



VILLANOVA COLLEGE

*Developing boys into fine young men*

## COMPLAINTS AND APPEALS POLICY

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Villanova College recognises a student's right to make a complaint and is committed to addressing complaints and grievances effectively and fairly.

The College aims to address complaints and grievances through a resolution process that:

- is impartial and fair to all parties involved;
- is carried out with transparency and consistency;
- is accessible and available to all students;
- is handled within established timelines;
- respects the privacy of all parties involved;
- is appropriate for dealing with complex and sensitive issues.

A student making a complaint or grievance has the right to a fair and thorough investigation, based on the principles of this policy. A student may make a complaint or grievance without fear of reprisals.

A copy of this policy will be provided to the student (or parent(s) / legal guardian(s) if the student is under 18) at a reasonable time prior to a Written Agreement being signed and again during orientation or within seven days of the commencement of student attendance of the enrolled course.

### 1. Purpose

- a) The purpose of Villanova College's Complaints and Appeals Policy is to provide a student or their parent(s) / legal guardian(s) with the opportunity to access procedures to facilitate the resolution of a dispute or complaint involving Villanova College, or an education agent or third party engaged by Villanova College to deliver a service on behalf of Villanova College.
- b) The internal complaints and appeals processes are conciliatory and non-legal.

### 2. Complaints against other students

Grievances brought by a student against another student will be dealt with under Villanova College's Community Code of Conduct and the process of Restorative Practices.

### 3. Informal Complaints Resolution

- a) In the first instance, Villanova College requests there is an attempt to informally resolve the issue through mediation/informal resolution of the complaint.
- b) Students should contact the Dean of International Students and the relevant Head of School in the first instance to attempt mediation/informal resolution of the complaint.
- c) If the matter cannot be resolved through mediation, the matter will be referred to the Principal and Villanova College's internal formal complaints and appeals handling procedure will be followed.

#### **4. Formal Internal Complaints Handling and Appeals Process**

- a) The process of this grievance procedure is confidential, and any complaints or appeals are a matter between the parties concerned and those directly involved in the complaints handling process.
- b) The student must notify Villanova College in writing of the nature and details of the complaint or appeal.
- c) Written complaints or appeals are to be lodged with the Principal.
- d) Where the internal complaints and appeals process is being accessed because the student has received notice by Villanova College that Villanova College intends to report him for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has 20 working days from the date of receipt of notification in which to lodge a written appeal.
- e) Complaints and appeals processes are available to students at no cost.
- f) Each complainant has the opportunity to present his case to the Principal.
- g) Students and/or Villanova College may be accompanied and assisted by a support person to all relevant meetings.
- h) The formal complaints process will commence within 10 working days of the lodgement of the complaint or appeal with the Principal and will be finalised as soon as practicable.
- i) For the duration of the internal complaints and appeals process the student's enrolment will be maintained, as required under the National Code of Practice for Providers of Education and Training to Overseas Students 2018 and the student must continue to attend classes.

However, if the Principal deems that the student's health or well-being, or the well-being of others is at risk he may decide to suspend or cancel the student's enrolment before the complaints and appeals process has been assessed or fully completed. In such cases, the student may still lodge a complaint or appeal, even if the student is offshore.

- j) Once the Principal has come to a decision regarding the complaint or appeal, the student will be informed in writing of the outcome and the reasons for the outcome and a copy will be retained on the student's file.
- k) If the complaints and appeals procedure find in favour of the student, Villanova College will immediately implement the decision and any corrective and preventative action required and advise the student of the outcome and action taken.
- l) Where the outcome of a complaint or appeal is not in the student's favour, Villanova College will advise the student within 10 working days of concluding the internal review of the student's right to access the external appeals process.

However, Villanova College is only obliged to await the outcome of an external appeal if the matter relates to a breach of course progress or attendance requirements. For all other issues, Villanova College may take action (including making changes to the student's enrolment status in PRISMS) in accordance with the outcome of the internal appeal.

## 5. External Appeals Processes

- a) If the student is dissatisfied with the conduct or result of the internal complaints and appeals procedure, he may contact and / or seek redress through the Overseas Student Ombudsman at no cost. Please see: <http://ombudsman.gov.au/How-we-can-help/overseas-students> or phone 1300 362 072 for more information.
- b) If the student wishes to appeal against a decision made by Villanova College that relates to being reported for a breach of course progress or attendance requirements (under Standard 8), the student must lodge this appeal with the Overseas Student Ombudsman's Office within 10 working days of being notified of the outcome of his internal appeal.
- c) If a student wishes to appeal a decision made by Villanova College that relates to:
  - i) refusal to approve a transfer application (under Standard 7), or
  - ii) suspension or cancellation of the student's enrolment (under Standard 9)
  - iii) any choice to lodge an external appeal with the Overseas Student Ombudsman is at the student's discretion. Villanova College need not await the outcome of any external appeal lodged before implementing the outcome of the internal appeal.

## 6. Other legal redress

Nothing in Villanova College's Complaints and Appeals Policy negates the right of an overseas student to pursue other legal remedies.

## 7. Definitions

**Working Day:** any day other than a Saturday, Sunday or a Public Holiday during term time.

**Student:** a student enrolled at Villanova College or the parent(s)/legal guardian(s) of a student where that student is under 18 years of age

**Support Person:** for example, a friend/teacher/relative not involved in the grievance.