

Student Complaints and Appeals Policy

1. PURPOSE

This policy:

- 1.1. Affirms UTS College 's commitment 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 and appeals process.
- 1.2. Sets out UTS College's responsibilities for providing a learning environment in which complaints and appeals are processed timely and fairly.
- 1.3. Meets the requirements under:
 - The Higher Education Support Act (HESA) 2003
 - The Higher Education Standards Framework (Threshold Standards) 2021, 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)

2. SCOPE

This policy applies to:

- prospective and current UTS College students, staff, affiliates, agents and parents of under 18 students in managing a student complaint or appeal.

Transnational Education partners must have a formal complaints and appeals policy that is aligned with this policy. Refer to the [Transnational Education Policy](#) for further details.

- Complaints and appeals that are related to academic or non-academic matters at UTS College (whether at the Sydney campus or a campus offering UTS College courses outside Australia).
 - A complaint is an expression of dissatisfaction about anything related to all aspects of a student's educational experience and learning environment, including support to students, at UTS College.
 - An appeal is a request to reconsider a decision made by UTS College about an academic or non-academic matter. An appeal is first made internally to UTS College and can be followed by an appeal through an external agency, if the student is

dissatisfied with the decision made through the UTS College internal appeal process.

- 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.
- Non-academic matters are those that are not academic related, including but are not limited to: behaviours, release requests and fees.
- 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. Other complaints will be referred to UTS, where appropriate.

3. PRINCIPLES

3.1. UTS College seeks to ensure that all actions under this Policy:

- a) are based on values consistent with the UTS College Code of Ethics
- b) are underpinned by principles of mutual respect and procedural fairness
- c) meet regulatory requirements and are aligned with the NSW and Commonwealth Ombudsman's guidance advisories.

3.2. Parties to a complaint have the right to be:

- a) heard
- b) treated in an unbiased manner
- c) informed of any complaint made which relates to them
- d) provided with an opportunity to respond to any complaint about them
- e) informed about the status of any complaint involving them
- f) accompanied and/or assisted by a support person during meetings involving complaints and appeals
- g) assisted by an interpreter, if needed, for the complaint or appeal process.

3.3. UTS College provides a supportive environment for students and staff. All parties related to a complaint are supported and treated equally and must not be subjected to victimisation, intimidation, discrimination or harassment.

3.4. All parties involved in a complaint must act in a cooperative, fair, and respectful manner to achieve a resolution, and maintain regular, honest, open, and unbiased communication.

- 3.5. Students are bound by the behavioural expectations of the UTS College Student Charter.
- 3.6. UTS College Staff are bound by the behavioural expectations of the UTS College Code of Conduct and will not be involved in complaint resolution where there is actual, perceived or potential bias or conflict of interest.
- 3.7. UTS College will ensure that a student who is currently enrolled has their enrolment maintained during the complaint resolution or appeal process.
- 3.8. A person or committee investigating a complaint or appeal will do so as expeditiously as possible, consistent with the need to act fairly and follow due process.
- 3.9. A person or committee managing a complaint or appeal will maintain confidentiality by not discussing it with more people than needed to address the matter (noting that in the case of a complaint, the complainant will be identified to the person they are complaining about).
- 3.10. Anonymous complaints will only be acted upon where the matter is serious and where there is sufficient information to enable an investigation to be conducted.
- 3.11. To preserve impartiality in decision-making, where a manager or executive has assisted in the initial investigation of a complaint or appeal, they will not be involved in the review process and decision-making. Another manager or member of the Executive will act in their stead.
- 3.12. UTS College views student complaints and appeals as providing an opportunity to review and improve its policies and practices, and to gain insight into student levels of satisfaction.

4. POLICY STATEMENTS

4.1. Complaint Process

4.1.1. Informal Complaint

- a) Students can contact the staff member or the service area where a dissatisfied service is provided, or a decision is made.
- b) Students are encouraged to address their concerns or issues directly to the staff member or the service area about a service or decision that the student is dissatisfied with. This will allow a quick resolution to be achieved.
- c) If a resolution is not provided within 3 working days or the student is not satisfied with the resolution, the student can request to escalate their complaint to a team lead or a manager. If the student is satisfied with the resolution or does not respond to express any dissatisfaction within 5 working days, the case is considered closed.
- d) If the student is still not satisfied with the resolution, the student can submit a formal complaint in writing, within 5 working days, along with supporting documents or substantial evidence.

4.1.2. Formal Complaint

- a) Formal complaints must be lodged in writing and emailed to the Student Complaints Resolution Office (SCRO) at: scro@utscollege.edu.au.
- b) Investigation and resolution are aimed to be taken and provided within 20 working days following an acknowledgment of receiving the formal complaint.
- c) A written response will be emailed to the student about the outcome of investigation and the resolution.
- d) If the student is not satisfied with the resolution, the student can lodge an appeal to SCRO within 5 working days from the date the resolution was provided.

4.2. Appeal Process

4.2.1. Internal Appeal

- a) Students may appeal to UTS College if they are dissatisfied with the resolution about their complaints, or if they wish to request re-consideration for a decision related to an academic or non-academic matter.
- 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

 - i. Submit their appeal within the required timeframe as specified in the decision emails that they have received prior to lodging their appeal, or as indicated in the Student Complaints and Appeals Procedure.
 - ii. Submit their appeal within the required timeframe as specified in the decision emails that they have received prior to lodging their appeal, or as indicated in the Student Complaints and Appeals Procedure.
 - iii. State clearly what the appeal is about and demonstrate the reasons or grounds that support their appeal.
 - iv. Provide the required documentation along with any other supporting documents if applicable, as stated in the decision emails that they have received prior to lodging their appeal.
- c) Upon receiving a student's appeal, UTS College will:
 - i. Acknowledge receipt of the appeal within 2 working day.
 - ii. Contact the student to clarify what the appeal is about and request more documents or information, if needed.
 - iii. Process the appeal timely, fairly and transparently by following the Student Complaints and Appeals Procedure.
 - iv. Respond to the student in writing about the appeal outcome within 20 working days after the date of acknowledging receipt of the appeal. Students will be contacted if more time is required to process their appeal.

- v. Students may choose to appeal to an external agency if they are not satisfied with the outcome of their appeal.

4.2.2 External Appeal

- a) Appeals against a UTS College decision following an internal appeal can be directed to an external agency within 20 working days from the date the outcome of an internal appeal was provided.
 - 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)

Note: The National Student Ombudsman will begin taking complaints from 1 February 2025, subject to passage of legislation. Prior to February 2025, students will be able to continue to access existing complaints pathways until the National Student Ombudsman commences.

- 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. If a student fails to provide evidence within the appeal deadline, UTS College may proceed to close the case and may, under certain circumstances, cancel the student's enrolment as stated in the internal appeal decision notification.

4.3 Record Keeping and Analysis

- a) All documents related to a student's formal complaint and/or appeal will be saved in the Student Record Centre.
- b) UTS College will keep a register of all formal complaints and all appeals. The register will be maintained by SCRO.
- c) UTS College will conduct analysis of complaints and appeals on a regular basis for reporting purposes and making improvements.

5. RESPONSIBILITIES

5.1. 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.

5.2. Student Complaints and Appeals 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.

5.3. Student Complaints Resolution Office

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

5.4. Academic Board

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

6. RELATED DOCUMENTS

UTS College Policies and Procedures

- Academic Course Progress Policy (Domestic and International Non-Student Visa Holders)
- Academic Course Progress Policy (International)
- Attendance Policy - UTS Foundation Studies/Cambridge International AS and A-Levels Program
- Assessment Policy
- Academic Integrity Policy
- Code of Ethics
- ELT Attendance Policy
- ELT Course Progress Policy (International)
- FEE-HELP Student Policy
- International Student Transfer Request Assessment Policy
- Non-Academic Misconduct Policy
- Privacy Policy
- Refund Policy
- Staff Code of Conduct
- Support for Students Policy
- Transnational Education Policy
- Under 18 Policy
- UTS College Student Charter
- UTS College (Student) Sexual Assault and Harassment Policy

Legislation

Student Complaints and Appeals Policy

UTS College Limited | Institute of Higher Education | ABN: 39 001 425 065 | TEQSA: PRV12022 | CRICOS: 00859D

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- Education Services for Overseas Students (ESOS) Act 2000
- National Code of Practice for Providers of Education and Training to Overseas Students (National Code) 2018
- Higher Education Support Act (HESA) 2003
- Higher Education Standards Framework (Threshold Standards) 2021
- Privacy Act 1988 (Cth)
- Privacy and Personal Information Protection Act 1988 (NSW)

DEFINITIONS

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)
Affiliates	UTS College 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.
Agents	Otherwise referred to as Education Agents
Complainant	The person lodging the complaint.
Dean	Head of the Education Department, with authority over the educational courses and programs offered by UTS College.
Director of Studies English	The 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
Support person	A person who accompanies a party to a dispute resolution meeting (eg, a carer/family member, or friend). A support person must be over the age of 18.
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.
SCRO	Student Complaints Resolution Office
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		
Policy Title	Student Complaints and Appeals Policy	
Policy ID	PROC/EDUC/18/24	
Policy Category	Operational	
Policy Audience	Staff, Students, Affiliates and Third Parties	
Policy Owner	Student Support Manager	
Approval Authority	Academic Board	
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		February 2023 Updated version	
1.1	Education Services Manager	Additional wording regarding a students' support person during complaints/appeal meetings Updated UTS College definition to include TEQSA Provider ID information.	5 July 2023
1.2	Student Support Manager Student Compliance Team Lead	Revised Policy Purpose statement to include key compliance requirements. Simplified wording definition for what is a complaint and what is an appeal. Redefined informal complaint and specified that an informal complaint is not required to be recorded in the complaint register.	8 February 2024
1.3	Student Support Manager Student Compliance Team Lead	Amended the policy scope to cover academic and non-academic matters. Revised order of principles to be more logical and clearer. Streamlined the process of managing complaints and appeals to make it more effective and more straightforward for students to understand. Updated external appeal agency for domestic students.	16 October 2024