

Student Complaints and Appeals Procedure

1. PURPOSE

- 1.1. UTS College is committed to creating a supportive and open organisational culture, which values ethical and responsible management, transparency in decision-making processes, and a consistent, accessible and fair complaints process.
- 1.2. UTS College is equally committed to providing a learning environment in which complaints and appeals are responded to timely and fairly.
- 1.3. This procedure document applies to student complaints and appeals for academic and non-academic matters at UTS College and should be read in conjunction with the Student Complaints and Appeals Policy.

2. SCOPE

- 2.1. This procedure applies to current and prospective students of UTS College, staff, affiliates, agents and parents of under 18 students.

Note: Complaints by UTS direct students relating to accommodation and/or welfare services will be managed by UTS College as per UTS College's Management of Student Incident Procedure. The Student Success Team Lead will refer these complaints to UTS where appropriate.

- 2.2. Transnational Education partners must offer a formal complaints and appeals process that is aligned with this procedure. Refer to clause 5.5 of the Transnational Education Policy.
- 2.3. UTS College views student complaints as providing an opportunity to review and improve its policies and practices, and also gain insight into student levels of satisfaction. To support this, if required, UTS College will provide an interpreter for the complainant throughout the complaint or appeal process.
- 2.4. Any student, irrespective of age, requiring assistance by a third party to lodge a complaint or appeal must provide UTS College with a completed Consent to Disclose Personal Information form before any written resolution is provided.

3. PROCEDURES

3.1. Raising a Complaint

3.1.1. Informal Complaint

- a) Lodging informal complaint

Students can address their concerns or issues directly to the staff member or the service area about a service or decision that they feel dissatisfied with.

UTS College encourages students to raise a complaint in this way where:

- they feel comfortable with making a direct approach; and
- where the complaint does not relate to allegations of unlawful behaviour (e.g. assault, illegal discrimination, harassment, or corruption).

All UTS College Staff and Affiliates are empowered to respond to complaints to ensure that students feel comfortable reporting a complaint.

b) Handling the informal complaint and providing a resolution

- The staff member or service area receiving the complaint needs to gather relevant details concerning the complaint and any information or evidence submitted by the student in their complaint, and then review the complaint to determine an appropriate resolution.
- If necessary, escalate the complaint to a team lead or manager to review the complaint and determine an appropriate outcome.

3.1.2. Formal Complaint

- a) If students are not satisfied with the resolution, or do not feel comfortable raising their complaints directly and informally as described above, students can lodge a formal complaint to the Student Complaints Resolution Office (SCRO).

To lodge a formal complaint, students must do so in writing and email it to the Student Complaints Resolution Office (SCRO) at scro@utscollege.edu.au within 5 working days of the concern or issue arises or of the resolution provided.

The email must include the following:

- An outline of the complaint including the time and date of the matter which gave rise to the complaint
- Name and contact details of the student
- Details of any people involved in the complaint
- Any correspondence between the student and UTS College, if applicable.

Note: anonymous complaints can only be acted upon where the matter is serious and where there is sufficient information to enable an investigation to be conducted.

b) Acknowledging receipt of a formal complaint

UTS College will acknowledge receipt of a formal complaint within 2 working days and will record the complaint in the Complaints and Appeals Register.

c) Preliminary check

SCRO will conduct a preliminary check and may contact the student for clarification or request for more information or documentation before forwarding the complaint case to the relevant manager or team lead of a service area for investigation and resolution.

Note: Enquiries mistakenly sent to SCRO will be forwarded to the relevant department or team for handling and response and will not be recorded in the Complaints and Appeals Register.

d) Forwarding the complaint to the relevant manager or service area

- SCRO will check which service area the complaint is related with and then determine the relevant manager of the service area to forward the complaint for investigation and resolution.
- Staff members including managers who have dealt with the complaint prior to the lodgement of the formal complaint will not be involved in making a decision towards the complaint case.

e) Investigating the complaint

The relevant manager of the service area will liaise with student making the complaint and other parties, as required, and has 10 working days to investigate and respond to the complaint.

f) Response to the complaint

Depending on the nature of a complaint, the relevant manager or team lead may:

- i. take relevant actions to resolve the concern or issue raised by the student and liaise with the student directly about the outcome in writing, and email SCRO about the actions taken and the outcome; or,
- ii. reply to SCRO with the results of their findings after investigation and the resolution of the complaint.

For 8i, no further action will be taken by SCRO.

For 8ii, SCRO will respond to the student with the findings and resolution, including information about how to lodge an internal appeal if the student is dissatisfied with the outcome.

g) Outcome of the complaint resolution

Outcome may include, for example:

- the student gains a better understanding of the situation with his/her concerns addressed;
- the student receives an apology, and/or the issue or behaviour that was the basis of their complaint is modified;

- The complaint cannot be substantiated and no further action will result;
- In serious and substantiated cases, UTS College's formal disciplinary process will be invoked. Formal warnings about inappropriate behaviour may be issued and the most serious breaches may result in exclusion (for students) or dismissal (for staff).

The above is not an exhaustive list. UTS College will provide appropriate outcomes based on the findings of each case and the outcomes can vary from case by case.

h) Option for appeal (internal)

- If a student is not satisfied with the resolution of the complaint, they can appeal to UTS College in the first instance to review its decision.
- Students must lodge their appeals in writing and email to scro@utscollege.edu.au by providing reasons, grounds and/or further evidence to support their appeal. An appeal with a statement of not happy about or not accepting the outcome without reasons, grounds and/or further evidence to support the appeal, is not considered a valid appeal and will not be accepted or actioned upon.

3.2. Internal Appeal

3.2.1. Lodging an internal appeal

- a) Students may appeal for the outcome they are dissatisfied with about their complaints, or appeal for a decision, academic or non-academic related, that they have been informed.
- b) To appeal, students must:
 - Submit their appeal in writing and email it to the Student Complaints Resolution Office (SCRO) at: scro@utscollege.edu.au
 - Submit their appeal within the required timeframe:
 - **Appeal within five (5) working days** for the outcome about a complaint, outcome for a review of results, or a decision on academic dishonesty
 - **Appeal within 20 working days** for other types of appeals.
 - State clearly what the appeal is about and demonstrate the reasons or grounds that support their appeal.
 - Provide the required documentation along with any other supporting documents if applicable.

3.2.2. Acknowledging receipt of an internal appeal

UTS College will acknowledge receipt of an appeal within 2 working days and record the appeal on the UTS College Complaints and Appeals Register.

3.2.3. Preliminary check

Before acknowledging receipt of an appeal, SCRO will conduct a preliminary check and may contact the student for clarification or for more information or documentation.

3.2.4. Forwarding the appeal to the relevant decision maker

SCRO will forward the appeal along with all relevant documentation to the relevant decision maker of the UTS College Student Complaints and Appeals Committee to review the appeal.

3.2.5. Reviewing the internal appeal

- a) Within 10 working days upon receiving the appeal for review, the relevant decision maker will review the appeal and provide to SCRO with a response to the student about the reviewed outcome and decision.
- b) The relevant decision maker should inform SCRO as early as possible if they need more time to review the appeal so that students can be informed about when they can expect a response.

3.2.6. Interviewing the student, if required

- a) If a student is to be interviewed, they are to be given one week notice and advised of their right to be accompanied and/or assisted by a support person during meetings involving their appeal.
- b) The relevant decision maker may contact or request SCRO to contact the student to arrange an interview.

3.2.7. Responding to an internal appeal

After receiving a response from the decision maker about the reviewed outcome and decision, SCRO will send the response to the student.

- a) If decision is to uphold the student's appeal, the student will be informed of the decision and advised of what they need to do next or what UTS College will do next.
- b) If the decision is not to uphold the student's appeal, SCRO will send the decision maker's response to the student and include the contact details of an independent external agency. Students will be advised of their right to access an external appeal if they are dissatisfied with the outcome of the internal review and that an external appeal needs to be lodged within 20 working days of being informed of the decision of their internal appeal.
- c) Students can lodge an external appeal to request a review of UTS College's handling of the matter through the following relevant external agency:

- [NSW Ombudsman](#) (For UTS Foundation Studies students)
- [Overseas Student Ombudsman](#) (For international students enrolled in English, Diploma or Graduate Certificate courses)
- [Resolution Institute](#) (For domestic students)
 - The Resolution Institute charges a fee for this service, half of which would be covered by UTS College.
 - Students need to go to the [Resolution Institute](#) website and follow the instructions in the Student application for external review section to lodge an appeal.

3.3 External Appeal

3.3.1 Lodging an external appeal

- a) Students who wish to lodge an external appeal need to lodge the appeal within the required timeframe and follow the instructions about how to lodge an external appeal, as stated in the response about the outcome of their internal appeal.
- b) Students must inform SCRO that they have lodged an external appeal by providing evidence that their appeal has been successfully lodged to one of the above listed external agencies.

3.3.2 External appeal outcome

- a) Where the outcome does support UTS College's decision, the case is closed.
- b) Where the outcome does not support UTS College's decision, the relevant decision maker of the internal appeal will be notified.

3.3.3 Responding to the recommendations of an external appeals agency

- a) UTS College will ensure that recommendations impacting on a student who has lodged an appeal are implemented within 5 working days. This includes communicating to the student who lodged the appeal.
- b) For other decisions (e.g. recommendations of a more general nature), the Executive member of the affected team will liaise with the Company Secretary/CFO to determine a timeframe for implementation as soon as practicable, taking into account impact on other students and risk to UTS College.

3.4 Recording, Reporting and Analysis

- a) All formal complaints and all appeals must be recorded in the Complaint and Appeals Register managed by SCRO.
- b) File all records of formal complaints and appeals in Student Records Centre (SRC).
- c) Parties to the complaint may request in writing access to these records. These will be dealt with on a case-by-case.

- d) UTS College will conduct analysis of complaints and appeals on a regular basis for reporting purposes and making improvements

4 RESPONSIBILITIES

4.1 UTS College Staff, Students, Third Parties and Affiliates

All staff, students, third parties and affiliates are responsible for familiarising themselves and complying with the Student Complaints and Appeals Policy and Procedure and other UTS College related documents including the UTS College Student Charter and UTS College Code of Conduct as necessary.

4.2 Student Complaints and Appeal Committee

Members of this committee, including UTS College managers and Executive, are responsible for conducting an internal review and making a final and unbiased decision

4.3 Student Complaints Resolution Office

This office is responsible for managing the process of complaints and appeals, maintaining records accordingly.

4.4 Academic Board

Setting and approving Student Complaints and Appeals Policy and Procedure to ensure they are in line with the government legislation requirements.

5 RELATED DOCUMENTS

UTS College Policies and Procedures

- Academic Integrity Policy and Procedure
- Assessment Policy
- Assessment Grading and Feedback Guidelines
- Academic Course Progress Policy and Procedure (International)
- Academic Course Progress Policy and Procedure (Domestic and International Non-student Visa Holders)
- Attendance Policy and Procedure (UTS Foundations Studies and Cambridge International AS and A level Program)
- Consent to Disclose Personal Information form
- ELT Attendance Policy and Procedure
- International Student Transfer Request from UTS College to Other Provider Policy and Procedure
- FEE-HELP Student Policy
- Non-academic Misconduct Policy and Procedure
- Privacy Policy
- Public Interest Disclosure Policy
- Refund Policy

- Staff Code of Conduct
- Staff Code of Ethics
- Student Complaints and Appeals Policy
- TNE Education Policy
- Under 18 Policy
- UTS College (Student) Sexual Assault and Harassment Policy

Legislation

- Education Services for Overseas Students Act 2000
- Higher Education Standards Framework 2021
- Higher Education Support Act (HESA) 2003
- The National Code 2018
- Privacy Act 1988 (Cth)
- Privacy and Personal Information Protection Act 1988 (NSW)

DEFINITIONS

Academic Dishonesty	Academic Dishonesty is a breach of Academic Integrity where a student seeks to gain either for themselves or for another student an unfair or unjustified academic advantage in an assessment task. Academic Dishonesty includes cheating, collusion, fabrication, ghost writing, misrepresentation, plagiarism, and solicitation, not abiding by examination rules, submitting work that is not original, acting to gain unfair advantage in relation to an assessment task or tasks. Academic Dishonesty may be unintentional, or intentional, minor, or extreme and have occurred carelessly or knowingly.
Academic Integrity	A commitment, even in the face of adversity, to acting with the fundamental value of honesty, trust, fairness, respect, responsibility, and courage (International Centre for Academic Integrity, 2014).
Academic Matters	Academic matters are those related to an academic decision or lack of fairness in applying UTS college policy or procedure, including but are not limited to: attendance, course progress, assessment, curriculum, academic integrity, student support and awards in a course of study.
Affiliates	UTS College Board members, honorary appointees, contractors, labour hire personnel, volunteers, agency staff and any other person appointed or engaged by UTS College to perform work or functions for UTS College.
Appeal	A request against a resolution for a complaint or a decision about an academic or non-academic matters to be reconsidered by UTS College.
Assessment task	A specific activity a student (or group of students) is required to complete for the purpose of assessment.
Complainant	The person lodging the complaint.

Complaint	A complaint is an expression of dissatisfaction about anything related to all aspects of a student's educational experience and learning environment, including other students, UTS College's support to students, UTS College's education agents or any related party UTS College has an arrangement with to deliver the student's course or related services support to students.
Dean	Head of the Education Department, with authority over the educational courses and programs offered by UTS College.
Director of Studies English	Person responsible for the management of the English Language Programs.
Executive	Chief Executive Officer, Dean, Executive Director, Future Students, Chief Financial Officer/Company Secretary, Executive Director, People, Executive Director, Operations.
Lodge	To submit a written complaint or appeal.
Non-Academic Matters	Non-academic matters are those that are not academic related, including but are not limited to: behaviours, release requests and fees.
Program Manager	Person responsible for the management of a particular academic courses, UTS Foundation Studies or Cambridge International AS and A level Program.
Staff	People employed to work on an ongoing, fixed term, sessional or casual basis under the terms and conditions of an employment agreement (contract) issued by UTS College.
Student Complaints and Appeals Committee	An internal committee with an independent Chair, which is the final step in the process of an internal review, to give visibility to the unbiased nature of UTS College's final decision on a matter. Members of the committee include UTS College managers and Executive.
SCRO	Student Complaints Resolution Office
Support person	A person who accompanies a party to a dispute resolution meeting (e.g., a carer/family member, or friend). A support person must be over the age of 18.
Student Records Centre (SRC)	UTS College's electronic student filing system.
Teacher	The Staff and Affiliates responsible for the delivery of either the English or Academic courses at UTS College.
UTS College	UTS College Limited, its representative offices and its controlled entities.
UTS Direct Student	Any student under 18 years of age who gains direct entry to UTS or completes a UTS College course (or UTS Foundation Studies) offered transnationally by UTS College or by a UTS College partner Institution and is enrolled at UTS.

APPROVAL		
Procedure Title	Student Complaints and Appeals Procedure	
Procedure ID	PROC/EDUC/18/24	
Procedure Category	Academic	
Procedure Audience	Students, Staff, Third Parties and Affiliates	
Procedure Owner	Student Support Manager	
Endorsed By	Academic Standards Committee	Date: 24 October 2024
Approved By	Academic Board	Date: 7 November 2024
Next Review Date	6 November 2027	

VERSION HISTORY

No.	Author	Description of change/purpose	Date
1.0	Student Support Manager Student Compliance Team Lead	A new combined procedure from Student Complaints and Appeals (Academic) and Student Complaints and Appeals (Non-academic) to reflect our streamlined complaints and appeals handling process by SCRO.	16/10/2024