



Complaints & Appeals Policy

Purpose

This policy governs the process for responding to complaints and appeals. This policy encompasses complaints and appeals related to:

1. **academic matters**
2. **non-academic matters**
3. **reporting non compliant students to DIAC**

Any current or prospective student of UIC, (whether International or local) who experiences incorrect, inappropriate or unfair treatment in the course of their relationship with UIC is entitled to access the complaints and appeals process set out in this policy.

Grievances experienced by UIC staff are to be dealt with according to the terms set out in the UIC Staff Handbook.

Unique International College's complaints and appeals processes are independent, easily and immediately accessible and inexpensive for the parties involved. The intention is to provide local and international students with the opportunity to easily access a fair, inexpensive complaints and appeals process that includes access to an independent external body if necessary. Unique International College will give consideration to the speed of decision-making as an international student's visa may restrict his or her length of stay in Australia.

Unique International College will maintain the student's enrolment while the complaints and appeals process is ongoing. However, this does not mean that a student must remain in class. Where this is not practical, the student may be provided class work and supervision to continue his or her studies external to the classroom situation.

Unique International College has internal complaints and appeals process that:

- requires a written record if the complaint or appeal cannot be resolved informally
- provides a student with the opportunity to formally present his or her case at minimal or no cost
- allows the student to be assisted or accompanied by a support person
- includes provision of a written statement of the outcome, including details and reasons for the decision, and
- requires that processes begin within 10 working days of the provider receiving the formal written lodgement of the complaint or appeal.

Academic Complaints

The Academic Complaints and Appeals process is for matters which relate to:

- Assessment and results
- Student progress
- Curriculum content & delivery

If at any point, a student becomes dissatisfied in relation to these matters, the following procedures should be followed.



Internal

1. If a student is concerned about any academic result, he or she should first discuss the issue informally with the relevant trainer or Head Teacher. This should be done within 15 days of the particular academic result being made available. The trainer or Head Teacher should then deal with the issue promptly, giving a full explanation to the student of the reasons for the academic decision. Most of the complaints should be resolved at this stage.
2. If, after undertaking Step 1, or in situations where Step 1 is not possible, the student should lodge their complaint in writing, using the Academic Complaints & Appeals Form to the CEO (or nominee) within 15 working days of the complaint becoming known. Within a 5 working days, the CEO (or nominee) will explain to the student the course of action to be taken and the outcome of the appeal.

External

3. Where the complainant is unsatisfied with the outcome of Step 2 and believes that:
 - a) they did not have sufficient opportunity to present their case to the decision maker;
 - b) or, the process was not carried out in accordance with UIC policy or procedures;
 - c) or the decision was made contrary to the evidence provided; they may request that the matter be referred to UIC's nominated independent complaints and appeals reviewer as follows:

Call the toll-free National Training Complaints Hotline
On 1800 000 674 or
Email:: nationalcomplaintshotline@dest.gov.au

Or contact

NSW Vocational Education & Training Accreditation Board
Level 14, 1 Oxford Street, Darlinghurst
Locked Bag 21
Darlinghurst NSW 1300
Ph: (02) 9244 5335, Fax: (02) 9244 5344

General (Non-Academic) Complaints

The General Complaints process is for matters which relate to:

- Customer services and administration
- Marketing and information (Pre or post enrolment)
- Facilities
- Fees and finance related matters
- Welfare

Internal

1. Students are encouraged to discuss their complaint with the person concerned, or the manager responsible for the non-academic service involved in the complaint. This is appropriate in matters where the complainant feels comfortable with making a direct approach, or where the complaint does not relate to allegations of unlawful behaviour. The person receiving the complaint should then deal with the issue promptly and where appropriate make use of UIC's Continual Improvement process. Most of the complaints should be resolved at this stage.



2. If, after undertaking Step 1, or in situations where Step 1 is not possible, the student should lodge their complaint in writing (using the Non-Academic Complaints & Appeals Form) to the CEO (or nominee) within 15 working days of the complaint becoming known. Within a further 5 working days, the CEO (or nominee) must give reasons and a full explanation in writing for decisions and actions taken in relation to this complaint.

External

3. Where the complainant is unsatisfied with the outcome of Step 2 and believes that:
 - a) they did not have sufficient opportunity to present their case to the decision maker;
 - b) or, the process was not carried out in accordance with UIC policy or procedures;
 - c) or the decision was made contrary to the evidence provided; they may request that the matter be referred to UIC's nominated independent appeals reviewer as follows:

**Call the toll-free National Training Complaints Hotline
On 1800 000 674 or
Email:: nationalcomplaintshotline@dest.gov.au**

Or contact

**NSW Ombudsman
Level 24, 580 George Street, Sydney, 2000
Phone: 9286 1000
Web: <http://www.ombo.nsw.gov.au>**

Reporting Non-Compliant Students to DIAC

(This section applies to International Students only)

Appeals under this category will be in response to UIC notifying a student that they intend to report the student to DIAC for not complying with the conditions of their student visa.

This may occur in relation to:

- Unsatisfactory Course Progress;
- Non payment of Fees
- Unsatisfactory Attendance
- Student misconduct

Once UIC notifies a student of their intention to report them to DIAC, the student may commence the Step 1 Appeals procedure which is explained below.

Internal

1. International students have 20 days to access the UIC Complaints and Appeals Process regarding their exclusion from the College. The student should lodge their appeal or complaint in writing (using the Intention to Report Appeals Form) to the CEO (or nominee). Students who require help in preparing a written complaint or appeal may contact the RTO Administrator or UIC reception desk for assistance. Within 5 working days, UIC will explain to the student the outcome of appeal or complaint. If the appeal is unsuccessful then the students may wish to access external appealing process. To avoid misuse of the student visa and to maintain the integrity of the student visa, UIC encourages the students to appeal to an external body within 5 working days of the outcome of an internal appeal. Students must either go thorough UIC to lodge an external appeal or leave a copy of the documentation proving that they have appealed to an external body. This will assist UIC in deciding whether to report or not to report the student. However, if the student does not inform UIC about his or her intentions to appeal externally



within 5 working days of the outcome of an internal appeal, then UIC will assume that the student is no longer appealing externally. In this instance, UIC will report the student through PRISMS for non compliance with visa conditions.

External

2. Where the complainant is unsatisfied with the outcome of Step 1 and believes that:
 - a) they did not have sufficient opportunity to present their case to the decision maker;
 - b) or, the process was not carried out in accordance with UIC policy or procedures;
 - c) or the decision was made contrary to the evidence provided; they may request that the matter be referred to UIC's nominated independent appeals reviewer as follows:

NSW Ombudsman
Level 24, 580 George Street, Sydney, 2000
Phone: 9286 1000
Web: <http://www.ombo.nsw.gov.au>

Or

Call the toll-free National Training Complaints Hotline
On 1800 000 674 or
Email: nationalcomplaintshotline@dest.gov.au

If the internal or any external complaint handling or appeal process results in a decision that supports the student, Unique International College will immediately implement any decision and/or corrective and preventative action required, and advise the student of the outcome. This will be done in the following way:

- The student will be notified immediately of the outcome if UIC or the independent external body makes a decision in favour of the student. (If the student is dealing with independent body through UIC.)
- Unique International College will immediately update the student's file to record the outcome, and any subsequent actions.
- If the complaints and appeals process has been activated in relation to deferring, suspending or cancelling a student's enrolment, see UIC's policy on Deferring, Suspending and Cancelling Enrolment .

If the student does not respond to the intention to report letter and/or decides not to access UIC's complaints and appeals process or when the appeal supports the provider's decision to report the student, the provider details the breach in PRISMS. The information is electronically transmitted to DIAC. PRISMS generates a section 20 notice, which the provider sends to the student at their last known address. The student must then visit their local DIAC office within 28 days to explain the breach, or the visa will be automatically cancelled.



The three situations where DIAC will overturn a provider's action leading to visa cancellation are:

1. Evidence is provided that the wrong student was reported.
2. The Section 20 notice is defective.
3. In certain, very limited and narrowly defined, exceptional circumstances.

The exceptional circumstances that may prevent DIAC cancelling a student visa are restricted to critical incidents. (See UIC's policy on Critical Incidents.) They do not include cases where the student was unable to attend due to a short-term illness as the provider considers this when assessing compassionate or compelling circumstances prior to reporting the student.

If the student does not report to a DIAC office within the 28 days, their visa will be automatically cancelled. They may be able to appeal to the Migration Review Tribunal.

If an international student is dissatisfied with the provider's complaints and appeals processes, the student can contact DEST through the ESOS mailbox esosmailbox@dest.gov.au or through the ESOS helpline (02) 6240 5069. The student may send through a complaint at any point, including after he or she has exhausted the provider's internal appeals process and the external appeals process. DEST will only intervene where the provider's appeals process was not conducted correctly or if the provider did not make the appeals process available to the student.