

# Student Complaint and Appeals Procedure

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<b>Date of effect:</b>	28 May 2018
<b>Date last amended:</b>	19 March 2025
<b>Dates amended:</b>	28 September 2021 2 September 2024 19 March 2025
<b>Date of next review:</b>	19 March 2028
<b>Approved by</b>	Stanley College Academic Board
<b>Authorised Officer</b>	Registrar
<b>Supporting documents, procedures and forms of this procedure</b>	Student Complaint and Appeals Policy Privacy Policy Information Management Policy and Procedure Complaints and Appeals Form
<b>Related Legislation and Codes of Practice</b>	<a href="#">Education Services for Overseas Students (ESOS) Act 2000</a> <a href="#">Higher Education Provider Guidelines 2012</a> <a href="#">Higher Education Standards Framework 2021, Part A: Standard 2.4 (Student Grievances and Complaints)</a> <a href="#">National Code 2018, Standard 10</a> <a href="#">Tertiary Education Quality and Standards Agency (TEQSA) Act 2011</a> <a href="#">Privacy Act 1988</a> <a href="#">Information Privacy Bill 2007 (WA)</a>
<b>Audience</b>	Public

## **1. PROCEDURE**

### **Stage One: Informal Resolution Procedure (Internal)**

- 1.1 A complainant or respondent is not compelled to undertake informal resolution and may at any time invoke the formal complaints process. However, the informal process is preferred, where appropriate, as it aims to:
  - a. Establish if the issue is a misunderstanding or error.
  - b. Achieve a prompt resolution at the local level and avoid lengthy formal proceedings.
  - c. Encourage a consultative approach to resolution.
  - d. Promote the resolution of workplace issues without resorting to official channels until informal resolution has been attempted.
- 1.2 The complainant may seek to resolve the issue with the respondent directly in order to resolve the matter as soon as possible and reach an acceptable outcome. To this end, complainants are encouraged to seek information from, or to calmly discuss issues with, any person or persons whose behaviour (in any form) is seen to be unfair, damaging or contravening codes or policies relating to fair and equitable treatment. Contact may be made either face-to-face, (including online) or via email in most instances.
- 1.3 Stanley College staff may, if approached at the informal stage, offer coaching or suggestions for resolution of any issue with another student unless it is determined that the issue is serious enough to warrant escalation to a formal complaint.
- 1.4 For informal complaints of an academic nature (e.g. an assessment grade), the student may speak directly to the lecturer involved or, if preferred, the Academic Program Manager (APM). For informal complaints regarding Stanley College administration (e.g. fees, safety issues, equipment etc.), the student should enquire at reception for advice on a suitable contact person.
- 1.5 Resolution of complaints using the informal process should be reached as soon as practically possible. This should not exceed 10 working days, unless delayed by unavoidable circumstances. If required and agreed to, resolution may proceed up to 20 working days, after which the complaint should be withdrawn or the formal resolution process invoked.
- 1.6 If the student is not satisfied with the outcome of any informal discussion, they may lodge a formal complaint as outlined below.

### **Stage Two: Formal Resolution Procedure (Internal)**

- 1.7 To make a formal complaint, the complainant must contact Reception and seek to speak with the Student Services Team, or complete the Complaints and Appeals Form (available from Reception and on the Stanley College website). Complainants who are unsure how to proceed may seek assistance and advice from any staff member.
- 1.8 Complainants should lodge a formal complaint within 20 working days of:
  - a. The incident initiating a complaint and where the complainant prefers to use the formal resolution process; or
  - b. Any attempt to resolve the incident informally and which has failed; or

- c. Any repeat of the behaviour following an attempt to informally resolve the first incident of that behaviour; or
  - d. Receiving advice from a Stanley College staff member to consider a formal complaint.
- 1.9 The Registrar may approve an extension of time to lodge a formal complaint where there are exceptional circumstances.

### **Formal Complaint Process and Initial Assessment**

- 1.10 Stages of a formal complaint:
- a. Complainants outline the incident or issue in writing and endorse the accuracy of notes taken in any subsequent interview with Stanley College assessors.
  - b. The desired outcomes of the complainant are discussed with the Stanley College assessor and noted.
  - c. The formal complaint is entered in the Student Management System.
  - d. Information detailing the complaint is forwarded to the respondent and requires a response within 10 working days.
  - e. Meetings (face-to-face or online) commence within 5 working days of receipt of the responder's acknowledgement of the complaint. Meetings may include individuals or all parties. Notes or recordings taken in any meeting must be endorsed by all attendees.
  - f. Additional meetings may be scheduled, as appropriate.
  - g. Additional documentation or written responses may be sought;
  - h. All statements are confidential and without prejudice;
  - i. Assessment is based on a review of all evidence compiled in the formal complaint process.
  - j. A proposed resolution will be developed, and all parties to the complaint will be advised verbally and in writing of the decision and any resulting actions to be taken – this will include rights to Internal Appeal and subsequent External Appeal.
  - k. The details and supporting information will be entered into the Student Management System.
  - l. Wherever possible, formal complaints will be resolved within 10 working days of the complaint being lodged with Stanley College.

### **Appeal for Review of the Internal Assessment**

- 1.11 Any party not satisfied with the outcome of the initial assessment (above) has the right to appeal against the decision using further internal processes. The appeal must be made in writing, clearly stating the grounds for appeal.
- 1.12 If the outcome of the internal appeal/s is not successful, appeals may be made to an external assessor as per the External Appeal Procedures, below at minimal or no cost.
- 1.13 The Registrar will conduct the Internal Appeal review and adjudicate. Where circumstances warrant, the Registrar may delegate management of the appeal to appropriate Stanley College staff.
- 1.14 The outcome of the Internal Appeal, and any resulting actions, will be communicated to all relevant parties in writing. This communication will include information detailing the right to, and

procedures for invoking an External Appeal. All details will be entered into the Student Management System, and information added to appropriate files and records as necessary.

- 1.15 The Dean, Higher Education, representing the Executive Management Team, is the final point of internal appeal within Stanley College.

### **Stage Three: External Appeal Procedures**

- 1.16 If the complainant or responder is not satisfied with the final outcome of the Formal Procedure and the internal appeal, the student is able to lodge a request to have the matter dealt with externally. Stanley College will provide the contact details of the external appeal avenues on the written notification of the formal complaint finding and will encourage anyone unsatisfied with the internal assessment and any associated internal appeal to lodge an external appeal.
- 1.17 Unless otherwise stated, an appeal with an External Agency is free of charge.
- 1.18 An appeal to an external mediator must be made within 20 working days of the notification of the outcome of the Internal Appeal in the Internal Formal complaints process.

### **Options and contacts for an external appeal**

- 1.19 There are a number of avenues for external dispute resolution, depending on the nature of the complaint. Stanley College will recommend the appropriate agency for managing the external appeal.

#### **a. External Conciliation**

Should the internal appeal procedures listed above, not resolve the complaint to the satisfaction of the complainant, provision is made for external, independent complaint resolution by reference to the Resolution Institute (RI). The RI will act to appoint an external reviewer who is independent of Stanley College. The RI-appointed reviewer must make a determination and advise the Registrar, the complainant and RI within 30 days, providing in writing the reasons and rationale for any decisions and/or actions to be taken. If the RI-appointed reviewer makes recommendations in relation to a reviewed complaint, the Registrar will ensure that the recommendations are implemented within 20 working days. Decisions of the RI-appointed reviewer shall be final and binding on all parties.

The contact details for the Resolution Institute are:

Suite 602, Level 6, Tower B, Zenith Centre

821-843 Pacific Highway

Chatswood NSW 2067

PO Box 440, Chatswood NSW 2057

Phone +61 2 9251 3366

1800 651 650

Email: [infoaus@resolution.institute](mailto:infoaus@resolution.institute)

#### **b. Commonwealth Ombudsman**

In addition to 1.19.a. above, international students making complaints about Stanley College may lodge an appeal with the Commonwealth Ombudsman at no cost. The Commonwealth Ombudsman investigates complaints that international students have with private education providers in Australia.

The Commonwealth Ombudsman can be contacted from 10.00 am to 4.00 pm Monday to Friday, except Wednesday 10.00 am to 2.00 pm Australian Eastern Daylight Time (AEST), or AEDT during daylight saving.

Contact details are:

Phone: 1300 362 072 (Calls from mobile phones at mobile phone rates)  
International: +61 2 5117 3600  
Complaints: [Online Complaint Form](#)  
Website: <https://www.ombudsman.gov.au/complaints/international-student-complaints>  
Post: Commonwealth Ombudsman, GPO Box 442, Canberra ACT 2601  
Media Enquiries: Email: [media@ombudsman.gov.au](mailto:media@ombudsman.gov.au)

Translating and Interpreter Service (TIS):

Non-English speaking students can get help through the Translating and Interpreter Service (TIS) on 131 450.

National Relay Service:

Students who are deaf, or hearing impaired or speech impaired can contact the National Relay Service:

- TTY users phone 133 677 then ask for 1300 362 072
- Speak and Listen users phone 1300 555 727 then ask for 1300 362 072
- Internet Relay users connect to the National Relay Service then ask for 1300 362 072

Information for international students in many community languages are available here:

<https://www.ombudsman.gov.au/complaints/international-student-complaints/information-international-students>

c. ***Ombudsman Western Australian***

The Western Australian Ombudsman's office is open from 8.30 am to 4.30 pm Monday to Friday.

Contact details are:

Phone: (08) 9220 7555  
Free call: 1800 117 000 (toll free for country callers)  
Facsimile: (08) 9220 7500  
Media Enquiries: Email: [media@ombudsman.gov.au](mailto:media@ombudsman.gov.au)  
Office Address: Level 2, Albert Facey House, 469 Wellington Street, PERTH WA 6000  
Postal Address: Ombudsman Western Australia PO Box Z5386, St Georges Terrace, PERTH WA 6831

National Relay Service:

TTY or modem users phone 133 677 and quote 9220 7555.

Voice-only (speak and listen) users phone 1300 555 727 and quote 9220 7555.

Interpreter Service:

Translating and Interpreting Services (TIS) National on 131 450.

Web-links to the Ombudsman Western Australian:

[https://www.ombudsman.wa.gov.au/Complaints/Complaint\\_Form.htm](https://www.ombudsman.wa.gov.au/Complaints/Complaint_Form.htm)

[http://www.ombudsman.wa.gov.au/Publications/Documents/guidelines/Complaints\\_by\\_overseas\\_students.pdf](http://www.ombudsman.wa.gov.au/Publications/Documents/guidelines/Complaints_by_overseas_students.pdf)

Information booklets from the ombudsman are also made available at the campus.

d. ***Australian Competition and Consumer Commission (ACCC)***

Australian legislation encoded in the *Competition and Consumer Act 2010* governs how all businesses in Australia must deal with their competitors, suppliers and customers.

If a person cannot resolve a complaint with Stanley College that is related to the *Competition and Consumer Act 2010*, the complaint can be referred to the ACCC via the following link: <https://www.accc.gov.au/consumers/complaints-problems/make-a-consumer-complaint>

e. ***Tertiary Education Quality and Standards Agency (TEQSA)***

Students studying with a Higher Education Provider are able to contact TEQSA to register a complaint about education quality issues: <http://www.teqsa.gov.au/complaints>

f. ***National Student Ombudsman (NSO)***

This is a new specific function within the Commonwealth Ombudsman, which commenced on February 1, 2025, helps higher education students, including international students, resolve complaints about their education providers.

They investigate issues like student safety and welfare, course administration, and teaching quality. The NSO ensures fairness, makes recommendations, and offers mediation services. Their service is free, independent, and confidential, supporting student wellbeing with a trauma-informed approach. For more information, visit the NSO website.

Contact details are:

Phone: 1300 395 775 (available Monday to Friday 10.00 am to 4.00 pm AEDT)

International: +61 2 5117 3600

Website: <https://www.nso.gov.au/contact-us>

Media Enquiries: Email: [media@ombudsman.gov.au](mailto:media@ombudsman.gov.au)

Complaints: [Online Complaint Form](#)

Postal Address: National Student Ombudsman, GPO Box 442, Canberra ACT 2601

National Relay Service:

TTY or modem users phone 133 677 and quote 9220 7555.

Voice-only (speak and listen) users phone 1300 555 727 and quote 9220 7555.

Interpreter Service:

Translating and Interpreting Services (TIS) National on 131 450.

## **Implementation of External Review Decisions**

### **1.20 Following an External Appeal:**

- a. The external mediator will submit written findings of the outcome of the review and actions to be taken;
- b. Within 5 working days of receiving the external mediator's findings, the Registrar will confirm receipt with the mediator and advise the parties involved in writing, providing necessary details of the implementation of the recommendations from the external appeal review;
- c. All parties are required to abide by the decision of an external appeal. If a respondent to any complaint does not accept the outcome of the complaints and appeals processes, Stanley College reserves the right to take any action consistent with the findings of the external reviewer. This does not remove the right of any party involved in a complaint to take further action under Australia's Consumer Protection laws or through any other legal remedies;
- d. Depending on the specific contents of the advice, Stanley College will implement the outcomes and any necessary further actions as soon as possible but within 20 working days of the receipt of the advice. Where any course of action cannot be implemented within 20 working days, Stanley College will communicate to all involved parties, a revised timeframe for that course of action; and
- e. The Registrar will also consider the outcomes of complaints and appeals in relation to Stanley College policy and procedures in order to actualise Stanley College's commitment to improvement. Where a complaint or appeal leads to a review or amendment of any Stanley College policy or procedure, the appropriate governance process will be followed to change any Stanley College policy.