

## Student Complaint Policy

### Colleges of Business and Technology (WA) Pty Ltd

Trading as Curtin College, a member of Navitas Pty Limited

CRICOS Provider Code: 02042G

TEQSA Provider Code: PRV12157

ABN: 13 092 155 970

<b>Document Name</b>	Student Complaints Policy
<b>Brief Description</b>	This Policy has been developed to ensure all current and prospective students of Curtin College are given access to a fair complaints resolution process. This Policy applies to all students.
<b>Responsibility</b>	College Leadership Team
<b>Initial Issue Date</b>	December 2011

### Version Control

Date	Version No.	Summary of Changes	Reviewer Name and Department/Office
June 2024	V3.0	New template. Major updates sections 2.3-2.6	Quality & Compliance Manager

### Related Documents

Name	Location
Access, Diversity, Equity, and Inclusion Policy	Website
Code of Conduct	Website
Privacy Policy	Website
Progression and Intervention Policy	Website
Sexual Assault Prevention and Response Policy	Website
Sexual Harassment Prevention and Response Policy	Website
Student Complaint Policy – Singapore	Website
Refund Policy	Website

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## 1 Purpose and Scope

### 1.1 Introduction

This Student Complaints Policy sets out the approach of Curtin College relating to the management of student complaints.

### 1.2 Purpose

The purpose of this Policy is to ensure all current and prospective students of Curtin College are given access to a fair complaints resolution process. A student has the right to raise a complaint and to have that matter considered with courtesy, at no or minimal cost, in a timely fashion and without fear of prejudicial treatment.

### 1.3 Scope

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.

A student may lodge a complaint at any time while they are a current or prospective student of the College. A student has 20 working days, from the date of the decision or event, to lodge an appeal. Former Students of Curtin College who seek to appeal a decision made during their enrolment at the College will be dealt with on a case-by-case basis and at the discretion of the College Director and Principal.

Due to legislative requirements in Singapore, Curtin College students studying on the Curtin Singapore campus should refer to the '[Student Complaints – Singapore](#)' Policy.

Curtin College employee complaints are to be dealt with according to the terms set out in the Curtin College Enterprise Agreement or Navitas Staff Grievances Policy, depending on the nature of their employment.

## 2 Policy Statement

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 2021 (Threshold Standards) - Standard 2.4.

### 2.1 Policy Principles

The principles that underpin this policy are as follows:

- 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.
- 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.
- Complainants and respondents will not be subject to discrimination or harassment resulting from their participation in the complaints process.
- This complaints process does not restrict or preclude a student's right to further action under Australian Law.
- Staff will make all attempts to respond to complaints within the time limits set out in this policy.
- The Complaints process forms part of this policy and is available on the College's website; [www.curtincollege.edu.au](http://www.curtincollege.edu.au)

- Complainants and/or respondents have the right to be accompanied by a third person acting as a support person (such as family member, friend, counsellor other professional support person, other than a qualified legal practitioner), if they so desire.
- 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.
- The complainant can formally present their case at no cost to them, to an external agent (refer External Complaints Agencies section).
- 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.
- 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.

## 2.2 Types of Complaints

- Academic
  - Curriculum content and its delivery
  - Class timetabling and exam timetabling matters
  - Exam procedures
  - Teaching staff
- 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 of provider (Release)
  - Staff
  - Wellbeing (pastoral care)

## 2.3 Academic and General Complaints Process

### **Informal Resolution**

Prior to lodging a formal complaint, the College encourages the complainant to 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 explained below.

### **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](mailto:complaints@curtincollege.edu.au) within 20 working days of the complaint issue becoming known.

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

### **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 (must provide reasonable information that can specify how the student was prevented from presenting their case to the decision maker); or

- the decision was made contrary to the evidence provided (must specify why the decision is considered contrary); or
- the process was not carried out in accordance with College's policy or procedures (must state what College policy or procedure was not followed and how the process was not carried out correctly); or
- new information or evidence is available that has not been previously considered (must specify what the new information is, and why it should affect the outcome).

the complainant can lodge a written statement of their complaint to the Complaints Committee via [complaints@curtincollege.edu.au](mailto: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 apprehension of bias, an alternative Committee member will replace any Committee member responsible for the decision that led to the complaint, or who was involved in earlier resolution processes.

Complaints to the Complaints Committee are to be sent to [complaints@curtincollege.edu.au](mailto:complaints@curtincollege.edu.au) The committee will review the complaint and within 10 working days the complainant will be informed of the outcome in writing. The Committee may ask either the complainant or respondent (or both) to present their case in person to the Committee.

There is no cost associated with a complaint to the Complaints

### **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 Agency (refer clause 2.6).

## 2.4 International Student - Complaint Process for Refusal against Transfer (Release)

### **Stage One – Formal Complaint Process**

Where a student's request for release 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](mailto: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 investigate the complaint and will provide a written response to the complainant within 10 working days of receipt of the complaint.

### **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 (must provide reasonable information that can specify how the student was prevented from presenting their case to the decision maker); or
- the process was not carried out in accordance with College's policy or procedures (must state what College policy or procedure was not followed and how the process was not carried out correctly); or
- the decision was made contrary to the evidence provided (must specify why the decision is considered contrary); or
- new information or evidence is available that has not been previously considered (must specify what the new information is, and why it should affect the outcome);

The complaint should be submitted 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 the Complaints Committee via [Complaints@curtincollege.edu.au](mailto:Complaints@curtincollege.edu.au).

When applying for a review of decision through a formal appeal, the student bears the onus of proof and is responsible for establishing that the decision in the first instance was an unreasonable decision.

The case must be clearly presented and provide all relevant evidence from the beginning of the complaint process. New evidence should not be introduced during the process unless:

- there has been a major change in circumstance since the student first initiated the complaint;
- the new information or evidence was not reasonably available to the student at the time the complaint was initiated; and
- the new information or evidence has a material effect on the complaint.

To avoid any apprehension of bias, an alternative Committee member will replace any Committee member responsible for the decision that led to the complaint, or who was involved in earlier resolution processes.

Complaints to the Complaints Committee are to be sent to [complaints@curtincollege.edu.au](mailto:complaints@curtincollege.edu.au). The committee will review the complaint and within 10 working days the complainant will be informed of the outcome in writing. The Committee may ask either the complainant or respondent (or both) to present their case in person to the Committee.

There is no cost associated with a complaint to 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 (refer clause 2.6).

**Note:** Curtin College will not finalise the student's release 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.

## 2.5 Complaints Committee membership

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

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

The Complaints Committee may recommend a change in college policy or procedure as a result of their deliberations. The relevant Senior Officer will be asked to respond with an action plan, or a rationale why recommendation is not implemented.

## 2.6 External Complaint Agencies

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 Curtin College's nominated independent complaint reviewer. The complainant has 10 working days from the date of the decision from the Complaints Committee to lodge an external appeal.

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.

If the external complaint agency 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.

### 2.6.1 International Students

International students who wish to lodge an external complaint about the decision resulting from the above process can contact the Commonwealth Ombudsman. The Commonwealth Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external complaint about a decision made by their private education provider. See the [Commonwealth Ombudsman website](#) or phone 1300 362 072 for more information.

- The Complainant must advise the College if they have lodged an external appeal with the Commonwealth Ombudsman.
- The Commonwealth Ombudsman, if accessed, will determine whether Curtin College has acted reasonably, fairly, and in accordance with its policy/s and the law.

The student and Curtin College will be bound by the decision of the ombudsman and such decisions are final and non-reviewable. While the parties attempt to resolve the matter, the student will continue to attend classes as normal unless the student has a reasonable concern about an imminent risk to his or her health and safety.

### 2.6.2 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>

Consumer Protection provides free advice and information.

### 2.6.3 Other External Appeal Options

- Mediation and Dispute Resolution – Legal Aid (WA) offers free or low-cost legal services to the community. For more information visit <https://www.legalaid.wa.gov.au/get-legal-help>
- Office of the Australian Information Commissioner: Where a student is not satisfied with the way Curtin College has dealt with their personal information, including storage, disclosure or correction, the Commissioner will consider complaints or requests. For more information visit: <https://www.oaic.gov.au/>
- Independent Higher Education Australia (IHEA) <https://iheau.edu.au/> - available as an external reviewer for non-academic matters.

Students seeking to have a matter referred by IHEA to an external reviewer must make an application in writing to the Chief Executive Officer of IHEA, detailing the complaint, the process applied as at that point in time, the decision to be reviewed and grounds for an external review of the decision.

Chief Executive Officer, Independent Higher Education Australia  
Suite 612, Level 6, 198 Harbour Esplanade, Docklands, VIC 3008

If the matter is resolved with only IHEA's intervention the appeal process is free, otherwise a cost is advised to the appellant when the complexity of the case is known.

- TEQSA: Where a student is not satisfied that Curtin College is compliant with its regulations, please refer to the Complaints section to review what TEQSA will accept complaints on: <https://www.teqsa.gov.au/complaints>
- Australian Human Rights Commission: For complaints relating to discrimination, sexual harassment, victimisation, vilification. For more information visit <https://humanrights.gov.au/>
- Australian Competition and Consumer Commission (ACCC): FEE-HELP, fees and refunds, matters relating to competition and consumer legislation. For more information visit <https://www.accc.gov.au/>
- Administrative Appeals Tribunal: Reviewable decisions in relation to FEE-HELP debt (see chapter 3 of the Higher Education Support Act). For more information visit <https://www.aat.gov.au/>
- Australian Human Rights Commission - <https://humanrights.gov.au/>

## 3 Responsibilities

- The Quality and Compliance Manager will ensure staff are informed about this Policy through communications and the College's intranet and website.
- The Academic Director or nominee will ensure students are advised of the Complaints policy at Orientation.
- All Line Managers will ensure their staff (casual, part-time and ongoing) are advised of this policy at induction.

## 4 Compliance

### 4.1 General

- Records of all complaints will be kept for a period of five (5) years. These records will be under the responsibility of the Quality and Compliance Manager or nominee.
- 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.
- The Quality and Compliance Manager is responsible for the collation and analysis of information about the type, causes and numbers of student complaints on an annual basis. An annual report is provided to the College Leadership Team and the Board of Directors updated with the number and nature of complaints three times per year.



#### 4.2 Policy Dissemination and Awareness

- This policy and related documentation are accessible through the Curtin College website at: <http://www.curtincollege.wa.edu.au>, Learning Management System (Moodle) and via the Curtin College intranet.
- Students verbally during Orientation Day, in writing via the Student Handbook and the College's website (<http://www.curtincollege.edu.au>). Students are also provided with a copy of the Complaints Policy with their Letter of Offer.
- New staff will receive policy information during the induction process.

#### 4.3 Relevant Legislation

- [The Higher Education Support Act \(HESA\) 2003](#)
- [The Higher Education Standards Framework 2021](#) (Threshold Standards) - Standard 2.4 Student Grievances and Complaints
- [The Education Services for Overseas Students Act \(ESOS\) 2000](#)
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018 ([National Code 2018](#)) - Standard 10

#### 5 Definitions

Refer to the Glossary of Policy Terms on the Curtin College website.

#### 6 Review

This Policy is reviewed at least every 2 years, or when there are any changes to the regulatory compliance requirements, legislation, regulation and guidelines.

#### 7 Records Management

All records in relation to this document will be managed as follows:

Record type	Owner	Location	Retention	Disposal
Policy	Quality and Compliance Manager	Website Shared Drive	Permanently with control in place for revisions	Archived