

Student Complaints & Appeals Policy & Procedure

Sheffield College (Sheffield) is committed to ensuring that all student complaints and appeals are dealt in a fair, objective, constructive and timely manner by implementing a transparent, non-discriminatory and accountable system.

At Sheffield we believe that most difficulties can be resolved at initial stages by talking where all parties involved in the matter strive to resolve matters effectively and ensure that a healthy learning environment is maintained.

If at any time a student requires support in this process, they should contact the Student Support Officer and they will convene a meeting to discuss the concerns with the student.

This complaints and appeals policy applies to all students enrolled with Sheffield.

1. Overview

- 1.1 This policy has been developed to ensure that all students of Sheffield have access to free, effective and fair complaints resolution and appeals processes.
- 1.2 This policy has been developed in line with requirements of Standard 10 of the National Code of Practice 2018
- 1.3 This complaints resolution process does not restrict or eliminate the student's right to take further action under Australia's Consumer Protection Laws or to pursue other legal remedies.
- 1.4 The consideration of complaints and appeals will be dealt in accordance with the principles of procedural fairness which respects the right of a complainant to be heard by an impartial party;
- 1.5 Students will not be subject to any discrimination or harassment due to or as a result of their participation in the complaints process;
- 1.6 A student and/or Sheffield may nominate an advocate to accompany, represent, and support them at any stage of the internal complaint and grievance processes, or external independent processes to resolve problems.
- 1.7 All complaints and appeals will be resolved within 60 days, if it requires more than 60 days to resolve any complaint or appeal, the Administration Officer will write to all parties involved and explain why it requires more time and give an expected date that a resolution will be made.

2. Definitions:

- 2.1 Complaint means being 'not satisfied' with services provided by, or treatment received at Sheffield
- 2.2 Appeal means being 'not satisfied' with a decision made by the College in relation to a complaint and requesting a review.

3. Continuance of enrolment and study

- 3.1 Where an appeal relates to Sheffield's decision to report a student for unsatisfactory course progress or attendance, the student's enrolment will be maintained until his/her internal and external appeals processes are finalised.
- 3.2 Where the appeal relates to Sheffield's decision to defer or suspend a student's enrolment due to misbehaviour or to cancel a student's enrolment in accordance with National Code of Practices 2018 Standard 9, the student's enrolment will be maintained whilst the internal appeals process is exhausted.

4. Internal Appeals

All complaints, appeals and review of decisions (including assessment decisions) must be made in writing using the appropriate form available on the website within 20 working days from the receipt of the decision.

5. External Appeals

If the student is not satisfied with the outcome of internal appeal, he/she can access external appeal. Sheffield College has nominated the Office of Training Advocate (South Australia) as its External Appeals agency.

6. Privacy and Confidentiality

- 6.1 Confidentiality will be maintained throughout the process of making and resolving complaints.
- 6.2 Sheffield seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment

7. Continuous Improvement

Sheffield views all complaints as an opportunity for continuous improvement. It identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

8. Complaints- Stage 1- Informal Resolution

- 8.F In the first instance a student is encouraged to resolve the concern or difficulty directly with the staff member/students involved in an attempt to resolve the matter informally.
- 8.G If the matter is not resolved informally to the satisfaction of the student, the student can avail the formal internal Student Complaints and Appeals process.

9. Stage 2- Internal Process – Formal Resolution

- 9.1 The student can activate the formal complaint resolution process by completing the Student Complaints and Appeals Form and submitting it with the Compliance Manager.
- 9.2 The form must include a brief outline of his/her complaint / grievance and actions taken to resolve the issue informally.
- 9.3 The Compliance Manager must acknowledge in writing receipt of the complaint within 5 days of receiving the complaint
- 9.4 The Compliance Manager will enter the complaint in the Complaints Register, which is monitored by the Director.
- 9.5 The Compliance Manager will notify the Director of the complaint, after filing and logging the complaint in the Complaints Register.
- 9.6 The Compliance Manager must start the complaint resolution process within 10 working days of the lodgement of the completed Students Complaints or Appeal form. All reasonable measures will be taken to complete this process as soon as practicable.
- 9.7 Students will be advised that there will be no cost to them.

10. Complaints Assessment Mechanism

- 10.1 The Compliance manager in consultation with the Director will give due regard to the nature and seriousness of the complaint and the students perspective / views decide whether-
 - 10.1.1 The complaint can be resolved through mediation process or through facilitating discussions between the parties involved or
 - 10.1.2 A Complaints and Appeals Committee should be convened.
- 10.2 If the decision is that the dispute can be resolved by a Mediation process the following processes would apply-
 - 10.2.1 All parties involved will be invited to a mediation meeting held by the Director or delegate;
 - 10.2.2 The student will be advised that he/she is permitted to have a support person present;
 - 10.2.3 Agreed outcomes will be recorded in writing and signed and dated by all parties involved. A copy of the outcome will be provided to all parties involved. It will also be placed on the student file as well as the Complaints and Appeals Register.
- 10.3 In the event that the Compliance Manager in consultation with the director decides option 10.1.2 applies, a Complaints and Appeals Committee will be convened.
- 10.4 The Committee members and parties involved will be notified of the hearing date at least 3 days in advance via email or telephone
- 10.5 The student will be informed that he/she could bring a support person along.
- 10.6 The student or their support person/representative or both will have the opportunity to present his or her case in person, or if the student elects, in writing.
- 10.7 The outcome and reasons for the outcome in relation to each complaint or appeal that demonstrates the reasons behind the decisions made at each stage of the appeal will be provided in writing to the student within 7 working days from the outcome. A copy will be placed in the student's file and as well as the Complaints and Appeals Register.
- 10.8 If the student's appeal is successful, Sheffield College must as soon as possible implement any decision and/or corrective action required.
- 10.9 If the student's appeal is not successful, the student will also be informed in writing about his/her right to access an external complaints hearing at no cost to the student. Details of how to lodge the external appeal will be provided in writing to the student.



11. REFERENCE TO PRINCIPAL EXECUTIVE OFFICER OF THE COLLEGE

- 11.1. If the student's concerns cannot be resolved by the Compliance Manager, or as a result of failure to follow procedures, the student may only formally approach the Principal Executive Officer (PEO) of Sheffield by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the Compliance Manager; detailing the nature of the complaint and the grounds for appeal should be detailed.
- 11.2 The PEO must acknowledge receipt of the formal complaint in writing within five (5) working days of receipt and start the process to resolve the complaint within ten (10) working days of receiving the complaint.
- 11.3 If the complaint relates to the mark for an intra-semester assessment, the PEO may appoint an independent assessor who will re-mark the assessment script under dispute. A fee may be charged if the student had been awarded a pass mark for the assessment script under dispute.
- 11.4 Following investigation of the matter, the PEO will advise the student in writing of his or her decision:
- i) Setting out the reasons;
 - ii) If the complaint relates to the mark on an intra-semester assessment, advising that his/her decision is final;
 - iii) On other academic matters, advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
 - iv) Giving the student a copy of this policy, if the student does not already have a copy.
 - v) All information given will be recorded and placed in the student's file and Sheffield Complaints Register.

12. Appeals against College's intention to report a student to the Department of Home Affairs (DHA)

Intention to suspend / cancel student's enrolment

12.1 All appeals related with above must be lodged within 20 working days of the date of issuance of the letter notifying the student about the intention of the College to report.

12.2 All appeals in relation to above must be dealt by the Compliance Manager in consultation and approval of the Director. The appeal may be approved on Compassionate and Compelling grounds where the reasons are supported with evidence.

12.3 If the international student fails to submit an Appeal within 20 working days from the date prescribed in the notice, then the Compliance Manager will proceed with reporting the student to DHA for breach of the requirements via PRISMS.

12.4 The Compliance Manager will ensure that the student is reported in accordance with Section 12.3 above, within 5 working days from the date of the expiry of the appeal period.

13. STAGE 3- EXTERNAL COMPLAINTS AND APPEALS

13.1 Sheffield College has nominated the Office of Training Advocate (South Australia) as its External Appeals agency.

13.2 If the student believes that:

- a. She/he did not have sufficient opportunity to present their case to the decision-maker; or
- b. The process was not carried out in accordance with Sheffield's policy; or procedures; or
- c. The decision was made contrary to the evidence provided;

The student may within 7 working days of being notified of the outcome of his/her internal complaint and appeal, lodge an appeal with the Office of the Training Advocate for a review at no cost.

13.3 If the Student decides to access the external process, he/she must notify the administration Officer, including a copy of the complaint /appeal, within 20 working days of being notified of the outcome of his/her internal complaint/appeal. Failing to do so it will be assumed that the student is not accessing the External Appeal process and the Enrolment Manager will cancel his/her Enrolment and notify DIBP via PRISMS.

Contact details for the Training Advocate SA are as follows-

Office of the Training Advocate
Ground Floor West, 55 Currie Street
Adelaide SA 5000
Telephone: (Toll free) 1800 006 488, within Australia
Telephone: +61 8 82264242, Outside Australia
Email: trainingadvocate@sa.gov.au
Web: www.trainingadvocate.sa.gov.au

13.4 Where this result in a decision supporting the student complaint, Sheffield will implement the required corrective/preventive action and advise the student of the outcome.



14. MAINTAINING STUDENT ENROLMENT

14.1 Until the complaints and appeals process is completed, Sheffield will maintain the enrolment of the student. To 'maintain the student's enrolment' means that Sheffield does not notify the Department of Education of any change to the student's enrolment status through the Provider Registration and International Student Management System (PRISMS).

14.2.2 Sheffield will maintain the student's enrolment throughout the internal appeals process for all types of complaints or appeals. However, whether Sheffield must maintain the enrolment throughout an external appeals process depends on the type of appeal.

If the appeal is against the provider's decision to report the student for:

- Unsatisfactory course progress

Sheffield will maintain the student Enrolment (i.e. not report the student for unsatisfactory progress) until the external complaints process is complete and has supported the provider's decision to report

If the appeal is against the provider's decision to:

- defer or suspend a student's enrolment due to misbehaviour or
- to cancel the student's enrolment

Sheffield will only await the outcome of the internal appeals process (supporting Sheffield) before notifying the Department of Home Affairs through PRISMS of the change to the student's enrolment

15. RECORDING COMPLAINTS

15.1 Every incident of complaint, appeal and outcome will be recorded on:

15.1.1 Complaints and Appeals Register;

15.1.2 Individual Student File

15.2 Complaints made in writing must be recorded and placed in the student file.

15.3 Verbal complaints that the student does not wish to formalise in writing should be recorded and placed in the file.

15.4 If the complaint or appeal is extremely confidential, it should be kept in a sealed envelope in the student's file, and a reference should be made in the Complaints and Appeals Register.

15.5 All parties will be notified of the outcome of the appeal/complaint in writing including the details reasons for the outcome.