

Complaints and Appeals

This policy and procedure has been created to ensure all International Students have a fair, inexpensive complaints and appeals process that includes access to an independent external body if necessary in compliance with Standard 8 of the National Code 2007 and ESOS ACT 2000.

Policy:

1. General Information:

- 1.1 Cadet International College seeks to continuously provide a high quality training and education environment to the International Student that is safe, fair and free from any form of discrimination. Cadet is committed to implementing an effective Complaints and Appeals process through its policies and procedures so as to manage efficiently and effectively the resolution process whilst seeking a positive outcome for both Cadet International College and all current and prospective international students enrolled with Cadet International College.
- 1.2 This process can be utilised by students and those seeking to enrol in a course of study with Cadet International College to submit a complaint of an academic or non-academic nature.
 - (a) Complaints of an academic nature include matters related to student progress, assessment and curriculum in a course of study.
 - (b) Complaints of a non-academic nature include all other matters.
- 1.3 Cadet seeks to encourage all staff and students to come forward with their complaints in the knowledge that Cadet will take prompt and effective action to address complaints.
- 1.4
 - (a) The Policy and Procedures set out in this document aim to avoid blame and undue investigation.
 - (b) This policy applies to all students undertaking training in courses offered by Cadet International College as well as staff and clients.
 - (c) All parties have the right to be accompanied and assisted by a support person in every relevant meeting they attend.
 - (d) The student will receive a copy of the Complaints and Appeals Policy and Procedure before a formal contract is entered into or any amount paid to Cadet by the student. Cadet will also provide the student with a copy of Complaints/Appeals Policy and Procedure on induction or within seven (7) days of commencing their course (if required by the student).
 - (e) Each staff member employed by Cadet will receive a copy of, or be given access to a copy of the Complaints/Appeals Policy and Procedure on induction.
- 1.5 In handling a complaint, whether formal or informal, confidentiality will be maintained at all times to:
 - Protect all parties involved in a complaint
 - Prevent the possibility of defamation or other legal action
 - Involve the minimum amount of people possible in the complaints process

- 1.6 Cadet International College staff members will be available to attend to the student's complaint or appeal as follows:-
- For complaints involving teaching or administrative staff, and/or other students, the student should see the Student Support Officer, Training Services Manager, Trainer or International Registrar in the first instance. Where the complaint involves that person, the matter will be referred to the next most senior appropriate member of staff.
 - Where the complaint relates to student fees or enrolment, the matter should first be taken up with the International Registrar and/or International College Manager.
 - If the student is appealing a decision to be reported to DIAC for attendance, course progress or academic misconduct issues then he/she should first meet with the International Registrar and/or International College Manager to discuss the matter. If the student chooses to proceed with an appeal, he/she will be provided with a formal Complaints and Appeals document which must be completed and submitted to the International College Registrar, along with relevant supporting evidence within twenty (20) working days.
- 1.7 All students and staff are to be informed of the Complaint Resolution process by providing a full explanation in writing for decisions and actions taken as part of the process if so requested.
- 1.8 Despite all honest efforts of Cadet International College to provide satisfactory services to its students, it is recognised that complaints may occasionally arise that require formal resolution. Procedures outlined in this document provide students the opportunity to have complaints resolved and resolutions reached.
- 1.9 In accordance with **E(OS) Regulation 1998 Section 8**, if a student is concerned about the actions of Cadet they may approach the State Authority for CRICOS Registration. As Cadet is a Queensland Registered Provider, the State Authority is recognised as the Department of Education. The Director-General of the Department of Education has the power to suspend or cancel the College's registration or a course if a breach of the requirements of registration provision is proved. Concerns about the conduct of the College should be addressed to:
- The Manager, IQ Unit, TIQ, Department of Education and Training. Level 5, Education House, 30 Mary Street, Brisbane | *: LMB 527, Brisbane 4001.
 - Complaints must be made in writing.
- 1.10 The Complaints and Appeals process does not remove the right of the student to take action under Australia's Consumer Protection Laws.
- 1.11 There is no cost to the Complainant for utilising this Complaints and Appeals process.
- 1.12 International Students are given information about the complaints and appeals processes during their orientation programmed conducted by the Student Support Officer. This information is contained in the Student Handbook which is given to the student at orientation. A full copy of the Complaints and Appeals Policy and Procedure will be provided to the International Student at orientation by the Student Support Officer if requested.
- 2. STAGE 1 - Informal Complaint Resolution:**
- 2.1 Where possible all non-formal attempts shall be made to resolve the complaint, which include but not limited to:

- Verbal Advice
- Discussions
- General mediation in relation to the complaint

2.2 International Students should contact the Student Support Officer or International Registrar in the first instance to attempt mediation or an informal resolution of their complaint. Any member of staff can be involved in this informal process to resolve issues.

2.3 If the matter of the student's complaint cannot be handled through informal resolution, or, if there is a decision that has been made that the student chooses to appeal, then the Student will be provided with a copy of Cadet International College's Complaints and Appeals Policy document in full.

3. STAGE 2 - Formal Complaint Resolution:

3.1 All formal complaints and appeals must be documented on the Complaints and Appeals Form located on the Cadet International College Intranet and handed to the International Student Support Officer or International Student Registrar.

3.2 The International Student Registrar will ensure that the formal Complaint and Appeals form is documented and logged using the BIO Form located on the Cadet Intranet.

3.3 Once a Complaint has been lodged in the Complaints Register, all information and supporting evidence will be gathered and a date and time set for a meeting between the complainant and/or appellant. The complainant and/or appellant may be assisted or accompanied by a support person at all meetings regardless of the nature of the complaint.

3.4 The International Registrar will consider the formal complaint and supporting evidence gathered within ten (10) days by reviewing, clarifying, investigating and discussing the matter with all relevant parties.

3.5 Once a decision has been reached, the International Registrar will be required to inform all parties involved of any decisions or outcomes that are reached in writing.

3.6 Copies of all documentation, outcomes and further action required will be placed into:

- BIO (Complaints) Register
- Student's file

3.7 Within the notification of the outcome of the formal complaint, complainants and appellants shall also be notified that they have the right of appeal. To appeal a decision Cadet International College must receive, in writing, grounds of the appeal. Please refer to the Complaints and Appeals form.

4. Internal Appeals:

4.1 All students have the right to appeal decisions made by Cadet International College where reasonable grounds can be established. The areas in which a student may appeal a decision made by Cadet may include:

- Assessments conducted
- Reported breaches of academic performance or attendance requirements
- Deferral, suspension or cancellation decisions made in relation to the student's enrolment
- Any other decision that is made after a complaint has been reported, investigated and dealt with by Cadet in the first instance

- 4.2 To initiate the appeals process, the student is to complete a Complaint and Appeals Application Form, which is to include a summary of the grounds the appeal is based upon. The reason the student feels that the decision is unfair is to be clearly explained in the form. Help and support with this process can be obtained from the Student Support Officer by making an appointment during the times the Student Support Officer is available as outlined in the Student Support Services Policy and Procedures or information displayed at Reception in the International College Reception area.
- 4.3 The Student Support Officer shall organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate. The Student Support Office will liaise with the International Student Registrar in this matter.
- 4.4 The process for all formerly lodged internal appeals will begin within **ten (10) working days** of the appeal being lodged.
- 4.5 An appeal lodged by a Cadet staff member will be managed by the Training Services Manager in accordance with the above processes.

5. Appeals Categories and procedures:

Where an appeal has been lodged, it will be defined into one of the following categories and the appropriate procedure will be followed:-

A. Formal Appeals:

- Where a student has appealed a decision or outcome of a formal complaint, they are required to notify Cadet International College in writing of the Appeal Application Form within twenty (20) working days of the grounds of their appeal. Any supporting documentation must be attached to the appeal.
- The Appeal Application shall be lodged through the Student Support Officer and the International Student Registrar will ensure the details of the appeal are added to the Complaints and Appeals BIO Register.
- The International Student Registrar will investigate the complaint and seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal after full review of all information.
- The student shall be notified in writing of the outcome of the appeal and the BIO register shall be noted accordingly and updated.
- Appeals lodged by staff and clients will be managed by the Training Services Manager in accordance with the above processes.

B. Assessment Appeals:

- Where a student wishes to appeal an assessment result, they are required to notify their trainer and assessor in the first instance. Where appropriate the assessor may decide to reassess the student to ensure a fair and equitable decision is gained. The assessor shall complete a feedback report regarding the re-assessment outlining why assessment was competent or not yet competent.
- If the student is still dissatisfied with the explanation, the student shall formally lodge an appeal by submitting an Application for Appeal, outlining their reasons for the appeal. They shall lodge this with the International Student Support Officer/ Registrar and the appeal shall be entered into the Complaints and Appeals BIO Register.

- The Training Services Manager shall be notified of the Appeal and shall seek details from the Assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a third party. The third party shall be another assessor appointed by Cadet International College.
- The student shall be notified in writing of the outcome and the Complaints and Appeals BIO Register shall be updated.

C. Appealing Decisions to Report Breach of Academic or Attendance requirements:

- Where a student wishes to appeal the decision of Cadet International College to notify DIAC of a breach of academic or attendance requirements, the student shall lodge in writing, a letter outlining the details of their appeal. The student shall ensure that they have compelling circumstances and reasons as to why they have breached their requirements and must be able to provide evidence of these circumstances.
- The appeal shall be lodged with the Student Support Officer on the Complaints and Appeals Form provided and the appeal will subsequently be entered into the Complaints and Appeals BIO Register as evidence of the appeal.
- The International Registrar shall be notified and shall investigate recorded documentation on the student's master file, trainer's file notes or any other documented evidence regarding the initial recording of the breach and shall make a decision based on the grounds of the appeal.
- The student shall be notified in writing of the outcome and the Complaints and Appeals BIO Register shall be updated.
- Where a student has decided to access the appeals process in relation to a reportable breach, Cadet will not report the breach until the appeals process has been undertaken. Cadet International College is required to maintain all relevant responsibilities until the breach has been reported to DIAC via PRISMS.

D. Appealing Deferrals, Suspension or Cancellation of Enrolment decisions:

- Where a student wishes to appeal a decision in relation to deferment, suspension or cancellation of their enrolment, they are required to lodge an Appeals Application Form outlining the details of their appeal. International Students should have extenuating circumstances as to why the decision should be reviewed and attach any supporting documentation supporting their appeal.
- The appeal shall be lodged with the Student Support Officer on the Complaints and Appeals Form provided and the appeal will subsequently be entered into the Complaints and Appeals BIO Register as evidence of the appeal.
- The International Registrar shall be notified and shall investigate recorded documentation on the student's master file, trainer's file notes or any other documented evidence regarding the initial recording of the breach and shall make a decision based on the grounds of the appeal.
- The student shall be notified in writing of the outcome and the Complaints and Appeals BIO Register shall be updated.
- Where a student has decided to access the appeals process in relation to a reportable breach, CADET will not report the breach until the appeals process has been undertaken. CADET International College is required to maintain all relevant responsibilities until the breach has been reported to DIAC via PRISMS.

E. External Appeals:

- If the matter is still unresolved after the above procedures have been implemented and the internal appeals process has been followed and remains unresolved, it may require an external/independent third party mediator. Where this is the case, the matter shall be referred to:

**Dispute Resolution Branch, 13th Floor, Central Courts
Building, 170 North Quay QLD 4000.
Toll Free No. 1800 017 288 or Fax 07-3230 6284**

Note: At present there is no fee for use of this service, however this may be subject to change in the future.

- The decision of the independent mediator is final and any further action to be taken by the student is outside of Cadet International College's Policies and Procedures. The student shall be referred to the government agencies such as DEEWR and DIAC for further assistance and this information can be obtained from the International Student Registrar.
- Where a decision or outcome is in favour of the Student, Cadet International College shall follow the required action to satisfy the student's complaint as soon as practicable.
- Where a decision or outcome is in favour of Cadet International College, the student may exercise his/her rights to appeal under Australia's Consumer Protection Laws.

6. Maintaining a Student's Enrolment during the Complaints and Appeals Process:

- 6.1 Cadet International College will maintain the student's enrolment whilst the internal complaints and appeals process is ongoing. This does not necessarily mean that the student must remain in class. To "maintain student's enrolment" is clarified in the terms that Cadet International College will not notify DEEWR of any change to the student's enrolment status through PRISMS, or DIAC of any similar change. Cadet will maintain the student's enrolment throughout the internal process for all types of complaints or appeals.
- 6.2 Cadet International College will only maintain the student's enrolment throughout an external appeals process depending on the type of appeal at issue.
- 6.3 If the appeal is against Cadet International College's decision to report the student for:
- Unsatisfactory course progress (covered by Standard 10 of the National Code 2007); or
 - Unsatisfactory attendance (covered by Standard 11 of the National Code 2007)

Cadet must maintain the student's enrolment (i.e. not report the student for unsatisfactory progress or attendance) until the external complaints process is complete and has supported Cadet's decision to report.

Cadet will 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 – it may result in automatic cancellation.

6.4 If the appeal is against Cadet International College's decision to:

- Defer or suspend a student's enrolment due to misbehaviour, or
- To cancel the student's enrolment (covered by Standard 13 of the National Code 2007)

Cadet only needs to await the outcome of the internal appeals process (supporting CADET) before notifying DEEWR through PRISMS of the change to the student's enrolment.

6.5 When DEEWR has been notified of a deferment, suspension or cancellation of a student's enrolment, the student has twenty eight (28) days in which to:

- Leave Australia
- Show the Department of Immigration (DIAC) a new Confirmation of Enrolment (CoE); or
- Provide DIAC with evidence that he or she has accessed an external appeals process

7. Attendance in Class or on Campus during Complaints and Appeals Process:

7.1 The International College Manager and/or International Student Registrar must decide whether Cadet International College will continue to offer learning opportunities to the student throughout any appeals process.

7.2 It may be decided that the student will be excluded from class but continue to be provided with work to complete outside of the classroom or campus environment.

7.3 The International College Manager and/or International Student Registrar will consider whether denying the student learning opportunities throughout the appeals process may disadvantage the student's learning should the appeals find in his/her favour.

8. Improvements from Complaints and Appeals Outcomes:

8.1 Where systematic problems and issues from complaints and appeals processes and outcomes have been identified, the problem or issue is to be reported to the appropriate person and/or department for appropriate action through a documented BIO Form lodged with Compliance.

8.2 In communicating the problem or issue, confidentiality and privacy must be maintained for all parties concerned.