

## Student Complaints and Appeals (Academic) Procedure

### ADMIN USE ONLY

APPROVAL	
<i>Executed on original</i>	
<b>Sally Payne</b>	<b>Dean of Studies</b> <span style="float: right;"><b>Date: 5 July 2023</b></span>
Procedure Title	Student Complaints and Appeals (Academic) Procedure
Executive Manager	Dean of Studies Education Services Manager
Procedure ID	PROC/EDUC/05/23
Effective Date:	5 July 2023

### VERSION HISTORY

No.	Author	Description of change/purpose	Date
1.0		March 2023 Updated version	
1.1	David Montgomery	Additional wording regarding a students' support person during complaints/appeal meetings	5 July 2023

### PROCEDURE PURPOSE

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. UTS College is equally committed to providing a learning environment in which complaints and appeals are responded to promptly and fairly.

This procedure document applies to student **Academic** complaints and appeals at UTS College and should be read in conjunction with the Student Complaints and Appeals Policy.

### SCOPE

This procedure applies to current students of UTS College. It **does not** apply to students enrolled in UTS College courses offered by global partners.

**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 Leader will refer these complaints to UTS where appropriate.

UTS College views student complaints as providing an opportunity to review and improve its policies and practices, and also to 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.

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.

**DEFINITIONS** are set out at the end of this procedure.

## PROCEDURE STEPS

Activity	Description	Responsible
<b>LODGING AN ACADEMIC COMPLAINT</b>		
<b>Academic Complaints</b>	<p><b>1. Verbally make complaint</b> to any staff or affiliate <b>or</b></p> <p><b>Lodge a written complaint</b> to the Student Complaints Resolution Office (SCRO) via email to <a href="mailto:scro@utscollege.edu.au">scro@utscollege.edu.au</a> within five (5) business days of the issue. The student must state clearly the details of the complaint and include any supporting documentation.</p> <p><i>Students can find further information in the <b>Student Complaints and Appeals Policy</b></i></p>	Student
	<p><b>2. Complaint addressed by Frontline Staff/Affiliates</b></p> <ul style="list-style-type: none"> <li>▪ Complaint addressed by Frontline Staff/Affiliate, with written confirmation of the resolution to the student, via email.</li> <li>▪ Record the complaint on the Operational Area Complaints and Appeals Register.</li> <li>▪ Forward details of the recorded complaint and resolution to the SCRO to be recorded on the UTS College Complaints and Appeals Register.</li> </ul>	Frontline Staff/Affiliate
	<p><b>3. Acknowledgement of Written Complaint</b></p> <ul style="list-style-type: none"> <li>▪ The student will receive confirmation of receipt of complaint in writing within 1 business day of receipt of email.</li> <li>▪ Record the complaint on the UTS College Complaints and Appeals Register.</li> <li>▪ Direct the complaint to the relevant Frontline Staff/Affiliate, or Frontline Manager if requested by the complainant.</li> </ul>	SCRO SCRO
<b>Academic Complaints</b>	<p><b>4. Assessing the Written Complaint</b></p> <ul style="list-style-type: none"> <li>▪ Frontline Staff/Affiliate will review the original documentation, assessment and sanctions alongside any additional information or evidence submitted by the student in their complaint, to determine the appropriate resolution.</li> <li>▪ If Frontline Staff/Affiliate escalates the complaint to a manager, or if the complainant has requested a resolution from a more senior member of staff, the Manager will review the original documentation, assessment and sanctions alongside any additional information submitted by the student in their complaint, to determine the appropriate outcome.</li> </ul>	Frontline Staff/Affiliate Manager

Activity	Description	Responsible
	<p><b>5. Advise outcome of the Written Complaint</b></p> <ul style="list-style-type: none"> <li>▪ The Manager will assess the complaint resolution by Frontline Staff/Affiliate. Frontline Staff/Affiliate advises the student of the outcome, via email, together with contact details of the internal complaints channel.</li> </ul> <p><b>or</b></p> <ul style="list-style-type: none"> <li>▪ If Frontline Staff/Affiliate has escalated the complaint to a manager, or if the complainant has requested a resolution from a more senior member of staff, the Manager advises the student, via email, of the outcome.</li> <li>▪ The person responding to the student will forward a copy of the response to SCRO to be recorded on the UTS College Complaints and Appeals Register.</li> </ul>	
<b>APPEALS AGAINST REVIEWS OF RESULTS</b>		
<p><b>Appeal the decision</b></p>	<p>Students have the right to appeal against a decision made by an Academic or Academic English Coordinator following a review of grades for individual assessment tasks and final subject grades</p> <p>How to apply</p> <ul style="list-style-type: none"> <li>▪ Students are required to submit their appeal to <a href="mailto:SCRO@utscollege.edu.au">SCRO@utscollege.edu.au</a>.</li> <li>▪ All appeals must be submitted within 5 working days from receiving the outcome from their Academic or Academic English Coordinator.</li> <li>▪ The email must contain the attached documents: <ul style="list-style-type: none"> <li>○ The original <b>request for a review of result form</b> that the student sent to their Academic or Academic English Coordinator</li> <li>○ The <b>email trail</b> between the student and the Academic or Academic English Coordinator showing: <ul style="list-style-type: none"> <li>- The full conversation between both parties</li> <li>- The Academic or Academic English Coordinator's final decision</li> </ul> </li> <li>○ A statement outlining the reasons why the student is dissatisfied with the Academic or Academic English Coordinator's outcome and your reasons for appealing the decision.</li> </ul> </li> </ul>	<p>Student</p>

Activity	Description	Responsible
<b>Review Appeal</b>	The Program Manager or Director of Studies, English Language Program will decide on the appeal and provide a response to the student and the Academic Coordinator with their reasons within 5 working days .At this point, the query is considered closed.	Program Manager/Director of Studies ELP
<b>Appeal the decision</b>	<ul style="list-style-type: none"> <li>Following the Program Manager or Director of Studies, English Language Program's decision, if the student believes they have not been treated fairly and equitably they may seek the assistance of the Student Complaints Resolution Office who may seek to resolve the matter if a reasonable resolution is available.</li> </ul> <p>The complaints process is not a substitute for the query a result or grade process and does not oversee academic judgement in the awarding of assessments or grades.</p>	<p>Student</p> <p>Student</p>
Activity	Description	Responsible
<b>LOGGING AN APPEAL AGAINST A DETERMINATION OF AN ACADEMIC COMPLAINT</b>		
<b>Academic Complaint Appeal</b>	<p><b>Lodge a written appeal against the outcome of the finding of an academic complaint</b></p> <ul style="list-style-type: none"> <li>Students who consider they have grounds for appeal against their <b>academic complaint</b> must lodge an appeal within 5 business days. No late appeals are accepted.</li> <li>All appeals must be made via the appeal form accessible on the UTS College website and submitted via email to <a href="mailto:SCRO@utscollege.edu.au">SCRO@utscollege.edu.au</a>.</li> <li>The student must clearly state the reasons for their appeal and include any supporting documentation.</li> </ul> <p><b>Acknowledging the Appeal</b></p> <ul style="list-style-type: none"> <li>Student will receive confirmation of receipt of the appeal in writing within 1 business day of receipt of email.</li> <li>Record the appeal on the UTS College Complaints and Appeals Register.</li> <li>Retrieve the original complaint documentation, determination and outcome.</li> <li>Direct the appeal together with the supporting documentation to the Dean of Studies within two (2) business days of receipt of the appeal</li> </ul>	<p>Student</p> <p>SCRO</p>

Activity	Description	Responsible
<b>Academic Complaint Appeal</b>	<p><b>Assessing the Appeal</b></p> <ul style="list-style-type: none"> <li>▪ The Dean of Studies convenes the Student Complaints and Appeals Committee (SCAC) to review the appeal to determine the appropriate outcome for the student. <ul style="list-style-type: none"> <li>○ The Committee will be chaired by the UTS College Company Secretary</li> <li>○ The Legal and Governance Officer will provide secretariat services to the Committee</li> <li>○ When an appeal is received the SCRO will inform the Chair that the Committee needs to be convened</li> <li>○ The Chair will appoint 2 additional Committee members, selected from the group of UTS College managers or Executive who have received ESOS training</li> <li>○ No manager should be appointed to the Committee if they have been involved in hearing the original complaint, or if anyone reporting to them has been involved in the original complaint</li> </ul> </li> <li>▪ The Student Complaints Appeal Committee (SCAC) will review the original documentation, assessment and sanctions alongside any additional information or evidence provided in writing by the student within seven (7) business days of submission of the appeal.</li> <li>▪ In reviewing the appeal, the SCAC may: <ul style="list-style-type: none"> <li>○ judge that the appeal has no grounds</li> <li>○ request further information or meet with the Teacher, Academic Coordinator /Program Coordinator, Program Manager/Director of Studies English Language Program</li> <li>○ request an interview with the student</li> <li>○ request the student undertake a diagnostic test or a similar task to the assessment ask in question to authenticate learning; and/or</li> <li>○ judge that the sanction be changed and advise of the revised sanction.</li> <li>○ The Panel will notify the SCRO of the outcome of the appeal within ten (10) business days of receipt of appeal.</li> </ul> </li> <li>▪ If a student is to be interviewed, the interview panel:</li> </ul>	Executive - SCAC

Activity	Description	Responsible
	<ul style="list-style-type: none"> <li>○ Moderate – two PMs (Program Managers) (other than the original assessor), or Director of Studies, English Language Program and Associate Dean of Studies</li> <li>○ Major –Associate Dean of Studies, two PMs and or 1 PM and Director of Studies, English Language Program (other than the original assessor)</li> <li>○ Extreme – Dean of Studies and a 2nd Executive.</li> </ul> <ul style="list-style-type: none"> <li>▪ If a student is to be interviewed, they are to be advised of their right to be accompanied and/or assisted by a support person during meetings involving complaints and appeals</li> </ul>	
<b>Academic Complaint Appeal</b>	<p><b>Outcome of the Appeal</b></p> <p>Following the internal appeal, the SCRO will:</p> <ul style="list-style-type: none"> <li>▪ Notify the student in writing of the outcome of the appeal within fifteen (15) business days of receipt of appeal. Notification will include advice on external appeals. A student needs to be aware that if an external appeal is being lodged it must be lodged within 28 (calendar) days of being informed of the decision. The following entities can be contacted to lodge an appeal:               <ol style="list-style-type: none"> <li>a. Academic Coordinators/Program Coordinators /Teachers/Program Managers/Director of Studies English Language Program are to be notified of the outcome in writing</li> <li>b. The outcome is to be recorded in the UTS College Complaints and Appeals Register.</li> </ol> </li> </ul>	SCRO
<b>EXTERNAL APPEAL</b>		
	<p>Where an internal appeal has been unsuccessful a student may request a review by an external body: The following entities can be contacted to lodge an appeal:</p> <ul style="list-style-type: none"> <li>▪ NSW Ombudsman (For UTS Foundation Studies students) - considers whether a decision is illegal, unreasonable, unjust, or oppressive, improperly discriminatory, based on improper or irrelevant grounds, based on a mistake of law or fact, or otherwise wrong.</li> <li>▪ Overseas Students Ombudsman (For international students enrolled in ELT or Diploma courses) - considers decisions where students believe UTS College may not have followed the rules correctly or</li> </ul>	Student

Activity	Description	Responsible
	<p>treated them fairly (e.g. refusing admission to a course, fees and refunds, course or provider transfers, course progress or attendance, cancellation of enrolment, accommodation or work arranged by your provider, incorrect advice given by an education agent.</p> <ul style="list-style-type: none"> <li>Administrative Appeals Tribunal (AAT) (For domestic students)</li> </ul>	
<b>External Appeal Outcome</b>	<p>Where the outcome <b>does support</b> UTS College's decision, the case is closed.</p> <p>Where the outcome <b>does not support</b> UTS College's, the Appeals Panel will be notified.</p>	SCRO
	<p><b>Taking appropriate Action as outlined by External Appeal Body</b></p> <ul style="list-style-type: none"> <li>Take the appropriate action</li> <li>Inform Student</li> <li>Inform External Appeal Body</li> <li>Inform Appeals Department</li> </ul>	SCAC

## 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	Includes those matters which relate to student progress, assessment tasks, curriculum and awards in a course of study
Affiliates	Insearch Limited 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 written request for review of a decision by UTS College about a complaint.

Assessment task	A specific activity a student (or group of students) is required to complete for the purpose of assessment.
Chan	An organisation involved in a contractual relationship with UTS College in recruiting students to study at UTS College.
Complainant	The person lodging the complaint.
Complaint	Any expression of dissatisfaction made to UTS College where a response is expected about anything related to our purpose of providing high quality education.
Day	Any reference to “day” means ‘business day’ (unless otherwise explicitly stated).
Dean of Studies	Is the head of the Education Department and has authority over the educational courses and programs offered by UTS College
Difficult or sensitive issue	Complaints that are more complex, sensitive or of a more serious nature. These types of complaints generally relate to non-academic education matters, enrolment or behaviour and need to be managed formally.
Director of Studies, English Language Program	Is the person responsible for the management of the English Language Programs.
Factual errors	Mark omission / Missing assessment task results: An assessment item or completed exam but the marks do not appear on a student record Incorrect assessment task results recorded: An assessment item or completed exam but the marks on a student record are different from the marks advised by a teacher/subject coordinator.
Exam and Progression Coordinator	Is the person responsible for the administering of exams, publication of final grades and qualifications.
ELT	English Language Teaching.
Frontline Managers	Registrar, Program Managers, Associate Dean of Studies, Director of Studies, Admissions Manager and Education Services Manager.
Grade	A grade is awarded to an assessment item to recognise the level of academic achievement the student has demonstrated. Grades include High Distinction, Distinction, Credit, Pass or Fail.
i-Records	In this document UTS College’s electronic student filling system.

Lodge	To submit a written complaint or appeal.
Non-Academic Matters	Includes those matters which do not relate to student progress, assessment tasks, curriculum, and awards in a course of study and includes complaints in relation to personal information that the provider holds in relation to the student
Program Manager	Is the person responsible for the management of a particular academic courses or UTS Foundation Studies.
Procedural error	Students were not notified of an assessment task within a reasonable period before the due date.
Representative	A person who accompanies a party to a dispute resolution meeting (e.g., a carer/family member, or friend). Representatives must be over the age of 18.
Respondent	The person against whom the complaint has been made.
Routine matter	Complaints that are simple and relate to a routine matter or minor issue. These generally relate to services and facilities on campus. Routine issues can generally be resolved informally.
Executive Team (ET)	Managing Director, Dean of Studies, Chief Operating Officer, Chief Financial Officer and Company Secretary, Chief Officer Partnerships and Growth, Director People.
SCAC	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.
SCRO	Student Complaints Resolution Office
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.
Teacher	The Staff and Affiliates responsible for the delivery of either the English or Academic courses at UTS College.
UTS Direct Student	Any student under 18 years of age who gains direct entry to UTS or completes a UTS College course offered offshore by a UTS College partner institution.
UTS College	Insearch Limited its controlled entities.

### SUPPORTING DOCUMENTS:

- Student Complaints and Appeals Policy
- Assessment Policy
- Academic Integrity Policy
- Privacy Act 1988 (Cth)
- Privacy and Personal Information Protection Act 1988 (NSW)

- Education Services for Overseas Students Act 2000
- The National Code 2018
- Code of Ethics
- Staff Code of Conduct
- Harassment, Bullying and Discrimination Policy
- Non-academic Misconduct Policy and Procedure
- Privacy Policy
- Public Interest Disclosure Policy
- Whistle-Blowing Protection Policy
- Overseas Students Ombudsman (OSO) – <https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=oco-complaint-form>
- NSW Ombudsman – <https://www.ombo.nsw.gov.au/complaints/complaint-form>
- Administrative Appeals Tribunal (AAT) – <http://www.aat.gov.au/resources/forms>

# Student Complaints and Appeals (Academic) Process – does not include Academic Integrity

Version 2, March 2023

