



International Student Complaints and Appeals Policy & Procedure



Purpose

This policy ensures international students have a fair, inexpensive complaints and appeals process for the resolution of any type of dispute that includes access to an independent external body if necessary. Kirana Colleges (Australia) must make prompt decisions as a student's visa will restrict his or her length of stay in Australia.

Responsibility

Responsibility (R)	Accountability (A)	Consult (C)	Inform (I)
Director International Education	Director International Education PEO	PEO	Quality Assurance

Applicable Legislation

National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007
ESOS Act

Related Policies/Procedures

- International Student Handbook
- International Student Entry Policy
- Formalisation of Enrolment Policy
- Letter of Offer and Acceptance

Reference

National Code - Standard 8 Complaints and Appeals

Registered providers' complaints and appeals processes are independent, easily and immediately accessible and inexpensive for the parties involved.

- 8.1 The registered provider must have an appropriate internal complaints handling and appeals process that satisfies the following requirements, or can use its existing internal complaints and appeals processes as long as it meets these requirements:
 - a. a process is in place for lodging a formal complaint or appeal if the matter cannot be resolved informally, which requires a written record of the complaint or appeal to be kept
 - b. each complainant or appellant has an opportunity to formally present his or her case at minimal or no cost to him or herself
 - c. each party may be accompanied and assisted by a support person at any relevant meetings
 - d. the complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome, and
 - e. the process commences within 10 working days of the formal lodgement of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.
- 8.2 The registered provider must have arrangements in place for a person or body independent of and external to the registered provider to hear complaints or appeals arising from the registered provider's internal complaints and appeals process or refer students to an existing body where that body is appropriate for the complaint or appeal.
- 8.3 If the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, the registered provider must advise the student of his or her right to access the external appeals process at minimal or no cost.
- 8.4 If the student chooses to access the registered provider's complaints and appeals processes as per this standard, the registered provider must maintain the student's enrolment while the complaints and appeals process is ongoing.



International Student Complaints and Appeals Policy & Procedure



8.5 If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action required and advises the student of the outcome.

Policy

A complaint is made when a student is dissatisfied with a service offered or treatment received at Kirana Education. An appeal is made when the student disagrees with an assessment result decision made by Kirana Education. If a student makes a complaint or appeal;

- The complaint or appeal will be dealt with promptly; the actual length of time involved may vary in accordance with the complexities of the case. Under normal circumstances, you can expect a written response within 10 working days
- The student will have the opportunity to present your case at each stage of the procedure
- The student will have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor)
- The Student will not be discriminated against or victimised

Before an issue becomes a formal complaint or appeal

If a student has a complaint, they are encouraged, wherever possible, to resolve concerns or difficulties informally with the person(s) concerned. Kirana Colleges (Australia) staff are available to assist the resolution of issues at this level. A student can raise an informal complaint by contacting Student Support in person or by phoning 1800 0 STUDY (1800 078 839). Please note that it is not mandatory to raise a complaint informally.

In the event of an assessment being deemed Not Yet Competent, a student may have two opportunities to correct and resubmit their assessments. A student should, wherever possible, try to resolve concerns or difficulties with your VET Teacher at this time, they may raise an informal appeal, prior to receiving a final assessment result, by contacting Student Support in person or by phoning 1800 0 STUDY (1800 078 839).

Formal Complaints and Appeals Procedure

Kirana Colleges (Australia) will maintain the student's enrolment while the complaints and appeals process is ongoing. This does not necessarily mean that a student will remain in class. Kirana Colleges (Australia) has in place arrangements for an independent external person or organisation to hear the complaints or appeals where the RTO's internal process has been completed and the student remains dissatisfied.

The student will be granted immediate access to Kirana Colleges (Australia) complaints and appeals process. The process must begin within 10 working days of the formal lodgement of the complaint or appeal. Kirana Colleges (Australia) documented internal complaints and appeals process must include provision of a written statement of the outcome including details and reasons for the decision.

If the outcome of a student's appeal through a provider's internal or external complaints and appeals handling process is favourable to the student, the RTO must immediately advise the student of this and implement any decision and/or corrective and preventive action required.

The process must begin within 10 days of receipt of the formal complaint. It must be completed within a reasonable timeframe which takes into consideration the length of a student's visa and the student's enrolment in future subjects and/or courses.

The complaints and appeal process must give the student the opportunity to:

- formally present his or her case; and
- be accompanied or assisted by a support person.

Until the complaints and appeals process is completed, the Kirana Education must maintain the enrolment of the student. To 'maintain the student's enrolment' means the Kirana Colleges (Australia) does not notify DET of any change to the student's enrolment status through the Provider Registration and International Student Management System (PRISMS).

Kirana Colleges (Australia) must maintain the student's enrolment throughout the internal appeals process for all types of complaints or appeals. However, whether the Kirana Education must maintain the enrolment throughout an external appeals process depends on the type of appeal.



International Student Complaints and Appeals Policy & Procedure



Kirana Colleges (Australia) must wait for the outcome of the external process in this case as reporting a student for unsatisfactory progress or attendance has serious consequences for the student's visa – Kirana Colleges (Australia) only needs to await the outcome of the internal appeals process (supporting Kirana Colleges (Australia)) before notifying DET through PRISMS of the change to the student's enrolment.

Once DET 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 Immigration and Border Protection (DIBP) a new Confirmation of Enrolment (CoE)
- provide DIBP with evidence that he or she has accessed an external appeals process.

Kirana Colleges (Australia) aims to resolve all complaints received in an informal manner to avoid unnecessary stress and disruption to the student and the college. However, if a complaint is unable to be resolved on an informal level the student is required to present to the Kirana Colleges (Australia) a written complaint within 5 business days of the incident. The written complaint will then be acknowledged by Kirana Colleges (Australia) within 5 business days with an outline of the process to be followed and an estimated timeframe for resolving the complaint. Any expected delay is required to be explained. Should a delay be encountered once the complaint handling process has been commenced, this is required to be advised in writing with a revised period. Review of the complaint will begin within 10 business days of Kirana Colleges (Australia) receiving the formal written lodgement of the complaint.

Complainants can represent themselves, and there are no fees for accessing the grievances and complaints procedures. Complainants may be assisted and supported by another person at any meetings.

A written statement of the outcome, including details and reasons for the decision will be provided to the student. Kirana Colleges (Australia) will immediately advise the student and implement any decision in the event of any favourable outcome to the student.

Kirana Education will maintain the student's enrolment while the internal and external complaints and appeals process is ongoing if there is a threat that the student will be deported. However, if there is no threat that the student will be deported enrolment may only be maintained during the internal process (enrolment during the external process will be at the RTO's discretion).

This policy advises that students are able to access the RTO's Appeals process within 20 working days of the outcome of the complaint. If after the internal appeals process has been conducted, the student is still unsatisfied with the result they may appeal to the Australian Council for Private Education and Training (ACPET). As per Standard 8.2 of the National Code there is no cost for accessing this process. The outcome of the external appeals process will be final and accepted by both parties.

Alternatively the student may access the Independent mediation service which is available through the Dispute Resolution Branch, Department of Justice and Attorney-General.

Informal Complaint Procedure

1. Student has a complaint
2. Approaches Trainer/PEO with complaint
3. Trainer/PEO resolves complaint internally on an informal basis

Formal Complaint Procedure

1. Student has a complaint
2. Student lodges the complaint in writing to the PEO within 5 business days of the incident occurring
3. The written complaint will be acknowledged by the RTO in writing, along with an outline of the processes to be followed and an estimated time frame.
4. Review of the complaint to begin within 10 working days of the written complaint being received
5. The student's enrolment will be maintained during the review process (if there is a threat the student will be deported)
6. A written statement detailing the outcome of the complaint review will be given to the student
7. In the event of a favourable outcome for the student, the RTO will immediately advise and implement any decision
8. If student unhappy with result – able to lodge internal appeals process
9. Student able to pursue external appeal at no extra cost to them if they are unhappy with the outcome of the complaint review