Student Complaints and Appeals Policy (NSW)

Australian Pacific College (the College) aims to provide an effective and acceptable procedure for students to bring complaints and appeals to the attention of the College.

It is the policy of the College to ensure students study in a friendly environment, free from any forms of coercion, unfair treatment, discrimination, victimisation, harassment or bullying (see also Harassment, Victimisation & Bullying Policy).

All complaints and appeals by a student will be handled professionally and confidentially, with the aim of achieving a satisfactory resolution as soon as practicable.

In accordance with access and equity principles this policy is available to all clients and stakeholders.

RESPONSIBILITIES OF STAFF AND MANAGERS

Managers and other designated staff are responsible for responding to student complaints in an appropriate manner. They also have the responsibility of ensuring that students involved in the complaint and appeals process understand their rights and responsibilities in relation to this policy.

The officer charged with conducting the Complaints and Appeals process must ensure that all determinations are actioned and outcomes properly documented in a Complaints and Appeals Form.

INTERNAL COMPLAINTS AND APPEALS PROCESS

The College has a two (2) step internal complaints and appeals process as follows:

   Step 1 involves an informal internal stage to resolve complaints or appeals.

   Step 2 involves a formal internal stage, which requires a complaint or appeal to be made in writing and formally lodged with the College. The College will undertake an investigation of the complaint or review the decision subject to appeal and a written report of the outcome of the investigation or appeal will be prepared.

Steps 1 to 2 are discussed in detail below.

The College’s internal complaints and appeals process is provided at no cost to the student.

Step 1 – Informal Internal Stage

Students are encouraged to attempt informal resolution of any complaint or appeal they may have by directly talking to the staff member or student to whom the complaint or appeal relates.

For academic matters, that is, matters concerning teaching, learning, or assessment issues in your course, please discuss the matter with the relevant teacher or trainer. If you believe that the matter cannot be resolved by discussion with the teacher or trainer, please see the Coordinator/Academic Manager.

For administrative matters, that is, matters concerning the management of the College including the administration of your enrolment, please see Student Services.
For **personal or welfare matters**, that is, matters concerning your security, safety and general well-being please see Student Services. **In cases concerning your immediate safety and security, please see any staff member or security guard.**

### SERIOUS COMPLAINTS

If you have a serious complaint regarding inappropriate conduct or behaviour of any teacher, trainer or staff member please arrange to see the Academic Manager (ELICOS) or the Principal Academic Director immediately.

If your complaint or appeal cannot be resolved informally then you should make use of the formal Complaints and Appeals Process set out in Step 2 below.

**Step 2 – Formal Internal Stage**

The procedure in Step 2 should only be used after you have, where possible, attempted to resolve your matter informally and may be used where you have a complaint regarding any matter concerning the College, teacher, trainer or staff member or where you are appealing a decision of the College.

**NOTE:** All complaints and appeals must be submitted in writing on the APC Complaints and Appeals Form, which is available on the College website [www.apc.edu.au](http://www.apc.edu.au) and from Student Services or Reception.

When completing the APC Complaints and Appeals Form, you should provide a detailed report of your complaint or appeal and if necessary attach any documentation you believe to be relevant.

Your completed APC Complaints and Appeals Form must be submitted to the Academic Manager or Principal Academic Director.

**Investigation of your complaint or appeal**

The College will commence an investigation of your complaint or appeal no later than 10 days of receipt of your completed APC Complaints and Appeals Form.

As part of the College’s investigation, you will be given an opportunity to present your complaint or appeal at a formal meeting. You may invite a support person to accompany and assist you in the meeting. You may also be asked to provide relevant supporting documentation. The College may require you to provide additional documentation and may take steps to verify the authenticity of the documents you provide (including medical certificates, if relevant).

Where a complaint concerns another person, that person will be given the opportunity to provide a formal response to your complaint.
Finalisation of complaints and appeals
The College will finalise the Complaint and Appeals Process as soon as practicable.

The College will communicate the outcome of the investigation of your complaint or appeal and a written report of the outcome, including the reasons for the outcome, will be provided to you.

FORMAL EXTERNAL COMPLAINTS AND APPEALS PROCESS
Students who are not satisfied with the result or conduct of the College’s internal complaints and appeals process may access an external and independent body to hear the complaint or appeal.

The Overseas Students Ombudsman investigates complaints about problems that overseas students or intending overseas students may have with private education and training in Australia. The Overseas Students Ombudsman provides a free, independent and impartial service. The Ombudsman does not represent either overseas students or private education providers and can make recommendations arising out of investigations.

Students who access the external appeal process should be aware that the College may be requested to disclose information that is private and personal to the student and, by accessing the external appeal process, the student consents to the disclosure of such private and personal information by the College.

Students may also take action under Australia’s consumer protection laws and, where a student does so, the student is deemed to have accessed the College’s Complaints and Appeals Process. This can be done through the Department of Fair Trading or the Australian Skills Quality Authority.

DECISIONS
Where any internal or external Complaints and Appeals Process results in a decision that supports the student, the College will immediately implement the decision and any corrective and/or preventative action required and advise the student of the outcome.

UNSATISFACTORY COURSE PROGRESS / ATTENDANCE
The College is, in some cases, required to report a student to the relevant Australian government authorities for unsatisfactory course progress or unsatisfactory attendance. Reporting a student for unsatisfactory course progress or unsatisfactory attendance has serious consequences and may impact on the student’s visa.

In the case where the College intends to report the student for unsatisfactory course progress or unsatisfactory attendance, the student will be notified and given 20 working days to access the College’s internal Complaints and Appeals Process (Step 1 and Step 2). The 20 working day period will commence from the date the student receives notification of the College’s intention to report the student. If the student does not access the College’s internal Complaints and Appeals Process within the 20 working days then the College will report the student without further notice.

Where the student accesses the Complaints and Appeals Process, the College will maintain the student’s enrolment and not report the student until the College’s internal Complaints and Appeals Process and, if accessed, the external Complaints and Appeals Process is complete and a decision has been made to support the action of reporting the student.
Cancellation or Suspension of Student's Enrolment

The College is entitled to suspend or cancel a student’s enrolment at the College in certain circumstances including, but not limited to, where the student fails to pay fees or other monies due and payable.

In the case where the College intends to suspend or cancel the student’s enrolment at the College, the student will be notified and given **20 working days** to access the College’s internal Complaints and Appeals Process (Step 1 and Step 2). The 20 working days will commence from the date the student receives notification of the College’s intention to suspend or cancel the student’s enrolment. If the student does not access the College’s internal Complaints and Appeals Process within the 20 working days then the College will suspend or cancel the student’s enrolment without further notice.

Failure to comply with the time limit above will result in the suspension or cancellation of the student’s enrolment, which may impact on the student’s visa.

If the student accesses the College’s internal Complaints and Appeals Process, the College will maintain the student’s enrolment until the internal Complaints and Appeals Process is completed, unless extenuating circumstances relating to the welfare of the student apply, in which case the College may immediately suspend or cancel the student’s enrolment prior to the completion of the internal Complaints and Appeals Process.

‘Extenuating circumstances’ relating to the welfare of the student include, but are not limited to circumstances where the student:

- refuses to maintain approved care arrangements (only for students under 18 years of age);
- is missing;
- has medical concerns, severe depression or psychological issues which lead the provider to fear for the student’s wellbeing;
- has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others; or
- is at risk of committing a criminal offence.

Further Information

For further information please contact:

Student Services  Tel: 9251 7000  Fax: 9251 7575  Email: appeals@apc.edu.au

The College’s website also contains links to important legal sites in Australia -> [www.apc.edu.au](http://www.apc.edu.au)

Students should be aware that the College’s letter of offer and the availability of the Complaints and Appeals Process does not remove the right of the student to take action under Australia’s consumer protection laws.
STUDENT COMPLAINTS AND APPEALS PROCESS

INFORMAL INTERNAL STAGE

SATISFACTORY OUTCOME

COMPLAINT / APPEAL taken to the person involved ie teacher/trainer /staff member

NOTE: Unless there are reasons* why it should not be taken directly to the person

*For example: if it is too serious; or if you feel too emotional; or if it is not appropriate for you to discuss it with that person

SATISFACTORY OUTCOME

DIRECTOR / MANAGER

NO SATISFACTORY OUTCOME

SATISFACTORY OUTCOME

GO TO EXTERNAL AGENCY*

SATISFACTORY OUTCOME

REVIEWED BY EXTERNAL AGENCY

FINAL DECISION ADVISED IN WRITING

FORMAL EXTERNAL PROCESS

FORMAL INTERNAL STAGE

SATISFACTORY OUTCOME

STUDENT

PARENTS (IN THE CASE OF STUDENTS UNDER 18 YEARS OF AGE)

IMPORTANT:
Each party may be accompanied and assisted by a support person at any relevant meetings.

NOTE: Unless there are reasons why it should not be taken directly to the person

*EXTERNAL AGENCIES INCLUDE
Overseas Students Ombudsman
Department of Fair Trading (DFT)

Phone: 1300 362 072, www.oso.gov.au
Phone: 13 32 20

IMPORTANT:
Each party may be accompanied and assisted by a support person at any relevant meetings.

NOTE: Unless there are reasons why it should not be taken directly to the person

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*EXTERNAL AGENCIES INCLUDE
Oversea
Student Name: ___________________________  Student Number: ________________

Course:  ❑ English  ❑ Vocational  ❑ Other ___________________________

Did you receive a notice of intention to report from APC?  ❑ No  ❑ Yes  → Please attach copy

Details of Grievance

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

__________________________________________________________

Student’s Signature: ___________________________  Date: ________________

A grievance is a problem you might experience with the College, about something that has happened which you believe is unfair. Generally, the first person to see about this problem is your trainer/teacher or Student Services. If the problem cannot be resolved through speaking with your trainer or Student Services, you should discuss it with the Academic Manager (ELICOS) or Principal Academic Director (PAD). If the grievance involves a personal or welfare matter, you can approach Student Services located at the Kent Street Campus.

You may also put your concerns in writing. If grievances are not resolved after discussion with the College, you may wish to refer to an external agency, e.g. The Overseas Students Ombudsman (1300 362 072), the Anti-Discrimination Board (9268 5555) or the Department of Fair Trading 13 3220. Further information may be obtained from the Department’s website: www.fairtrading.nsw.gov.au

All grievances will be taken seriously and a written statement will be given, outlining the complaint or grievance, how it has been handled on appeal, the outcome and reasons for any decisions made. Also refer to the APC website which has links to important legal sites in Australia -> www.apc.edu.au

The College’s Complaints and Appeals Process does not limit the rights of students to take action under Australia’s consumer protection laws.

Form received on: ___________________________  Received by: ___________________________

Name: ___________________________  Student ID: S400

Signature of Student:

Submitted at  ❑ Kent St  ❑ Clarence St  ❑ Manly  ❑ York St  ❑ Bondi Junction

Course:  ❑ English  ❑ Vocational  ❑ Other

Name of Receiving Officer: ___________________________  Date Received: ________________

Signature of Receiving Officer:

Your complaint/grievance/appeal is being processed
# Complaints and Appeals (Grievances) Report

**Student Number:** __________________________  **Signed:** __________________________

**Student Name:** __________________________  **Staff Member:** __________________________

**Other interested parties:** __________________________  **Position:** __________________________

**Date received:** __________________________  **Date:** __________________________

## DETAILS

**Grievance:**

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**Investigation:**

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**Resolution:**

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**Follow up Action:**

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