

## **BRISBANE GRAMMAR SCHOOL COMPLAINTS AND APPEALS POLICY FOR OVERSEAS STUDENTS**

### **DEFINITIONS**

**ESOS Act** means the *Education Services for Overseas Students Act 2000* (Cth) (as amended or replaced from time to time).

**ESOS Framework** means the regulatory requirements for education and training institutions offering courses to international students in Australia on a student visa, including the ESOS Act and the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007*.

**Parent or Guardian** means the parent(s) or guardian(s) of the overseas student (or intending overseas student) who signed the letter confirming the overseas student's offer of placement at the School.

**PRISMS** means the Provider Registration and International Student Management System.

**Registered Provider** has the meaning under the ESOS Act.

**School** means the Board of Trustees of the Brisbane Grammar School (trading as Brisbane Grammar School) who is a Registered Provider .

### **GENERAL**

- (a) This policy concerns complaints and appeals brought by a Parent or Guardian against the School on behalf of an overseas student with respect to enrolment under the ESOS Framework.
  - (b) This policy does not cover general complaints a Parent or Guardian may have regarding general matters concerning their child's attendance at the School, such as academic or disciplinary matters outside the ESOS Framework.
  - (c) A complaint or appeal may be brought under this policy about, for example:
    - i) course fees and due dates;
    - ii) an overseas student being reported for failure to meet course progress or attendance requirements;
    - iii) deferment, suspension or cancellation of an overseas student's enrolment;
    - iv) overseas student accommodation;
    - v) the transfer of an overseas student to or from the School, from or to another school in Australia which is a Registered Provider (including a refusal by the School to grant a letter of release to enable an overseas student to transfer to a course offered by another school);
    - vi) incorrect advice given by the School's education agent; or
    - vii) a decision made by the School that affects the enrolment of the overseas student.
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- (d) Where an overseas student has received notice from the School that it intends to report the student for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the Parent or Guardian has 20 working days in which to access the School's internal complaints and appeals process under this policy.
- (e) A complaint or appeal cannot be made under this policy about a refund that is governed by the ESOS Act.
- (f) If a Parent or Guardian chooses to access the internal complaint or appeals process under this policy:
  - i) the School will maintain the enrolment of the overseas student while the process is ongoing (this means the School will not notify the Department of Education and Training (**DET**) via PRISMS of any change to the student's enrolment status); and
  - ii) the overseas student is required to maintain enrolment and attendance at all classes as normal. The Deputy Headmaster – Students will determine if participation in studies will be in class or under a supervised arrangement outside of classes.

For external complaints and appeals, it depends on the type of appeal, as follows:

- i) If the complaint or appeal is against the School's decision to report the student for unsatisfactory course progress or attendance, the School must maintain the student's enrolment until the external process under this policy (with the Overseas Student Ombudsman) is complete and has supported the School's decision; or
  - ii) If the complaint or appeal is against the School's decision to defer or suspend a student's enrolment due to misbehaviour or to cancel the student's enrolment, then the School is not required to await the outcome of the external process under this policy (with the Overseas Student Ombudsman) before notifying DET via PRISMS of its decision.
- (g) A Parent or Guardian may be accompanied and assisted by a support person at any meetings with the School as part of a complaints or appeal process.
  - (h) Nothing in this policy prevents a Parent or Guardian from taking action under Australia's consumer protection laws.

## **INTERNAL COMPLAINTS AND APPEALS PROCESSES**

### **1 Informal complaints or appeals**

- (a) As a first step, an attempt should be made to resolve any complaint or appeal informally (for example, through discussions with the student and Parent or Guardian).
  - (b) A complaint or appeal should initially be reported to the International Contact Officer (Director of Enrolments). (**Informal Complaint or Appeal**).
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- (c) The International Contact Officer (Director of Enrolments) may handle the Informal Complaint or Appeal personally, or may refer the Informal Complaint or Appeal to another staff member if he/she believes it is appropriate for that staff member to handle the concern.
- (d) If the Informal Complaint or Appeal cannot be resolved informally, the Parent or Guardian may lodge a formal complaint or appeal.

## **2 Formal complaints or appeals**

- (a) A formal complaint or appeal must be made in writing and submitted to the Headmaster (**Formal Complaint or Appeal**). There is no cost for lodging a Formal Complaint or Appeal.
- (b) The School will keep a written record of the Formal Complaint or Appeal and any supporting evidence on the overseas student's file.
- (c) Within ten (10) working days of receiving a Formal Complaint or Appeal and any relevant supporting information, the School will commence the process of reviewing and assessing the Formal Complaint or Appeal.
- (d) The School will take all reasonable measures to finalise the Formal Complaint or Appeal process as soon as practicable.
- (e) The Parent or Guardian will be provided with a written statement of the outcome of the School's decision in response to the Formal Complaint or Appeal, including details of the reasons for the outcome.

### **EXTERNAL COMPLAINTS AND APPEALS PROCESS**

- (a) If a Parent or Guardian wishes to lodge an external complaint about the outcome of the Formal Complaint or Appeal, the Parent or Guardian may contact the Overseas Students Ombudsman.
- (b) For more information visit the Overseas Students Ombudsman website [www.oso.gov.au](http://www.oso.gov.au) or phone 1300 362 072.
- (c) Any external complaint or appeal to the Overseas Student Ombudsman must be made within ten (10) working days of the Parent or Guardian receiving notification from the School of the outcome of the internal Formal Complaint or Appeal.

### **OUTCOME OF PROCESS**

If the internal or any external complaint or appeal process results in a decision that supports the overseas student, the School will immediately:

- (a) implement any decisions and/or corrective and preventative action required;  
and
  - (b) advise the Parent or Guardian of the outcome.
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