



# MARIST COLLEGE ASHGROVE

A Catholic boys' day and boarding College in the Marist Tradition

## Complaints and Appeals Policy for International Students

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ITEM	DESCRIPTION
<b>Policy description</b>	This policy outlines the procedures when an international student has a grievance.
<b>Department</b>	Enrolments Department
<b>Executive Director</b>	Headmaster
<b>Contact</b>	College Registrar, Ph: 07 3858 4507
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### Revision History

DATE	VERSION	REVIEWED BY	CHANGES MADE
Date of first revision	25/09/2019	Tanya Stephens	CRICOS Compliance
Date of second revision			
Date closed			

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## 1. POLICY STATEMENT

**A copy of this policy is provided to the parent(s)/legal guardian(s) if the student is under age 18 years at a reasonable time prior to a Written Agreement being signed, and again during Orientation (or within 7 days of the commencement of student attendance of the enrolled course).**

Marist College Ashgrove has a fair and transparent process for dealing with student grievances. In the event that such grievances cannot be resolved internally, Marist College Ashgrove will advise students of the appropriate bodies from whom they can seek further assistance.

## 2. PURPOSE

- a) The purpose of Marist College Ashgrove's Complaints & Appeals Policy is to provide a student or parent(s)/legal guardian(s) with the opportunity to access procedures to facilitate the resolution of a dispute or complaint. Students should first try to solve problems through the College's Internal Grievance Procedure Policies.
- b) The grievance handling process should commence within a period of ten (10) working days of the formal lodgement of the complaint or appeal. Supporting information and all reasonable measures should be taken to finalise the process as soon as practicable.
- c) Where the internal complaint and appeals process is being accessed because the student has received notice by the College, that the College intends to report him because of unsatisfactory course attendance, unsatisfactory course progress, or suspension or cancellation of enrolment, the student has twenty (20) working days from the date of receipt of notification in which to lodge a written appeal.

## 3. INFORMAL COMPLAINTS RESOLUTION

- a) In the first instance, the College requests that there is an attempt to informally resolve the issue through mediation/informal resolution of the complaint.
- b) The student should contact the appropriate staff member for an appointment to discuss the issue. Written notes of the discussion will be kept in the student's file and the student will sign and date all written notes.
- c) Staff members who can help:
  - For **academic/subject** concerns, the student should see his Pastoral Leader or EAL/D Teacher.
  - For **boarding** concerns, the student should see his Resident Coordinator.
  - For **personal** concerns, the student should contact a Student Counsellor.
- d) If there is no resolution to the above, the student should make an appointment to discuss the issue with:
  - **Academic** - Head of Teaching & Learning.
  - **Boarding/accommodation** issues - Head of Boarding.
  - **Pastoral** – Head of Students.



- e) The student should take a written statement outlining any issues or concerns to his meeting. If the student requires assistance in writing this statement, the EAL/D teacher would be available to assist. The appropriate staff member will refer to previous notes from the student's file.
- f) If the matter cannot be resolved through mediation, the matter will be referred to the Headmaster and Marist College Ashgrove's internal formal complaints and appeals handling procedure will be followed.

#### 4. FORMAL COMPLAINTS HANDLING PROCEDURE

- 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 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 Headmaster.
- d) Where the internal complaints and appeals process is being accessed because the student has received notice by the College that the College intends to report him for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has twenty (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 complaint or appeal to the Headmaster. He may also nominate a support person to accompany him at any stage of the grievance procedure process.
- g) Commence within ten (10) working days of lodgement.
- h) Once the Headmaster 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.**
- i) If the grievance procedure finds in favour of the student, the College will immediately implement the decision and any corrective and preventative action required, and advise the student of the outcome.
- j) The College undertakes to finalise all grievance procedures as soon as practicable **and no longer than twenty (20) working days.**
- k) If there is not a resolution, the student will be made aware of other steps available to him and his rights under legislation in the State of Queensland and the Commonwealth of Australia.
- l) For the duration of an appeal's process, the student's enrolment and attendance must be maintained.

#### 5. EXTERNAL APPEALS PROCESS

- a) If the student is dissatisfied with the conduct or result of the complaints procedure, he may seek redress through an external body at minimal or no cost. This must



commence within 10 working days in the case of Standards 10 and 11 of the National Code.

- b) If the student wishes to complain or to lodge an external appeal about a decision made or action taken by Marist College Ashgrove, he may contact the Overseas Students Ombudsman at no cost. The Overseas Students Ombudsman offers a free and independent service for overseas students. Please phone 1300 362 072, or see: <http://www.ombudsman.gov.au/about/overseas-students> for more information.
- c) The Overseas Student Ombudsman investigates complaints about problems that Overseas Students or intending Overseas Students may have with private education and training in Australia. The legal basis for the Ombudsman role is the [Education Services for Overseas Students \(ESOS\) Legislation Amendment Act 2011](#).
- d) The Ombudsman also provides information about best practice complaints handling to help private education providers manage internal complaints effectively and publishes reports on problems and broader issues in international education identified through investigations.

#### **The Ombudsman:**

- provides a free service;
- is independent and impartial, and does not represent either Overseas Students or Private Education Providers;
- can make recommendations arising out of investigations;
- is a function of the Commonwealth Ombudsman.

#### **The Ombudsman can only investigate a complaint if:**

- it relates to a Private education provider registered with the Australian Government on the Commonwealth Register of Institutions and Courses for Overseas students (CRICOS);
- the problem relates to an Overseas Student who is already studying in Australia on a student visa or is intending to come to Australia soon.

## **6. OTHER LEGAL REDRESS**

- a) Nothing in the College's Complaints & Appeals Policy for International Students negates the right of any Overseas Student to pursue other legal remedies.
- b) This agreement, and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia's Consumer Protection Laws.

## **7. DEFINITIONS**

**Student** – a student enrolled at Marist College Ashgrove or the parent(s)/legal guardian(s) 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.

**Working day** – any day other than a Saturday, Sunday or public holiday during term time.



## 8. RELATED LEGISLATION AND DOCUMENTS

- [The National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(National Code 2018\)](#)
- [Education Services for Overseas Students \(ESOS\) Act 2000](#)
- [Education Services for Overseas Students Regulation 2001](#)
- [Education Services for Overseas Students \(ESOS\) Amendment Act 2011](#)
- Course Progress and Attendance Policy

