

COMPLAINTS & APPEALS POLICY AND PROCEDURE

The College takes its obligation to ensure that students and staff enjoy a safe working environment seriously. It believes that all people in the College community have the right to learn and teach in a supportive, caring and safe environment without fear of intimidation or being bullied. Every individual in College has the duty to report an incident of bullying, whether it happens to themselves or to another person.

1. Policy

This policy/procedure supports SMEAG English to provide a process for complaints and appeals to be heard and actioned. All complaints and appeals received by SMEAG English will be viewed as an opportunity for improvement.

SMEAG English conducts the assessment of the complaint or appeal in a professional, fair and transparent manner.

Despite all efforts of SMEAG English to provide satisfactory services to its students, complaints may occasionally arise that require formal resolution. The following procedures provide students the opportunity to have any issues relating to a substantiated complaint or appeal resolved and resolutions reached that attempt to satisfy all parties involved. This complaints and appeals process will be at no cost to the student (unless referred to a third party; see procedure for more details).

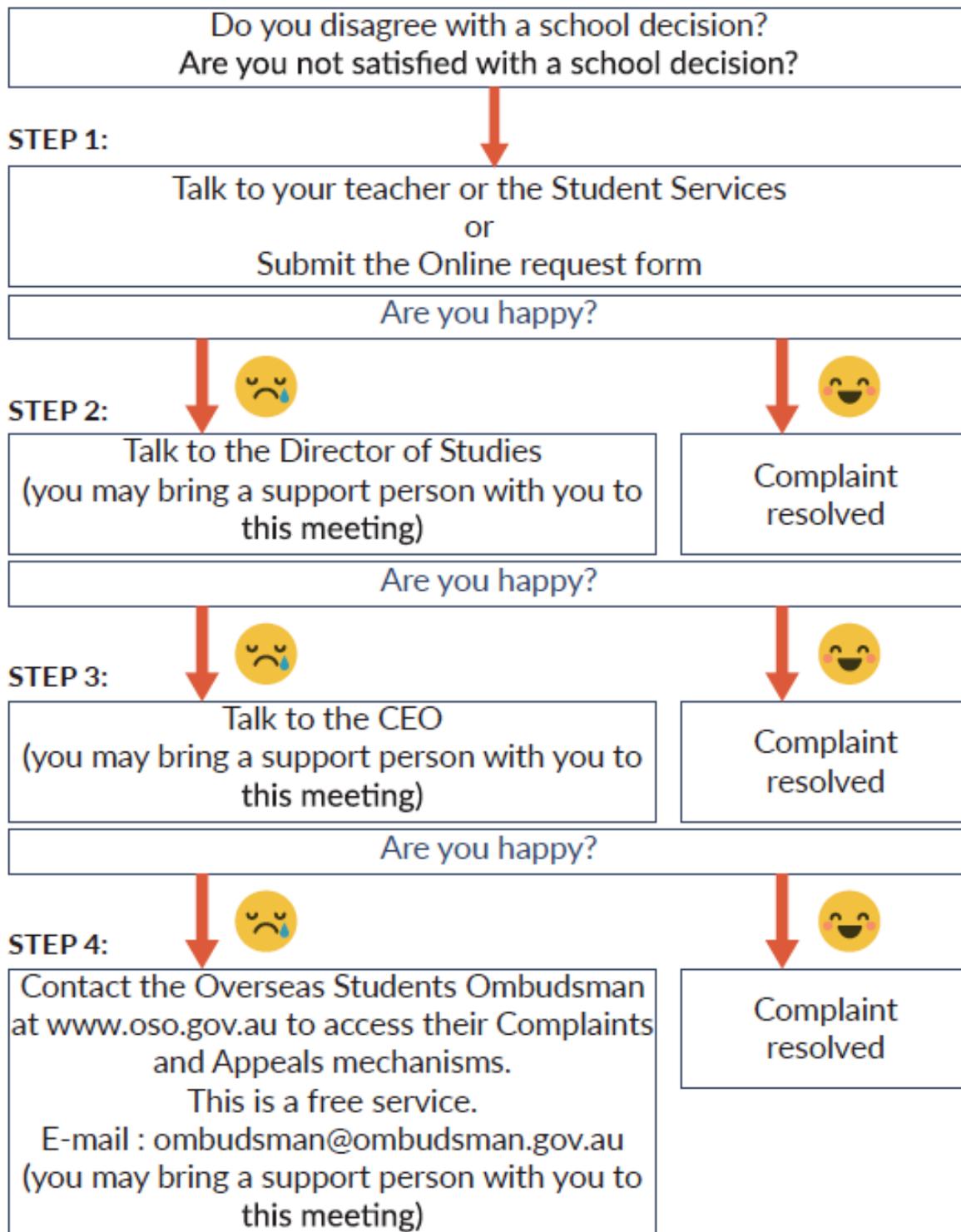
2. Procedure

The complaints and appeals policy and procedure and applicable form is made available to all students and potential students by directly contacting SMEAG English, through SMEAG English website, within the student Orientation and the student information handbook.

2.1 General Complaints

Where possible all non-formal attempts will be made to resolve the issue. This may include advice, discussions, and general mediation in relation to the issue and the student's issue. A flowchart has been made to simplify the Complaint and Appeal procedure. With the purpose to accessible to all students, this flowchart is displayed in every class and in the common areas.

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- Any student, potential student, or third party may submit a formal complaint to SMEAG English with the reasonable expectation that all complaints will be treated with integrity and privacy. There is no cost for the complaints process unless it is referred to a third party.

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- Complainants have the right to access advice and support from independent external agencies / persons at any point of the complaint and appeals process. Use of external services will be at the complainant's costs unless authorised by the CEO.
- Any person wishing to submit a formal complaint or appeal can do so by completing the 'Complaints and Appeals Form' and state their case providing as many details as possible. This form can be gained by contacting Student Administration at SMEAG English.
- All formally submitted complaints or appeals are submitted to the Student Administration. Complaints are to include the following information:
 - Submission date of complaint
 - Name of complainant
 - Nature of complaint
 - Date of the event which lead to the complaint
 - Attachments (if applicable)
- Once a formal complaint is received it is to be entered into the 'Complaints and Appeals Register' which is monitored by the CEO regularly. The information to be contained and updated within the register is as follows:
 - Submission date of complaint
 - Name of complainant
 - Description of complaint/appeal
 - Determined Resolution
 - Date of Resolution
- A student may be assisted or accompanied by a support person regardless of the nature of the issue or complaint throughout the process at all times.
- SMEAG English will make a decision on the complaint within 10 working days and keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.
- Once a decision has been reached, SMEAG English will be required to inform all parties involved of any decisions or outcomes that are concluded in writing. Within the notification of the outcome of the formal complaint the students will also be notified that they have the right of appeal. To appeal a decision SMEAG English must receive, in writing, grounds of the appeal. Students are referred to the appeals procedure.
- SMEAG English will ensure the immediate action on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the student, SMEAG English must immediately implement any decision and/or corrective and preventative action that is required and advise the student of the outcome.
- Copies of all documentation, outcomes and further action required will be placed into the 'Complaints and Appeals Register' by Student Administration and on the students file.

2.2 Appealing a Decision – Internal Appeals

All students have the right to appeal decisions made by SMEAG English where reasonable grounds can be established. The areas in which a student may appeal a decision made by SMEAG English may include:

- Assessments conducted

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- Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
- Or any other conclusion/decision that is made after a complaint has been dealt with by SMEAG English in the first instance.
- To activate the appeal process, the student must complete a 'Complaints and Appeals Form' which will include a summary of the grounds on which the appeal is based. If the student feels the decision is unfair then the reason must be clearly explained. The Student Administration can help and support with this process.
- SMEAG English will then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.
- The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
- SMEAG English will ensure that action is taken immediately on any substantiated appeal.
- Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures will be followed:

General appeals

1. Where a student has appealed a decision or outcome of a formal complaint they are required to notify SMEAG English in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
2. The appeal must be submitted to the Student Administration and they will ensure the details of the appeal are added to the 'Complaints and Appeals Register'.
3. SMEAG English will be notified and will seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.
4. The student will be notified in writing of the outcome with reasons for the decisions within 10 working days of concluding the internal review, and the 'Complaints and Appeals Register' updated. The student will also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify SMEAG English if they wish to proceed with the external appeals process.

Assessment appeals

1. Where a student wishes to appeal an assessment they are required to notify their teacher first. Where appropriate the teacher may decide to re-assess the student to ensure a fair and equitable decision is gained. The teacher will complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.
2. If this is still not to the student's satisfaction, the student can formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. They should submit it to the student administrations department and the appeal will be entered into the 'Complaints and Appeals Register.'
3. The DOS will be notified and will seek details from the teacher involved and any other relevant parties. A decision will be made regarding the appeal either indicating the assessment decision

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stands or details of a possible re-assessment by a 'third party'. The third party will be another teacher appointed by the DOS.

4. The student will be notified in writing of the outcome with reasons for the decision within 10 working days of concluding the internal review, and the 'Complaints and Appeals Register' updated. The student will also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify SMEAG English if they wish to proceed with the external appeals process

2.3 Further steps & information – External Appeals

International Students External Appeal

In addition to the above processes International students enrolled with SMEAG English can lodge an external appeal with the Commonwealth Overseas Students Ombudsman. Contact details for the Overseas Students Ombudsman are available from www.oso.gov.au.

Organisation:	Overseas Student Ombudsman (http://www.oso.gov.au/)
Contact point:	Email: ombudsman@ombudsman.gov.au Call: 1300 362 072 (within Australia) Outside Australia call +61 2 6276 0111. Enquiries 9 am to 5 pm Monday to Friday (AEDT) Fax: 02 6276 0123 within Australia. Outside Australia +61 2 6276 0123. Postal: GPO Box 442 Canberra ACT 2601.

- Where SMEAG English is informed that the student has accessed external appeals processes SMEAG English will maintain a student's enrolment until the external appeal process is finalised.
- SMEAG English will comply with the findings of the external appeals process
- Where a decision or outcome is in favour of the student SMEAG English shall follow the required action and recommendation from The Overseas Ombudsman to satisfy the student's grievance as soon as practicable.
- The decision of this independent mediator is final and any further action the student wishes to take is outside SMEAG English policies and procedures. The student will be referred to the appropriate government agencies by SMEAG English.

Further Steps

If a student is still dissatisfied with the decision of SMEAG English, they may wish to seek legal advice or place a complaint about SMEAG English to ASQA directly by completing the online complaint form: <https://rms.asqa.gov.au/registration/newcomplaint.aspx> (Please be aware that ASQA does not act in a mediation capacity).

Except in exceptional circumstances, you must attach evidence to your complaint form showing:

- that you have followed SMEAG English formal complaints procedure, and
- SMEAG English response.

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ASQA's processes require the student to identify themselves to ASQA as a complainant, although they may request to keep the identity confidential throughout any investigation.

Australian Skills Quality Authority - Ph: 1300 701 801 - Website: www.asqa.gov.au

Melbourne—Level 6, 595 Collins Street

Brisbane—Level 7, 215 Adelaide Street

Sydney—Level 10, 255 Elizabeth Street

Canberra—Ground Floor, 64 Northbourne Avenue Canberra City

Perth—Level 11, 250 St Georges Terrace

Adelaide—Level 5, 115 Grenfell Street

Hobart- Level 11, 188 Collins Street