

UNSW Global Pty Limited		Complaints and Appeals Policy	
<b>UNSW Foundation Studies</b>	<input checked="" type="checkbox"/> Internal	<input checked="" type="checkbox"/> External	
<b>Responsible Officer</b>	Assistant Principal		
<b>Contact Officer</b>	David West		
<b>Authorisation</b>	Principal Foundation Studies		
<b>Effective Date</b>	November 2011		
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<b>Review Date</b>	November 2012		
<b>Policy ID</b>	FS-008-POL		

## 1. Preamble

### 1.1 Purpose

This policy is in place to ensure all students are able to lodge a complaint against, or appeal any UNSW Foundation Studies (UFS) process or policy, or any individual linked directly or indirectly to the UNSW Foundation Studies community, that in the opinion of the student (appellant) adversely impacts on their studies or student experience.

### 1.2 Background

This policy satisfies the requirements of Standard 8 of the National Code 2007.

### 1.3 Principles

This policy has been drafted to provide a transparent process to assist with the resolution of issues encountered by UNSW Foundation Studies students and to provide a procedural mechanism that will lead to improved systems for handling complaints and appeals.

## 2. Scope

This policy applies to all students in UNSW Foundation Studies programs including Australian citizens and permanent residents of Australia. The policy also applies to all staff involved in the promotion, recruitment, admission, academic delivery, management or administration of overseas students on student visas.

## 3. Definitions

UNSW Foundation Studies is an education group of UNSW Global Pty Limited, a not-for-profit provider of education, training and consulting services and a wholly owned enterprise of the University of New South Wales, (UNSW) CRICOS Provider No 00098G.

Complaint – a written expression of dissatisfaction regarding a UNSW Foundation Studies policy, practice, or regarding an individual employee, student, or service provider; lodged with the express intention of seeking a resolution.

Appeal - a written expression of dissatisfaction regarding a UNSW Foundation Studies decision; lodged with the express intention of seeking a resolution.

#### 4. Policy Statement

##### UNSW Foundation Studies Complaints and Appeals Guidelines

The UNSW Foundation Studies (UFS) complaints and appeals policy is available on the Policies page of the UFS Website. A student version of the Complaints and Appeals policy is contained in the UFS Student Handbook, which is distributed at enrolment, is available on the UFS Student Intranet and is explained to students during an information session during their program.

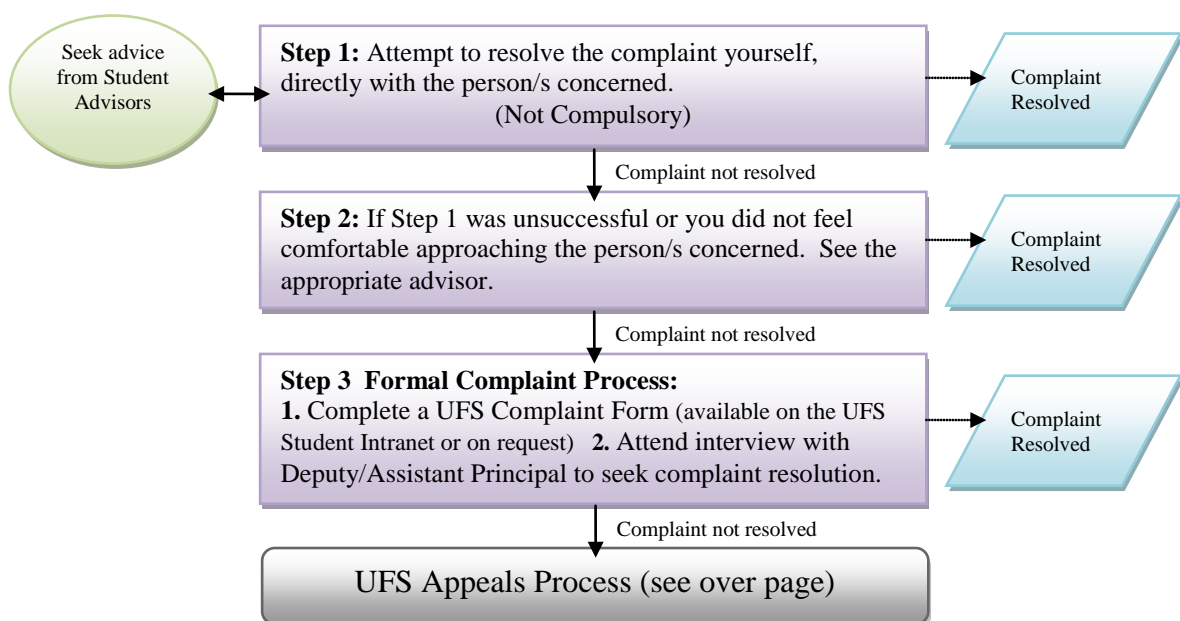
##### Complaints

If a matter cannot be resolved informally by a process of discussion, cooperation and conciliation, then a UFS student may lodge a formal complaint against any UNSW Foundation Studies decision or policy, or any individual linked directly or indirectly to the UNSW Foundation Studies community by completing a UFS Complaints form. This form is available on the Student Intranet or on request (at the UNSW Global Student Services office on Level 1 Building L5). This form is handled by the Manager Teaching Operations and either The UFS Deputy Principal or the UFS Assistant Principal.

Written complaints that do not make use of the UNSW Foundation Studies Complaints form are accepted on a case-by-case basis.

Records of student complaints are kept on the UFS Complaints and Appeals register.

A schematic overview of the UFS Complaints Process is shown below.

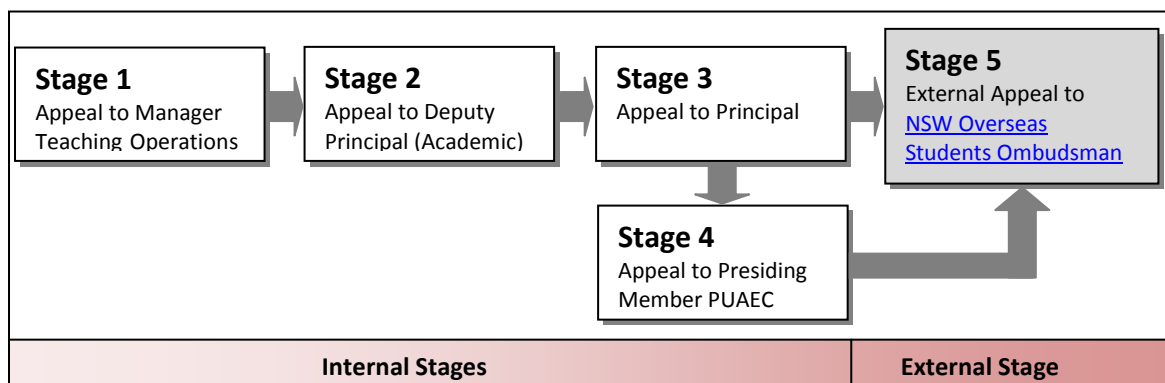


## Appeals

The complaints and appeals policy adheres to all requirements as set out in Standard 8 of the National Code 2007 and key areas of compliance are listed as follows:

- a. If a student wishes to appeal a UFS decision (e.g. appeal the issuance of an "Intention to Report" [to DIAC] letter) a Stage 1 Formal Appeal form is available on the UFS Student Intranet or on request and is submitted to the UNSW Foundation Studies Manager Teaching Operations as indicated on the Appeal Form and in the UFS Complaints and Appeals process contained in the UFS Student Handbook. A copy of the appeal letter is kept in the student's file and the appeal is recorded in the UFS Complaints and Appeals register. All appeals at all stages within the policy are actioned in writing within 10 working days of being received. A formal appeal form is available for all of the internal stages of the appeals process (Stages 1 to 4).
- b. All internal appeals stages (Stages 1 to 4) come at no cost to the student. All costs associated with an external appeal (Stage 5) are borne by the student.
- c. Guideline 2 of the UFS Complaints and Appeals process advises a student that they can bring a support person to any interview, at any stage of the internal appeals process.
- d. At all stages of the internal appeals process, if enacted, students will be given a written reply to their appeal within 5 working days. The written reply will list the outcome of the appeal and will outline other stages of the appeals process that can be accessed (if applicable).
- e. All stages of the UFS internal appeals process will be completed within 10 working days of receiving the letter of appeal from a student.

A schematic overview of the UFS Complaints Process is shown below.



## External Appeals Process

The final stage of the UFS Complaints and Appeals policy (Stage 5) lists the external NSW Overseas Students Ombudsman as the final appeal option for the appellant. The process is outlined in Guideline 9 of the UFS Complaints and Appeals Process contained in the UFS Student Handbook. A Web link to the service is also provided in the UFS Student Handbook. <http://www.oso.gov.au/>. A student is also advised of the external appeal option during and on completion of the internal appeals process.

## Maintaining a Student's Enrollment During an Appeal

Guideline 8 of the UFS Complaints and Appeals Process as contained in the UFS Student Handbook indicates that a student's enrolment will be maintained during all relevant stages of the appeals process.

A student is also advised in the UFS Student Handbook that they are required to inform UFS in writing of their intention to access any/all stages of the UFS Complaints and Appeals process; either by lodging a formal appeal form (available on the Student Intranet or on request) within the specified timeframe or in the case of an external appeal, sending the Manager of Teaching Operations written notification indicating the intention to lodge an external appeal. This will ensure that UFS maintains the student's enrolment during the process.

## Implementation of The Decision

If the internal or external appeal process results in a decision that supports the student, UNSW Foundation Studies will implement any decision and/or corrective and preventative action required and advise the student of the outcome. This statement is contained in the UFS Student Handbook as part of the UFS Complaints and Appeals Process (Stage 5).

## 5. Legal and Policy Framework

This policy complies with the following legislative framework governing the delivery of education to overseas students studying in Australia on a student visa:

- Education Services for Overseas Students (ESOS) Act 2000  
<http://www.comlaw.gov.au/comlaw/management.nsf/lookupindexpagesbyid/IP200401844?OpenDocument>
- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (The National Code 2007)  
<http://www.aei.gov.au/regulatory-information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/Pages/default.aspx>

## 6. Implementation

### 6.1 Responsibilities

UNSW Foundation Studies must comply with the ESOS Act and its regulations. Each staff member involved in the promotion, recruitment, admission, delivery, management or administration of overseas students on student visas is responsible for the implementation of this policy.

## **6.2 Staff Roles**

UNSW Foundation Studies Staff in relevant positions must ensure that students are supplied with a copy of the UNSW Foundation Studies Complaints and Appeals policy, or have access to the policy via the UNSW Foundation Studies student intranet.

Further, it is expected that UNSW Foundation Studies staff will adhere to their responsibilities as outlined in the Complaints and Appeals policy.

## **6.3 Student Roles**

Before initiating any complaint procedures, it is expected that a student will attempt to resolve any complaint directly with the person/s concerned. Wherever possible, complaints should be resolved by a process of discussion, cooperation and conciliation.

Further, it is expected that UNSW Foundation Studies students will adhere to their responsibilities as outlined in the Complaints and Appeals policy.

## **7. Review**

The Assistant Principal will review this policy annually, or in case of legislative changes governing the delivery of education services to overseas students on a student visa.

## **8. Attached Documentation**

NA

## **9. Related Policies and Procedures**

FS-008-POL: UNSW Foundation Studies Course Progress Policy

FS-011-POL: UNSW Foundation Studies Attendance Policy

FS-013-POL: UNSW Foundation Studies Student Deferral, Suspension and Cancellation Policy