



BRISBANE GRAMMAR SCHOOL

## COMPLAINTS AND APPEALS POLICY FOR OVERSEAS STUDENTS

### DEFINITIONS

**ESOS Act** means the Education Services for Overseas Students Act 2019 (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 2018.

**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.

### PURPOSE

- (a) The purpose of Brisbane Grammar School's Complaints and Appeals Policy is to provide a student or parent(s)/legal guardian with the opportunity to access procedures to facilitate the resolution of a dispute or complaint involving Brisbane Grammar School, or an education agent or third party engaged by Brisbane Grammar School to deliver a service on behalf of the School.
- (b) The internal complaints and appeals processes are conciliatory and non-legal.

### COMPLAINTS AGAINST OTHER STUDENTS

Grievances brought by a student against another student will be dealt with under the school's Behaviour Policy/Code of Conduct.

### INFORMAL COMPLAINTS RESOLUTION

- (a) In the first instance, Brisbane Grammar School requests there is an attempt to informally resolve the issue through mediation/informal resolution of the complaint.
- (b) Students should contact the Head of Year in the first instance to attempt mediation/informal resolution of the complaint.

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- (c) If the matter cannot be resolved through mediation, the matter will be referred to the Deputy Headmaster and Brisbane Grammar School's internal formal complaints and appeals handling procedure will be followed.

#### **FORMAL INTERNAL COMPLAINTS HANDLING & APPEALS PROCESS**

- (a) The process of this grievance procedure is confidential, and any complaints or appeals are a matter between the parties concerned and those directly involved in the complaints handling process.
- (b) The student must notify the school in writing of the nature and details of the complaint or appeal.
- (c) Written complaints or appeals are to be lodged with the Deputy Headmaster.
- (d) Where the internal complaints and appeals process is being accessed because the student has received notice by the school that the school intends to report him/her for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has 20 working days from the date of receipt of notification in which to lodge a written appeal.
- (e) Complaints and appeals processes are available to students at no cost.
- (f) Each complainant has the opportunity to present his case to the Deputy Headmaster.
- (g) Students may be accompanied and assisted by a support person at all relevant meetings.
- (h) The formal internal complaints and appeals process will commence within 10 working days of lodgement of the complaint or appeal with the Deputy Headmaster and will be finalised within 10 days, or as soon as practicable.
- (i) For the duration of the internal complaints and appeals process the student's enrolment will be maintained, as required under the National Code of Practice for Providers of Education and Training to Overseas Students 2018 and the student must continue to attend classes. However, if the Deputy Headmaster deems that the student's health or well-being, or the well-being of others is at risk he may decide to suspend or cancel the student's enrolment before the complaints and appeals process has been accessed or fully completed. In such cases, the student may still lodge a complaint or appeal, even if the student is offshore.
- (j) Once the Deputy Headmaster has come to a decision regarding the complaint or appeal, the student will be informed in writing of the outcome and the reasons for the outcome, and a copy will be retained on the student's file.
- (k) If the complaints and appeals procedure finds in favour of the student, Brisbane Grammar School will immediately implement the decision and any corrective and preventative action required and advise the student of the outcome and action taken.
- (l) Where the outcome of a complaint or appeal is not in the student's favour, the school will advise the student within 10 working days of concluding the internal review of the student's right to access the external appeals process. However, the school is only obliged to await the outcome of an external appeal if the matter relates to a breach of course progress or attendance requirements. For all other issues, the school may take action (including making changes to the student's enrolment status in PRISMS) in accordance with the outcome of the internal appeal.

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## EXTERNAL APPEALS PROCESS

- (a) If the student is dissatisfied with the conduct or result of the internal complaints and appeals procedure, he may contact and / or seek redress through the Overseas Students Ombudsman at no cost. Please see: <http://www.ombudsman.gov.au/How-we-can-help/overseas-students> or phone 1300 362 072 for more information.
- (b) If the student wishes to appeal a decision made by Brisbane Grammar School that relates to being reported for a breach of course progress or attendance requirement (under Standard 8), the student must lodge this appeal with the Overseas Student Ombudsman's office within 10 working days of being notified of the outcome of his internal appeal.
- (c) If the student wishes to appeal a decision made by Brisbane Grammar School that relates to:
  - i. refusal to approve a transfer application (under Standard 7), or
  - ii. suspension or cancellation of the student's enrolment (under Standard 9) any choice to lodge an external appeal with the Overseas Student Ombudsman is at the student's discretion. The school need not await the outcome of any external appeal lodged, before implementing the outcome of the internal appeal.

## OTHER LEGAL REDRESS

Nothing in the School's Complaints and Appeals Policy negates the right of an overseas student to pursue other legal remedies.

## 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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