempt to find an acceptable solution.

Following investigation of the matter, 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 of the College; and

(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 Folder

### **Reference to the CEO**

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 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 CEO 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 CEO may appoint an independent assessor who will re-mark the assessment script under dispute. A fee may be charged if the student had been awarded a pass mark for the assessment script under dispute.

Following investigation of the matter, the CEO 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 Folder

### **Appeals Regarding Non-Academic/Administrative and Other Issues**

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

### **Informal Resolution with the Student Support Officer / International Liaison 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 Student Support / International Liaison Officer. The Student Support / International Liaison 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 Student Support / International Liaison Officer, the student's grievance is not resolved to their satisfaction; the student should seek advice from the Student Support / International Liaison 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 Student Support / International Liaison Officer will give the student a copy of this policy.

### **Reference to the College Administration Manager**

If the student's concerns relate to the College policy or regulations and have not been resolved by the Student Support / International Liaison 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 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 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 student's file and the College Complaint Folder

### **Reference to the CEO**

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 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 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** 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.