



STUDENT APPEALS POLICY & PROCEDURE

1.0 Purpose

The purpose of this Policy & Procedure is to define the system available to students for dealing with appeals. Also it defines the system used to meet the requirements of:

National Code of Practice-Standards 8

2.0 Responsibility

2.1 The Student Services Coordinator is responsible for implementation of this procedure and ensuring that staff and students are made aware of its application.

3.0 Requirements

3.1 Appeals may arise from a number of sources including appeals against assessment, appeals against discipline actions and appeals against decisions arising from complaints. The essential nature of an appeal is that it is a request by a student to reconsider a decision made by the Institute. All training and assessment related appeals will be managed by the Manager – Academic and Student Services (MASS) , unless the appeal is against a decision of the MASS. In that case the appeal shall be managed by the CEO.

3.2 The Institute will attempt to resolve the appeal informally and, if this cannot be achieved, the formal appeals process will commence.

3.3 A student's enrolment must be maintained whilst an appeal is in progress and the outcome has not been determined. At no stage during the appeals process will the student be disadvantaged in any way. The student will still be entitled to all their protected rights as an enrolled International student under legislation be it the ESOS Act or The National Code of Practice. The Students enrolment will not be suspended, deferred or cancelled during the complaints and appeals process.

3.4 The appeals process, both informal and formal, is initiated by a student completing the student appeals form. The appeals form is available at the reception desk at premises of ANIBT.

3.5 Students wishing to lodge an appeal in respect to the Institute's intention to suspend or cancel the enrolment of the student must do so within 20 working days. (The 20 working days will be calculated from the date of the Intention to Report letter, or the letter notifying of the intention to suspend or cancel.)

3.6 The resolution phase must commence within 10 working days of the appeal being lodged in writing.



3.7 A maximum time of 20 working days from the appeal being lodged in writing will be allowed for the resolution unless all parties agree in writing to extend this time.

3.8 The formal appeal process will be conducted by a legal representative engaged by the Institute and at no cost to the student.

3.9 Students appealing an assessment, including RPL outcome, will be given the opportunity for reassessment by a different assessor selected by the Institute. The recorded outcome of the assessment appeal will be the most favorable result for the student from either the original assessment or the reassessment. If the student is not satisfied with the result of the reassessment, the student may make a request of the Institute pursuant to clause 3.13. The reassessment shall be regarded as the completion of the internal formal appeal.

3.10 For all internal formal appeal

The student will have an opportunity to present his or her case in person, or, if the student elects, in writing.

A student may be accompanied and assisted by a support person at any relevant meetings.

In all other respects the appeals procedure will be determined by the legal representative

The outcome of the formal internal appeal and reasons for the outcome will be recorded in writing and signed and dated by the student and the Institute and placed in the student file. The student will be provided with a copy of the signed written document.

3.11 If the student appeal is successful the Institute must implement the decision as conveyed to the student.

3.12 If the student is not satisfied with the outcome of the formal internal appeal; the student may request the Institute to assist the student in an appeal to an external mediator.

3.13 The Institute will ensure, if requested by the student, that the appeal is lodged within 3 working days after the request from the student.

3.14 There are no further avenues within the Institute for appeals after an internal formal appeal phase has been completed, if the appeal remains unresolved.

Note:

The Overseas Students Ombudsman is a new external complaints and appeals mechanism available to all private registered education providers (except South Australia: explained below) and current - or intending - overseas students under standard 8 of the National Code 2007.

The Overseas Students Ombudsman will investigate complaints at no cost to the provider or student.

The legislation establishing the Overseas Students Ombudsman passed on 21 March 2011 and came into effect on 9 April 2011.



What do I need to know?

The Overseas Students Ombudsman can investigate complaints about action taken by private providers in connection with overseas students. Complaints might, for example, be about:

- refusing admission to a course
- fees and refunds
- course or provider transfers
- course progress or attendance
- cancellation of enrolment
- accommodation or work arranged by a provider
- incorrect advice given by an education agent.

The Overseas Students Ombudsman cannot investigate complaints about:

- public providers (which are already covered by the State and Territory Ombudsman)
- domestic Australian students
- students from overseas who are not on a student visa (e.g. students studying on a visitor, working holiday or temporary business visa).

If you wish to lodge an external appeal or complain about this decision, you can contact the Overseas Students Ombudsman. The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website www.oso.gov.au or phone 1300 362 072 for more information.

Frequently Asked Questions (FAQs) for providers and other information about the Overseas Students Ombudsman are available at www.oso.gov.au