

International Students

Complaints and Appeals Policy

1. Policy Statement

Kennedy Baptist College is committed to developing and maintaining positive relationships with all members of the College community and to the timely resolution of complaints and/or appeals. Complaints and appeals by international students will be treated seriously and addressed professionally, and impartially, applying principles of confidentiality and procedural fairness.

2. Scope

This policy applies to all staff, international students, and their parents/guardians for the duration of their enrolment at Kennedy Baptist College.

3. Rationale

The College is required to ensure compliance with *Standard 10 – Complaints and Appeals of the National Code of Practice for Providers of Education and Training to Overseas Students 2018*.

4. Definitions

Term	Definition
Complaint	An implied or expressed statement of dissatisfaction where a response is sought, reasonable to expect or legally required.
Procedural fairness	<p>Procedural fairness refers to the common law duty to observe procedural fairness when a decision is made that affect's a person's rights, interests, or legitimate expectations in a direct or immediate way. When a decision is made which will deprive a person of some right or interest or the legitimate expectation of a benefit, they are entitled to know the case sought to be made against them and be given an opportunity of replying to it.</p> <p>Rules of procedural fairness require:</p> <ul style="list-style-type: none"> • A hearing appropriate to the circumstances. • Lack of bias. • Evidence to support a decision. • Inquiry into matters in dispute.
Working day	Any day during term time, other than a Saturday, Sunday, or a public holiday.

5. Complaints not Covered by this Policy

- a. Any complaint relating to harm or potential harm of an international student must be dealt with by the College in accordance with the *Reportable Conduct Policy*.
- b. Complaints raised by a student against another student will be dealt with in accordance with the *Behaviour Management Policy*. E.g., bullying and harassment.
- c. Complaints concerning privacy and confidentiality.

6. Types of Complaints and Appeals Covered by this Policy

International students have the right to lodge a complaint or appeal, including but not limited to:

- a. Decisions relating to grades and assessments or academic misconduct.
- b. Decisions relating to a student's admission into a course.
- c. Decisions relating to transfer between education providers.
- d. Decisions relating to deferring or suspending studies.
- e. Decisions relating to cancellation of a student's enrolment.
- f. Decisions relating to payment of course fees or refund of fees.
- g. Decisions relating to terminating a student's approved accommodation and welfare arrangements (under the age of 18).
- h. Third party agents engaged.

Please refer to the *International Students Course Attendance, Progress and Duration Policy* for complaints and appeals when a student has been notified of the College's intention to report a breach of the student's visa conditions for unsatisfactory course progress or attendance.

7. Informal Resolution

As a first step in the resolution process, the College will attempt to informally resolve a complaint through meetings, discussions and/or mediation.

If the matter cannot be resolved informally through mediation, the matter will be referred to the Principal and the College's formal internal *International Students Complaints and Appeals Process* will be followed. The complaints and appeals process are conducted at no cost to the student or their parents/legal custodians.

8. Principles

The College's internal complaints and appeals process:

- a. Will respond to any complaint or appeal an international student makes about the College or any agent the College engages.
- b. Is conciliatory in nature.
- c. Will treat complaints and appeals seriously, sensitively, and impartially and managed in a professional, fair, and transparent manner.
- d. Is based on the principles of procedural fairness.
- e. Will remain confidential in accordance with the *Privacy Act*.

9. Process Timeline and Outcomes

- a. The internal *International Students Complaints and Appeals Process* will commence within 10 working days of the international student lodging a formal complaint or appeal and will be resolved as soon as practicable.
- b. The international student will have an opportunity to present their case and be accompanied by a support person, if necessary.
- c. If the student is successful in the College's internal complaints and appeals process, the College will immediately implement the decision and any corrective and preventative action required.
- d. The College will give the international student a written statement of the outcome of the complaint or appeal, including the reasons for the outcome, and keep a written record of complaints and appeals on the student's record.
- e. If the international student is not successful in the College's internal complaints and appeals process, the College must advise the international student of their right to access an external complaint handling and appeals process at minimal or no cost. This advice must be given to the international student within 10 working days of the completion of the internal complaints handling and appeals process.

If the international student's complaint or appeal relates to a decision to cancel the student's enrolment, the College must wait for the internal complaints and appeals process to be completed before they can proceed.

10. External Complaints and Appeals Process

The availability of internal complaints and appeals processes does not remove the right of the student and their parents/legal custodians to take action under the *Australian Competition and Consumer Commission* or the *Commonwealth Ombudsman*.

The purpose of the external appeals process is to consider whether the College has followed its policies and procedures and the way in which the internal *International Students Complaint and Appeal Process* was conducted.

If the student is not satisfied with the outcome of their complaint or appeal, they may contact the *Overseas Students Ombudsman* at no cost.

The *Overseas Student Ombudsman* provides a free, independent, and impartial service for international students who have a complaint or want to lodge an external appeal about a decision made by their education provider.

The Overseas Students Ombudsman can be contacted on **1300 362 072** or a complaint may be made online at:

<https://www.ombudsman.gov.au/complaints/international-student-complaints>

If the student is still not satisfied with the outcome of either the College's internal *International Students Appeals Process* or the external appeals process, they are welcome to access external legal services. However, the College is not obliged to assist the student with finding further appropriate appeals processes.

11. Related Documentation

- *International Students Complaints and Appeals Process*
- *International Students Course Attendance, Progress and Duration Policy*
- *Appeal Form – International Students*
- *Behaviour Management Policy*
- *Complaint Handling Procedure*
- *Privacy Policy*

Version control					
Version	Amendments	Date Reviewed	Endorsed by Board	Next Review	Author of version
1		13/09/2019	13/09/2019	09/2021	
2	Updated	03/12/2020		09/2021	
3	Updated	24/08/2021	24/11/2021	08/2023	
4	Updated	09/06/2022		08/2023	C Acciano
5	Amended policy statement, scope, definitions, replace Formal Internal Complaints and Appeals process with Principles, deletion of Complaints Handling and Appeals Procedures (a new International Students Complaints and Appeals Process document has been developed), replace Other Legal Avenues with External Complaints and Appeals Process – amendments to this section.	27/11/2023	15/05/2024	08/2025	C Acciano
6	Amended rationale, types of complaints and appeals, principles and process and timelines.	27/08/2025	17/09/2025	09/2027	C Acciano