



New England College is the trading name of **New England Institute of Technology Pty Ltd**

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DOCUMENT CONTROL

Version History

Version	Date	Details
V1.0		Archived – due to change in trading name
V2.0	01.02.2016	Archived (updated to new trading name New England College, header, footer, phone number, e-mail id)
V2.1	01.07.2017	Minor updations

Review Process:

This policy shall be reviewed annually in compliance with education industry standards including the National Code of Practice for Registration Authorities Providers of Education to Overseas Students, 2007

Next Review Due: **June 2018**



CONTENTS

1.	<u>COMPLAINTS AND APPEALS POLICY FOR INTERNATIONAL STUDENTS.....</u>	<u>5</u>
1.1	<u>Responsibility and Authority.....</u>	<u>5</u>
1.2	<u>Policy Statement.....</u>	<u>5</u>
1.3	<u>Principles underpinning this policy.....</u>	<u>5</u>
1.4	<u>Advocacy.....</u>	<u>6</u>
2	<u>COMPLAINTS AND APPEALS PROCEDURE.....</u>	<u>7</u>
2.1	<u>Complaints and Grievances about Academic Matters.....</u>	<u>7</u>
2.1.1	<u>Informal resolution with a Trainer.....</u>	<u>7</u>
2.1.2	<u>Reference to the Administration Manager.....</u>	<u>8</u>
2.1.3	<u>Reference to the Principal Executive Officer of the College.....</u>	<u>8</u>
2.2	<u>Appeals regarding non-Academic/Administrative and Other Issues.....</u>	<u>9</u>
2.2.1	<u>Informal resolution with the International Liaison Officer.....</u>	<u>9</u>
2.2.2	<u>Reference to the College Administration Manager.....</u>	<u>9</u>
2.2.3	<u>Reference to the Principal Executive Officer of the College.....</u>	<u>10</u>
3	<u>EXTERNAL DISPUTE RESOLUTION.....</u>	<u>11</u>



COMPLAINTS AND APPEALS POLICY FOR INTERNATIONAL STUDENTS

Responsibility and Authority

The PEO of New England College (the College) shall define the Dispute Resolution Policy and ensure the policy is developed, distributed, reviewed, maintained, understood, and implemented throughout the member Colleges.

Policy Statement

The College shall provide processes for handling grievances (grievances/complaints) to resolve disputes brought by prospective, enrolled and former overseas students regarding academic and non-academic matters.

Grievance means a statement of concern by a student that:

- (a) Has been reported by the student to an officer in a member College or the College; and
- (b) Requires action or a response under the policies or regulations of the College.

General feedback and comment from students about administration, academic programs and services will not be treated by the College as a grievance unless action or a response is required under the policies or regulations of the College.

Whenever possible, grievances will be handled at RTO level. However, should these internal processes not resolve the matter, provision is made for external independent grievance handling/dispute resolution at minimal or no cost to the complainant.

Outcomes of the grievance will be provided to the student in writing, recorded and placed in the student's file and the NEC's Complaints Register.

Information contained in this policy statement must be given to students before an agreement is entered into or before any fees are paid, whichever occurs first, and within seven (7) days of starting an award course at the College.

Principles underpinning this policy include:

- (a) Actions within the process will be undertaken in a timely manner and timelines for responses will be specified at each stage of the process
- (b) Students will be permitted to participate in the process, and the student may include a nominee, if so desired.
- (c) The process will be as simple as possible and easily accessible to students.



- (d) The process will not victimise or discriminate against any student or respondent
- (e) As part of the process, reasons and full explanations will be given for decisions and actions taken .
- (f) Appropriate records of the handling of a grievance/complaint will be kept in the student's file and **NEC** Complaints Register, and treated as confidential, with appropriate access available to involved parties.
- (g) Any arrangements required for external independent grievance handling/dispute resolution will be inexpensive to the student.
- (h) All staff involved in a complaint or appeal have a duty to observe the principles of procedural fairness (natural justice).
- (i) If a student chooses to access NEC's complaints and appeals process, his or her enrolment is maintained with NEC while the complaints and appeals process is ongoing.
- (j) If the outcome of a student's appeal through internal or external complaints and appeals handling process is favourable to the student, NEC will immediately advise the student of this and implement any decision and/or corrective and preventive action required .

Nothing in NEC's policies and procedures negate the right of any student (Australian or overseas student s) to take action under Australia's consumer protection laws in the case of financial disputes. This Dispute Resolution Policy does not circumscribe the student's right to pursue other legal remedies.

Advocacy

A student and/or the College may nominate an advocate to accompany, represent, and support them at any stage of the internal complaint and grievance processes, or external independent processes to resolve problems.



COMPLAINTS AND APPEALS PROCEDURE

Complaints and Grievances about Academic Matters:

➤ Informal resolution with a Trainer

Students concerned about an academic matter (including but not limited to training delivery and assessment, and the quality of teaching) in a unit of study should initially discuss the issue informally with the relevant trainer. The trainer should deal with the issue promptly, giving a full explanation to the student and offering her or him a possible solution. All information given will be recorded and placed in the client's file and the NEC's Complaints Register.

If the student's concerns are not resolved by this means, the trainer should: Explain the next step in the procedure, set out below; and give the student a copy of this policy.

➤ Reference to the Administration Manager

If the student's concerns cannot be resolved by the relevant trainer, or as a result of a failure to follow procedures, the student may then choose to approach the Administration Manager. The student may approach the Administration Manager on an informal basis, or else make the complaint formal by putting the grievance in writing, specifying the nature of the complaint and the grounds for their appeal. The student should do either of these things within 15 working days of the outcome of discussions with the trainer.

Informal complaints

If the student chooses to approach the Administration Manager informally, this does not preclude later lodgement of the grievance formally in writing to the Administration Manager.

The Administration Manager should deal with informal complaints promptly, giving a full explanation to the student of the reasons for the academic decision and offering her or him a possible solution.

Formal complaints

The Administration Manager (AM) must acknowledge receipt of a formal complaint in writing within five (5) working days of receipt.

The Administration Manager must start the process to resolve the complaint within 10 working days of receiving the complaint. To resolve the issue, the AM may discuss with the relevant trainer and the student, and arrange a meeting between the student and AM in an attempt to find an acceptable solution.

Following investigation of the matter, Administration Manager will advise the student in writing of his or her decision:

(a) Setting out the reasons;

(b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to the PEO of NEC; and



- (c) Giving the student a copy of this policy, if the student does not already have a copy.
- (d) All information given will be recorded and placed in the client's file and NEC's Complaints Register.

➤ Reference to the Principal Executive Officer of the College

If the student's concerns cannot be resolved by the Administration Manager, or as a result of failure to follow procedures, the student may only formally approach the PEO of NEC by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the Administration Manager. Again the nature of the complaint and the grounds for appeal should be detailed.

The PEO must acknowledge receipt of the formal complaint in writing within five (5) working days of receipt and start the process to resolve the complaint within ten (10) working days of receiving the complaint. If the complaint relates to the mark for an intra-semester assessment, the Principal Executive Officer (PEO) may appoint an independent assessor who will re-mark the assessment script under dispute. A fee may be charged if the student had been awarded a pass mark for the assessment script under dispute.

Following investigation of the matter, the PEO will advise the student in writing of his or her decision:

- (a) Setting out the reasons;
- (b) if the complaint relates to the mark on an intra-semester assessment, advising that his/her decision is final;
- (c) on other academic matters, advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- (d) Giving the student a copy of this policy, if the student does not already have a copy.
- (e) All information given will be recorded and placed in the client's file and NEC Complaints Register.

Appeals regarding Non-Academic/Administrative and Other Issues

Non-academic/administrative issues are not limited to, but include, matters related to fees, withdrawals, etc., and other issues students may consider are interfering with the progress of their studies.

Informal resolution with the International Liaison Officer

In the first instance, a student who is concerned about a non-academic decision made or action taken by any staff of the College should discuss their grievance with the International Liaison Officer. The International Liaison Officer will promptly notify the student of any action taken or any decision made by them in relation to the grievance.

If, following the notification from the International Liaison Officer, the student's grievance is not resolved to their satisfaction; the student should seek advice from the International Liaison Officer who will advise the student to whom the student may next address their grievance. If the matter relates to the College



policy or regulations, the student may address the College Administration Manager. The International Liaison Officer will give the student a copy of this policy.

Reference to the College Administration Manager:

If the student's concerns relate to the College policy or regulations and have not been resolved by the International Liaison Officer, or because of a failure to follow procedures, the student may then choose to formally approach the Administration Manager of the College. The student should put the complaint in writing to the College Administration Manager within 15 working days of the outcome of discussions with the International Liaison Officer, specifying the nature of the complaint and the grounds for their appeal.

The College Administration Manager must acknowledge receipt of a formal complaint in writing within five (5) working days of receipt, and start the process to resolve the complaint within 10 working days of receiving the complaint.

Following investigation of the matter, the College Administration Manager will advise the student in writing of his or her decision:

- (a) Setting out the reasons;
- (b) Advising that if the student does not agree with the decision, then the student has the right of formal appeal to the PEO of the College;
- (c) Giving the student a copy of this policy, if the student does not already have a copy.
- (d) All information given will be recorded and placed in the client's file and NEC's Complaints Register.

Reference to the Principal Executive Officer of the College

If the student's concerns cannot be resolved by the College Administration Manager, or because of failure to follow procedures, the student may only formally approach the PEO by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the College Administration Manager. Again the nature of the complaint and the grounds for appeal should be detailed.

The PEO must acknowledge receipt of the formal complaint in writing within five (5) working days of receipt, and must begin to resolve the complaint within ten (10) working days of receiving the complaint.

Following investigation of the matter, the PEO will advise the student in writing of his or her decision:

- (a) Setting out the reasons;
- (b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- (d) Giving the student a copy of this policy, if the student does not already have a copy.



Contact details for NEC:

Principal Executive Officer:

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Administration Manager

Mr. Matthew Skeers

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M: matthew@nec.edu.au



External Dispute Resolution

If the student remains dissatisfied with the outcome of the internal complaint handling and appeals process, the College will assist the student to access independent mediation at minimal or no cost to resolve the dispute. Independent mediation is available through the Dispute Resolution Branch, Department of Justice and Attorney-General. At present there is no fee for use of this service, but this may change:

a) The Overseas Students Ombudsman -

<http://www.ombudsman.gov.au/making-a-complaint/overseas-students>

Telephone: 1300 362 072

Enquiries 9.00am, - 5.00pm (AEDT) Monday to Friday

Information booklets from the Ombudsman are available at the Reception Desk.

Things you should know about external review process with the Overseas Students Ombudsman:

- In Australia, you have the right to complain and appeal.
- The Overseas Students Ombudsman's services are FREE.
- In some cases, the Ombudsman may decide not to investigate your complaint and appeal. This might happen where another organisation can help you, or you have not spoken to your provider about your complaint.
- If the Ombudsman decides not to investigate, they will tell you why and refer you to another organisation that can help.
- The Ombudsman is independent and impartial. If they do decide to investigate your complaint and appeal, they will contact New England College and investigate the matter.
- They will treat your information with privacy and respect, and collect, store, use and disclose your personal information only in accordance with Australian privacy laws. If they find that your education provider has made a mistake or acted unfairly, they may ask New England College to:
 - Apologise to you
 - Change or reconsider a decision
 - Change their policies or procedures
 - Take some other action

If the internal or any external complaint handling or appeal process results in a decision that supports the student, New England College must immediately implement any decision and/or corrective and preventative action required and advises the students of the outcome. The final outcome of the external appeals process must be abided by both parties.



How to make a complaint with the Overseas Students Ombudsman: The Ombudsman's office is open from 9.00 am to 5.00 pm Monday to Friday. It has easy access for people with disabilities.

Street Address: Brisbane: Level 18, 53 Albert Street, Brisbane QLD 4000

Sydney: Suite 2, level 22 580 George Street, Sydney NSW 2000

Toll Free Number: 1300 362 072

National Relay Service:

If the student is from a non-English speaking background, the Translating and Interpreter Service (TIS) can be used - 131 450.

If the student is deaf, or have a hearing impairment or speech impairment, they may use [National Relay Service](#):

- TTY users phone 133 677 then ask for 1300 362 072
- Speak and Listen users phone 1300 555 727 then ask for 1300 362 072
- Internet Relay users connect to the [National Relay Service](#) then ask for 1300 362 072

Information booklets from the ombudsman are available at the New England College Reception Desk and in the Student Support Office