

Complaints and Appeals Policy and Procedures (Academic & Non-Academic)

Definitions

For this document, the following applies:

The Act refers to the *Education Services for Overseas Students Act 2000*

A complainant refers to a student who has lodged a complaint or appeal with BROWNS.

Overview

BROWNS English Language School (BROWNS) is committed to providing effective, efficient, timely, fair and confidential complaints and appeals handling procedures for all Students. This policy covers both academic and non-academic complaints and appeals. A complaint or appeal can be made regarding a student's dealings with BROWNS, our education agents or any related party BROWNS has an arrangement with to deliver the course or related services; or finally, about another student.

Academic matters relate to student progress, assessment, course content or awards in an ELICOS or VET course of study.

Non-academic matters include those that do not relate to student progress, assessment, course content or awards in a course and include complaints or appeals concerning student services, accommodation, facilities and personal information that the provider holds concerning the student.

Complainants are entitled to access the complaints and appeals procedures regardless of the campus location, the Complainant's place of residence or mode of study. This policy does not replace or modify policies or any other responsibilities that may arise under other policies, statutes, or laws. Also, the dispute resolution procedures outlined in this document do not circumscribe an individual's rights to pursue other legal remedies.

If a student chooses to access this policy and procedure, BROWNS will maintain the student's enrolment while the complaints and appeals process is ongoing.

Responsibility

The CEO is responsible for implementation of this policy and procedure and ensuring that all staff are fully trained in its operation and Students and Complainants are made aware of its availability.

General principles

These principles, which will be adhered to by BROWNS, apply to all stages of this procedure:

- The Complainant and any respondent will have the opportunity to present their case at each stage.
- The Complainant and any respondent can be accompanied by a third person (such as a family

member, friend or counsellor).

- The Complainant and any respondent will not be discriminated against or victimised.
- At all stages of the process, discussions will be recorded in writing. If requested, BROWNS will provide in writing the Complainant and any respondent with the reasons and a full explanation for decisions and actions taken as part of this procedure.
- Records of all complaints and appeals will be kept for a period of five years. These records will be kept strictly confidential and stored at BROWNS. Access to these records may be requested by writing to the CEO at the address above.
- A Complainant shall have access to the internal stages of these complaints and appeals procedure at no cost.
- All complaint/appeal assessments are based on the Complainant's submission of information at the time the complaint/appeal is made. If more detail or evidence is provided during the process, the process will start again.
- When the outcome recommended is in favour of the student, the decision or recommendation will be immediately implemented, and the student will be advised.
- If the student's appeal relates to a decision to cancel the student's enrolment, Brown's will wait for the internal complaints process to be completed before we proceed.
- The student will not be reported via PRISMS for unsatisfactory course progress or attendance until the student has had the opportunity to access the internal and external complaints handling and appeals process and the decision or recommendation upholds Brown's premise.

Informal Complaints and Appeals Procedure

Students are encouraged initially to attempt to resolve a complaint or appeal informally by talking directly with the person concerned to resolve the problem. This step is not mandatory, and a student may proceed directly to the Formal Complaints and Appeals Procedure.

Formal Complaints

Stage One

Formal complaints or appeals should be submitted to compliance@browns.edu.au in writing and addressed to either:

Academic (ELICOS): Campus Academic Manager
Non-Academic: Campus Student Success Manager

The responsible staff member will notify the Complainant of receipt of the complaint or appeal within 5 working days.

The assigned Manager will then assess the complaint/appeal, determine the outcome and advise the Complainant in writing of their decision within 10 working days.

The Complainant will immediately be advised of their right to access Stage Two of this procedure if they are not satisfied with the outcome of Stage One.

Stage Two - Appeals Procedure

If the Complainant is unsatisfied with the outcome of Stage One, they may appeal in writing to the CEO at

BROWNS.

The Complainant's appeal will be determined by the CEO, who will conduct all necessary consultations with the Complainant and other relevant persons and decide on the request.

The Complainant will be advised in writing of the outcome of their appeal, including the reasons for the decision within 10 working days.

The Complainant will immediately be advised of their right to progress to Stage Three of this procedure if they consider the matter unresolved.

Stage Three - Appeals Procedure

If the Complainant is dissatisfied with the outcome of their appeal, then they may lodge an external appeal by contacting the Overseas Students Ombudsman.

The Commonwealth 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 training provider. Refer to the Commonwealth Ombudsman website <https://www.ombudsman.gov.au/> or phone 1300 362 072 for more information.

BROWNS will give due consideration to any recommendations arising from the external review of the complaint or appeal within 20 days of receipt of the recommendations.

Further action:

If the Complainant has been through all stages of this complaints and appeals process and remains unsatisfied with the outcome of their complaint or appeal, then they may:

- contact the National Training Complaints Hotline
Phone: 13 38 73 (Monday–Friday, 8am to 6pm nationally)
email: skilling@education.gov.au;
web address: <https://www.dese.gov.au/national-training-complaints-hotline>
- contact the Australian Skills Quality Authority (ASQA). For contact details and information please see:
<https://www.asqa.gov.au/about/complaints/complaints-about-training-providers>
<https://asqaconnect.asqa.gov.au/>
- contact The Overseas Student Ombudsman
Phone: 1300 362 072 Email: ombudsman@ombudsman.gov.au Online at
<https://www.ombudsman.gov.au/How-we-can-help/overseas-students>

It should be noted that external appeals, in most cases, review whether the policies and processes of Brown's have been followed. Therefore, they will not be able to determine an appeal on an academic matter—for example, a grade.

Other matters:

In scarce instances, Brown's may need more than 60 calendar days to process and finalise the complaint or appeal, Brown's will:

a) informs the Complainant or appellant in writing, including reasons why more than 60 calendar days are required: and

b) regularly update the Complainant or appellant on the progress of the matter.

Publication

This *Student Complaints and Appeals Policy and Procedures (Academic and Non-academic)* will be made available to students and those seeking to enrol with BROWNS through publication on the following websites: www.brownsenglish.edu.au.