



Sydney College of Professional Education Pty Ltd
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Complaints and Appeals Policy & Process

Sydney College of Professional Education has a specific complaints and appeals policy and process that will ensure students'/International students' complaints and appeals are addressed fairly, effectively, and efficiently. Furthermore, overseas students, trainers, assessors, other college staff and stakeholders will have a public access to Complaint and Appeal forms, policies, and processes.

Additionally, all international students will be provided appeal forms with the **Assessment results** to ensure that international students have necessary forms to appeal against assessment decisions and procedural matters. Complaints and Appeal forms along with the policy and procedures are also available on our website, www.scpe.edu.au. Furthermore, all complaints and appeals are regularly documented and retained for records.

Students have the following documents to lodge and know about our complaints and appeals forms:

- The Complaint Form
- The Appeal Form
- Complaint & Appeal Feedback Form

Purpose of Complaints and Appeals Policy & Processes for the International Student

Sydney College of Professional Education Pty Ltd strives to ensure that each international student is satisfied with their learning experience and outcomes and college's decisions. In the unlikely event if the International student needs to pursue a complaint or appeal, this document provided guidelines about our policy, processes and lodgement forms. Systems are in place ensuring that all International students have access to a rigorous, fair and timely complaint and appeal processes. Our staff is readily available to help you with complaint and appeals related information. Staff members will also support you throughout the process in a way that students are not disadvantaged.

If the initial causative factor of the complaint identifies a problem with current systems, processes and facilities of Sydney College of Professional Education, our improvement procedure will ensure that changes are made to prevent reoccurrence of the problem. Corrective actions will be documented appropriately. If the outcome of a student's appeal through a provider's internal or external complaints and appeals handling process is favourable to the student, Sydney College of Professional Education will immediately advise the student of this and implement the required corrective and preventive actions. All International students will receive timely correspondence regarding the status and receipt of your lodgements.

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Note: Students are advised to keep code of expectable conduct whilst communicating with the relevant staff to make a complaint or appeal. Students can ask the student support team any question during the grievance resolution process.

Student Enrolment during complaint and appeals

Sydney College of Professional Education will maintain the student's enrolment while the complaints and appeals process are ongoing. All students are encouraged to maintain their usual course progress and attendance during the resolution period unless advised otherwise by writing by Sydney College of Professional Education. While the resolution is being achieved, the provider 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).

Students will not incur costs in accessing Sydney College of Professional Education's complaints and appeals process internally and through independent party (i.e., Student Mediation Scheme).

INFORMAL RESOLUTION – Stage 1

Sydney College of Professional Education staff is happy to achieve informal resolution with the student. In this case, the CEO of Sydney College of Professional Education can be involved if the staff member or the student deems it necessary. During the informal process, the student can simply raise their concerns with the relevant staff member via a chat or email. The student and staff member can resolve the matter at their level provided the student is happy with the resolution. Sydney College of Professional Education staff will provide you with final resolution outcome via email so that the record of the resolution is maintained.

How to discuss complaint informally?

At first, the student can discuss a grievance informally by approaching the relevant person. If the student is happy with the resolution provided, resolution process will stop here, and staff member will note down the resolution and will document it in the continuous improvement register. Examples of such complaints might be, untidy classrooms, kitchen or other facilities, college computers' problems, or fight among two students or other day-to-day matters that can simply be resolved when brought into the attention of Sydney College of Professional Education's staff.

However, there may be cases, where the informal resolution is deemed inadequate by the overseas student. In such cases, the impacted person can pursue a formal resolution.

COMPLAINTS - Stage 2

If you are still not happy with the informal resolution, the matter can be formally escalated. Students can formally raise concerns relating to training delivery, facilities, student amenities, discrimination, sexual harassment, and other issues that may arise. A complaint may also be in relation to another student, college staff, college management or any person affiliated with Sydney College of Professional Education such as third parties delivering (i.e., Education agents doing recruitment and marketing) services on behalf of Sydney College of Professional Education's.

All formal complaints must be submitted by the Student in writing (i.e., by filling out the Complaint Form). Sydney College of Professional Education has ensured that complaint forms are easy to read and complete. Complaint forms are to be found on our website, college reception and / or can be requested via email from Sydney College of Professional Education.

Information obtained through the complaint form allows Sydney College of Professional Education to manage and respond to allegations involving the conduct of:

- ▽ Sydney College of Professional Education, its trainers, assessors, Sydney College of Professional Education staff and other parties involved
- ▽ Other international student of Sydney College of Professional Education

Complaint Resolution Time

Sydney College of Professional Education will respond to all complaints within **30 calendar days** of the receipt. After receiving a written complaint or appeal, Sydney College of Professional Education will begin the resolution process within **10 calendar days** of the provider receiving the formal written lodgement of the complaint.

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Complaint Resolution Outcomes

Sydney College of Professional Education will provide a **written statement** of the outcome including details and reasons for the decision.

College Complaint Resolution Committee

The CEO will convene the complaint committee. The complaint committee will consist of a panel of members with no previous involvement or vested interest in the outcome of any complaint. Members of the committee will include:

- ∇ A representative of Sydney College of Professional Education. management
- ∇ A Sydney College of Professional Education training staff member
- ∇ A person not directly involved in providing the services for which students are raising their concerns.
- ∇ Student can involve their representative if the student is willing

Although, the complaint committee will have an independent member, Sydney College of Professional Education will provide an independent review (i.e., external to Sydney College of Professional Education) for the complaint only if independent review is requested in writing by the student and when the internal complaint and appeal process is exhausted. The Stage 3 will be implemented in that case.

How to lodge a Formal complaint?

It is a normal procedure that all **formal complaints** are lodged in writing by filling out the Complaint Form. The Complaint form is available on Sydney College of Professional Education website, to all persons (i.e., college staff, trainer/assessor, the international student, stakeholder) wishing to make a complaint. If required, the Sydney College of Professional Education staff will assist you in filling out the form. Complaint form can be submitted to any staff member or via email. This ensures that the student does not shy away from handing the form.

Each party may be accompanied and assisted by a support person at any relevant meetings.

After being in receipt of the complaint form, complainants will immediately receive an acknowledgement email that the complaint has been received by Sydney College of Professional Education staff. Complainants will receive the final resolution outcome by way of writing within **30 Calendar days**. International students will be informed by way of writing if the resolution will take longer than **60 calendar days**.

Resolution Outcomes

Sydney College of Professional Education complaint and appeal resolution committee will inform all parties involved of the outcome in **writing** or via email.

Although Sydney College of Professional Education will try to resolve all complaints and appeals within **30 Calendar days**, for complaints with added complexity, and for example, in the instance where the review is conducted by independent parties, the resolution may take longer, hence, all international students will be notified in writing if the resolution of complaints will take longer than **60 calendar days**. Also, the reasons for the delayed temporal course of resolution will be provided in writing to the complainant. Sydney College of Professional Education's management will maintain the complaints register to document the course of action and resolution of all formal complaints. All complaints including feedback substantiated by the complaints procedure will be reviewed as part of the Sydney College of Professional Education's continuous improvement procedure.

Independent resolution of complaints and appeals – Stage 3

The institute will encourage the parties to approach a complaint or appeal with an open view. We will attempt to resolve problems through discussion and conciliation and formal internal processes. Where a complaint or appeal cannot be resolved through discussion and conciliation and internal review, we acknowledge the need for an appropriate **external** and independent agent to review the resolution. Sydney College of Professional Education has arrangements with Student Mediation Scheme, infoaus@resolution.institute. The review is **free of charge** for the student. Sydney College of Professional Education will provide an independent review (i.e., external to the Institute) for the external mediation **only if requested in writing by the student**.

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The student will be provided the Form with the Stage 2 outcome to lodge independent review. This form will be different to the one lodged previously. The form will be given personally during the process. The student can submit the independent review form to any staff member of Sydney College of Professional Education or via email.

Sydney College of Professional Education is the member of the **Student Mediation Scheme** having access to the following services:

- Appointment of a mediator
- Arranging a mutually convenient date and location for any preliminary conference and the mediation
- Arranging the mediation venue and any teleconference for the preliminary conference, if applicable
- Notifying the parties and the mediator of the arrangements
- Providing each of the parties and the mediator with the documentation necessary to conduct the mediation

Sydney College of Professional Education's management will ensure adherence to the external review of complaint and appeal procedure and that a resolution is sought in all reasonable circumstances. This includes informing and assisting overseas students with the appeal procedure and supply of appeal forms. Sydney College of Professional Education support staff is happy to assist you in filling out the external mediation Form.

Nothing in this procedure inhibits student's rights to pursue other legal remedies. Students are entitled to resolve any dispute by exercising their rights to other legal remedies. Students wishing to take this course of action are advised to:

- ∇ Contact a solicitor of the students' choice

If the student is still unsatisfied with the external review

Students can contact ASQA and lodge a written complaint against Sydney College of Professional Education.

The student can contact the Department of Education through the ESOS online enquiry form or through **the ESOS helpline 1300 615 262**. Sydney College of Professional Education may provide further information upon inquiry in relation to this.

Availability of Student Support in Lodging Complaints

Students will be given adequate information about the complaints and appeals processes during their orientation programme and via student handbook. When the student is lodging a complaint or appeal, student support officer help the student in providing all necessary information required for lodgement and resolution. The student will be adequately supported using all available means. More details are provided in the procedure section of the policy and procedure.

APPEALS

Appeals are different from complaints which may comprise for example, appeal against: recording assessment results inaccurately, receiving a failing grade in a unit of competency, refusal of fees refund, refusal of grant of release letter, notification of an intention to report a student to Department of Home Affairs, or suspension, cancellation and deferment of study and other decisions taken by Sydney College of Professional Education affecting the student.

An appeal may be in relation to any decision made by Sydney College of Professional Education that impacts the student. The Sydney College of Professional Education's appeals process is concerned with the overseas student's right to request a change to decisions or processes of an official nature, usually in relation to academic or procedural matters. Also, assessment decisions include RPL assessment decisions. The student will not incur **costs** when accessing the internal appeals process unless they seek legal representation.

All appeals are to be lodged formally if the initial informal resolution is not achieved. Student has up to **20 working days** to lodge a formal appeal after an apparently unfavourable decision by Sydney College of Professional Education. Each party may be accompanied and assisted by a support person at any relevant meetings.

The following matters must be lodged via the formal internal appeals within **20 working days** of notification of an intention to report the student to Department of Home Affairs to be considered by Sydney College of Professional Education.

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- ∇ Deferral of commencement, suspension or cancelling a student enrolment
- ∇ Reporting matters concerning unsatisfactory course progress and attendance

College Appeal Committee

The appeal committee will consist of a panel of members with no previous involvement or vested interest in the outcome of the specific appeal. Members of the committee will include:

- ∇ CEO, Sydney College of Professional Education
- ∇ Sydney College of Professional Education trainer & assessor
- ∇ A person not directly involved in providing the services for which students are raising their concerns

Appeal Resolution Time

Sydney College of Professional Education will respond to all Appeals within **30 calendar days** of the receipt. After receiving a written appeal, Sydney College of Professional Education will begin the resolution process within **10 calendar days** of the provider receiving the formal written lodgement of the appeal.

Appeal Resolution Outcomes

Sydney College of Professional Education will provide a **written statement** of the outcome including details and reasons for the decision. Continuous improvement procedures may be actioned when the appeal procedure results in identification of factors appropriate for improvement to internal operations. When the initial causative factor of the appeal identifies a problem with current Sydney College of Professional Education's policies and / or procedures, the continuous improvement procedure will ensure changes are made to prevent reoccurrence of the problem.

How to lodge an appeal?

Overseas students will receive Appeal related information via student orientation and student handbook. The Appeal Form is also published on Sydney College of Professional Education website. All international students or candidates wishing to make an appeal or any other manner of objection in relation to the decision (e.g., assessment marking) of Sydney College of Professional Education have access to the following procedure:

STEP 1. Informal appeal:

An initial appeal will involve the appellant communicating directly with Sydney College of Professional Education's assessors/trainers/relevant staff verbally about the nature of appeal. Sydney College of Professional Education Pty Ltd. management will reach decision, discuss their judgement with the appellant and record the outcome of the appeal.

International students / Candidates dissatisfied with the outcome of Sydney College of Professional Education's decision may initiate the formal appeal's procedure.

STEP 2. Formal appeal:

- In case of *formal appeal* against assessment marking, all international students are required to wait at least **24 hours (cooling off period)** before they can appeal the assessment decision.
- It is a normal procedure that all formal appeals proceed only after the initial informal appeal (i.e., except for an intention to report the student to Department of Home Affairs)
- The formal appeal is to be submitted in writing by way of filling out the Appeal Form.
- After receiving the written appeal, Sydney College of Professional Education will notify international students acknowledging the receipt of the appeal via email.
- Sydney College of Professional Education CEO will convene the appeal committee to reach a resolution,
- Sydney College of Professional Education appeal committee will reach a decision on the appeal after careful considerations
- Sydney College of Professional Education will try its best to resolve the appeal as soon as practicable.

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- International students will be informed in writing of the outcome within **(30) calendar days** of lodging the appeal. If the resolution takes longer than **60 calendar days**, appellants will be notified in writing by explaining reasons for delayed temporal course of *their appeal* resolution.

The formal notice of appeal is required to comply with the following principles upon submission to Sydney College of Professional Education management:

- The notice of formal appeal should be made in writing, addressed to Sydney College of Professional Education for referral to the management team and submitted within (20) working days of College's decision. The appeal form is available on the website and can be requested by email. Also, appeal forms are given to international students with the Assessment Results.
- The notice of appeal must be submitted within the specified timeframe otherwise the original result will stand. If the international student's appeal needs to be deferred due to emergency, such as in the case of serious illness or injury, a medical certificate supporting the case must be forwarded to Sydney College of Professional Education management via email (scpe.ceo@outlook.com). The notice of deferral must be submitted within (7) calendar days of the conclusion date displayed on the medical certificate.
- Appeal processes through Sydney College of Professional Education is free of charge including the independent appeal pursued via Sydney College of Professional Education mediator.
- Students may also seek to pursue a legal route if they feel unsatisfied with the outcome. Costs of any legal action incurred by the student are to be covered by the student.

The Student support officer or Course Coordinator will support via the following means:

- Assist the student register their formal complaint or appeal
- Provide lodgements forms
- Ensure the resolution phase commences within specified time (i.e., 10 calendar days) of the written appeal being lodged
- Provide the student, or the students representative, with an opportunity to present their complaint
- Ensure to fully understand your complaint / appeal
- Work with you to identify how the complaint can be resolved to your satisfaction
- Consult and negotiate with all parties involved with the complaint to obtain their commitment and agreement to the proposed solution
- Formally document the resolution to the complaint including reasons for the method of resolution and provide the student with a written copy of the document
- Arrange for the proposed resolution to be signed off by the student
- Monitor the implementation of the resolution to ensure that all parties adhere to the agreed resolution
- Ensure that corrective measures are implemented immediately by Sydney College of Professional Education if applicable
- Advise the student to take the complaint/ appeal to the next stage if a resolution cannot be agreed upon

External appeal mediation/resolution

When the student has exhausted Sydney College of Professional Education's internal appeal process without reaching an acceptable resolution, the students can **fill a form (i.e., LEADR Application for External Review)** to access an external appeal mediation/resolution.

All students can access the website, <https://www.resolution.institute/membership-information/student-mediation-scheme> for further information.

Sydney College of Professional Education staff will email students LEADR application form or students can fill in the form at Sydney College of Professional Education reception. After the receiving the student application for an external review, applicants will be forwarded a letter (by email or post) acknowledging the receipt of their external appeal and a copy of this policy and procedure within 5 working days of Sydney College of Professional Education receiving such request.

The institute will forward all external appeals to the mediator agreed by both parties e.g., LEADR within 5 working days.

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LEADR will advise the student that in general, the purpose of the external appeals process is to determine whether Sydney College of Professional Education has followed its internal complaints and appeals policy and procedure.

It is noteworthy that mediators will not review the evidence or decide in place of those made by Sydney College of Professional Education.

Students will not incur costs in accessing the external appeals process.

All documentation will be placed in the students file and records will be retained.

The mediator will provide a written statement of the outcome including reasons and details for the decision to the appellant and Sydney College of Professional Education at the completion of the external appeals process.

If the outcome of the external appeals process results in a decision favouring the student, Sydney College of Professional Education will immediately implement any corrective action, decision or measures required as indicated in the written response provided by the external appeals body.

The student will be contacted within one business day of receiving notification of the decision.

There are no further avenues provided by Sydney College of Professional Education available to students once the internal and external complaints and appeals process has been accessed. Students have the right to access Department of Education processes, overseas students' ombudsman, or other legal avenues.

If the appellant is still not satisfied with the resolution of the appeal, the international student may contact ASQA and lodge a written complaint against Sydney College of Professional Education. The student can contact the Department of Education through the **ESOS online enquiry form** or through the **ESOS helpline 1300 615 262**.

International students may also access the external appeals process through the **Overseas Students Ombudsman**. The Overseas Students Ombudsman offers a free and independent service for overseas students who wish to appeal a decision after the conclusion of the internal complaints and appeals process. Further information can be obtained from the Overseas Students Ombudsman website **www.oso.gov.au** or phone **1300 362 072** for more information.

The Students Ombudsman will not review evidence or make the decision in place of that made by Sydney College of Professional Education. The Students Ombudsman will provide a written statement of the outcome including reasons and details for the decision to the appellant and Sydney College of Professional Education at the completion of the external appeals process. The student will be advised as to the course of action taken by Sydney College of Professional Education as per the Overseas Students Ombudsman's advice.

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