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**OVERSEAS STUDENTS:**

**COMPLAINTS AND APPEALS PROCEDURE**

[CRICOS REGISTRATION 00643J]

CRICOS: Commonwealth Register of Institutions and Courses for Overseas Students

OVERSEAS STUDENTS: COMPLAINTS AND APPEALS PROCEDURE

This procedure must be read in conjunction with the *Overseas Students: Complaints and Appeals Policy*.

1. Overview
   1. This procedure assists overseas students (or a biological or host parent or guardian on their behalf) to lodge a complaint or access an appeals process, at no cost, if they have a grievance about ACT public schools, the International Education Unit (IEU) or the ACT Education Directorate (Directorate).
2. Rationale
   1. The Directorate responds to any complaint or appeal the overseas student makes regarding their dealings with the registered provider, the registered provider’s education agents or any related party the provider has an arrangement with to deliver the overseas student’s course or related services.
   2. Overseas students have a right of appeal and to be afforded procedural fairness.
3. Procedure
   1. The right to appeal, and mechanism for so doing, is referenced in the written enrolment application and acceptance of offer signed by, or on behalf of (if under 18 years), the overseas student.
   2. Concerns should be initially raised at the local site, via the International Private Students (IPS) Co-ordinator, a teacher or the school executive, or directly with the IEU via the Assistant Directors Student Welfare or Student Transition. Attempts should be made to resolve issues by discussion and clarification of understandings.
   3. **Internal Appeals**

* If informal resolution is not successful, a written complaint may be lodged with the IEU, to the Senior Director, or by using the Directorate’s online form at: <https://www.accesscanberra.act.gov.au/app/forms/etd_liaison_feedback>.
* Relevant information to include is contact details, nature of complaint, efforts made to resolve the matter, supporting documents and an indication of preferred outcome.
* Membership of Internal Appeals Panel is:
  + a Directorate Executive Branch Manager as Panel Chair;
  + an ACT Public School Principal (other than from the school the student attends);
  + an ACT Public School IPS Co-ordinator.
* Assessment of the complaint or appeal, by the panel, occurs within 10 working days of lodgement, and is conducted in a professional, fair and transparent manner with the outcome finalised as soon as practicable.
* The student is given the opportunity to present their case at minimal or no cost and to have a support person at meetings.
* The panel may seek additional information, from appropriate sources, to provide further insight in its deliberations.
* The panel prepares a report outlining key considerations, basis for its decisions and the outcome.
* A written statement of the internal appeal outcome, including reasons, is given to the student.
  1. **External Appeals**
* If the internal review outcome is not favourable to the student, the IEU advises them, within 10 days of that review concluding, of their right to access an external complaint handling and appeals process, at no or minimal cost. Contact details are given for the Human Rights Commission, as well as information about timelines and requirements.
* The outcome of the external appeals process is communicated in writing to the Senior Director International Education.
* The Directorate immediately implements decisions and recommendations, from the external appeals process, that are found in favour of the overseas student, taking appropriate preventative or correction action and advising the student of that action.
  1. A written record of complaints or appeals (internal or external process), inclusive of outcomes and reasons, is held in the IEU.

1. Contact
   1. The Executive Branch Manager Universal School Support is responsible for this procedure.
   2. For support, contact the IEU on (02) 6205 9178 or via email at [ieu@act.gov.au](mailto:ieu@act.gov.au).
2. Complaints
   1. Any concerns about the application of this procedure or the procedure itself, should be raised with:

* the IEU via email at [ieu@act.gov.au](mailto:ieu@act.gov.au) or by phone on (02) 6205 9178 in the first instance;
* the Family, Students Complaints and Feedback team on (02) 6205 5429;
* online at [www.education.act.gov.au/about-us/contact\_us](http://www.education.act.gov.au/about-us/contact_us).
* see also the [Complaints Policy](https://www.education.act.gov.au/publications_and_policies/corporate-policies/school-administration-and-management/complaints/complaints-policy) on the Directorate’s website.

1. References
   1. **Definitions**

* Complainant – overseas student, or an adult on their behalf, making a complaint.
* Complaint – dispute, grievance or dissatisfaction about the administration, management or operation of international education services or impact to visa status, where a response or resolution is expected.
* Local Level – the specific school site or the International Education Unit.
* Reasonable assistance – examples include language translation or an understanding of how to access support agencies and services (eg making a police report).
  1. **Related Policies and Documents**
* *Overseas Students: Complaints and Appeals Policy*
* Directorate’s *Complaints Policy (CP201308)*