

Policy Owner	College Director & Principal
Contact Officer:	Quality and Compliance Manager
Policy Number:	QBIPO018
Approved by:	College Leadership Team
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Related Policies:	Access, Diversity, Equity, and Inclusion Policy Appeals Policy Code of Conduct Privacy Policy Progression and Attendance Policy Refund Policy
Related Documents	Formal Complaint Form

1. Overview

- 1.1. This policy has been developed to ensure all current and prospective students of Curtin College or any partner provider are given free access to free effective and fair complaints resolution processes. A student has the right to raise a complaint and to have that matter considered with courtesy, in a timely fashion and without fear of prejudicial treatment.
- 1.2. There are two separate processes depending on whether the complaint is related to:
 - Academic and non-academic matters (refer to section 5.2);
 - Refusal to release (refer to section 5.3)

Section 5 below sets out the valid grounds and procedures for each type of complaint or appeal.
- 1.3. This policy has been developed in line with requirements set out in Higher Education Support Act 2003, The Education Services for Overseas Students Act (ESOS) 2000, the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (National Code 2018) – Standard 10; and the Higher Education Standards Framework 2015 (Threshold Standards) - Standard 2.4.
- 1.4. Appendix 1 provides a summary of the process as well as what form to complete.

2. Organisational Scope

- 2.1. Any current or prospective student of the College or its partner providers who believes they experienced incorrect, inappropriate or unfair treatment in the course of their relationship with the College (or any of its Agents or other related parties engaged by the College) is entitled to access the complaints process set out in this policy, regardless of the location of the campus at which the matter has arisen, the student's place of residence or the mode in which they study.
- 2.2. Curtin College employee complaints are to be dealt with according to the terms set out in the Curtin College Enterprise Agreement or Staff Grievances Policy, depending on the nature of their employment.

3. Definitions

- 3.1. **CoE:** Confirmation of Enrolment is a document registered with Department of Home Affairs to confirm a student's acceptance into a particular course for a specified duration.
- 3.2. **Complaint:** an expression of dissatisfaction with the quality or delivery of service, policy or procedure, or the conduct of another person
- 3.3. **Complainant:** A person lodging a complaint.
- 3.4. **Partner Provider:** an institution that provides a course that is registered by the College, who, for the purposes of this document oversees all matters relating to the delivery of those courses.

- 3.5. **Respondent:** A person responding to a complaint.
- 3.6. **Working Days:** Refers to College working days, which excludes when the College is closed.

4. Policy Principles

The principles that underpin this policy are as follows:

- 4.1. The consideration of complaints will be dealt with according to principles of procedural fairness which respect the right of a complainant to be heard by an impartial party;
- 4.2. In all matters of dissatisfaction, students and staff should attempt to resolve the conflict informally in a cooperative manner. If this is not possible, or the outcome is unsatisfactory, the formal process may be commenced. It is best practice that issues are resolved as close to the source as possible.
- 4.3. Complainants and respondents will not be subject to discrimination or harassment resulting from their participation in the complaints process;
- 4.4. This complaints process does not restrict or preclude a student’s right to further action under Australian Law;
- 4.5. Staff will make all attempts to respond to complaints within the time limits set out in this policy;
- 4.6. The Complaints process forms part of this policy and is available on the College’s website; www.curtincollege.edu.au
- 4.7. Complainants and/or respondents have the right to be represented by a third person acting as a support person (such as family member, friend, counselor other professional support person, other than a qualified legal practitioner), if they so desire;
- 4.8. All communications arising from the complaints process, together with the proceedings of the Complaints Committee, will remain confidential, except to the extent necessary to give effect to this Policy.
- 4.9. The complainant has the opportunity to formally present his/her case at no cost to them, to the external agent listed under point 5.5 of this policy.
- 4.10. If an internal or any external complaint handling process results in a decision that supports the student, the College will implement the decision and advise the complainant of the outcome.
- 4.11. The Curtin College Student Counsellor is available to assist students with preparing a written complaint. The Student Counsellor cannot give advice regarding the likelihood of success.

Version:	Changes/Improvements
V2.3 Jan '21	<ul style="list-style-type: none"> • Policy overview, scope, definitions and principles reviewed and updated.
V1.7 (Mar '18)	<ul style="list-style-type: none"> • Separated policy principles from policy implementation. • Updated Definitions: Added 'Working Days' and Department of Home Affairs'.

5. Policy Implementation

5.1. Types of Complaints

5.1.1. Academic

The Academic Complaints process is for matters that relate to:

- Curriculum content and its delivery
- Class timetabling and exam timetabling matters
- Exam procedures
- Teaching staff

5.1.2. General (Non-Academic) Complaints relate to the following:

- Agent misrepresentation of College and/or programs
- Customer services and administration
- Facilities
- Fees payments, refunds, and finance related matters
- Marketing related information
- Refusing admission to a course or cancellation of enrolment
- Transfer provider
- Staff
- Wellbeing (pastoral care)

5.2. Complaint Process

5.2.1. Informal Resolution

Prior to lodging a formal complaint, a complainant may contact the relevant academic or administrative staff member to discuss the matter and seek an acceptable resolution.

If the complaint cannot be resolved through informal direct communication with the respondent(s), they should commence Stage One (of the complaints process which are explained below).

5.2.2. Stage One - Formal Complaints Process

The complainant must lodge their complaint in writing by completing the 'Complaint' form located on the Curtin College [website](#) and email it to complaints@curtincollege.edu.au within **10 working days** of the complaint issue becoming known. The Quality and Compliance Manager or nominee will discuss with the complainant options to resolve the matter.

Within 10 working days of receipt of the complaint, the Quality and Compliance Manager or nominee will provide in writing the outcome of this step of negotiations to both complainant and respondent.

5.2.3. Stage Two - Complaints Committee

Where the complainant is unsatisfied with the outcome of Stage One and believes that:

- there was insufficient opportunity to present their case to the decision-maker; or
- the decision was made contrary to the evidence provided; or
- the process was not carried out in accordance with the College's Complaints policy / procedures; or
- new information or evidence is available that has not been previously considered,

the complainant can lodge a written statement of their complaint to the Complaints Committee via complaints@curtincollege.edu.au This statement must be lodged within 10 working days of receiving the written notification of the outcome of Stage One negotiations.

To avoid any conflict of interest, where the Quality and Compliance Manager or nominee has been involved at Stage One, they must nominate another senior staff member to stand in their place on the Complaints Committee.

5.2.4. Stage Three - External Agencies

Where a student engages in the Curtin College Complaints process, it does not remove their right to pursue other legal remedies or take further action under Australia's consumer protection laws.

Where the complainant is unsatisfied with the outcome of the Stage Two, they may lodge an appeal with an External Appeal body in accordance with clause 5.5.

5.3. Complaint Against Refusal of Transfer

Stage One – Formal Complaint Process

Where a student's request for transfer has not been supported, the student can lodge a complaint by completing the 'Complaint' form located on the Curtin College [website](#) and email it to complaints@curtincollege.edu.au. Students have 20 working days from the date the student was notified that their request was unsuccessful, to submit their complaint.

The Quality and Compliance Manager or nominee will review the complaint and try to resolve the matter. Within 10 working days of receipt of the complaint, the Quality and Compliance Manager or nominee will provide in writing the outcome of this step of negotiations to both complainant and respondent.

Stage Two - Complaints Committee

Where the complainant is unsatisfied with the outcome of Stage One and believes that:

- they did not have sufficient opportunity to present their case to the decision-maker; or
- the decision was made contrary to the evidence provided;

the complainant can lodge a written statement of their complaint to the Complaints Committee via complaints@curtincollege.edu.au. This statement must be lodged within 10 working days of receiving the written notification of the outcome of Stage One negotiations and address any points noted and provision of further evidence to support their case .

To avoid any conflict of interest, where the Quality and Compliance Manager or nominee has been involved at Stage One, they must nominate another senior staff member to stand in their place on the Complaints Committee.

Stage Three - External Agencies

Where the complainant is unsatisfied with the outcome of the Stage Two, they may lodge an appeal with an External Appeal body in accordance with clause 5.4.

Note: Curtin College will not finalise the student's refusal status in PRISMS until the complaint finds in favour of the College, or the overseas student has chosen not to access the complaints processes within the 20-working day period, or the overseas student withdraws from the process.

5.4. The Complaints Committee

The Complaints Committee shall be comprised of at least three members of the following:

- Academic Director (or nominee)
- Admissions Manager (or nominee)
- College Director and Principal (or nominee)
- Commercial Finance Manager (or nominee)
- Curtin International Regulatory Compliance Co-ordinator (or nominee) – Curtin University
- Director Marketing & Recruitment (or nominee)
- Quality and Compliance Manager (or nominee)
- Student Counsellor (or nominee)

The committee will review the complaint within 10 working days of receipt of the written complaint and will inform the complainant of the outcome of this decision in writing. The Committee may ask either the complainant or respondent (or both) to present their case in person to the Committee.

Complaints to the Complaints Committee can be submitted in the following ways:

Via email: complaints@curtincollege.edu.au

In writing: Curtin College
Complaints Committee
GPO Box U 1987
Perth WA 6845

5.5. External Complaints

Where the complainant is not satisfied with the outcome of the Complaints Committee hearing, and believes that:

- there was insufficient opportunity to present their case to the decision-maker; or
- the process was not carried out in accordance with College's Complaints policy or procedures; or
- the decision was made contrary to the evidence provided; or
- new information or evidence is available that has not been previously considered,

they may refer the matter to an independent reviewer. The complainant has 10 working days from the date of the decision from the Complaints Committee to lodge an external appeal. The complainant must notify the College of the lodgment of an external review.

The independent reviewer will review the processes (not the decision) undertaken in the case, seeking input from all parties before making recommendations to the College.

5.5.1. International Students

International Students may lodge an external complaint through the **Overseas Students Ombudsman**. The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint about their private education or training provider. See the Overseas Students Ombudsman website www.oso.gov.au or phone 1300 362 072 for more information.

Student can also make an online enquiry by completing the [ESOS Enquiry Form](#) available on the website.

- The Overseas Students Ombudsman, if accessed, will determine whether Curtin College has acted reasonably, fairly, and in accordance with its policy/s and the law.
- If the Overseas Students Ombudsman makes any recommendation in relation to a complaint, Curtin College will ensure that the recommendations are implemented immediately and advise the student of the outcome.

5.5.2. Domestic Students

Domestic students can lodge an external appeal through:

Department of Commerce – Consumer Protection

Phone: 1300 304 054 or complete the online complaint form:

<http://forms.commerce.wa.gov.au/consumer-protection/complaint>

6. Administrative procedures

This policy and related documentation is accessible through the Curtin College website at: <http://www.curtincollege.wa.edu.au>

- 6.1. Records of all complaints will be kept for a period of five (5) years. These records will be under the responsibility the Quality and Compliance Manager or nominee.
- 6.2. Curtin College will take all necessary steps to ensure that information regarding the complaint shall be disclosed only to those persons who have a right to the information by virtue of their role in the complaints process.
- 6.3. The Quality and Compliance Manager will undertake a review of the Complaints Register twice a year to identify trends in complaints received.
- 6.4. Recommendations for process improvement or policy change arising out of any stage of the complaints process will be forwarded to the College Leadership Team for recording and consideration.
- 6.5. Recommendations arising from any external review of the Complaints Policy or procedures should be implemented within 90 days of notification.
- 6.6. Policy Dissemination and Staff Training
 - 6.6.1. This policy and related procedures will be communicated to:
 - Academic staff through staff induction pack, Teaching hub and via the College’s website (<http://www.curtincollege.edu.au>);
 - Students verbally during Orientation Day, in writing in the Student Handbook and published on the College’s website (<http://www.curtincollege.edu.au>)
 - To support and office staff via email and through the College’s website (<http://www.curtincollege.edu.au>)
 - New support and office staff will receive policy information during the induction process.
 - 6.6.2. The Academic Director or equivalent is responsible for the training of academic staff in the application of the policy and for verbally advising and explaining the policy to students.
 - 6.6.3. The College Director and Principal or equivalent is responsible for the training of support staff in its application and for publishing the policy on the website.

Version:	Changes/Improvements
V2.3 (Jan '21)	<ul style="list-style-type: none"> • Policy implementation reviewed and updated. Specific updates include: • 5.1.2 updated to provide clarity re Fees • Director Quality and Student Services removed and updated with Quality and Compliance Manager • 5.2.4 Updated • Change to terminology from 'local' to 'domestic' students

Appendix 1: Summary of process

Informal Resolution	Stage 1 (Formal)	Stage 2 (Complaints Committee)	Stage 3 (External Appeal)
<p>Try to resolve the issue with the relevant person. If the issue is not able to be resolved at this point progress to Stage 1.</p>	<p>Lodge the Complaint form (Formal) located on the website and email it to complaints@curtincollege.edu.au</p>	<p>Requires evidence that Stage One has been completed.</p> <p>Email your written statement to complaints@curtincollege.edu.au</p> <p>Requires evidence that the College has not followed its policies/procedures or you have further evidence to support your complaint .</p>	<p>Appeal to an external agency (as per Stage 3 of the relevant section in this policy).</p> <p>Students must work through the Colleges internal processes (stage 1 & 2) before taking their case to the external agency.</p> <p>An external agent will review whether the College has followed its policies and procedures (not the decision)</p>

