

STUDENT COMPLAINTS AND APPEALS POLICY

Effective Date: December, 2024

Objective

The objective of this policy is to provide students with a clear, fair, and transparent process to resolve complaints and appeals related to their experiences at The Performance College (TPC). This policy aims to ensure that students have access to a timely and effective resolution process for academic, administrative, and welfare concerns, and that all complaints and appeals are handled professionally, confidentially, and in a manner that respects the rights of the students.

Scope

This policy applies to all current and prospective students enrolled at TPC. It covers all forms of complaints and appeals involving the College, its staff, agents, students, or any related party, including issues related to teaching, learning, assessment, administrative processes, and student welfare. The policy applies equally to domestic and international students.

Definitions

- **Complaint:** A formal expression of dissatisfaction made by a student regarding an action, decision, or service of the College.
 - **Appeal:** A formal request by a student to review a decision made by the College, which the student believes was unfair or incorrect.
 - **Student Services:** The team responsible for assisting students with complaints and appeals and ensuring they are informed of their rights and responsibilities.
 - **Student Visa Holder:** An international student holding a student visa under the Education Services for Overseas Students (ESOS) Act.
 - **Extenuating Circumstances:** Situations affecting a student's welfare, such as severe health issues, personal safety concerns, or other significant impacts on the student's well-being.
 - **ESOS Act:** The Education Services for Overseas Students Act 2000, which governs the provision of education to overseas students in Australia.
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Policy Details

TPC is committed to providing a fair and transparent process for addressing student complaints and appeals. The College will not discriminate or victimise students for making a complaint or appeal. The process is designed to be accessible, free of charge, and will be conducted in a manner that upholds the principles of natural justice and procedural fairness.

The policy allows for both informal and formal processes:

- **Informal Resolution:** Students are encouraged to first attempt resolving their issues

informally by discussing the matter directly with the relevant staff member.

- **Formal Process:** If informal resolution fails or the student prefers a formal approach, the student can lodge a written complaint or appeal. TPC will investigate the matter and provide a written outcome.
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Responsibilities

- **CEO:** Ensures compliance with the policy and oversees the implementation of corrective actions if necessary. Manages the policy and ensures all complaints and appeals are handled in accordance with the procedure.
 - **Student Services:** Responsible for guiding students through the complaints and appeals process and ensuring they understand their rights. They maintain records of all complaints and appeals.
 - **Academic Team:** Accountable for addressing academic complaints, including teaching, learning, and assessment issues.
 - **Complaint Handler:** Any staff member handling a complaint must ensure all outcomes are documented and communicated to the student.
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Procedures

1. Student Complaint Process:

○ **Step 1 – Informal Resolution:**

Students are encouraged to resolve complaints by speaking directly with the staff member concerned. If unresolved, they may approach Student Services for assistance.

- **For academic matters:** The student should approach the relevant teacher or trainer. If unresolved, the Academic Team will assist.
- **For administrative matters:** The student should contact Student Services.
- **For welfare or personal matters:** Students should approach Student Services, or in urgent matters, any staff member for immediate support.

○ **Step 2 – Formal Complaint Process:**

If informal resolution is not possible, the student can submit a formal complaint using the Complaints and Appeals Form, available through Student Services or TPC's website. The form must be completed with all relevant details and supporting documentation. Upon receipt, the complaint will be investigated, and the student will be informed of the outcome in writing.

2. Appeals Process:

- Students may appeal decisions related to complaints if they believe new evidence is available, the decision was unfair, or if there was a procedural error. Appeals must be lodged within 5 working days from the original decision.
- Appeals will be reviewed by an appeals panel composed of relevant staff members who were not involved in the initial decision. The panel will provide a written outcome, including reasons for the decision.

3. Investigation of Complaints and Appeals:

- TPC aims to resolve complaints and appeals promptly. Investigations will begin within 10 working days of receiving the complaint or appeal form.

- The student may present their case in a formal meeting and may be accompanied by a support person. The student may be required to provide further documentation to support their complaint or appeal.
- If the investigation exceeds 60 calendar days, the student will be notified of the delay and kept informed of the progress.

4. Finalisation of Complaints and Appeals:

- Once a resolution is reached, the College will provide the student with a written report of the outcome, including reasons for the decision.
- All records related to the complaint or appeal will be stored in the Student Complaints and Appeals Register.

5. External Complaints and Appeals:

- If students are not satisfied with the outcome of the internal complaints and appeals process, they have the right to seek an external review by externally appealing within 20 working days from the date the student received the outcome.
- International students may contact the Overseas Students Ombudsman for an independent review.
- Domestic students may contact an independent mediator, such as those provided by the Resolution Institute.
- Students are also entitled to pursue complaints through Australia's consumer protection laws or other relevant authorities.

Conditions:

- All complaints and appeals will be managed in a confidential manner, ensuring the privacy of the student.
- Students must submit complaints and appeals in writing and provide sufficient documentation to support their case.
- Students should be aware of their right to access external complaints and appeals processes.

Policy Review

This Policy will be reviewed as part of the College's yearly review or as legislation requires.

Relevant Legislation

This document references the following legislation, regulations, codes and standards:

- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Education Services for Overseas Students Act 2000 (Cth)
- The Standards for Registered Training Organisations 2015
- Australian Consumer Law (ACL) (Competition and Consumer Act 2010)

Policy Owner: Director