

## Complaints and Appeals Policy International Students

For further information please email:

Admissions Office  
admissions@carey.com.au

The Application for Enrolment is also  
available online at [carey.com.au](http://carey.com.au)

The following School Rules, Policies and  
Forms can be found on our Website:

- Child Safe Policy
- Reporting Child Abuse Procedure
- Complaints and Appeals Policy
- Overseas Student Transfer Policy
- Student Behaviour
- Uniform and Appearance
- Privacy
- Enrolment Procedure and Policy –  
International Students
- Fee Schedule and Further  
Information – International  
covering:

*Annual Fees and Additional  
Charges, Withdrawal of a Student,  
Uniform and Books, Digital  
Learning Program*

- Term dates/holidays
- Curriculum (pathways) information  
([pathways.carey.com.au](http://pathways.carey.com.au))

After orientation further School  
Policies and Information become  
accessible on CareyLink.

Carey Baptist Grammar School Limited  
ABN 83 051 576 062 CRICOS #00135G

\* Fees and Condition of Enrolment are  
subject to change without notice

November 2020



### 1. INTRODUCTION

Carey Baptist Grammar School (School) is committed to a fair process to resolve complaints brought forward by overseas students. In doing so, the School seeks to achieve and maintain a setting that encourages a productive and harmonious School environment. Within this context, complaints shall be dealt with quickly, impartially and fairly.

### 2. PURPOSE

- 2.1 The School is a community where individuals should feel free to express their points of view respectfully, openly and honestly. This Policy and Procedure establishes the approach that the School will adopt to address complaints by overseas students.
- 2.2 The School aims to foster a culture in which appropriate standards of conduct are maintained by overseas students at all times, and that complaints are managed and resolved fairly and promptly and in accordance with relevant legislation. The School aims to provide a harmonious, positive and productive environment and supports the practices of dispute resolution and confidential mediation as a means to resolve issues.
- 2.3 The aim of the School's complaints procedure is to resolve concerns. On occasion, it will not be possible to resolve a complaint to the satisfaction of all parties. The procedure involves both formal and informal components.

### 3. SCOPE

This Policy applies to all staff members, Home Stay Hosts, Local Support Persons and overseas students of Carey.

### 4. DEFINITIONS

Complaint means an expression of dissatisfaction made to the School by an overseas student, related to the conduct of School activities or the resolution process itself, where a response is explicitly or implicitly expected during the period of enrolment at the School. For the sake of simplicity, the term 'complaint' will be used in the context of this Policy and procedure to refer to grievances, complaints and interpersonal disputes, but does not include matters relating to the safety of a child or whistleblowing.

Overseas Student means a person (whether within or outside Australia) who holds a student visa as defined by the Education Services for Overseas Students Act 2000 (Cth) (ESOS Act), but does not include students of a kind prescribed in the ESOS Regulations. Where the student is under 18 years of age and the student is required to exercise rights or enter obligations as a legal person, this term may refer to the student's parents or legal guardian.

### 5. POLICY

- 5.1 The School is aware that overseas students may encounter certain problems and difficulties during their period of enrolment at the School. This process is designed to assist overseas students (hereafter, the Student) with the resolution of any complaint.
- 5.2 If a concern arises, the Student, homestay family, or staff member will initially make contact with the Deputy Head of Senior School (Student Wellbeing) who, in consultation with the The Head of Senior School will make a time to conduct a process of mediation. This will usually involve all relevant parties, including the Student's Home Stay Host and Local Support Person, in order to achieve an acceptable outcome to the complaint.
- 5.3 Should mediation not achieve an acceptable outcome for the Student, the School will assist in arranging external conciliation in order to settle the matter. Possible bodies with whom such arrangements might be made include the Association of Independent Schools, the Victorian Association of School Counsellors, a private conciliator, dispute resolution counsellor or a nominee of the Student, if the Student so chooses.
- 5.4 Until the complaints and appeals process is completed, the School will maintain the enrolment of the Student, This means the School will not notify the Department of Home Affairs (DHA) of any change to the Student's enrolment status through the Provider Registration and International Student Management System (PRISMS).

However, depending on the nature of the claim, the Student may not be allowed to attend classes during this time.

- 5.5 If an appeal is made against the School's decision to report the Student for unsatisfactory results or attendance, the School will maintain the Student's enrolment until the external complaints process is complete.
- 5.6 If an appeal is made against the School's decision to defer or suspend a Student's enrolment due to misbehaviour or to cancel a student's enrolment, the School will await the outcome of the external appeals process before notifying DOHA through PRISMS of a change in the Student's enrolment.
- 5.7 This Policy does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

## 6. INTERNAL COMPLAINTS AND APPEALS PROCEDURE

- 6.1 The School will respond to any complaint or appeal the overseas student makes regarding their dealings with the School, the School's education agents or any related party the School has an arrangement with to deliver the overseas student's course or related services.
- 6.2 The Student, the homestay family, the overseas student's support person or a member of staff at the School makes a complaint to the Head of Senior School, Home Stay Co-ordinator or member of staff of the School either verbally or by emailing [senior.school@carey.com.au](mailto:senior.school@carey.com.au) Any complaint will be brought to the attention of the Deputy Head of Senior School (Student Wellbeing) and begin being assessed within 10 working days of it being lodged.
- 6.3 The School will recognise receipt of the complaint and commence assessment of the complaint within 10 working days of it being made and will finalise the outcome as soon as practicable.
- 6.4 The Deputy Head of Senior School (Student Wellbeing) will meet with the Head of Senior in order to assess the complaint and determine the best way of resolving the complaint. Grievances brought by student against another student will be dealt with under the School's Code of Conduct.
- 6.5 The complaint will be assessed in a professional, fair and transparent manner.
- 6.6 The Student's Local Support Person and Parents will be informed of the complaint and can participate in the resolution of the complaint if the Student wishes to be accompanied by a support person.
- 6.7 Mediation will then occur, with the formality of the process dependent on the nature of the complaint. This allows the parties to explain the nature of the complaint and discuss possible ways to remedy the situation.
- 6.8 The parties will then be brought together (if appropriate) in a more formal setting in an effort to come to an agreeable resolution. The Head of Senior School will mediate during the discussions. Each party will be able to have their own say. The Student may be accompanied and/or assisted by their Local Support Person if desired.
- 6.9 If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the overseas student, the School will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision, and advise the overseas student of that action.
- 6.10 If a successful resolution has not been achieved, then it may be necessary for the matter to go before the Principal for settlement. If a positive resolution is then reached, the School will immediately implement the decision and any corrective and preventative action required. Regular monitoring of the situation by the Deputy Principal will take place to ensure the problem does not occur again.

- 6.11 The School will provide a written statement of the outcome to the Student, including details and reasons for the decision. It will also ensure that the processes must be completed within as soon as practicable.
- 6.12 The School will keep a written record of complaints or appeals on the Student's file, including a statement of the outcome and reasons for the outcome.

## 7. EXTERNAL COMPLAINTS AND APPEALS PROCESS

- 7.1 If a successful resolution is not achieved and where the Student remains dissatisfied and would like access to an external counsellor or other independent body, the School will provide assistance with contact details for referral within 10 working days of their right to access an external appeals process. The external appeals process can be accessed for minimal or no cost. The providers available are:

### Overseas Students Ombudsman

GPO Box 442 Canberra ACT 2601  
Phone: 1300 362 072 (within Australia)  
Phone: +61 2 6276 0111 (outside Australia)  
Fax: +61 2 6276 0123

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)  
Web: [www.oso.gov.au](http://www.oso.gov.au)

### Department of Justice Dispute Settlement Centre of Victoria

Level 4, 456 Lonsdale Street Melbourne VIC 3000  
Phone: 1800 658 528 (within Australia)  
Phone: +61 3 9603 8370 (outside Australian)  
Fax: +61 3 9603 8355

Email: [dscv@justice.vic.gov.au](mailto:dscv@justice.vic.gov.au)  
Web: [www.justice.vic.gov.au/disputes](http://www.justice.vic.gov.au/disputes)

- 7.2 In most cases, the purpose of the external appeals process is to consider whether the School has followed its policies and procedures, rather than make a decision in place of the School.

## 8. CONFIDENTIALITY / ANONYMITY

- 8.1 Request for a matter to be treated in confidence shall be respected subject to mandatory, legal or school policy reporting requirements. It should be explained to parties who request not to be identified that such a request has the potential to restrict the scope and effectiveness of the follow up of the materials.
- 8.2 Employees, overseas students, Local Support Persons and Home Stay Hosts, themselves or on behalf of the overseas student should put their name to allegations whenever possible - concerns with no attributable source can be much less powerful. Nonetheless allegations made by known persons who want their identity secret shall be considered under this Policy. In relation to determining whether such allegations will be taken forward, the School shall take the following factors into account:
  - (a) the seriousness of the issue raised;
  - (b) the credibility of the concern; and
  - (c) the likelihood of confirming the allegation from attributable sources, and obtaining information provided.

## 9. BREACHES OF THIS CODE

Any breach of this Policy may result in disciplinary action, including up to termination of enrolment or employment.

## 10. MONITORING AND REVIEW

A review of this Policy shall be conducted every two years.

The School Leadership Team will be responsible for ensuring that this Policy is reviewed and updated.