Complaints and Appeals Policy & Procedure

1 Definitions

1.1 For the purposes of this set of policies and procedures, the terms **"Complaint(s)"** and **"Grievance(s)"** may refer to **academic** or **non-academic** issues in accordance with the Standards for RTOs. This policy is in accordance with the National Code of Practice for Providers of Education and Training to Overseas Students 2018 ("The National Code" and specifically Standards 8, 9 and 10).

2 Scope

2.1 This policy applies to all students, staff and clients of Unity College Australia (UCA).

2.2 Students include:

a) Potential students who are seeking to be enrolled with UCA

b) Students who are currently enrolled with UCA

3 Overview

3.1 UCA is committed to providing an effective, efficient, timely, fair and confidential grievance handling procedure for all students and staff related to both academic and non-academic matters.

3.2 Complainants are entitled to access this procedure regardless of the location of the campus at which the grievance has arisen, the complainant's place of residence or mode of study.

3.3 Academic matters include those matters which relate to student attendance, progress, assessment, course content or awards in a course of study.

3.4 Non-academic matters include complaints in relation to personal information that the provider holds in relation to the student or staff member, enrolment, acceptance, employment, support for staff or students, and any other matters that arise. Non-academic grievances tend to arise from events occurring at a campus or from decisions made by the provider.

4 Responsibility

4.1 The College Principal and/or Director will be responsible for implementation of this policy and procedure and ensuring that all staff are fully trained in its operation.

4.2 This policy is given to staff at time of engagement and students at the time of enrolment, and outlines UCA's procedures for the resolution of academic and non-academic grievances, complaints and appeals.

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5 Informal Complaints (Grievance) Procedure

5.1 Any issues or concerns related to academic matters should in the first instance be raised with the trainer/supervisor or Course Coordinator. Unresolved academic matters or non-academic matters may be raised with the Principal (preferably verbally in the first instance) who will endeavour to resolve them informally in a timely manner. If the issue is unable to be resolved informally, the student may access the ***Formal Grievance*** procedure.

5.2 ***Academic Grievances/Appeals*** either informal or formal should include:

a) Particulars of the assessment that is appealed against

b) Details of who made the assessment and the date it was returned to the client

c) A copy of the Resubmission and Re-Marking application and the outcome/s (where relevant)

The above *Informal Grievance* procedure is not mandatory for non-academic grievances and complainants may access the *Formal Grievance* procedure at any time.

6 Formal Complaints and Appeals Procedure

6.1 **General principles applying to all stages of this procedure which will be adhered to by Unity College Australia are:**

a) The complainant and respondent will have the opportunity to present their case in person, in addition to written communication, at each stage of the procedure.

b) The complainant and the respondent have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor) if they so desire.

c) The complainant and the respondent will not be discriminated against or victimised.

d) At all stages of the process, discussions relating to complaints, grievances and appeals will be recorded in writing. This will be a fair summary of the evidence provided and/or gathered and will show the manner in which the enquiry was conducted. Reasons and a full explanation in writing for decisions and actions taken as part of this procedure will be provided to the complainant and/or the respondent.

e) Where UCA considers the Complaints and Appeals process may not be able to be finalised within 60 calendar days UCA will notify the complainant or appellant of this, the anticipated timeframe and will regularly update the complainant or appellant of the progress of the matter.

f) Records of all complaints and appeals related to overseas students will be kept for a minimum period of two years (as per the National Code). These records will be kept strictly confidential and stored in the office of the Dean/Principal/Director. Access to these records will be given only to parties involved in the particular grievance procedure.

g) Unity College Australia will not charge a fee for either the internal or external stages of the UCA Complaints and Appeals procedure as set out below.

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h) UCA will undertake to implement decisions made as a result of the Complaints and Appeals procedure, and will provide for due consideration of recommendations arising from the external stage of the procedure.

i) Where a complaint is upheld UCA will consider the matter in relation to college operations and implement changes accordingly as part of continuous improvement.

6.2 **Student responsibilities during the Complaints and Appeals process:**

a) For certain matters the student has a maximum of 20 working days to access the Complaints and Appeals process. These matters include appeals against enrolment cancellation due to unsatisfactory attendance or course progress or non-approval of transfer requests (as per the National Code) and certain refund request decisions. Details are included in each relevant policy and procedure.

b) Students will have their enrolment retained for the duration of the Complaints and Appeals process. This includes Overseas Students who will have their enrolment retained on PRISMS. The exception is where enrolment would have ceased for a reason unrelated to the complaint or matter being considered. Students, therefore, should maintain satisfactory attendance and course progress during the Complaints and Appeals process unless they have been suspended from the college, or where their attendance is not in the best interests of the student or other staff or students, or if there are other compassionate or compelling circumstances involved, supported by documentary evidence.

7 Stages of the Procedure

Note: The Appeals Process commences at Stage Two (Internal) in the case of an Overseas student on a student visa appealing a warning of enrolment cancellation due to a breach of attendance and/or course progress requirements. The student has 20 working days to access Stage Two from the date of warning of notification of cancellation.

7.1 **Stage One (Internal)**

a) A formal grievance or appeal should be submitted in writing to the Faculty Coordinator or International Student Registrar/Liaison Officer. The complainant is to outline their appeal or grievance clearly, stating the item or issue, the date/timeframe, the reason for the grievance and their request regarding review of the matter. They must submit all relevant evidence with their complaint/grievance.

b) The Faculty Coordinator or International Student Registrar/Liaison Officer of UCA will then assess the appeal or grievance, determine the outcome and advise the complainant in writing of their decision, along with the reasons for the decision, within ten working days. If additional evidence or information is required or if the outcome is not able to be communicated within 10 working days the complainant will be contacted within the 10 working day timeframe and a new date for the outcome will be negotiated.

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

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7.2 **Stage Two (Internal)**

a) If the complainant is not satisfied with the outcome of Stage One, or wishes to appeal an enrolment cancellation warning, they may lodge an appeal in writing with the Principal/Director. The complainant's appeal will be determined by a Reviewer, not previously involved in the grievance procedure. The Reviewer will be an independent and impartial senior officer of UCA (for example, the Principal, Director or a Board Director).

b) The Reviewer will conduct all necessary consultations with the complainant and other relevant persons and make a determination of the appeal. The complainant will be advised in writing of the outcome of their appeal, including the reasons for the decision, within 10 working days of the submission of the appeal. If additional evidence or information is required or if the outcome is not able to be communicated within 10 working days the complainant will be contacted within the 10 working day timeframe and a new date for the outcome will be negotiated.

c) The complainant will be advised of their right to progress to Stage Three of the Complaints and Appeals (Grievance) procedure if they consider the matter unresolved.

7.3 **Stage Three (External)**

a) If the complainant is not satisfied with the outcome of Stage Two they may request that the matter be referred to an external dispute resolution process by an agency independent of UCA, such as:

i. The Commonwealth Ombudsman at https://www.ombudsman.gov.au

ii. The Australian Government Department of Education at https://www.education.gov.au

iii. Australian Skills Quality Authority (ASQA) at https://www.asqa.gov.au

The student is expected to have contacted Unity College Australia and accessed the internal Complaints and Appeals process before contacting an external office or agency.

Unity College Australia will give due consideration to any recommendations arising from the external mediator within ten working days.

b) In the case of a student being issued a warning of enrolment cancellation the student's enrolment will only be cancelled and reported:

i. If the student chooses not to access the college's internal complaints and appeals process; or

ii. Once the external appeals process has been completed and if the outcome of the external appeals process supports Unity College Australia; or

iii. If the student chooses not to access the external process; or

iv. If the student notifies Unity College Australia in writing of their decision to withdraw from the internal or external complaints and appeals process.

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Legal Basis

- Standards for RTOs (2025)
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018

This Complaints and Appeals Policy & Procedure is also referenced in the following Unity College Australia documents:

- UCA Student Handbook (publicly available at *www.unity.edu.au*)
- Staff Handbook
- Complaints and Appeals Record
- RPL Policy & Procedure
- Expectations Statement For Trainers and Other Staff
- Refunds Policy and Procedure

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