



POLICY TITLE: INTERNATIONAL STUDENT COMPLAINTS APPEALS POLICY

DEVELOPED / REVIEWED BY

Policy Committee
Director of Business Services and Advancement
Head of Admissions
Human Resources Manager
Risk and Compliance Manager

REVIEW SUMMARY

Policy to be presented to the Policy Committee for the first time at the May 2024 meeting. Policy to be reviewed in the first twelve months to ensure accuracy to current legislative components.

DOCUMENT DEVELOPMENT PROCESS

This document was first developed by Director of Business Services and Advancement and the Head of Admissions in 2024.

RATIONALE

Standard 10 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) requires the College to have and implement a documented appeals process and policy, and provide the international student with comprehensive, free and easily accessible information about that process and policy.

PRINCIPLES / GUIDING PRINCIPLES

It is the College's policy that if a formal complaint received by, or related to, an international student is not resolved to the satisfaction of the complainant, it may, at the request of the complainant, be escalated to an internal Appeals Panel.

PROCEDURES

Appeals Panel

An Appeals Panel will be assembled as needed, and will be made up of a minimum of three members who have the requisite independence from the issue at hand to address the appeal on its merits, in a professional, fair and transparent manner. Staff who hold the following positions are eligible to sit on the Appeals Panel:

- Principal
- Deputy Principal Learning and Teaching
- Deputy Principal Wellbeing and Strategy

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- Director of Students
- Learning Area Leaders and/or Heads of House
- Director of Business Services and Advancement

The make-up of the Appeals Panel will be determined by the Principal on a case-by-case basis, depending on availability and the nature and complexity of the complaint to be considered.

Where the matter is escalated to an Appeals Panel, the Panel aims to resolve the complaint within 28 days from the date of referral and, in any event, no later than 42 days after the original complaint was received.

Right to Access External Appeals Processes

If an international student is not successful in the College internal appeals process, the College must advise the international student within 10 working days of concluding the internal review of the international student's right to access an external complaints handling and appeals process at minimal or no cost.

The College directs students to the Overseas Student Ombudsman (OSO).

The OSO investigates complaints about problems that international students or intending international students may have with private education and training in Australia. The contact details for the OSO are as follows:

- Call: 1300 362 072 within Australia. Outside Australia call +61 2 6276 0111.
- Enquiries:
 - Monday, Tuesday, Thursday and Friday: 10:00am to 4:00pm, Australian Eastern Standard Time (Australian Eastern Daylight Time when daylight savings is in effect)
 - Wednesday: 10:00am to 2:00 pm Australian Eastern Standard Time (Australian Eastern Daylight Time when daylight savings is in effect)
- Postal: Commonwealth Ombudsman, GPO Box 442 Canberra ACT 2601.
- Website: <http://www.ombudsman.gov.au/>

Purpose of External Appeals Process

The College must inform an international student who wishes to access the services of the OSO that, in most cases, the purpose of the OSO is to investigate whether the College has followed our own internal policies and procedures. Generally, the OSO does not make a decision in place of the College.

Result of Appeal Process

If the internal or external appeal process results in a decision or recommendations in favour of the international student, the College must immediately implement the decision or recommendation and/or take preventative or corrective action required by the decision, and advise the international student of that action.

Record keeping

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The College maintains a full Complaints Register including the details, outcome and reason for the outcome, including any appeals requests or decisions, of each complaint received by the College. The Complaints Register is maintained in accordance with our **International Student Records Management and Retention Policy**.

RESPONSIBILITY

- Principal
- Director of Business Services and Advancement
- Deputy Principal Wellbeing and Strategy
- Head of Admissions
- International Student Coordinator

RELATED SIENA COLLEGE POLICIES

- International Students Complaints Handling Policy
- International Students Records Management and Retention Policy

RELATED LEGISLATION

- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Education Services for Overseas Students Act 2000 (Cth)
- Education Services for Overseas Students Regulations 2001 (Cth)
- Migration Act 1958 (Cth)

RISK

In the Committee's deliberations it is important to consider the College's main strategic processes and the identification of associated risks. Some sample questions are included for referral.

Answers are to be documented as part of the policy.

1. **Faith and Catholic Identity.** Identify any risks to Catholic Identity or Dominican charism of the school. How will this policy harm or enhance either?
2. **Reputation.** Identify if there are any reputational risks to the College. How will this policy impact Siena and wider communities?
3. **Financial.** Identify any financial risks to the College. How will this policy impact the financial stability of the College?
4. **Contemporary Learning and Teaching.** Identify any risks to learning and teaching. How will this policy impact the academic performance of the College?

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5. **Wellbeing.** Identify any risks to safety and wellbeing. How will this policy impact the mental and physical wellbeing of the College community?
6. **Community Engagement.** Identify any risks to building community engagement. How will this policy impact community relationships?
7. **Governance and Leadership.** Identify any risks to governance and leadership in the College. How will this policy affect the strategic direction of the College?

Do any risks identified above warrant changes to the proposed policy? If so the policy should be referred back to the developer/s.

NEXT REVIEW

May 2025

POLICY LOCATION

<https://sienacentral.siena.vic.edu.au/homepage/3452>

www.siena.vic.edu.au

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