

**Introduction**

This policy is a requirement under *Standard 10 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018*. Faith Lutheran College, as a registered CRICOS provider, will ensure a copy of this policy is provided to the student (and parent(s)/legal guardian if the student is under 18) at a reasonable time prior to a written agreement being signed. It will again be communicated to the student during orientation or within the first 7 days of the commencement of student attendance in the enrolled course of study at the College.

**Definitions**

For the purposes of this policy, the following terms are defined:

Working Day	any day other than a Saturday, Sunday or public holiday during term time
Student	a student enrolled at Faith Lutheran College or the parent(s)/legal guardian of a student where that student is under 18 years of age
Support Person	a friend/teacher/relative not involved in the grievance
Complainant	Includes a student and/or their parent(s)/legal guardian(s) or any third party engaged in providing services to international students at Faith Lutheran College. Where a complainant is specifically mentioned, for example a student, this step or process is only relevant to that particular complainant

**Purpose**

The purpose of the College's Complaints and Appeals Policy is to provide complainants with the opportunity to access procedures to facilitate the resolution of a dispute or complaint involving Faith Lutheran College, Education agents or any related third-party engaged by the College. The internal complaints and appeals processes are conciliatory and non-legal.

**Details of Policy**

**1. Complaints against other students**

Grievances brought by a student against another student will be dealt with under the College's Student Wellbeing and Relational Management Policy and Code of Conduct. Students are expected to treat each other in a manner that meets the College's Rights and Responsibilities in addition to demonstrating the Fruits of Faith values.

**2. Informal Complaints Resolution**

- a) In the first instance, Faith Lutheran College requests there is an attempt to informally resolve the issue through mediation/informal resolution of the complaint by the complainant(s).
- b) Students should contact their Care Group or Subject Teacher in the first instance to attempt mediation/informal resolution of the complaint.
- c) If the matter cannot be resolved through mediation, the student matter will be referred to a Year Level Coordinator and Faith Lutheran College's internal formal complaints and appeals handling procedure will be followed. Based on the complaint, the Year Level Coordinator may also need to liaise and/or refer this matter to other appropriate staff at the College (e.g. subject teachers, Director of

Student Services, Director of Teaching and Learning, Deputy Principal etc.) in order to suitably address this complaint.

### **3. 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 complainant(s) 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 International Student Liaison Coordinator, who will then liaise with appropriate staff at the College to officially commence the process of addressing the complaint raised or appeal.
- 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/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 complainant(s) at no cost.
- f) Each complainant(s) has the opportunity to present his/her case to the College Principal, Deputy Principal or International Student Liaison Coordinator.
- g) The complainant(s) and/or the College representative 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 International Student Liaison Coordinator and will be finalised 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 College Principal and/or Deputy Principal deems that the student's health or well-being, or the well-being of others is at risk, the College Principal/Deputy Principal 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 College Principal and/or Deputy Principal has come to a decision regarding the complaint or appeal, the complainant(s) will be informed in writing of the outcome and the reasons for the outcome, and a copy will be retained on file.
- k) If the complaints and appeals procedure finds in favour of the complainant(s), Faith Lutheran College will immediately implement the decision and any corrective and preventative actions required, and advise the complainant(s) of the outcome and actions taken to rectify this matter.
- l) Where the outcome of a complaint or appeal is not in the student's favour, 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 of students. 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 as determined by the College Principal and/or Deputy Principal.

#### 4. External Appeals Processes for students

- a) If a 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 the following link or phone 1300 362 072 for more information:
  - o <http://www.ombudsman.gov.au/about/overseas-students>
- b) If the student wishes to appeal a decision made by Faith Lutheran 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.
- c) If the student wishes to appeal a decision made by Faith Lutheran College that relates to:
  - o Refusal to approve a transfer application (under Standard 7), or
  - o 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 College need not await the outcome of any external appeal lodged, before implementing the outcome of the internal appeal

#### 5. Other legal redress

Nothing in the College's Complaints and Appeals Policy negates the right of a complainant to pursue other legal remedies.

#### Related Documents

Letter advising student to access the College internal complaints and appeals process

Letter advising student of outcomes of complaints and appeals process

Letter regarding access to the College's external complaints and appeals process

---

#### Policy Release Details

Date of Policy:	October 2018
Approved by:	Plenary
Responsibility:	College Principal
Point of Contact:	International Student Liaison Coordinator
Review Date:	October 2020