

## COMPLAINTS AND APPEALS – Standard 10

### POLICY STATEMENT

Discover English has in place an internal complaint handling and appeals process and has arrangements with an independent, external body (Overseas Students Ombudsman) to hear complaints and appeals arising from the internal complaints and appeals.

This procedure outlines the processes for customer complaints and disputes resolution together with processes for appeals. It applies to all complaints, and arising appeals, for both staff and students of Discover English irrespective of the basis.

### DEFINITIONS

- 1. Complaint** – An expression of dissatisfaction about the standard of service provided by the college.
  - Informal complaint – refers to an unofficial complaint
  - Formal complaint – refers to an official complaint
- 2. Appeal** – A request to overturn a decision made by the college. It includes the following issues but not limited to:
  - Refusal of leave of absence/release letter/refund
  - Intention to Report (ITR) for unsatisfactory attendance/course progress/non-payment/ misbehaviour
- 3. Resolution** – Plans to resolve feedback concerns put in place and agreed by Feedback provider.
- 4. Overseas Students Ombudsman (OSO)** – OSO investigates complaints about problems that overseas students or intending overseas students may have with private education and training in Australia. The legal basis for the Ombudsman role is the *Education Services for Overseas Students (ESOS) Legislation Amendment Act 2011*, passed by the Australian Parliament on 21 March 2011. (Source: OSO website)

### SPECIFIC DETAILS

1. If a matter cannot be resolved informally, Discover English has in place a process for lodging a formal complaint or appeal.
2. A written record of the complaint or appeal will be kept.
3. Internal complaints or appeals can be made at no cost to the student.
4. Students may be accompanied and assisted by a support person at any relevant meetings.

5. Students will be provided with a written statement of the outcome, including details of the reasons for the outcome.
6. The process will commence within 10 working days of the formal lodgement of the complaint or appeal providing all supporting information has been provided.
7. All reasonable measures will be taken to ensure the process is finalised as soon as possible.
8. If a student is not satisfied with the result or conduct of an internal complaint or appeal, he/she can lodge external appeal with Overseas Students Ombudsman. This service is free of charge for the student.
9. Discover English will maintain the student's enrolment while the complaints and appeals process is ongoing.
10. If an internal or external complaint handling or appeal process results in a decision that supports the student, Discover English will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.
11. A simplified flowchart – IN011 of the procedure is available for students in the International Student Information Handbook, on [www.discoverenglish.com.au](http://www.discoverenglish.com.au) and on notice boards in classrooms and common areas.

## PROCEDURE STATEMENT

### Informal Resolution

1. Discuss the issue or concern directly with the person it concerns
2. Consult, in confidence, with any one of the following people:
  - Teacher
  - Student Services Officer
  - Academic Manager or Coordinator
  - Chief Executive Officer (CEO)
  - Other member of staff

This person shall:

- Discuss the details of the complaint or problem
- Discuss the options available for resolution given the nature of the complaint
- Help to obtain any necessary information
- Assist in dealing with the if this seems appropriate
- Refer and/or accompany the complainant(s) to another person listed above if they do not believe themselves competent or the most appropriate person to assist the complainant(s), or to the CEO if it considered that the involvement of an external agency/body is warranted.

This person's role is to provide assistance and informal advice on the ways in which the problem might be resolved and not to direct the person in a particular way or to act on that person's behalf.

3. Where it has not been possible to resolve the complaint informally, the complainant(s), together with the person assisting, may seek the advice and assistance of the Student Support Services Staff.
4. The Student Support Services will take appropriate steps to resolve the matter informally to the satisfaction of the complainant(s).
5. The complaint will be discussed and but with the names of those parties involved kept in confidence with an action plan being formed to prevent subsequent occurrences where appropriate, as determined by the group.
6. A nominee of the student may be included at any stage of the informal resolution processes if the student so chooses.

### **Formal Resolution**

Where a complaint cannot be resolved informally, or a student is lodging an appeal against the decision made by Discover English decision to report them to Department of Home Affairs (DHA) for breach of visa conditions, the following process applies:

1. Formal complaints and appeals must be made in writing.
2. Complaints and Appeals forms can be collected from reception on Level 1 or downloaded from the college website [www.discoverenglish.com.au](http://www.discoverenglish.com.au).
3. Any documentary supporting evidence should be attached to the formal written complaint or appeal.
4. Formal complaints and appeals may be lodged at reception, posted directly to the College or emailed to [info@discoverenglish.com.au](mailto:info@discoverenglish.com.au)
5. If lodging an appeal against a decision by Discover English, the appeal must be made within 20 working days from the issue of the initial decision by Discover English.
6. The staff investigation and appeal hearings will commence within 10 working days of the receipt of any written appeals against the decision of Discover English and conclude as soon as practicable.
7. The student will be given an opportunity to attend an interview and to formally present his or her case.
8. A nominee of the student may be included at any stage of formal resolution processes.

9. Staff will consider the information and supporting evidence provided by student, notes in student management system eBecas, and may contact the student if further information is required.
10. The student will be given a written statement of the outcomes, including reasons for the decision.
11. If the appeal is granted, the student will continue with normal classes subject to any agreed intervention strategy, or other condition determined during the hearing.
12. If the appeal is rejected, and the student is not satisfied with the result or the conduct of the complaint/appeal they can seek external arbitration.
13. If accessing external arbitration the student must do so within 5 working days from the date of the letter in response to the appeal to access the external appeals body. The appeal/complaint can be lodged via [online complaint form](#) or phone 1300 362 072.
14. The student's enrolment will be maintained throughout the internal and external complaints and appeals process in case of appeal for non-satisfactory attendance. The student should continue to attend classes.
15. Student will be advised that external appeals body doesn't make a decision for the institution. The purpose of external appeal is to consider whether Discover English followed own policies and procedures.
16. Discover English will immediately implement any decision or corrective and preventative action required as a result of an internal or external complaint and appeal and advise the student of the outcome in writing.
17. If the appeal is granted, the student will continue with normal classes subject to any agreed intervention strategy, or other condition imposed by the committee.
18. The cost of external mediation with Overseas Students Ombudsman is free of charge.
19. Freedom of information and Privacy issues will be considered and adhered to at all times and throughout the process.
20. The original written complaint together with a copy of the acknowledgement and any responses or correspondence related to the complaint is retained in the student's file record.
21. Student Services Staff will record the complaint and it's resolution in READ017 Complaints Register.
22. If any complaint is found to be substantiated then the complaint is discussed in the next management meeting, an action plan is formed and relevant actions taken to prevent subsequent occurrences where appropriate, as determined by the group.

## RELATED DOCUMENTS

FOAD018 Complaints and Appeals  
IN011 Complaints and Appeals Flowchart  
IN004 International Student Pre-Arrival Information  
IN022 International Student Information Handbook  
LEAD016 Successful Appeal Response  
LEAD017 Unsuccessful Appeal Response  
READ017 Complaints Register