CRICOS: 02815M
Policy Number: MITP07
Policy Name: Complaints and Appeals Policy and Procedure
Contact Officer: Campus Manager
                  Student Services Coordinator

Date Approved: 1st June 2012
Date of Next Review: 1st June 2014
Related Policies:
  MITP04 – Student Code of Conduct
  MITP06 - Disciplinary Policy and Procedure
  MITP08 – Deferral, Suspension and Cancellation Policy

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1.0 PURPOSE

Menzies Institute of Technology endeavours to create a positive learning environment for students, one in which each student has the opportunity to achieve their personal best. Part of the maintenance of that positive environment is a fair and open complaints and appeals procedure made available to all students.

This policy applies for International Students only.

2.0 DEFINITIONS & KEY WORDS

2.1 “The Institute” refers to Menzies Institute of Technology.
2.2 “Complaints and Appeals Register” refers to the central file containing all documentation relating to Complaints and Appeals received.
2.3 “Complaint” can be of academic or general nature. An academic complaint can be regarding:
   - Assessment and results
   - Student Progress
   - Curriculum content & delivery

A general complaint can be regarding:
   - Customer services and administration
   - Marketing and information
   - Facilities
   - Fees and finance related matters
   - Welfare

2.4 “Appeal” is a request to review a decision or outcome by the Institute on student’s results, conditions of enrolment, or academic progress and attendance for reporting students to DIAC.

2.5 “Complainant” is a person lodging the complaint.

2.6 “Appellant” is a person lodging the appeal.

3.0 PROCEDURE

3.1 Handling student complaints

3.1.1 The student will, firstly, communicate directly with the person to resolve the matter in an informal manner.
3.1.2 If the matter cannot be resolved, the student can take the matter through the Complaints & Appeals process.

3.1.3 The complaint is to be lodged within 20 working days of the complaint issue becoming known by completing the MFS04 - Student Complaint Form. If the complaint is being made verbally, the Student Services Coordinator must summarise the complaint in writing on behalf of the complainant and have it signed off by the complainant.

3.1.4 The Student Services Coordinator will acknowledge the receipt of the complaint in writing within 3 working days.

3.1.5 If further information is required regarding the complaint or the nature of the complaint is unclear, the Student Services Coordinator will organise a meeting with the complainant and the relevant staff member to discuss the complaint.

3.1.6 Within 10 working days of the receipt of the complaint, the Student Services Coordinator will provide in writing the steps of negotiations and solutions for both the complainant and relevant staff member.

3.1.7 If the complainant is unsatisfied with the outcome of the solutions, the complainant can decide to complete another MFS04 - Student Complaint Form and the matter will be escalated to the PEO by the Student Services Coordinator. This must be submitted to the Institute within 5 working days from the receipt of the outcome. If the complainant decides not to access this procedure, then the complaint is deemed closed. Within 10 working days of the receipt of the complaint, the outcome of the complaint will be provided by the Student Services Coordinator.

3.1.8 If the complainant is again unsatisfied with the outcome of the solutions, the complainant can contact the Overseas Students Ombudsman. This must be done within 5 working days of the receipt of the initial outcome and the complainant must inform the Institute and provide proof that the complainant has accessed the Overseas Student Ombudsman. If the complainant decides not to access this procedure, then the complaint is deemed closed. The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website www.oso.gov.au or phone 1300 362 072 for more information.

3.1.9 For all procedures mentioned above, there is no additional cost for the complainant to present their complaint. Also, the complainant can be
accompanied and assisted by a support person at any relevant meetings if the complainant wishes to do so.

3.2 Handling student appeals

3.2.1 The appellant must lodge the MFS04A - Student Appeal Form along with supporting documentation and evidence within 20 working days of the Institute’s decision for:

- Intention to report student to DEEWR for poor attendance or unsatisfactory course progress.
- Intention to suspend or cancel a student’s enrolment.
- Refusal of a student’s request to transfer providers.
- Intention to report student to DEEWR for non-payment of fees.

If the appeal is being made verbally, the Student Services Coordinator must summarise the appeal in writing on behalf of the appellant and have it signed off by the appellant.

3.2.2 The Student Services Coordinator will acknowledge the receipt of the appeal in writing within 3 working days.

3.2.3 If further information is required regarding the appeal or the nature of the appeal is unclear, the Student Services Coordinator will organise a meeting with the appellant.

3.2.4 If the appeal is being made against the following Institute’s decision:

- Intention to report student to DEEWR for poor attendance or unsatisfactory course progress
- Intention to report student to DEEWR for non-payment of fees

If the appellant has any outstanding fees, the appeal will not be processed unless outstanding fees are cleared within 10 working days (refer to MITP03 - Payment Policy). After the condition has been met, the outcome of the appeal will be provided in writing by the Student Services Coordinator within 10 working days.

3.2.5 Within 10 working days of the receipt of the appeal, the Student Services Coordinator will provide in writing the details of the outcome of the appeal.

3.2.6 If the appellant is unsatisfied with the outcome, the appellant can submit an additional MFS04A - Student Appeal Form within 5 working days of the receipt of the initial outcome and the matter will be escalated to the PEO by the Student Services Coordinator. If the appellant decides not to access this procedure, then the appeal is deemed unsuccessful. Within 10 working
days of the receipt of the appeal, the outcome of the appeal will be provided by the Student Services Coordinator.

3.2.7 If the appellant is still unsatisfied with the outcome, the appellant can decide to contact the Overseas Students Ombudsman. This must be done within 5 working days of the receipt of the initial outcome and the appellant must inform the Institute and provide proof that the appellant has accessed the Overseas Student Ombudsman. If the appellant decides not to access this procedure, then the appeal is deemed unsuccessful. The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website www.oso.gov.au or phone 1300 362 072 for more information.

3.2.8 If the matter cannot be resolved within the Institute according to the above procedures, the complainant can seek professional legal advice.

3.2.9 For all procedures mentioned above, there is no additional cost for the appellant to present their appeal. Also, the appellant can be accompanied and assisted by a support person at any relevant meetings if the appellant wishes to do so.

3.3 Recording student complaints and appeals

Each complaint, appeal and its outcome is recorded in writing on the Complaints and Appeals Register, with copies of all documentation kept in the students file.

3.4 Action student complaints and appeals

Where the complaints and appeals results in a decision supporting the complainant, the Institute will immediately implement the required corrective/preventative action and advise the complainant of the outcome.

NOTE: If the complainant chooses to access the Institute’s complaints and appeals processes as per this standard, the Institute will maintain the complainant’s enrolment while the complaints and appeals process is ongoing.

4.0 RESPONSIBILITIES

- The Student Services Coordinator is responsible for maintaining the Complaints and Appeals register.
• The Student Services Coordinator is responsible for managing the progress of actions based on complaints and appeals.
• The Student Services Coordinator is the first point contact for complaints and appeals process and raise the matter to Senior Management of the Institute.
• The Senior Management is comprised of Campus Manager, Planning, Development & Compliance Manager, English Department Academic Manager and PEO.