



## UNSW Foundation Studies Complaints and Appeals Policy

Policy Name	UNSW Foundation Studies Complaints and Appeals Policy
Policy ID	SMP-5
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Review Date	October 2009
Responsibility	Head of Academic Programs
Approved By	Jon Ireland

### 1. Preamble

This policy is in place to ensure all students are able to lodge a complaint about or appeal any UNSW Foundation Studies process or policy, or any individual linked directly or indirectly to the UNSW Foundation Studies community, that in the opinion of the student (appellant) adversely impacts on their studies or student experience. This policy satisfies the requirements of Standard 8 of the National Code 2007.

### 2. Scope

This policy applies to all students in UNSW Foundation Studies programs including Australian citizens and permanent residents of Australia. The policy also applies to all staff involved in the promotion, recruitment, admission, academic delivery, management or administration of overseas students on student visas.

### 3. Definitions

UNSW Foundation Studies is an education group of UNSW Global Pty Limited, a not-for-profit provider of education, training and consulting services and a wholly owned enterprise of the University of New South Wales

The University of New South Wales (UNSW) CRICOS Provider No 00098G.

### 4. Terminology

**Complaint** – a written expression of dissatisfaction regarding a UNSW Foundation Studies policy, practice, or regarding an individual employee, student, or service provider; lodged with the express intention of seeking a resolution.

**Appeal** - a written expression of dissatisfaction - regarding a UNSW Foundation Studies decision; lodged with the express intention of seeking a resolution.



## 5. Policy Statement

This policy complies with the following legislative framework governing the delivery of education to overseas students studying in Australia on a student visa:

- Education Services for Overseas Students (ESOS) Act 2000  
<http://www.comlaw.gov.au/comlaw/management.nsf/lookupindexpagesbyid/IP200401844?OpenDocument>
- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (The National Code 2007)  
<http://aei.dest.gov.au/AEI/ESOS/NationalCodeOfPractice2007/Default.htm>

## 6. Policy Implementation

UNSW Foundation Studies must comply with the ESOS Act and its regulations. Each staff member involved in the promotion, recruitment, admission, delivery, management or administration of overseas students on student visas is responsible for the implementation of this policy.

## 7. Policy Review

The Associate Director (Academic) will review this policy annually, or in case of legislative changes governing the delivery of education services to overseas students on a student visa.

## 8. Policy Content and Procedures

National Code Standard 8 (8.1):

A UNSW Foundation Studies (UFS) complaints and appeals policy document exists (SMP-5) and a student version of this policy is contained in the student handbook which is distributed at enrolment and explained to students during an information session in week three of their course. The student version of the policy is also available as a download on the Student Intranet.

If an intervention is required due to poor attendance, poor performance or for reasons of academic misconduct, then the complaints and appeals policy is again explained to the student by a UFS Program Coordinator and the student signs a statement in recognition of this fact. If interventions do not resolve the issue, the student can be sent an "Intention to Report" (to DIAC) letter, where the UFS Complaints and Appeals policy is listed as an option for the student to pursue if the student is not satisfied that fair and proper processes have been followed.

The complaints and appeals policy adheres to all requirements as set out in Standard 8 of the National Code 2007 and key areas of compliance are listed as follows:

- a) A Complaints and Appeals template letter is provided for the student and is submitted to the Manager of Teaching Operations as indicated on the template letter and in the UFS Complaints and Appeals policy. A copy of the appeal letter is kept in the student's file and all appeals are actioned in writing within 10 working days of being received.
- b) All internal appeals come at no cost to the student and the external appeal to the NSW Ombudsman comes at minimal or no cost to the student.
- c) Guideline 2 of the UFS Complaints and Appeals policy advises a student that they can bring a support person to any interview.



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- d) At all stages of the internal appeals process, students will be given a written reply to their appeal within 10 working days. The written reply will list the outcome of the appeal and will outline other stages of the appeals process that can be accessed (unless all appeal stages have been exhausted).
- e) All stages of the UFS appeals process will be completed within 10 working days of receiving the letter of appeal from a student.

### National Code Standard 8 (8.2 and 8.3):

The final stage of the UFS Complaints and Appeals policy (Stage 5) lists the external NSW Ombudsman as the final appeal option for a student. The option is also outlined in Guideline 9 of the UFY Complaints and Appeals policy. A Web link to the service is provided in the policy. <http://www.ombo.nsw.gov.au/aboutus/dealwithcomplaints.html>

### National Code Standard 8 (8.4):

Guideline 8 of the UFS Complaints and Appeals policy indicates that a student's enrolment will be maintained during all relevant stages of the appeals process.

### National Code Standard 8 (8.5):

Step 5 of the UFS Complaints and Appeals policy indicates that "UNSW Foundation Studies will immediately implement the decision of the NSW Ombudsman".

## 9. Additional Guidelines

SMP 1: UNSW Foundation Studies Student Deferral, Suspension and Cancellation Policy