



SECTION	OVERSEAS STUDENTS				
ITEM:	Complaints and Appeals Policy and Processes			ITEM No:	OSS-011
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1. PURPOSE

The purpose of Brisbane Christian College’s Complaints and Appeals Policy is to provide a student or a parent(s)/legal guardian with the opportunity to access procedures to facilitate the resolution of a dispute or complaint involving Brisbane Christian College, or an education agent or third party engaged by Brisbane Christian College to deliver a service on behalf of Brisbane Christian College.

2. SCOPE

This policy relates to International Students at Brisbane Christian College who are in Australia on a ‘Student Visa’, their parent’s/guardians and Education Agents.

The internal complaints and appeals processes are conciliatory and non-legal.

Grievances brought by a student against another student will be dealt with under the College’s *Character Development Policy*.

3. SOURCES

- *National Code of Practice for Providers of Education and Training to Overseas Students 2018 (NC) B St 5, NC B St 6.1.6, NC B St 7, NC B St 8, NC B St 9, NC B St 10*

4. DEFINITIONS

- **Working Day** – any day other than a Saturday, Sunday or public holiday during term time.
- **Student** – a student enrolled at Brisbane Christian College or the parent(s)/legal guardian of a student where that student is under 18 years of age.
- **Support person** – for example, a friend/teacher/relative not involved in the grievance.

5. POLICY

5.1. Informal Complaints Resolution

- In the first instance, Brisbane Christian College requests there is an attempt to informally resolve the issue through mediation/informal resolution of the complaint.
- Students should contact their respective Head of School (ie: Head of Primary, Head of Middle School or Head of Secondary) in the first instance to attempt mediation/informal resolution of the complaint.
- If the matter cannot be resolved through mediation, the matter will be referred to the Head of Campus/Principal and Brisbane Christian College’s internal formal complaints and appeals handling procedure will be followed.

5.2. **Formal Internal Complaints Handling and Appeals Process**

- a) The process of this grievance procedure is confidential and any complaints or appeals are a matter between the parties concerned and those directly involved in the complaints handling process.
- b) The student or their parent/guardian must notify the College in writing of the nature and details of the complaint or appeal.
- c) Written complaints or appeals are to be lodged with the Principal/Head of Campus.
- d) Where the internal complaints and appeals process is being accessed because the student has received notice by the College that they intend to report him/her for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has 20 working days from the date of receipt of notification in which to lodge a written appeal.
- e) Complaints and appeals processes are available to students at no cost.
- f) Each complainant has the opportunity to present his/her case to the Principal/Head of Campus.
- g) Students and / or the College may be accompanied and assisted by a support person at all relevant meetings.
- h) The formal internal complaints and appeals process will commence within 10 working days of lodgement of the complaint or appeal with the Principal/Head of Campus and will be finalized within as soon as practicable.
- i) For the duration of the internal complaints and appeals process the student's enrolment will be maintained, as required under the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* and the student must continue to attend classes.

However, if the Principal/Head of Campus deems that the student's health or well-being, or the well-being of others is at risk he/she may decide to suspend or cancel the student's enrolment before the complaints and appeals process has been accessed or fully completed. In such cases, the student may still lodge a complaint or appeal, even if the student is offshore.

- j) Once the Principal/Head of Campus has come to a decision regarding the complaint or appeal, the student will be informed in writing of the outcome and the reasons for the outcome, and a copy will be retained on the student's file.
- k) If the complaints and appeals procedure finds in favour of the student, Brisbane Christian College will immediately implement the decision and any corrective and preventative action required, and advise the student of the outcome and action taken.
- l) Where the outcome of a complaint or appeal is not in the student's favor, the College will advise the student within 10 working days of concluding the internal review of the student's right to access the external appeals process.

However, the College is only obliged to await the outcome of an external appeal if the matter relates to a breach of course progress or attendance requirements. For all other issues, the College may take action (including making changes to the student's enrolment status in PRISMS) in accordance with the outcome of the internal appeal.

5.3. **External Appeals Processes**

- a) If the student is dissatisfied with the conduct or result of the internal complaints and appeals procedure, he/she may contact and / or seek redress through the Overseas Students Ombudsman at no cost.
Please see: <http://www.ombudsman.gov.au/How-we-can-help/overseas-students> or phone 1300 362 072 for more information.
- b) If the student wishes to appeal a decision made by Brisbane Christian College that relates to being reported for a breach of course progress or attendance requirement (under Standard 8), the student must lodge this appeal with the Overseas Student Ombudsman's office within 10 working days of being notified of the outcome of his/her internal appeal.

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- c) If the student wishes to appeal a decision made by Brisbane Christian College that relates to:
 - i) refusal to approve a transfer application (under Standard 7), or
 - ii) suspension or cancellation of the student's enrolment (under Standard 9)

any choice to lodge an external appeal with the Overseas Student Ombudsman is at the student's discretion. The school need not await the outcome of any external appeal lodged, before implementing the outcome of the internal appeal.

5.4. Other legal redress

Nothing in the College's Complaints and Appeals Policy negates the right of an overseas student to pursue other legal remedies.

6. APPENDICES

- All letters should be addressed to the student directly and contain relevant contact details for follow up and student records.
- Where relevant, letters should reference:
 - a. the issue of concern;
 - b. previous steps or remedies;
 - c. details of and timelines for any steps or processes the student may wish to or is entitled to take;
 - d. details of and timelines for any steps the school will take;
 - e. actions being taken or outcomes of investigations by the school and reasons for actions or outcomes;
 - f. the ability of students to access the external complaints and appeals process via the Overseas Students Ombudsman <http://www.ombudsman.gov.au/How-we-can-help/overseas-students> if they are dissatisfied with the College's internal complaints and appeals process.
- If necessary, the College should advise the student of the progress of their complaint, particularly if there is a delay in processing a complaint or appeal.

APPENDIX A - Proforma for recording responses and actions in relation to student complaints

STUDENT DETAILS		
Student name:		
Grade:		
Current Address in Australia:		
Parent Name:		
Address in home country:		
Phone no:		
Mobile Ph:		
Email address:		
COMPLAINT DETAILS		
Date:		
<input type="checkbox"/> Complaint is INFORMAL	Description:	
<input type="checkbox"/> Complaint is FORMAL	Written Complaint is attached.	
Details of Remedial Action 1:		
Details of Response to Remedial Action 1:		
Details of Remedial Action 2:		
Details of Response to Remedial Action 2:		
RESOLUTION PROCESS OUTCOME		
<input type="checkbox"/> COMPLAINT RESOLVED	<input type="checkbox"/> NO FURTHER ACTION <input type="checkbox"/> DOCUMENTION FILED	
<input type="checkbox"/> COMPLAINT NOT RESOLVED	<input type="checkbox"/> ADVICE FOR NEXT STEP HAS BEEN PROVIDED [Enter details]	
SIGNED	NAME:	DATE:

APPENDIX B - Commencement of Formal Proceedings

SAMPLE WORDING below, should be always customised for purpose.

Legal entity, trading name and CRICOS Provider No of School:

Student name:

Grade:

Current Address in Australia:

Address in home country:

Phone no:

Mobile Phone:

Email address:

Date:

We are advised by [insert name and role of person] that the issue of [describe issue/concern/complaint] that you first raised on [insert date] has not been satisfactorily resolved. [Provide further details or summary of process if applicable.]

If you wish to pursue this matter further, we invite you to follow Brisbane Christian College's Formal Complaints Handling Procedure, as per our Complaints and Appeals Policy, attached.

As a first step in this process, please notify the Principal / Head of Campus in writing of the nature and details of your concerns.

The Principal / Head of Campus will consider your concerns within 10 working days and will [insert as applicable, e.g., arrange a meeting with you / respond to you in writing]. You will be notified of the outcome of your request, and the reasons for any College decisions, within XX working days.

We wish to advise there has been a delay in the processing of your complaint. The reason is [insert details].

We will contact you again [insert timeframe, e.g., as soon as this matter is resolved or within working days].

In response to your written concerns of [insert date .././..], Brisbane Christian College advises that the outcome of your request is [insert details of outcome]

The reasons for this decision is as follows:

[insert reason(s)].

[If decision is in student's favour, insert details of remedy]

[If decision is in College's favour, advise of action the College will take and advise the student]

If you wish, you may seek external advice or redress through the Overseas Students Ombudsman. The Overseas Students Ombudsman offers a free and independent service for overseas students. Please see: <http://www.ombudsman.gov.au/How-we-can-help/overseas-students> or phone 1300 362 072 for more information.

Yours sincerely

Name

Position

Brisbane Christian College

Postal address

NOTES

1. There is no cost to you for taking part in the College's dispute resolution process.
2. A support person for either party may be present at any meetings arranged to assist resolve this issue. Please see our policy attached for the definition of "support person".
3. Copies of all relevant documents and meeting notes will be retained on your file.
4. If your case is supported by the Brisbane Christian College, immediate corrective or preventative action will be taken, and you will be advised in writing of the outcome of any action taken.
5. If your case is not supported by Brisbane Christian College, you will be advised of the reasons for this decision in writing, and you are at liberty to seek redress through the office of the Overseas Students Ombudsman (<http://www.ombudsman.gov.au/about/overseas-student-ombudsman-landing-page>).
6. If you wish to appeal a decision by Brisbane Christian College relating to you under the National Code of Practice for Providers of Education and Training to Overseas Students 2018 for breach of course progress or attendance requirements (under Standard 8) you must lodge your appeal with the Overseas Student Ombudsman's office within 10 working days.
7. If you wish to appeal a decision made by Brisbane Christian College that relates to:
 - i. refusal to approve a transfer application (under Standard 7), or
 - ii. suspension or cancellation of the student's enrolment (under Standard 9)any choice to lodge an external appeal with the Overseas Student Ombudsman is at your discretion. Brisbane Christian College need not await the outcome of any external appeal lodged, before implementing the outcome of the internal appeal.
8. If you choose to appeal, until the process is complete, Brisbane Christian College will continue to maintain your enrolment and you must attend all classes as normal.
9. If you choose not to appeal, or withdraw from an appeals process at any time, please advise Principal / Head of Campus in writing of your decision as soon as possible.

APPENDIX C -Sample Letter 1 Advising student to access School’s internal Complaints and appeals process

Legal Entity t/a Brisbane Christian College
CRICOS Provider Code:

Insert date

Student name: Insert student name
Year level: Insert year level
Current address: Insert address

cc. Insert parent’s names
Insert parent’s address

Dear student

This letter is to inform you that in relation to [specify grievance] Brisbane Christian College advises that in order to [resolve this complaint / lodge an appeal], you should now follow the internal complaints process, as outlined in the Complaints and Appeals Policy (please see attached). [Attach copy of Complaints and appeals policy]

The formal internal [complaints/appeals] process will commence within 10 working days of the lodgement of the [complaint/appeal] with the [principal/other]. The College undertakes to finalise the process as soon as practicable.

You may be accompanied and assisted by a support person of your choice at any relevant meetings. Brisbane Christian College will maintain your enrolment for the duration of the [complaints/appeals] process and it is expected that you will attend all classes as normal.

If you choose not to access Brisbane Christian College’s formal internal [complaints/appeals] process, or begin and then decide to withdraw from the process, please advise [insert name of Principal / staff member] in writing as soon as possible.

Yours sincerely

Name
Position
Brisbane Christian College
Postal address

APPENDIX D - Sample Letter 2 advising student of outcomes of complaints and appeals process, reasons for decisions made and advice about external appeals

Legal Entity t/a Brisbane Christian College
CRICOS Provider Code:

Insert date

Student name: Insert student name
Year level: Insert year level
Current address: Insert address

cc. Insert parent's names
Insert parent's address

Dear student

This letter is to advise you of the outcome of your formal internal [complaint/appeal] regarding [insert summary of grievance details].

[Insert details of and reasons for outcome]

OUTCOME 1 - the complaint/appeals process results in a decision that supports the student
Brisbane Christian College will immediately implement this decision and/or take the following corrective and preventative actions. [Specify actions to be taken]. You will be advised in writing of the outcome of these actions.

OUTCOME 2 - the complaint/appeals process results in a decision that supports the College.
If you choose, you may now access the external [complaints/appeals] process as outlined in the Complaints and Appeals Policy (please see attached). [Attach copy of Complaints and appeals policy]

Any external [complaint/appeal] must be lodged with the Overseas Student Ombudsman within 10 working days from the date of receiving this letter. The Overseas Student Ombudsman offers a free and independent service for overseas students. Please see <http://www.ombudsman.gov.au/How-we-can-help/overseas-students> or phone 1300 362 072 for more information.

[If the complaint/appeal is in regard to course progress or attendance (NC St 8) include the following]
If you now choose to lodge an external appeal with the Overseas Student Ombudsman, Brisbane Christian College will maintain your enrolment for the duration of the complaints and appeals process and it is expected that you will attend all classes as normal.

[If the complaint/appeal is in regard to suspension or cancellation of enrolment in accordance with NC St 9, you could include the following]

Please be advised that if you now choose to lodge an external appeal with the Overseas Student Ombudsman, Brisbane Christian College is not required to maintain your current enrolment status throughout this process. As such, your enrolment will be [suspended/cancelled] as at [insert date], and you should seek advice from the Department of Immigration about the impact of this on your student visa. Please see contact details at: <https://immi.homeaffairs.gov.au/help-support/contact-us>.

If you choose not to access the external [complaints/appeals] process, or begin and then decide to withdraw from the process, please advise [insert name of Principal / staff member] in writing as soon as possible.

Yours sincerely

Name and Position
Brisbane Christian College
Postal address

APPENDIX E - Sample Letter 3: Stand-alone letter giving student information about accessing the school's external Complaints and appeals process

Legal Entity t/a Brisbane Christian College
CRICOS Provider Code:

Insert date

Student name: Insert student name
Year level: Insert year level
Current address: Insert address

cc. Insert parent's names
Insert parent's address

Dear student

Brisbane Christian College acknowledges your letter dated xx/xx/20xx advising that you are not satisfied with the outcome of the decision made in relation to your internal [complaint/appeal]. [Insert summary of grievance details.]

You may lodge an external [complaint/appeal] with the Overseas Student Ombudsman at no cost to yourself. The Overseas Student Ombudsman offers a free and independent service for overseas students. Please see <http://www.ombudsman.gov.au/How-we-can-help/overseas-students> or phone 1300 362 072 for more information. Any external [complaint/appeal] must be lodged with the Overseas Student Ombudsman within 10 working days from the date of receiving this letter.

[If the complaint/appeal is in regard to course progress or attendance (NC St 8) include the following]
If you now choose to lodge an external appeal with the Overseas Student Ombudsman, Brisbane Christian College will maintain your enrolment for the duration of the complaints and appeals process and it is expected that you will attend all classes as normal.

[If the complaint/appeal is in regard to suspension or cancellation of enrolment in accordance with NC St 9, you could include the following] Please be advised that if you now choose to lodge an external appeal with the Overseas Student Ombudsman, Brisbane Christian College is not required to maintain your current enrolment status throughout this process. As such, your enrolment will be [suspended/cancelled] as at [insert date], and you should seek advice from the Department of Immigration about the impact of this on your student visa. Please see contact details at: <https://immi.homeaffairs.gov.au/help-support/contact-us>.

If you choose not to access Brisbane Christian College's formal internal [complaints/appeals] process, or begin and then decide to withdraw from the process, please advise [insert name of Principal / staff member] in writing as soon as possible.

Yours sincerely

Name
Position
Brisbane Christian College
Postal address