

Overview

The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) requires UNE to demonstrate compliance with the National Code 2018 at the point of CRICOS registration and throughout its CRICOS registration period.

This compliance requirement also applies to students enrolled in courses delivered in association with another provider where the University of New England (UNE) is the registered provider. UNE is responsible for breaches of the National Code, whatever the nature of its contractual or other arrangements with another provider.

For international students studying in the UNE English Language Centre, Standard 10 of the National Code 2018 requires UNE to have and implement a documented internal complaints handling and appeals process to provide students with comprehensive, free and easily accessible information about the processes and policy.

This procedural document is to ensure students are aware of the University of New England (UNE) and the English Language Centre's (ELC) complaints and appeals processes during admission to and study at UNE.

1. Guidelines

- 1.1 ELC will ensure the Complaints and Appeals process is easily accessible to students
- 1.2 ELC will provide a student with the opportunity to formally present their complaint. At this time, it will be determined whether the complaint is related to an academic or non-academic matter.
 - 1.2.1 Academic – An academic matter is related to course progress, attendance and results. Such matters will be reviewed and assessed within ELC guidelines and procedures.
 - 1.2.2 Non-Academic – A non-academic matter relates to any issues unable to be managed by the ELC (under 1.2.1) and may require escalation to the Student Grievance Unit.
- 1.3 ELC will ensure a student has the opportunity to be accompanied and assisted by a support person of the student's choice at any relevant meetings.
- 1.4 ELC will maintain the student's enrolment whilst the complaints and appeals process is ongoing.
- 1.5 ELC will provide the student with a written statement of the outcome of the complaint or appeal, including details of the reasons for the outcome.
- 1.6 Should the appeal outcome mean the student may be excluded from studies at the ELC the UNE outcome letter must include the following information:
 - The student has the right to access an external complaints-handling and appeals process, i.e. the NSW Ombudsman at minimal or no cost
 - The contact details of the NSW Ombudsman
 - Advice to contact Immigration (Department of Home Affairs) and include the contact details to see the effect, if any, an exclusion may have on their student visa

- 1.7 If the student is not satisfied with the result or conduct of the internal ELC complaint handling and appeals process, the ELC must advise the student of their right to appeal to the Director UNE International and / or to contact the Student Grievance Unit (SGU). Any appeal must be lodged within twenty (20) working days.
- 1.8 If the complaints and appeals process results in a decision that supports the student, ELC will immediately implement any decision and/or corrective and preventative actions required and advise the student of the outcome.
- 1.9 If the student is not satisfied with the final appeal outcome from either the Director (DIR) or the Director UNE International or the conduct of the SGU, they are advised they can contact the NSW Ombudsman. The NSW Ombudsman is independent and external to UNE. Any appeal to the NSW Ombudsman must be lodged within ten (10) working days.
- 1.10 ELC will maintain comprehensive records of all complaints and appeals and their outcomes including:
 - A statement of findings in relation to each complaint or appeal that demonstrates the reasons behind the decisions made at each stage of the appeal;
 - Evidence that the statement is issued to the student and a copy retained on the student's file.
- 1.11 ELC will ensure that the rights of the student as protected under the *Competition and Consumer Act (2010)*.

2. Procedures

- 2.1 If a student advises that they wish to make a complaint or lodge an appeal they must do so in writing to the Head Teacher (HT) and include the following information:
 - Name, address and contact details
 - Student number and ELC class
 - Detailed description of the complaint or appeal including any relevant documentation
 - Any other detail they feel supports their complaint or appeal

The Senior Engagement Officer (SEO) is available to assist or advise on this process as are the Independent Student Advocates at Advocacy & Welfare advocacy@une.edu.au, or phone (02) 6773 3116.
- 2.2 The HT will acknowledge in writing the receipt of the complaint or appeal and will provide the student with a copy of the process if one has not already been made available.
- 2.3 The HT will make a time to meet with the student to commence the process within 3 working days and notify the student that they can be accompanied by a support person of the student's choice at any future meeting.
- 2.4 The HT will keep the student informed of progress and the expected date of the outcome.
- 2.5 The HT will provide in writing to the student the reason for and the outcome of the process, any consequences that flow from the outcome and the further avenues of appeal available to the student.
- 2.6 Dependent on the outcome the HT will alternatively:
 - maintain the student's enrolment

- put in place an agreed plan of action to assist the student with their conditional studies
- escalate the situation to the Business & Academic Manager (BAM)

Further investigation done by the BAM, will either begin the process to suspend or terminate the student’s enrolment by notifying UNE International or escalate the complaint to the Student Grievance Unit.

Definitions

BAM	Business & Academic Manager
CT	Class Teacher
DIR	Director
EAP	English for Academic Purposes
EAP Level:	A level is comprised of two (5+1 week) programs
ELC	UNE English Language Centre
ELICOS	English Language Intensive Courses for Overseas Students
ESOS	Education Services for Overseas Students Act 2000
HT	Head Teacher
LST	Learning Support Teacher
NC	National Code 2018
Program	Equals a unit of learning that has its own set of formative and summative assessments (i.e. a 5+1 week model)
SEO	Senior Engagement Officer

Administration

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Approved by:

 Jason Seeto	DATE 28/09/23
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Related policies or other documents:

ESOS Act (Education Services for Overseas Students) legislative framework
 National Code 2018 (National Code of Practice for Providers of Education and Training to Overseas Students 2018)