

COMPLAINTS & APPEALS POLICY

Version:	1.001JAN2024JRAYNE.
Authorised by:	James Rayne, Principal Executive Officer.
Effective date:	15 th March 2024
Scope:	All campuses of Kingston International College in Australia.
Moderated by:	James Rayne, Principal Executive Officer.
Validated by:	Sanjay Rungasamy, Academic and Operations Manager. Jasper Dong, Administrative and Student Support Manager.
Aim:	<p>This policy aims to provide active students and potential students with information relative to:</p> <ul style="list-style-type: none"> A. The complaints procedure <i>and</i> B. The appeal procedure. <p>The aim of this policy is also to manage fairly and equitably and respond to allegations involving the conduct of:</p> <ul style="list-style-type: none"> A. Kingston International College, its trainers, assessors or other staff <i>or</i> B. A third-party providing services on the RTO's behalf, its trainers, assessors or other staff <i>or</i> C. A student at Kingston International College.
Purpose:	<p>The purpose of this policy is to ensure that Kingston International College remain compliant with relevant legislative and regulative requirements such as, but not limited to:</p> <ul style="list-style-type: none"> A. <i>National Code 2018 Standard 10 and</i> https://www.legislation.gov.au/Details/F2017L01182 B. <i>Standards for RTO 2015 Standard 6.</i> https://www.legislation.gov.au/F2014L01377/latest/text
Targeted audience:	The policy applies to all stakeholders of Kingston International College, notably active students, potential students, education agents, migration agents and employees.

POLICY STATEMENT

DEFINITIONS

1.0 In this policy, the below definitions, per Kingston International College, apply:

- A.** An **active student** or **student** of Kingston International College (Here-in KIC) means a student who:
 - I.** Holds a KIC Confirmation of Enrolment (Here-in COE) (International visa holders only) *and/or*
 - II.** Is currently enrolled in a current and/or future KIC course, regardless of whether the student is onshore (in Australia) or offshore (outside of Australia).
- B.** A **potential student** of KIC means a student who wishes to enrol in KIC and whom:
 - I.** Does not hold a KIC Confirmation of Enrolment (COE) (International visa holders only) *and/or*
 - II.** Is not enrolled in a current and/or future KIC course.
- C.** A **plaintiff** is a person who raises a formal complaint in Kingston International College.

APPEALS

2.0 Kingston International College (here-in KIC) acknowledges that any active or potential student may appeal against a decision made by Kingston International College.

2.1 An active or potential student may appeal a decision made by Kingston International College by accessing our appeal form:

- A.** Located via KIC website <https://www.kingstoncollege.wa.edu.au/> *or*
- B.** By emailing student.services@kingstoncollege.wa.edu.au *or*
- C.** In person via student services on campus at 131 Harold Street, Highgate WA 6003.

2.2 The student completing the appeal form, must ensure that:

- A.** All the required sections are duly completed, dated and signed *and*
- B.** Information provided in the appeal form are true and accurate *and*
- C.** Any supplementary evidence which may endorse the student's appeal, are attached in the application form *and*
- D.** Email their appeal form to student.services@kingstoncollege.wa.edu.au.

2.3 Once an appeal is received, KIC will commence the appeal review within 10 days and notifies the student to attend a meeting with either or both of the below parties. The student is advised / encouraged to bring any supporting document which may endorse their case:

- A.** Academic & Operations Manager (For academic progress, academic misconduct and financial matters) *or*
- B.** Principal Executive Officer (For code of conduct matters).

- 2.4** For the purpose of the appeal meeting, a student may be accompanied by a person of their choice to provide support, language translation or as a witness. The student attending the meeting may not bring a person who is:
- A.** A direct competitor of Kingston International College *and*
 - B.** An active student at Kingston International College unless otherwise approved by the meeting chair (Clause 2.3A or clause 2.3B). This is due to the *Privacy Act 1988*.
- 2.5** Kingston International College will complete the appeal review and notify the student of the outcome within 30 days of commencement of the appeal review via the email address of the student. Where applicable, KIC may take up to 60 days to review an appeal.
- 2.6** Should the appeal review take more than 60 days for an outcome to be finalised, KIC will notify the student via email of such a matter.
- 2.7** A student who has had an unsuccessful appeal outcome and who is not satisfied with the outcome or believes the unsuccessful outcome of the appeal is not fair or justified, has the right to access the below information to lodge a formal complaint:

Commonwealth Ombudsman for International Students

Phone: 1300 362 072. (Onshore)

Phone: +61 2 5117 3600. (Offshore)

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

phone service is available during the following hours:

- Monday 10:00 am – 4:00 pm
- Tuesday 10:00 am – 4:00 pm
- Wednesday 10:00 am – 2:00 pm
- Thursday 10:00 am – 4:00 pm
- Friday 10:00 am – 4:00 pm

Offices:

- Canberra - Level 5, 14 Childers Street
- Brisbane - Level 22, 215 Adelaide Street
- Adelaide - Level 11, 25 Grenfell Street
- Sydney - Level 20, 60 Castlereagh Street

- 2.8** Kingston International College does not charge any fee for an appeal submitted by a student.
- 2.9** Where a student has submitted a document which was validated by Kingston International College and deemed as fraudulent, KIC will immediately:
- A.** Stopped the appeal process *and*
 - B.** Raise a notice of intention to cancel the student's COE (NOITC) for violation of KIC code of conduct policy.

3.0 Where a student’s appeal was deemed as not successful, and the student has accessed Ombudsman for international students and where Ombudsman has interfered and provided a ruling / verdict / decision, KIC will implement the verdict / ruling / decision issues by Ombudsman as soon as practically possible.

3.1 KIC will safely secure all appeals received in the respective student logbook on the KIC student management system.

3.2 All appeals received are documented in the KIC appeal register for future references.

APPEALS DEADLINES

3.3 A student who wishes to make an appeal must be aware of the below deadline for a respective appeal application:

NATURE OF APPEALS	DEADELINES
<p>1. Appealing a Notice of Intention to cancel the student’s COE (NOITC) for violation of course progress policy.</p>	<p>The student has 20 working days to appeal the decision from the date the NOITC has been emailed. Working days only include weekdays.</p>
<p>2. Appealing a Notice of Intention to cancel the student’s COE (NOITC) for violation of course tuition fee policy.</p>	<p>The student has 20 working days to appeal the decision from the date the NOITC has been emailed. Working days only include weekdays.</p>
<p>3. Appealing a Notice of Intention to cancel the student’s COE (NOITC) for violation of code of conduct policy.</p>	<p>The student has 20 working days to appeal the decision from the date the NOITC has been emailed. However, if the nature for the code of conduct poses a safety risk to KIC students, staffs or stakeholders, the deadline of the appeal maybe shorter than 20 working days. Working days only include weekdays.</p>
<p>4. Appealing the Not Yet Competent (NYC) outcome of a VET unit of competency.</p>	<p>The student has 7 calendar days to appeal the outcome from the date the NYC email notification was sent. Calendar days include week-end days.</p>
<p>5. Appealing the Not Satisfactory (NS) outcome of an ELICOS topic.</p>	<p>The student has 7 calendar days to appeal the outcome from the date the NS email notification was sent. Calendar days include week-end days.</p>
<p>6. Appealing any other matter bar 3.2.1 to 3.2.5).</p>	<p>The student has 20 working days to appeal the decision from the date the NOITC has been emailed. Working days only include weekdays.</p>

COMPLAINTS

- 4.0** Kingston International College has a procedure in place for students who wish to raise a complaint against:
- A.** Kingston International College, its trainers, assessors or other staff *or*
 - B.** A third-party providing services on the RTO's behalf, its trainers, assessors or other staff *or*
 - C.** A student at Kingston International College.
- 4.1** A student who wishes to raise a formal complaint must access the KIC complaint form:
- A.** Located via KIC website <https://www.kingstoncollege.wa.edu.au/> *or*
 - B.** By emailing student.services@kingstoncollege.wa.edu.au *or*
 - C.** In person via student services on campus at 131 Harold Street, Highgate WA 6003.
- 4.2** A student who raises a complaint, may choose to remain anonymous. However, in such a case, Kingston International College may not be able to communicate the complaint resolution or outcome to the student.
- 4.3** A student who completes the complaint form, must ensure that:
- A.** All the required fields are completed, dated and signed (Not required to sign nor enter name and class if the student chooses to remain anonymous) *and*
 - B.** Provide true and accurate information *and*
 - C.** Must not deliberately raise a complaint form with false information *and*
 - D.** Attach any supporting documents or evidence which may endorse the complaint and speed up the investigation process *and*
 - E.** Email the complaint for to student.services@kingstoncollege.wa.edu.au.
- 4.4** Once a complaint is received, Kingston International College will:
- A.** Review the complaint *and*
 - B.** Save the complaint in the student logbook on the learner management system if the plaintiff is not anonymous or save the complaint received in the employee's file if the plaintiff is a staff *and*
 - C.** Enter the complaint into the complaint register *and*
 - D.** Investigate the complaint *and*
 - E.** Address / fix the complaint as fast as possible *and*
 - F.** Notify the plaintiff of the complaint outcome / resolution (if not anonymous) via email.
- 4.5** All complaints form received, will be reviewed by either or both of the below members:
- A.** Principal Executive Officer *and/or*
 - B.** Academic & Operations Manager.

- 4.6** Where a complaint has been lodged to Kingston International College by a student, and post investigation, it was discovered that the plaintiff has deliberately provided false information and/or fraudulent / tampered evidence, KIC may take academic action/s against the student.
- 4.7** Where a complaint has been lodged to Kingston International College by a staff, and post investigation, it was discovered that the plaintiff has deliberately provided false information and/or fraudulent / tampered evidence, KIC may take disciplinary action/s against the staff.
- 4.8** Kingston International College will commence the complaint review process within 10 days of receiving a complaint.
- 4.9** Kingston International College will complete the complaint review process within 30 days of receiving the complaints. Where required, KIC may take up to 60 days to finalise / conclude / fix the complaint.
- 5.0** Should the complaint review take more than 60 days to be finalised, KIC will notify the plaintiff (If not anonymous) via email of such a matter.
- 5.1** Where a complaint is found to be genuine post investigation and relates to insufficient / missing academic resources or materials, Kingston International College will make immediate arrangements for procurement of such resources / materials. Kingston International College reviews its academic resources and materials on a regular basis to ensure no such incident occurs or to minimise risk of such matter occurring.
- 5.2** Where a complaint is found to be genuine post investigation and relates to another KIC student, Kingston International College will provide the alleged perpetrator with a fair and equal opportunity to present and defend their case through one or more meetings prior a decision is made. For the purpose of such a meeting, clause 2.4A and clause 2.4B apply.
- 5.3** Where a complaint is found to be genuine post investigation and relates to a KIC staff member, Kingston International College will provide the alleged perpetrator with a fair and equal opportunity to present and defend their case through one or more meetings prior a decision is made.
- 5.4** Where a plaintiff is not satisfied with the outcome / resolution / conclusion of the complaint post finalisation by Kingston International College, the plaintiff may access the Commonwealth Ombudsman for International Students to lodge a formal complaint. (See clause 2.7 for further details).
- 5.5** Post investigation of a complaint which has been found to be genuine, Kingston International College will monitor the cause of the complaint on a regular basis or make changes to its current practices to ensure that a similar occurrence does not take place in the near-future.

CONTINUOUS IMPROVEMENT

- 6.0** Kingston International College will review and document changes made to this policy on a regular basis as part of its continuous improvement process.
- 6.1** Where changes have been made to this policy, the continuous improvement register and the policy register will be updated accordingly by management.

DATE OF REVIEW	CHANGES MADE	AUTHORIZED BY
12 Mar 2024	Revised the complaints and appeals. Added the contact details for Commonwealth Ombudsman for International Students. Revised the steps an active or potential student should take to raise an appeal. Revised the steps a plaintiff should take to formally raise a complaint. Added a clause to allow a plaintiff to remain anonymous whilst raising a complaint.	James Rayne PEO