

Student Complaints and Appeals Procedure

Procedure Statement

Insearch is committed to providing a learning and working environment in which complaints and appeals are responded to promptly and fairly. As part of our commitment to creating a supportive and open organisational culture, Insearch values ethical and responsible management, transparency in decision-making processes, and a consistent, accessible and fair complaint process. Insearch 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, Insearch will provide an interpreter for the complainant throughout the complaint or appeal process.

This procedure document applies to responding to student complaints at Insearch and should be read in conjunction with the Student Complaints and Appeals Policy.

SCOPE

This procedure applies to all staff and students of Insearch. It does not apply to students enrolled in Insearch courses offered by offshore partners.

DEFINITIONS

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| Affiliated body | Includes honorary appointees, contractors, labour hire personnel, volunteers, agency staff and any other person appointed or engaged by Insearch to perform work or functions for Insearch. |
| Appeal | A written request for review of a decision by Insearch about a complaint. |
| Channel Partner | An organisation involved in a contractual relationship with Insearch in recruiting students to study at Insearch. |
| Complainant | The person lodging the complaint. |
| Complaint | Any expression of dissatisfaction made to Insearch 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). |
| ELT | English Language Training. |

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| Frontline Managers | Registrar, Program Managers, Associate Dean of Studies, Associate Dean ELT, Director of Studies ELT, Associate Director of Studies ELT, Admissions Manager and Head of Student Services. |
| i-Records | In this document Insearch's electronic student filling system. |
| Lodge | To submit a written complaint or appeal. |
| 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. |
| Senior Leadership Team (SLT) | Managing Director, Dean of Studies, Chief Operating Officer, Chief Financial Officer/Company Secretary, Chief Market Development Officer, Chief Business Development Officer, Human Resources Director. |

POLICY PRINCIPLES

| Action | Description | Responsible |
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| Lodge a complaint | <p><u>Pathway 1: lodge a (verbal) complaint in person about a routine matter</u></p> <p>Insearch encourages a student raising a complaint to make it to the area or department and staff member most able to directly respond (e.g., teacher about an in-class issue, student centre about a student service matter).</p> <p>All Insearch staff are empowered to respond to complaints to ensure that students feel comfortable reporting a complaint.</p> <p>Insearch encourages a person raising a complaint to take this option where:</p> <ul style="list-style-type: none"> the person feels comfortable with making a direct approach; and where the complaint does not relate to allegations of unlawful behaviour (e.g., assault, illegal discrimination or harassment, or corruption). | Students |

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| | <p><u>Pathway 2: lodge a (verbal or written) complaint about a difficult or sensitive issue</u></p> <p>Insearch encourages a person raising complaint about misconduct (examples below) to lodge the complaint with the following people:</p> <ul style="list-style-type: none"> • Company Secretary/CFO: allegation of corruption/maladministration (including about a representation office overseas); • Course Program Managers: allegation of improper conduct by a teacher in the program • HR Director: allegation of discrimination, harassment, bullying, child abuse • Chief Market Development Officer: allegation of fraud or corruption involving a channel partner or sales contractor • Chief Business Development Officer: allegation of fraud or corruption involving a joint venture partner. <p><u>Pathway 3: lodge a complaint by email</u></p> <p>Email the complaint to complaint@insearch.edu.au. Include enough details for Insearch to be able to respond:</p> <ul style="list-style-type: none"> • Your name and contact details; • Issue, time and nature of the matter which gave rise to the complaint; and • Any people involved in the complaint. <p>Note: anonymous complaints can be made but will generally only be acted upon where the matter is relatively serious and where there is sufficient information to enable an investigation to be conducted.</p> | |
| <p>Responding to a complaint about a routine/non-complex issue (Pathway 1)</p> | <p>Frontline staff member:</p> <ol style="list-style-type: none"> 1. Gathers relevant details about the complaint from the student lodging the complaint; 2. Emails student acknowledging receipt of complaint: <ol style="list-style-type: none"> a. within 2 days of receiving it b. uses prescribed format for 'subject line' – COMPLAINT – (student number) student name c. stores this email in i-Records; and | <p>Person receiving the complaint</p> |

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| | <p>3. Makes an assessment (consult with Manager where needed) as to whether the complaint needs to be escalated to the team Manager or relevant Senior Leadership Team member.</p> <p>If not escalated, staff member:</p> <ol style="list-style-type: none"> 1. Investigates the complaint; 2. Liaises with student making the complaint and other parties as required (eg, if required, set up an interview with the complainant, the respondent and/or any other witnesses). If appropriate arrange a mediation meeting with the parties involved; 3. Resolves the complaint and communicates this in writing to the student advising of the result; 4. Stores this correspondence in i-Records 5. Provides the student with information about how to lodge an internal appeal if they are dissatisfied with the outcome; 6. Advise the student of the option that appeal to an external body may also exist; and 7. Enters the complaint details in team complaints register (see requirements section under 'record keeping'). <p>If not resolved within 5 days:</p> <ol style="list-style-type: none"> 1. Staff member escalates the complaint to the relevant Manager; 2. Manager notifies complainant of the change in complaints management contact person; 3. Manager has 10 days to investigate and respond to the complaint; 4. Manager resolves the complaint and communicates this in writing to the student advising of the result; 5. Manager provides the student with: <ol style="list-style-type: none"> a. Information about how to lodge an internal appeal if they are dissatisfied with the outcome b. Advice of the option that appeal to an external body also exists; and 6. Enters the complaint details in team complaints register (see requirements section under 'record keeping'). | |
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| | <ol style="list-style-type: none"> 12. Undertakes an investigation in a timeframe aligned with the nature of the complaint (but not greater than 10 days); 13. Advises MD of complaints involving an allegation of serious misconduct or unlawful activity; 14. Consults with the Company Secretary/CFO prior to obtaining legal advice (if legal advice is required); 15. Consults with the MD prior to informing law enforcement or other external authorities; 16. SLT member considers approach to response to complaint if it involves a referral to law enforcement (or similar bodies), including timing and communicating this to the student; 17. Resolves the complaint and communicates this in writing to the student advising of the result; 18. Provides the student with: <ol style="list-style-type: none"> a. Information about how to lodge an internal appeal if they are dissatisfied with the outcome b. Advice of the option that appeal to an external body also exists if the internal appeal is unsuccessful; and 19. Enters the complaint details in team complaints register (see requirements section under 'record keeping'). | |
| <p>Responding to an email to the complaints email address (Pathway 3)</p> | <ol style="list-style-type: none"> 20. Where a complaint is received through the email address complaint@insearch.edu.au, the complaint is forwarded to the relevant Manager as follows: <ul style="list-style-type: none"> ▪ Education-related matters: to the responsible Program Manager ▪ Student services (including Student Centre, Student Administration, and Homestay matters but not facilities) matter: to the Head of Student Services ▪ Facilities-related matter: Facilities Manager ▪ Admission related matters: to the Admissions Manager ▪ Enrolment-related matters: Registrar | <p>Executive Assistant, Education</p> |

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| | <p>21. Based on the nature of the complaint, the Manager decides whether to:</p> <ul style="list-style-type: none"> ▪ Delegate management of the complaint to a staff member (see Pathway 1); ▪ Retain management of the complaint it (see Pathway 2); or ▪ Escalate it to an SLT member (see Pathway 3). | Relevant Manager |
| <p>Outcomes of the Complaint</p> | <p>22. Complainant will receive written advice of the outcome of their complaint. The outcome will be in keeping with the seriousness of the incident which was the basis of the complaint, and outcomes will be applied consistently across Insearch. Some possible outcomes include:</p> <ul style="list-style-type: none"> ▪ Through the resolution process the student gains a better understanding of the situation so that his/her concerns are addressed; ▪ A mutually acceptable resolution is reached through conciliation or mediation; or ▪ The student receives an apology, and/or the issue or behaviour that was the basis of their complaint is modified. <p>23. In some cases, the complaint cannot be substantiated and no further action will result. In serious and substantiated cases, Insearch's formal disciplinary process will be invoked. Formal warnings about inappropriate behaviour, counselling, situation monitoring and reporting are common outcomes in the first instance, unless the behaviour is of a very serious nature (for example, involving repeated incidents of inappropriate behaviour or serious breaches of the code of conduct). The most serious breaches may result in expulsion (for students) or dismissal (for staff).</p> | |

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| <p>Appeals</p> | <p>24. If a student lodges a complaint and is not satisfied with the resolution of the complaint, they can:</p> <ul style="list-style-type: none"> ▪ Appeal to Insearch in the first instance to review its decision (internal appeal); or ▪ If the internal appeal is unsuccessful, appeal to an external body. | <p>Student</p> |
| <p>Internal Review by Insearch</p> | <p>25. If an appeal to Insearch for review of a decision about a complaint is made, the appeal is considered by the relevant SLT member:</p> <ul style="list-style-type: none"> ▪ Associate Dean of Studies – non-academic but education related appeals ▪ Chief Operating Officer – student services and facilities related appeals ▪ Joint panel of Dean of Studies/Chief Operating Officer – enrolment <p>NB: However, where the Dean of Studies or Chief Operating Officer was involved in considering a complaint and would usually be an appeals reviewer of that complaint, another member of the SLT will replace them as appeals reviewer. This is to remove any apprehension of bias.</p> <p>26. Where an internal appeal is not upheld the student is advised of external appeal options including contact details and links which are also provided in the Supporting Documents section below.</p> | <p>Associate Dean of Studies/COO/other member of SLT</p> |
| <p>External Review</p> | <p>27. Where their internal appeal has been unsuccessful students may request a review by an external body:</p> <ul style="list-style-type: none"> ▪ NSW Ombudsman (For UTS Foundation Studies students) <ul style="list-style-type: none"> ○ 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. | <p>Student</p> |

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| | <ul style="list-style-type: none"> ▪ Overseas Students Ombudsman (For students enrolled in ELT or Diploma courses) <ul style="list-style-type: none"> ○ Considers decisions where you believe Insearch may not have followed the rules correctly or treated you fairly (eg, 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. ▪ Administrative Appeals Tribunal (AAT) (For domestic students) <p>Students should be advised that an appeal needs to be lodged within 28 (calendar) days of being informed of the decision.</p> | |
| <p>Timeframes when responding to the decision of an external Appeals Body</p> | <p>28. Insearch 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.</p> <p>29. For other decisions (e.g. recommendations of a more general nature), the SLT 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 Insearch.</p> | <p>Relevant Manager/ SLT member</p> |
| <p>Recording Complaints and Appeals</p> | <p>30. All complaints and appeals must be recorded the relevant team's complaint register. The register includes the following:</p> <ul style="list-style-type: none"> • I-Records number; • date the complaint was received; • nature of complaint; • complaint received by; • expected resolution time; • actual resolution time; • escalation (if required); and • brief summary of resolution. | |

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| | 31. File all records of complaints in student files (i-Records). Parties to the complaint may request in writing access to these records. These will be dealt with on a case-by-case basis by the relevant SLT member. | |
| Monitoring and Reporting | <p>32. Prepare a report on the academic related complaints and appeals since the last report, to be tabled at each Academic Board meeting (3 times a year).</p> <p>33. Prepare a report for the SLT on all Complaints and Appeals items in the register for presentation at the SLT Quarterly Meeting.</p> <p>END OF PROCEDURE</p> | Executive Assistant, Education |

SUPPORTING DOCUMENTS

- Student Complaints and Appeals Policy
- Student Complaint Form
- 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>

ADMIN USE ONLY

| APPROVAL | |
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| Signature: | |
| Name: | Chief Operating Officer Date: |
| Procedure Title | Student Complaints and Appeals Procedure |
| Procedure Owner | Registrar |
| Procedure ID | PR/OPS/04/17 |
| Effective Date | |