



Complaints and Appeals Policy for International Students

A copy of this policy will be provided to the student (or parent(s)/legal guardian if the student is under 18) at a reasonable time prior to a written agreement being signed, and again during orientation or within 7 days of the commencement of student attendance of the enrolled course.

1. Purpose

The purpose of this policy is to provide a student or his Parents or Guardian with the opportunity to access procedures to facilitate the resolution of a dispute or complaint involving Brisbane Boys' College, or an education agent or third party engaged by Brisbane Boys' College to deliver a service on behalf of the College. The processes described within this policy are conciliatory and non-legal.

2. Scope

This policy covers complaints and appeals brought by an international student or by a Parent or Guardian on behalf of an international student against Brisbane Boys' College with respect to enrolment under the ESOS Framework.

3. Policy Principles

- (a) This policy does not cover general complaints a student, Parent or Guardian may have regarding general matters concerning the student's attendance at Brisbane Boys' College, such as academic or disciplinary matters outside the ESOS Framework. Please refer to The *Brisbane Boys' College Complaints Policy and Procedure* available on the Brisbane Boys' College website.
- (b) The complaint resolution process will be conducted in accordance with the principles of natural justice
- (c) Confidentiality will be maintained to the greatest possible extent at all stages of the complaint management process.
- (d) 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) international student accommodation;

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Current version date: 23rd February 2020

Review Date: 1st February 2021

Legal Entity: The Presbyterian and Methodist Schools Association T/A Brisbane Boys' College | ABN 43 257 489 023 |
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- (v) the transfer of an overseas student to or from the College, 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 international student to transfer to a course offered by another school);
 - (vi) incorrect advice given by the College's education agent; or
 - (vii) a decision made by the College that affects the enrolment of the international student.
- (e) Where an overseas student has received notice from Brisbane Boys' College that it intends to report the student for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student, Parent or Guardian has 20 working days in which to access the College's internal complaints and appeals process under this policy.
- (f) A complaint or appeal cannot be made under this policy about a refund that is governed by the ESOS Act.
- (g) If a student, Parent or Guardian chooses to access the internal complaint or appeals process under this policy:
- (i) Brisbane Boys' College will maintain the enrolment of the international student while the process is ongoing (this means the College will not notify the Department of Education and Training (DET) via PRISMS of any change to the student's enrolment status); and
 - (ii) the international student is required to maintain enrolment and attendance at all classes as normal. The Deputy Headmaster – Academic Performance and Innovation P-12 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 Brisbane Boys' College's decision to report the student for unsatisfactory course progress or attendance, the College must maintain the student's enrolment until the external process under this policy (with the Overseas Student Ombudsman) is complete and has supported the College's decision; or
 - (ii) If the complaint or appeal is against Brisbane Boys' College's decision to defer or suspend a student's enrolment due to misbehaviour or to cancel the student's enrolment, then the College 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.
- (h) A student, Parent or Guardian may be accompanied and assisted by a support person at any meetings with Brisbane Boys' College as part of a complaints or appeal process.

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- (i) Nothing in this policy prevents a student, Parent or Guardian from taking action under Australia's consumer protection laws.

4. Complaints and Appeals Processes

4.1 Informal complaints resolution

- (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 Director of Admissions. (Informal Complaint or Appeal).
- (c) The Director of Admissions 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 student, Parent or Guardian may lodge a formal complaint or appeal.

4.2 Formal Internal Complaints Handling and Appeals Process

- (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) Brisbane Boys' College will keep a written record of the Formal Complaint or Appeal and any supporting evidence on the international student's file.
- (c) Within ten (10) working days of receiving a Formal Complaint or Appeal and any relevant supporting information, Brisbane Boys' College will commence the process of reviewing and assessing the Formal Complaint or Appeal.
- (d) The College will take all reasonable measures to finalise the Formal Complaint or Appeal process as soon as practicable.
- (e) The student, Parent or Guardian will be provided with a written statement of the outcome of the College's decision in response to the Formal Complaint or Appeal, including details of the reasons for the outcome.

4.3 External Complaints and Appeals Process

- (a) If a student, Parent or Guardian wishes to lodge an external complaint about the outcome of the Formal Complaint or Appeal, the student, Parent or Guardian may contact the Overseas Students Ombudsman.
- (b) For more information visit the Overseas Students Ombudsman website 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 student, Parent or Guardian receiving notification

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from Brisbane Boys' College of the outcome of the internal Formal Complaint or Appeal.

5. Outcome of Processes

If the internal or any external complaint or appeal process results in a decision that supports the international student, Brisbane Boys' College will immediately:

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

6. Definitions

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

College means Brisbane Boys' College.

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 2018.

Parent or Guardian means the parent(s) or guardian(s) of the international student (or intending international student) who signed the letter confirming the international student's offer of placement at Brisbane Boys' College.

PRISMS means the Provider Registration and International Student Management System. Registered Provider has the meaning under the ESOS Act.

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