

# STUDENT COMPLAINTS AND APPEALS POLICY AND PROCEDURES 2021

The Joint Venture Board of the University of Sydney Foundation Program Pty Limited (USFP), as the governing authority of the University of Sydney Preparation Programs, by resolution adopts the following policy.

Dated: 30 July 2021

Last amended: N/A

Signature:

Position:

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## **PART 1 - STUDENT COMPLAINTS AND APPEALS POLICY**

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### **1 Name of policy**

This is the Student Complaints and Appeals Policy and Procedures 2021.

### **2 Commencement**

This policy commences the day after the day on which it is registered.

### **3 Policy is binding**

Except to the extent that a contrary intention is expressed, this policy binds The University of Sydney Foundation Program Pty Limited (CRICOS Provider Code: 00026A), staff, students and affiliates.

### **4 Overview**

- (1) This policy requires the management of student academic and non-academic complaints and appeals to be facilitated in a transparent, consistent, fair and equitable manner for all students enrolled in University of Sydney Preparation Programs (USPPs).
- (2) It provides students with access to internal complaint and appeals processes to ensure complaints can be made and addressed in a transparent, consistent, fair, timely and appropriate way.
- (3) Students who are not satisfied with an internal complaint and appeal process have the right to access an external appeals process.

### **5 Application**

- (1) This policy (and its procedures) applies to College-related conduct and appeals by:
  - (a) a student enrolled in the USPPs delivered on behalf of the University of Sydney by Navitas Australia Pty Limited (formerly named Study Group Australia) (CRICOS Provider Code: 01682E), trading as Taylors College Sydney (the College);
  - (b) former students enrolled within the two years prior to the complaint being made;
  - (c) Taylors College, including its staff, affiliates, contractors and administrative processes;
  - (d) the College's education agents; and
  - (e) Navitas Australia.
- (2) This policy and procedures does not apply to intending or prospective students. Those wishing to make a complaint should refer to the Admissions Policy and Procedures.
- (3) Refer to section 7 of this policy for a summary of the four phases of complaints and appeals, and when to proceed directly to Phase 3, Internal Appeal. Refer to Part 2 – Student Complaints and Appeals Procedures, for information about how and where to

submit complaints and appeals.

## 6 Definitions

<b>Affiliates</b>	means consultants and contractors to the College; members of the Board of USFP; members of College committees; and any other persons appointed or engaged by USFP to perform duties or functions on its behalf.
<b>Appeal</b>	means the request by a student for a review of a decision made by the College: <ul style="list-style-type: none"><li>• in response to a complaint by the student</li><li>• to issue a Notice of Enrolment Cancellation</li><li>• to issue an NIR</li><li>• in response to a request by a student to suspend their enrolment</li><li>• on a grade outcome</li><li>• as a result of a misconduct investigation.</li></ul>
<b>Appeal Officer</b>	means the staff member or delegate who investigates and makes a determination on an Appeal request by a student.
<b>Appropriate Confidentiality</b>	means a situation where the Responsible Officer may disclose to another relevant party only as much information as is necessary for the explicit purpose of clarification or assistance to enable the complaints process to proceed.
<b>Cancellation of enrolment</b>	means terminating a course enrolment which is initiated by the College (for example, on the basis of student misconduct or due to unsatisfactory course progress).
<b>The College</b>	means Taylors College Sydney, including its staff, affiliates and contractors.
<b>College Director</b>	means the most senior staff member for the College (or their delegate).
<b>College-related conduct</b>	means any conduct that is connected to the College, including conduct that: <ul style="list-style-type: none"><li>• refers or relates to the College, its activities, or its staff, affiliates or students in their status as a staff member, affiliate or student of the College;</li><li>• occurs on, or in connection with College premises or College affiliated student accommodation;</li><li>• occurs using, or is facilitated by, College information, communications and technology resources or other College equipment;</li><li>• occurs during, or relates to the performance of duties for the College; and</li><li>• occurs during or in connection to any College related function or event (whether sanctioned or organised by the College or not) or when representing the College in any capacity.</li></ul>

<b>Commonwealth Ombudsman</b>	means the Commonwealth Ombudsman ( <a href="https://www.ombudsman.gov.au/">https://www.ombudsman.gov.au/</a> ). The Commonwealth Ombudsman investigates complaints that international students have with private education providers, such as Navitas Australia. Complaints by students against the University of Sydney for refusal to release to study at another provider are handled by the Ombudsman for New South Wales.
<b>Complaint</b>	<p>means a formal or informal statement or expression that something is unsatisfactory or unacceptable. General inquiries, feedback and comments (including on social media sites) will not normally be considered a complaint, unless the College Director deems otherwise.</p> <p>Complaints may be of an academic or non-academic nature.</p> <p>Examples of an academic complaint are, but are not limited to matters related to:</p> <ul style="list-style-type: none"><li>• academic progress decisions</li><li>• attendance procedures, where relevant</li><li>• assessment processes or results</li><li>• the content or structure of education and training programs or quality of teaching.</li></ul> <p>Examples of a non-academic complaint are, but are not limited to, matters related to:</p> <ul style="list-style-type: none"><li>• provision of student support services</li><li>• suspension or cancellation for behaviour or administrative issues</li><li>• use or misuse of personal information that the provider holds in relation to the student</li><li>• exclusions from events and/or facilities</li><li>• unfairness and injustice</li><li>• bullying</li><li>• sexual harassment</li><li>• other forms of harassment.</li></ul> <p>Matters relating to life-threatening incidents will also trigger the Critical Incidents Involving Students Policy and Procedure.</p> <p>For matters concerning tuition fee refunds or related decisions please refer to the Cancellation and Refund Policy and Procedures.</p>
<b>Complaints Register</b>	means the official record of complaints and appeals held by the College.
<b>CRICOS</b>	means Commonwealth Register of Institutions and Courses for Overseas Students.
<b>Delegate</b>	means a person who has been authorised to perform a specific responsibility.

<b>Department of Home Affairs (DHA)</b>	means the Australian Government department responsible for issuance of student visa and provision of student visa services ( <a href="http://www.homeaffairs.gov.au">www.homeaffairs.gov.au</a> ).
<b>Due process</b>	means making decisions according to published College rules, policy, procedure and local provisions, as current at the time the decision was made, or the action was performed.
<b>eCoE</b>	means the electronic Confirmation of Enrolment issued by the University of Sydney to verify a student's enrolment in a USPP course.
<b>Enrolment</b>	means confirmed acceptance into a USPP course where a student is progressing towards the completion of the course requirements.
<b>Internal Appeal Review Panel</b>	means a panel of College staff formed to hear student appeals against the outcome of student complaints. The Terms of Reference of the Internal Appeal Review Panel are at Appendix A.
<b>International student/overseas student</b>	means a person (whether physically located within or outside Australia) who holds or needs a visa with rights to study in Australia and who has the right to enrol at the College.
<b>(The) National Code</b>	means the <a href="#">National Code of Practice for Providers of Education and Training to Overseas Students 2018</a> made under subsection 33(1) of the <a href="#">Education Services for Overseas Students (ESOS) Act 2000 (Cth)</a> . It outlines nationally consistent standards for the conduct of registered providers and the registration of their programs.
<b>Notice of Intention to Report (NIR)</b>	means the notification from the College to a student, stating the College's intention to report the student to the DHA for not meeting enrolment conditions associated with their student visa.
<b>Notice of Enrolment Cancellation (NEC)</b>	means the notification from the College to a student, stating the College's intention to cancel the student's enrolment for one of the following reasons: <ul style="list-style-type: none"><li>• unsatisfactory attendance</li><li>• unsatisfactory course progress</li><li>• misconduct (academic or non-academic)</li><li>• non-payment of USPP course fees.</li></ul>
<b>Ombudsman NSW</b>	means the state Ombudsman for New South Wales. The Ombudsman NSW investigates complaints that students have about State universities, including the University of Sydney.
<b>Principal Course</b>	means the main course of study to be undertaken by an overseas student. If the student visa has been issued for multiple courses of study (a 'package' of courses), the

principal course would normally be the final course of study that leads to the highest qualification in the 'package'. Where a student visa has been issued for only one course, that course is the student's principal course of study.

**Responsible Officer**

means staff member or delegate with responsibility for handling a complaint or appeal. A Responsible Officer must not review a decision they were involved in making and must occupy a position that is senior or equal to that occupied by any person involved in making the original decision (see Appendix B: College Responsible Officers and External Appeal Options).

**Student**

means a person who is currently an enrolled student in a University of Sydney Preparation Program and a person who was enrolled in the two years prior to the complaint being made.

**Support Person**

means a person who is not directly involved in the complaint such as a friend, counsellor or family member. A support person's role is not to act as a legal representative.

## 7 Phases

- (1) There are four phases of complaints and appeals, detailed in Part 2 - Student Complaints and Appeals Procedures:
  - (a) Phase 1: Informal Complaint
  - (b) Phase 2: Formal Complaint
  - (c) Phase 3: Internal Appeal
  - (d) Phase 4: External Appeal.
- (2) All students can access the process. A student is not required to make an informal complaint before making a formal complaint but is generally encouraged to do so to assist possible early resolution. This does not apply to matters of sexual misconduct or sexual harassment; please refer to the Sexual Misconduct and Sexual Harassment Policy and Procedures for the alternative reporting options.
- (3) Internal appeals against a cancellation of enrolment decision, a response to a request by a student to suspend their enrolment, a grade outcome, or a non-academic misconduct outcome, will proceed directly to Phase 3, Internal Appeal. Otherwise, each phase must be completed before escalating to the next phase.
- (4) A student visa holder may lodge an External Appeal (Phase 4) against a Notice of Intention to Report (NIR) within 10 working days from the date of receipt of receiving an enrolment cancellation.
- (5) If a student who has a University of Sydney course as their Principal Course wishes to lodge an appeal against a notice refusing their request to transfer to another registered provider's course, they must refer to the University of Sydney Change of Provider Policy 2021. The College does not make decisions on the release of students who have a University of Sydney course as their Principal Course; the College may only make decisions on the release of students who have a USPP as their Principal Course.

## **8 Availability**

- (1) This policy is freely available on the College's public-facing website and will be provided to respondent students if they are notified that a complaint has been made against them.

## **9 Timeliness**

- (1) All complaints and appeals should be resolved as promptly as possible.
- (2) Timeframes prescribed in the procedures should be followed unless there are exceptional circumstances.
- (3) If the timeframe is to be exceeded by staff, the student must always be informed of the length of, and the reason for, the delay.

## **10 Appropriate confidentiality**

- (1) All complaints and appeals must be treated with appropriate confidentiality at all phases in the procedures.

## **11 No victimisation**

- (1) If a student lodges a complaint or subsequent appeal under this policy and its procedures, they should feel confident they will be treated respectfully and fairly, and not be disadvantaged in any way, especially by way of subsequent victimisation and/or discrimination.

## **12 Procedural fairness**

- (1) When the Responsible Officer conducts an assessment, it will be fair, transparent and ensure:
  - (a) there is proper investigation of the facts and information available
  - (b) relevant persons are informed of any allegations made against them, as appropriate
  - (c) all persons involved in a complaint or appeal are made aware of how to access relevant policies and procedures
  - (d) relevant parties are heard and those who have had a complaint made against them are given an opportunity to respond before a decision is made
  - (e) all relevant submissions and any mitigating factors are given due and proper consideration before any decisions are made or any action is taken
  - (f) parties are advised that if the complaint is of such a serious nature that disciplinary action may result, then the facts revealed during an investigation into the complaint may be used in any subsequent disciplinary proceedings
  - (g) there is appropriate evidence to support a decision and the investigator and/or decision maker is not biased.
- (2) The person raising a complaint or appeal must be willing to be identified, unless:
  - (a) the facts of the matter can be tested fairly



- (b) there is independent documentary or other evidence (for example, CCTV footage, online messages) supporting the complaint and the allegation can be tested fairly
  - (c) it is not necessary for the respondent to be aware of the identity of the complainant in order to properly respond to the complaint; or
  - (d) the matter involves allegations of child abuse.
- (3) If the Responsible Officer is in doubt about the requirements of procedural fairness, advice should be sought from the College Director or delegate.
- (4) If allegations have been made in writing, a copy will be provided to the parties against whom the allegations have been made (unless the allegations relate to child abuse or where legislation provides otherwise).

### **13 Support**

- (1) Any student involved in this process who requires assistance to participate effectively is encouraged to choose a Support Person who can help them present information. If the student has a special educational need, it may be appropriate that the Support Person speaks on the student's behalf.
- (2) On any occasion when the complaint or appeal is required to be discussed with staff, the student may choose to be accompanied by a Support Person.
- (3) Students with a complaint about alleged sexual assault or sexual harassment will be offered further support as outlined in the Sexual Misconduct and Sexual Harassment Policy and Procedures.

### **14 Access to information**

- (1) Students have a right of supervised access to all documents concerning their appeals in relation to academic and enrolment issues. This right does not apply to any documents for which the College claims legal professional privilege. In relation to non-academic complaints, students will be provided with sufficient information to understand the nature of the complaint made against them.

### **15 Continuation of learning opportunities**

- (1) The College must maintain a student's enrolment for all appeals involving cancellation of enrolment decisions until the internal appeals process referred to in the procedures below is completed. In other instances, the College will maintain a student's enrolment during the internal appeals process and may at its discretion maintain a student's enrolment during the external appeals process.
- (2) The College reserves the right to decide whether to continue to offer learning opportunities throughout the internal or external complaints and appeals process. The College may decide on a case by case basis whether the student will be:
  - a. permitted to continue to attend classes,
  - b. excluded from attending classes but permitted to continue to undertake and complete class work (online or outside of the classroom environment), or
  - c. excluded from attending classes, through restrictions on the student's access to College facilities (including buildings, spaces and online facilities).



- (3) The College recognises that decisions to deny learning opportunities to a student, throughout the complaints and appeals process may disadvantage the student in their subsequent studies. The College may at its discretion undertake such action if determined necessary to maintain its duty of care to its students, staff and other stakeholders.

## **16 Resolution**

- (1) Given the nature of many complaints, the College expects that most concerns will be resolved at an informal level (Phase 1). This form of resolution provides an ideal opportunity for open and direct discussion or correspondence between the relevant parties. Informal resolution is normally the most time effective way of resolving non-academic complaints.

## **17 Cost**

- (1) All internal phases of the Student Complaints and Appeals Procedures are free of charge to the student. Students have access to an external appeal at minimal or no cost. Students choosing to access an external appeal via an external agency (Phase 4) may have to pay a service fee. The service fee is refunded by the College to the student if the external agency decides in favour of the student.

## **18 Withdrawing a Complaint or Internal Appeal**

- (1) A student may withdraw a complaint or internal appeal at any time by giving written notice to the Responsible Officer, Appeal Officer or delegate. The College, at its own discretion may elect to proceed with a complaint or appeal.

## **19 Records Management**

Records in association with this policy will be kept in accordance with the Records Management Policy and Procedures. Confidential documents related to the implementation of the policy will be maintained according to relevant privacy requirements.

# **PART 2 - STUDENT COMPLAINTS AND APPEALS PROCEDURES**

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## **20 Phase 1: Informal Complaint**

- (1) Overview:
  - (a) The student is encouraged to raise an informal complaint directly with the person(s) involved. For example, a complaint about an assessment task should be raised in the first instance with the unit teacher.
  - (b) An informal discussion or other communication should take place directly between the relevant parties as soon as possible. The student may choose to be accompanied or assisted by a Support Person during an informal discussion.



- (c) If the student does not wish to directly approach the person(s) concerned, the student should raise the complaint with Student Support Services as soon as possible, verbally or by email ([taylorstudenthelp@navitas.com](mailto:taylorstudenthelp@navitas.com)).
- (d) The Responsible Officer will consider the issue and may suggest a course of action to resolve the issue or attempt to mediate between the student and the person(s) concerned.
- (e) A record of the informal complaint and any action taken to resolve it will be placed on the Complaints Register by the relevant person or Responsible Officer.
- (f) The student will be informed by telephone or email of any action taken to resolve the complaint. This communication will be recorded in the Complaints Register by the relevant person or Responsible Officer.
- (g) If the student is not satisfied with the outcome, the student can escalate their complaint to Phase 2 and lodge a formal complaint.

## 21 Phase 2: Formal Complaint

- (1) The second phase involves the student completing and lodging a formal written complaint. The complaint will be assessed and/or investigated by a Responsible Officer with appropriate external support if required.
- (2) Overview:
  - (a) The student completes a Student Formal Complaint Form (Phase 2) (available from Student Support Services) and submits it to Student Support Services, either in person or via email ([taylorstudenthelp@navitas.com](mailto:taylorstudenthelp@navitas.com)) or by calling +612 8303 9700.
  - (b) The student receives written acknowledgment of the complaint within five working days of the complaint lodgement.
  - (c) The Responsible Officer commences an investigation into the complaint within ten working days of it being made under these procedures and offers the student the opportunity to formally present or respond to further questions in relation to their complaint. The student may choose to be accompanied or assisted by a Support Person when presenting their complaint.
  - (d) The Responsible Officer will aim to finalise the outcome within 20 working days, and notify the student in writing with detailed reasons for the outcome. This will be recorded in the Complaints Register by the relevant person or Responsible Officer.
  - (e) Where it is not practicable to conclude an investigation within 20 working days, the Responsible Officer will notify the student of the expected timeframe for resolution.
  - (f) An internal appeal can be made (Phase 3) where a student believes there has been a failure in due process only. The student can escalate the complaint to Phase 3 under this policy within five working days, or within 20 working days for an NEC appeal.

## 22 Phase 3: Internal Appeal

- (1) The third phase involves the student completing and lodging a written internal appeal by completing one of the forms detailed in section 23(4). The internal appeal will be investigated through a formal process at no cost to the student.
- (2) An internal appeal may only be made on the basis of alleged failure of due process and not solely because a student is dissatisfied with a decision. If a student disputes any of the following: a cancellation of enrolment decision, a response to a student

request to suspend their enrolment, a grade outcome or a non-academic misconduct outcome, an internal appeal may also be made by presenting new evidence. A student must set out in their written internal appeal their reasons for believing that due process has not been observed, or attach new evidence as applicable.

- (3) The Internal Appeal will be investigated by a different Responsible Officer (known as the Appeal Officer) to the one involved in making the initial decision (see Appendix B – College Responsible Officers and External Appeal Options).
- (4) Overview:
  - (a) The student completes an Enrolment Cancellation Appeal Form (Phase 3) to appeal a cancellation of enrolment decision, or a Student Internal Appeals Form (Phase 3) for all other types of appeal (available from Student Support Services) and emails it to [taylorstudenthelp@navitas.com](mailto:taylorstudenthelp@navitas.com) at the College.
  - (b) A student must email an Enrolment Cancellation Appeal Form (Phase 3) to the College within 20 working days of receipt of an NEC. This timeframe will not be extended.
  - (c) A student must email a Student Internal Appeals Form (Phase 3) to the College within five working days of receiving:
    - (i) a response to their complaint
    - (ii) a response to their request to suspend their enrolment
    - (iii) a grade outcome, or
    - (iv) the result of the outcome of a report of misconduct.The student should advise the College if they are unable to meet the five working day requirement and agree to a new timeframe.
  - (d) The student receives written acknowledgement of the Appeal within five working days of lodging their written internal appeal.
  - (e) The Appeal Officer will offer the student the opportunity to formally present their appeal and to be accompanied or assisted by a Support Person. The Appeal Officer will, at their discretion, either:
    - (i) make a determination based on the information provided that insufficient grounds exist to take any further action, or
    - (ii) refer the Appeal to an Internal Appeal Review Panel.
  - (f) The Internal Appeal Review Panel meets within ten working days of receipt of the written internal appeal.
  - (g) The student is given at least three working days' notice of the Internal Appeal Review Panel meeting, which will be held either in person or online. The student has the option to attend the Appeal Review Panel meeting and may bring a support person to the meeting, which will proceed whether or not they attend.
  - (h) If the matter that is the subject of the Appeal involves other parties, they may also be invited to present their case to the Internal Appeal Review Panel. A written record of the meeting including detailed reasons for the outcome must be made by the Appeal Officer and filed in the Complaints register.
    - (i) The Internal Appeal Review Panel will consider all relevant information.
    - (j) The student will be notified in writing within five working days of the decision including detailed reasons for the outcome.
    - (k) The College will immediately implement any decision and/or action required.
    - (l) If the student is not successful in the College's complaint and appeal process, the College will advise the student as soon as practicable upon completion of the internal complaint and appeal process of the student's right to access a relevant external complaint and appeal process, at minimal or no cost.
  - (m) The student must be informed if the specified timeframes cannot be met due to unforeseen circumstances.



- (n) If a student visa holder's internal appeal against an enrolment cancellation decision is not successful, their enrolment will be cancelled, they will be issued with an NIR within 10 working days after the enrolment cancellation and will not have another opportunity to submit an internal appeal. They may lodge an External Appeal (Phase 4).
- (o) If a non-student visa holder's internal appeal is not successful, their enrolment will be cancelled and they will be issued with a final notice confirming an unsuccessful appeal and cancellation of enrolment. They may lodge an External Appeal (Phase 4)
- (p) If a student's internal appeal against an enrolment cancellation decision is successful, enrolment continues; this may be subject to additional conditions.

## **23 Phase 4: External Appeal**

- (1) The fourth phase involves an external appeal which will be formally investigated by an agency external to the College. The most relevant external agencies are listed in Appendix B – College Responsible Officers and External Appeal Options.
- (2) The external review process should only be used after Phase 3 has been completed.
- (3) Overview:
  - (a) The student may lodge an external appeal to a relevant external agency (see Appendix B – College Responsible Officers and External Appeal Options).
  - (b) The student must inform the College in writing within ten working days of a decision to proceed with an external appeal. The written notification must include the external reference number provided by external agency.
  - (c) Written notification must also be provided within ten working days if a student decides not to file an external appeal. If the student does not notify the College of their decision to file an external appeal, this will be taken as notice of withdrawal from the complaints and appeals process.
  - (d) If the external agency decides in support of the student's external appeal, the College may consider implementing any recommendations, such as reinstatement of enrolment, and will advise the student in writing as to the action taken. Where applicable, these recommendations will be incorporated into the College's policies and procedures for implementation ensuring the continuous improvement of service and quality education to students.
  - (e) If a student visa holder's external appeal against an NIR is not successful, or the student withdraws from the complaints and appeals process, the eCoE will be cancelled and the student will be issued with a final notice confirming cancellation of their eCoE.
  - (f) The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under law. This policy and its associated procedures do not limit the rights of individuals to take action under Australia's Consumer Protection Laws.
  - (g) These procedures do not restrict an individual's rights to pursue other legal remedies.

## **24 Rescissions and replacements**

This document replaces the following, which are rescinded as from the date of commencement of this document:

- (1) Not applicable

## NOTES

### Student Complaints and Appeals Policy and Procedures 2021

Date adopted: 30 July 2021

Date registered: 13 August 2021

Date commenced: 13 August 2021

Administrator: The position title of the most senior person responsible for the day to day operation of the policy

Review date: At least once every 5 years from the date of commencement.

Rescinded documents: Not applicable

Related documents:

- (1) *Competition and Consumer Act 2010 (Cth)*
- (2) *Education Services for Overseas Students (ESOS) Act 2000 (Cth)*
- (3) *Education Services for Overseas Students Regulations 2019 (Cth)*
- (4) Higher Education Standards Framework (Threshold Standards) 2021
- (5) National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code)
- (6) National Standards for Foundation Programs
- (7) *Privacy Act 1988 (Cth)*
- (8) Enrolment Cancellation Appeal Form (Phase 3)
- (9) Student Formal Complaint Form (Phase 2)
- (10) Student Internal Appeal Form (Phase 3)
- (11) Child Protection and Safeguarding Policy and Procedures
- (12) Critical Incident Policy and Procedures
- (13) Records Management Policy and Procedures
- (14) Sexual Misconduct Policy and Procedures
- (15) Student Assessment Policy and Procedures
- (16) Student Code of Conduct
- (17) Student Misconduct Policy and Procedures
- (18) Student Privacy Policy
- (19) Student Support Procedures
- (20) Student Enrolment Terms and Conditions

## **APPENDIX A: INTERNAL APPEAL REVIEW PANEL – TERMS OF REFERENCE**

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### **1 Role**

- (1) The Internal Appeal Review Panel (Panel) may be formed by the Appeal Officer at Phase 3 of the internal appeals procedures, for the purpose of making an independent review of a student's appeal.

### **2 Functions**

- (1) The Panel's authorities and responsibilities are as follows.
- (2) The Panel will:
  - (a) investigate, hear, consider and make determinations on appeals made by students against decisions made by the College. This may include consideration of:
    - (i) written internal appeals and submissions
    - (ii) examination of relevant academic records, and/or
    - (iii) advice from the Responsible Officer, administrative staff, academic staff or others where the Panel considers this appropriate.
  - (b) promote and ensure the application of the principles of procedural fairness and confidentiality in relation to all appeals
  - (c) invite the student involved to attend any hearing, formally present their appeal at no cost and be accompanied or assisted by a Support Person nominated by the student, for example, friend, counsellor or family member (but not a legal representative).
  - (d) promote quality improvement in policies and procedures related to student complaints and appeals
  - (e) ensure appeal decision outcomes make clear whether it has been decided to:
    - (i) confirm the original decision; or
    - (ii) vary the original decision, stating the details of the variance; or
    - (iii) set the decision aside and substitute a new decision, stating the new decision.
  - (f) determine procedures to govern its own operations.

### **3 Membership**

- (1) The membership of the Panel shall comprise:
  - (a) College Director (Chair), and two of the following:
    - (i) a College Director (or delegate) from another Navitas College, other than the one in which the student is enrolled, invited by the Chair
    - (ii) a senior member of College staff who has not been previously involved in the complaint, invited by the Chair
    - (iii) a member of the Compliance team.

- (2) Any member of the Panel shall be obliged to declare any interest in any matter before the Committee and may then be required to withdraw from that meeting at the request of other members of the Committee.
- (3) In the event of a member withdrawing, the Chair may appoint an appropriate replacement.

#### **4 Frequency of Meetings**

The Panel meets as required.



## APPENDIX B: COLLEGE RESPONSIBLE OFFICERS AND EXTERNAL APPEAL OPTIONS

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Phase	Responsible Officer – Academic Complaints	Responsible Officer – Non-Academic Complaints	Contact Details/Location
1	Teacher/academic staff member with whom the student has the complaint as applicable	Staff member with whom the student has the complaint or Student Services Manager (or delegate as applicable)	Located at the College College Complaints and Appeals Email: <a href="mailto:taylorsstudenthelp@navitas.com">taylorsstudenthelp@navitas.com</a>
2	Relevant Course Coordinator, Academic Director, College Director, or their delegate as applicable	Student Services Manager, College Director (or delegate as applicable)	Located at the College College Complaints and Appeals Email: <a href="mailto:taylorsstudenthelp@navitas.com">taylorsstudenthelp@navitas.com</a>
3	College Director (or delegate as applicable)	College Director (or delegate as applicable)	Located at the College College Complaints and Appeals Email: <a href="mailto:taylorsstudenthelp@navitas.com">taylorsstudenthelp@navitas.com</a>

## Phase

4

## Contact Details

External appeal options include:

- (a) NSW Ombudsman at [nswombo@ombo.nsw.gov.au](mailto:nswombo@ombo.nsw.gov.au)
- (b) Commonwealth Ombudsman  
<https://www.ombudsman.gov.au/>

Depending on the nature of your complaint, you may also choose to contact a relevant external agency for advice or assistance, such as the:

- (a) Australian Competition and Consumer Commission (ACCC)  
<https://www.accc.gov.au/consumers/consumer-protection/where-to-go-for-consumer-help>
- (b) NSW Anti-Discrimination Board at  
<https://antidiscrimination.nsw.gov.au/>
- (c) Australian Human Rights Commission at  
<https://humanrights.gov.au/>
- (d) NSW Civil & Administrative Tribunal at  
<https://ncat.nsw.gov.au/>.