



STUDENT COMPLAINT HANDLING AND RESOLUTION POLICY ENGLISH PROGRAMS

SECTION 1 - PURPOSE AND SCOPE

- (1) This policy applies only to complaints from students studying in the English programs at The College. The College has separate policies for handling and resolving complaints from staff and other persons with whom The College deals.
- (2) A complaint may be about policy or process of The College, or about an individual employed by The College.
- (3) There are separate policies and procedures on different aspects of College operations and these may contain processes regarding appeals against decisions. Where the subject matter of a complaint comes within those policies and procedures, such processes must be pursued to conclusion before submitting a complaint under this policy.
- (4) This policy and related procedure is to be used to handle and resolve complaints for English Program students where no other internal process exists or where other processes, including appeals, have been exhausted.

SECTION 2 - DEFINITIONS

- (5) For the purposes of this policy, the following definitions apply:
 - a. "Complaint" - the expression of dissatisfaction drawn to the attention of a member of The College staff that requires review, investigation or action.
 - b. "Complainant" - the person/persons who have lodged a complaint.
 - c. "Respondent" - the person/persons to whom the complaint is directed.
 - d. "Grievance" - has the same meaning as complaint.
 - e. "Support" - person includes a fellow student, staff member, friend or family member, and does not include legal representation.
 - f. "Victimisation" - any form of detriment directed at a person/persons for their participation in making, supporting or resolving a complaint, whether that participation is actual, intended or presumed, or any form of detriment applied selectively and without justification.
 - g. "The College" - Western Sydney University The College a division of UWS Enterprises Pty Ltd.
 - h. "The University" - Western Sydney University.

SECTION 3 - POLICY STATEMENTS

- (6) The College English Programs consider effective and efficient complaint management essential to the provision of quality service and to establishing and maintaining a harmonious and productive environment.
- (7) The College's aim is to identify, investigate and resolve legitimate complaints using a fair, objective and confidential process that achieves resolution in a timely manner at the lowest possible level.
- (8) In particular, The College is committed to a complaint handling and resolution process that improves quality of its educational offerings and the overall student experience and:
 - a. gives students and others a voice;
 - b. gives The College an opportunity to identify and rectify problems;
 - c. negotiates realistic and justifiable outcomes.
- (9) The College will endeavour to investigate all legitimate complaints, including those lodged anonymously. While The College will accept anonymous complaints it cannot guarantee the anonymity of complainants.
- (10) Where a complaint lacks sufficient information, it may be impossible or impracticable for The College to investigate the matter. This will be determined by the relevant manager handling the complaint.
- (11) It is a breach of this policy to victimise anyone for their use of The College's complaint handling and resolution process.
- (12) Complainants will be advised of their right to access external avenues where complaints about The College may be heard. These avenues are documented in the External Avenue section of this policy. External avenues of complaints may impose a fee.
- (13) If the student chooses to pursue a complaint matter through external avenues whilst in the middle of an internal complaints process, then the internal complaints process will suspend until the external complaint process is concluded.
- (14) If The College's complaints handling and resolution processes result in a decision that supports the complainant, The College will as soon as practicable, implement any decision and/or corrective and preventative action required and advise the complainant of the outcome.

SECTION 4 - PROCEDURES

- (15) Complaints may be handled and resolved through any of the following avenues:
 - a. the Direct Avenue (where the complainant addresses their complaint directly with the respondent);
 - b. the Formal Avenue (where the complaint is lodged with and investigated by The College);

- c. the External Avenue (where the complaint is lodged with and investigated by an external organisation).

Direct Avenue

- (16) The Direct Avenue is the preferred avenue for complaints resolution. Initial concerns are raised by the complainant with their teacher or their course coordinator. Following this, concerns are raised directly with the respondent in an attempt to reach a satisfactory resolution without the need to lodge a complaint through the Formal or External Avenues.
- (17) When making a complaint through the Direct Avenue, the respondent must be advised and consent obtained to the proposed meeting, discussion and other arrangements that the complainant wishes to follow.
- (18) Each party may be accompanied by a support person at the meeting.

Formal Avenue

- (19) A complaint may be lodged through the Formal Avenue if:
 - a. the respondent has withheld permission to follow the Direct Avenue; or
 - b. the respondent has agreed to follow the Direct Avenue but the complainant and respondent have been unable to agree on the proposed meeting, discussion and other arrangements that the complainant wishes to follow; or
 - c. the Direct Avenue has been followed but the complainant believes that the complaint remains unresolved; or
 - d. the complainant does not wish to follow the Direct Avenue.
- (20) Complaints lodged through the Formal Avenue must be handled in accordance with the following procedures:
 - a. the complaint is to be submitted in writing;
 - b. a written record of the complaint and its handling and resolution is to be kept in the student's record and under the restricted access in TRIM;
 - c. each complainant has an opportunity to formally present his or her case at no cost to him or herself;
 - d. each party may be accompanied and assisted by a support person at any relevant meetings. The complainant is given a written statement of the outcome, including details of the reasons for the outcome;
 - e. the process commences within 10 working days of the formal lodgement of the complaint and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.
- (21) Complaints lodged through the Formal Avenue are to be directed to the Director, English Programs, who is responsible for the course in which the student is enrolled.

- (22) If a complainant is not satisfied with the outcome of a complaint lodged through the Formal Avenue, he/she may make a further complaint or complaints through the Formal Avenue to the CEO/Dean of The College.
- (23) If a complainant is not satisfied with the outcome of a complaint lodged through the Formal Avenue directed to the CEO/Dean, a further complaint can only be made through the External Avenue.

External Avenue

- (24) A complaint may be made through the External Avenue at any time, but complainants are encouraged to attempt to resolve complaints through The College's two internal avenues first.
- (25) Complaints made to an external organisation through the External Avenue will be handled entirely by that organisation in accordance with its own procedures.
- (26) External organisations who may accept complaints from College complainants include the following:
 - a. for International students, the Department of Education through the ESOS Online Enquiry Form on the Australian Education International (AEI) website - <https://aei.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/Pages/ESOSEnquiry.aspx>
 - b. Overseas Students Ombudsman - <http://www.oso.gov.au>

SECTION 5 - GUIDELINES AND REFERENCES

Related Legislation/Policies/Procedures

- a. Education Services to Overseas Students Act (2000)
- b. Education Services to Overseas Students Regulations (2001)
- c. National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (National Code 2007)

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Summary of Changes from Previous Version