

MCOHB Complaints and Appeals Policy and Procedure

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1.0 **Purpose**

1.1 The Melbourne College of Hair and Beauty (MCOHB) implements a complaints and appeals policy and procedure in accordance with *Standard 6* of the *Standards for RTO's 2015* and *Standard 10* of the *National Code of Practice for Providers of Education and Training to Overseas Students 2018* (CRICOS standards)

1.2 MCOHB complaints and appeals policy is a transparent process that enables learners and stakeholders to be informed of and to understand their rights and the RTO's responsibilities under the relevant Acts and Standards.

1.3 A complaint can be made to the RTO regarding the conduct of:

- the RTO, its trainers, assessors or other RTO staff
- students of the RTO
- any third parties providing services on behalf of the RTO (if relevant).
- Complaints may be made to any member of staff.

1.4 MCOHB's complaints and appeals policy:

- a) ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;
- b) are publicly available; MCOHB's Complaints and Appeals Policy and Procedure is available on MCOHB's website or from reception.
- c) set out the procedure for making a complaint or requesting an appeal;
- d) ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and
- e) provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.

1.5 An appeal can be made to the RTO to request a review of a decision, including assessment decisions.

1.6 Appeals regarding an assessment decision should be made to the trainer and assessor in the first instance but can also be made to Heads of Department or any Manager of MCOHB.

2.0 Responsibility

2.1 The Chief Executive Officer of MCOHB is ultimately responsible for ensuring that MCOHB complies with the VET Quality Framework (VQF). This includes the complaints and appeals policy and procedures.

2.2 The Director of Studies is responsible for implementation and management of this procedure and ensuring that staff and students are made aware of its application.

3.0 Definitions

Accepted Student	Accepted student of a registered provider (Student) means a student (whether within or outside Australia): (a) who is accepted for enrolment, or enrolled, in a course provided by the provider; and (b) who is, or will be, required to hold a student visa to undertake or continue the course.
Authorised representative	<i>Means an authorised representative of the RTO or an authorised Education Agent, who represents the student during their enrolment.</i>
Appeal	An Appeal is a request to have a decision reviewed. The decision to be reviewed may be as a result of an academic result (e.g. grading), an Administrative Decision (e.g. Letter of Release), or as a result of a formal review of a complaint (based on this policy).

Appeal (external)	An External Appeal is to a 3 rd party engaged to review the RTO's original complaint and appeal process and that the process has been correctly followed and the appellant has been treated fairly in accordance with that policy. An external appeal is not available until the internal processes have been exhausted.
Complaint	Complaint means a statement or expression that something is unsatisfactory or unacceptable. A formal Complaint takes place if a Grievance cannot be resolved informally (for example, the affected parties discussing the matter), and is written down for official processing.
Complaint Lacking in Substance	A finding that a Complaint or appeal lacks any merit. That is, on the merits there is no reasonable prospect the complaint or appeal will succeed.
Compulsory Study Period	A period of study in which the student must enrol unless granted a deferment or suspension from enrolment or leave of absence under Standard 9 (Deferring, suspending or cancelling the student's enrolment). A compulsory study period does not include periods in which the student can elect to undertake additional studies.
Course	Full time registered University or vocational education and training courses or ELICOS courses offered by or through RTO and registered on Registered Providers CRICOS scope of registration.
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students.
Education Agent	A person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. In doing so, the education agent may provide education counselling to overseas students as well as marketing and promotion services to education providers. Education agent does not refer to an education institution with whom an Australian provider has an agreement for the provision of education (that is teaching activities).

Enrolment	Enrolment means where the student has been issued with a CoE and Letter of Offer to confirm acceptance by the registered provider and is occupying a place in the CRICOS registered course for which the student was accepted and is progressing towards the completion of the course requirements. The period of enrolment includes scheduled breaks between study periods.
ESOS Act	<i>Education Services for Overseas Students Act 2000</i> revised 2018 of the Commonwealth of Australia.
ESOS Regulations	<i>National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)</i>
Full time study	The amount of study for a particular Course which is approved by the accrediting body for the Course, or in cases where the accrediting body gives no such approval, means minimum of 20 contact hours per week.
Genuine Student	An applicant that intends to obtain a successful educational outcome and has the language, education and material background to have a reasonable chance of achieving this educational outcome
Mode of Study	Attendance including face-to-face in a classroom, supervised study on the registered provider's campus, distance learning, online learning and work-based learning.
National Code	National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students.
Overseas Student	A person (whether within or outside Australia) who holds a student visa as defined by the 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 parent or legal guardian.
Principal Course of Study	The principal course of study that refers to the main course of study to be undertaken by an overseas student where a student visa has been issued for multiple courses of study. The principal course of study would normally be the final course of study where the overseas student arrives in Australia with a student visa that covers multiple courses.

PRISMS	The Provider Registration and International Students Management System (the electronic system that holds CRICOS course and provider registration details and the electronic Confirmation of Enrolment) and reporting changes in course enrolment, particularly where study ceases (non-compliance), or the duration of the study changes. PRISMS also facilitates the monitoring of student compliance with visa conditions, as well as provider compliance with the ESOS Act.
Services	Services means: training, assessment, related educational and support services and/or any activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation or ICT support.
Support Person	A (non-legal) person who provides support to or acts as an observer for any party to a Complaint or appeal under this policy. The Support Person does not advocate for the Complainant. The Support Person may not be a person that was involved in or associated with events giving rise to the Complaint.
Training	Training is the process used by an RTO or a third party delivering services on its behalf, to facilitate learning and the acquisition of competencies in relation to the training product on the RTO's scope of registration.
Training and assessment strategies and practices	Training and assessment strategies and practices are the approach of, and method adopted by, an RTO with respect to training and assessment designed to enable learners to meet the requirements of the training package or accredited course.
Vexatious or Malicious Complaints or Appeals	Complaints or appeals deliberately intended to annoy or bring distress or suffering to other parties. A complaint or appeal that lacks substance.

4.0 Procedural Fairness

- 4.1 Procedural fairness, also referred to as natural justice processes, is concerned with the procedures used by the Responsible Officer or decision-maker, rather than the decision reached. It requires a fair and transparent procedure be used when making a decision. The parties involved in a Grievance, a Complaint or an Appeal must be given the right to be heard; the right to be treated without bias; and for a decision that is based on evidence.
- 4.2 In practice, procedural fairness involves (but is not limited to):
- a. ensuring that there is proper investigation of the facts and information available;
 - b. informing relevant parties of any allegations made against them, as appropriate;
 - c. ensuring that the parties are informed of the procedures under which the grievance, complaint or appeal are being handled and are given a copy of the relevant policy and guidelines;
 - d. ensuring that the parties are heard and those who have had complaints or grievances made against them are given an opportunity to respond to reply in a way that is appropriate for the circumstances before a decision is made;
 - e. ensuring that the parties are not victimised or discriminated against during the grievance, complaint and appeal procedure;
 - f. ensuring that all relevant submissions and any mitigating factors are given due and proper consideration before any conclusions are reached or any action is taken;
 - g. advising the parties that if the grievance or complaint is of such a serious nature that disciplinary action may result, then the facts revealed during an investigation into the grievance or complaint may be used in any subsequent disciplinary proceedings;
 - h. ensuring that there is appropriate evidence to support a decision;
 - i. ensuring impartiality on the part of the investigator and/or decision maker, which means the investigator/decision maker, must exclude themselves if there is any bias or conflict of interest.
- 4.3 These procedures usually require that the person raising a grievance, complaint and/or appeal must be willing to be identified, unless the facts of the matter are not in dispute, or the matter involves allegations of corruption, mal-administration, serious waste or child abuse. If in doubt about the requirements of procedural fairness, advice should be sought from the CEO, Director of Studies or their delegate.
- 4.4 On any occasion when the grievance, complaint or appeal is to be discussed, staff (both student and/or respondent) may choose to be accompanied by a non-legal support person.
- 4.5 If the allegations have been made in writing, a copy will be given to the parties against whom the allegations have been made (unless the allegations relate to corruption, mal-administration and serious waste or child abuse where legislation provides otherwise).

5.0 Support

- 5.1 MCOHB's complaints and appeals processes for formal complaints include provision for confidentiality, independent professional advice, advocacy and other support for the complainant or appellant. Any person involved in this process who is disadvantaged in any way in the ability to present their case should be allowed the professional and independent support and advice needed to participate effectively.
- 5.2 While a conciliatory approach is preferred and encouraged under these procedures, it may be appropriate in some circumstances, that the student or staff member has another person speak on their behalf.

6.0 Access

- 6.1 Students have a right of supervised access to all documents concerning their Appeal. This right does not apply to any documents for which MCOHB claims legal professional privilege.

7.0 Continuation of learning opportunities

- 7.1 MCOHB will maintain a student's enrolment, as described above, MCOHB reserves the right to decide whether or not to continue to offer learning opportunities to the student throughout the internal or external grievances, complaints and appeals process on a case by case basis (for example, decide, case by case, whether or not the student will be permitted to continue to attend classes, be excluded from attending classes but permitted to continue to undertake and complete class work outside of the classroom environment, etc.).
- 7.2 MCOHB recognises that decisions to deny learning opportunities to a student, whether a domestic or international student, throughout the formal grievance, complaint and appeals process may disadvantage the student in their subsequent studies should the appeals process find in the student's favour and will normally only undertake such action if determined necessary to maintain MCOHB's duty of care to its students, staff and other stakeholders.

8.0 Resolution

- 8.1 Given the nature of many grievances and complaints, MCOHB expects that most concerns will be resolved at an informal level (Phase 1). This form of resolution provides an ideal opportunity for open and direct discussion between the relevant parties. Additionally, informal resolution normally provides the most time effective mechanism for resolving non-academic Grievances.

9.0 Cost

Internal process:

- 9.1 All internal phases of the Complaints and Appeals Procedure shall be free of charge to the student.

External process:

- 9.2 MCOHB has the option to approve or not approve the use of an external arbitrator that will cost both MCOHB and the student an unnecessary cost. If a student insists on using an external arbitrator, the student is responsible for any and all costs incurred for using an external arbitrator.

10.0 Withdrawing a grievance, complaint or appeal

- 10.1 A student may withdraw a grievance, complaint or internal appeal at any phase by giving written notice to the Responsible Officer or delegate who is currently handling the procedure.

11.0 Requirements/Process

Complaint Requirement:

- 11.1 Students who are concerned about the conduct of the RTO are encouraged to attempt to resolve their concerns using the complaints and appeals procedure which is immediately accessible.
- 11.2 If a complaint is assessed as “**Lacking in Substance**”, the complaint will be dismissed and will not proceed under MCOHB’s Complaints and Appeals Policy and Procedure, the complainant will be notified that the complaint was dismissed because of a lack of substance and what the lack of substance was.
- 11.3 If a complaint or appeal is assessed as being “**Vexatious or Malicious**” the complaint will be dismissed and will not proceed under MCOHB’s Complaints and Appeals Policy and Procedure, the complainant will be notified that the complaint was dismissed because of a lack of substance and what the lack of substance was.
- 11.4 The complainant must submit their complaint using the Student Complaint and Appeal Application Form within five (5) days of the grievance occurring.
- 11.5 MCOHB will commence assessment of the complaint or appeal within 10 working days of it being made in accordance with the complaints handling and appeals process and policy and finalise the outcome as soon as practicable.
- 11.6 MCOHB will respond to any complaint or appeal an overseas or domestic student makes regarding their dealings with MCOHB and education agents or any related party MCOHB has an arrangement with to deliver the overseas or domestic student’s course or training related services.
- 11.7 The procedure will be implemented at no cost to the student, except where the student chooses to have their complaint and or appeal heard by an outside arbitrator, and that arbitrator applies a charge their services. Then the student will bear the cost of choosing the external arbitrator. (refer to Clause 9.2 above)
- 11.8 MCOHB will endeavor to complete all complaints and appeals within 60 calendar days of receipt of the complaint or appeal. MCOHB will take into consideration the length of a student’s visa and the student’s enrolment in future subjects and/or courses when determining the complaint or appeal.

More than 60 calendar days to finalise the complaint and/or appeal process:

- 11.9 Where MCOHB considers more than 60 calendar days are required to process and finalise the complaint or appeal, MCOHB will:
- inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and
 - regularly update the complainant or appellant on the progress of the matter.

- 11.10 All prospective students will be provided with information about the complaints and appeals procedure before making an agreement to enroll and on the orientation day.
- 11.11 All complaints and appeals will be handled professionally, and confidentially in order to achieve a satisfactory resolution that is fair and equitable to all parties.
- 11.12 Students will be provided with details of external authorities they may approach, who may be able to offer advice and support during a complaints and appeals process.
- 11.13 At any stage in the formal complaint or internal appeal process students are entitled to have their own nominee included to accompany and support them, in a support role only.
- 11.14 Students may raise any matters of concern relating to training delivery and assessment, the quality of the teaching, student amenities, discrimination, sexual harassment and other issues that may arise.
- 11.15 If a complaint relates to a report about harm or safety, refer to the RTO's appropriate Student Incident and Protection procedures

On receipt of a verbal complaint:

- 11.16 Resolve the complaint if possible, documenting the complaint, its cause, actions taken, and decisions made in the secure Complaints and Appeals Register.
- 11.17 If the complaint cannot be promptly and simply resolved, advise that an appropriate staff member will deal with the complaint, but a formal written complaint is required to progress the complaint or appeal.

12.0 Informal Complaint Process

- 12.1 Any student with a question or complaint may raise the matter with staff of the RTO and attempt an informal resolution of the question or complaint.
- 12.2 Questions or complaints dealt with in this way do not become part of the formal complaint process and must still be documented, recorded or reported unless the RTO staff member involved determines that the issue question or complaint is irrelevant to the wider operation of the RTO e.g. a complaint where the basis of the complaint is about the complainant's personal preferences towards a process or standard operating procedure.
- 12.3 Students who are not satisfied with the outcome of the question or complaint are encouraged to register a formal complaint.

13.0 Formal Complaint Process

- 13.1 Students who are not satisfied with the outcome of the informal process, or, who want to register a formal complaint may do so. To register a formal complaint, students must complete the Student Complaint and Appeal form and contact the Student Support department to arrange a meeting. At this meeting, the complaint can be raised and a resolution attempted.
- 13.2 During the process MCOHB has arrangements in place for a person or body independent of and external to MCOHB to hear complaints or refer students to an existing body where that body is appropriate (International students; Overseas Students Ombudsman, domestic students; Resolution Institute, Student Mediation Scheme, at www.resolution.institute/membership-information/student-mediation-scheme).

- 13.3 At the stage of the complaint meeting the complaint is recorded and signed and dated by the complainant and the Director of Studies or their delegate. The complaint is recorded by completing the student complaint form prior to the meeting or a new document can be prepared and signed during the meeting.
- 13.4 A maximum time of 20 working days plus 2 working days for postage handling from the commencement of the resolution phase will be allowed for the resolution unless all parties agree in writing to extend this time. This period is called the resolution phase.
- 13.5 At the end of the resolution phase the Student Support Manager will report the decision to the student. The decision and reasons for the decision will be documented by the Student Support Manager and recorded in complaints and appeals register. A copy of this document will be provided to the student.
- 13.6 Following the resolution phase, the decision will be applied and any improvement actions arising from the complaint will be implemented.
- 13.7 If a student is dissatisfied with the outcome of the formal complaint process then they may instigate an internal appeals process by completing the complaints and appeals form

14.0 Complaint process

The complainant:

1. puts the complaint in writing using the Complaints and Appeals form available. When the complainant completes the complaint and appeals form they are to:
 2. complete the required sections of the form,
 3. note whether the complainant wants the support of a third party,
 4. ensure the complainant signs and dates the form,
 5. identify the staff member that accepts the complaint form from the complainant, and their position within MCOHB,
 6. if the complaint is not in relation to the Director of Studies, forward the complaint to the Director of Studies,
 7. enter it into the secure Complaints and Appeals Register.
 8. If the complaint is in relation to the Director of Studies forward it to the CEO
 9. enter it into a separate secure Complaints and Appeals Register, which is kept separate from the main Register.
 10. send a prompt written acknowledgement to the complainant from either the Director of Studies or the CEO as appropriate.
- 14.1 To resolve the complaint the Director of Studies and or their delegate:
- discuss the issue/s with the staff member to whom the complaint was made
 - give the complainant an opportunity to present their case (they may be accompanied by other people as support or as representation)
 - give the relevant staff member or the complainant an opportunity to present their case.

- 14.2 If necessary, the Director of Studies may convene an independent panel, the Complaints and Appeals Committee, to hear the complaint/appeal. The committee must not have had previous involvement with the complaint/appeal, and must include:
- a representative of the CEO or Director of Studies
 - one or more representative/s of the teaching staff
 - an independent person
 - deal with the issue/s
 - communicate the outcome/decision to all parties in writing within 60 days of receipt of the complaint/appeal
 - document the complaint/appeal including the cause, actions taken and decisions made in the appropriate secure Complaints and Appeals Register.
- 14.3 If the complaint is not finalised within 60 calendar days of its receipt, inform the complainant of the reasons in writing and regularly update them on the progress of the matter.
- 14.4 If the procedures fail to resolve the issue/s, the complainant may have the outcome reviewed (on request) by an appropriate party independent of MCOHB.
- 14.5 If an independent arbitrator finds that MCOHB responded to the complainants complaint ensuring the principles of natural justice and procedural fairness were adopted at every stage of the complaint and process, MCOHB's original decision is supported, the complaints process will be completed and finalised.
- 14.6 In cases where MCOHB is intending to Defer, Suspend or Cancel a student's enrolment due to breaching Student Code of Behaviour or in regard to an international student breaching their visa conditions, MCOHB only needs to await the outcome of the internal complaints process (supporting the RTO).
- 14.7 For international students, the Department of Home Affairs will be notified through PRISMS the change to the student's enrolment. If the complaint is against MCOHB's decision for the student's unsatisfactory course progress, MCOHB will maintain the student's enrolment until the any outcome of an appeal made by the student and the complaints and appeals process is complete.
- 14.8 Once the Department of Home Affairs has been notified of a Deferment, Suspension or Cancellation of a student's enrolment, the student has 28 days to leave Australia or show Department of Home Affairs a new Confirmation of Enrolment or provide Department of Home Affairs with evidence that have accessed an external appeal.

15.0 Appeal Requirement

Internal Appeal

- 15.1 Internal appeals may arise from a number of sources including appeals against assessment, appeals against discipline actions, appeals against notification of an intention to report a student to Department of Home Affairs and appeals against decisions arising from complaints. The essential nature of an appeal is that it is a request by a student to reconsider a decision made by the RTO.

- 15.2 Internal appeals are to be lodged in writing using the Complaints and Appeals Form and are addressed to the attention of the Director of Studies. Appeal applications can be emailed or delivered personally to reception.
- 15.3 International student appeals must be lodged within 20 working days plus 2 working days for postage handling of notification of an Intention to Report the student to Department of Home Affairs in order to be considered by the RTO. A non ESOS appeal is to be lodged within five (5) working days after a complaints decision has been made, or the completion of an assessment.
- 15.4 For domestic students, an appeal is to be lodged within five (5) working days after a complaints decision has been made, or the completion of an assessment.
- 15.5 A student's enrolment is maintained whilst an appeal is in progress and the outcome has not been determined except in cases where MCOHB is intending to defer or suspend a student's enrolment due to misbehaviour or to cancel the student's enrolment.
- 15.6 MCOHB encourages the parties to approach the appeal with an open view and to attempt to resolve problems through discussion and conciliation. Where an appeal cannot be resolved through discussion and conciliation, it is acknowledged that there may be a need for an appropriate external and independent agent to review the complaint and appeal.
- 15.7 The appeal resolution phase must commence within 10 working days of the internal appeal being lodged and received by MCOHB.
- 15.8 A maximum time of 30 working days from the commencement of the appeal resolution phase will be allowed for the appeal resolution.

More than 60 calendar days to finalise the complaint and/or appeal process:

- 15.9 Where MCOHB considers more than 60 calendar days are required to process and finalise the complaint or appeal, MCOHB will:
- inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and
 - regularly update the complainant or appellant on the progress of the matter.
- 15.10 After a student makes an internal appeal, the appeal will be sent to the Director of Studies to assess the appeal or the CEO if the appeal is in regard to the Director of Studies.
- 15.11 Students appealing an assessment or RPL outcome will be given the opportunity for reassessment by a different assessor selected by MCOHB. Costs of reassessment will be met by MCOHB.
- 15.12 The outcome of the internal appeal and reasons for the outcome will be recorded in writing and signed and dated by the student and the Director of Studies and placed in the student file. A copy of this document will be provided to the student.
- 15.13 Following the internal appeals phase the MCOHB will immediately implement the decision as conveyed to the appellant and will undertake any improvement actions arising from the process.
- 15.14 There are no further avenues within the RTO for complaints or appeals after the internal appeals process has been completed and exhausted, however MCOHB must advise the student the right to access the external appeals process at a cost to the student.

External Appeal process

- 15.15 Before a student access an external appeals process, they are required to exhaust MCOHB's internal complaints and appeals processes.
- 15.16 If a student is not satisfied with the internal appeal decision outcome, they may appeal the matter externally. The External Appeal will be formally investigated by an agent external to MCOHB, such as the external regulator or there may be a recommendation to involve other agencies, including legal agencies. The most relevant external agents are listed below.
- 15.17 International Student Visa Holders may lodge an external appeal to the Overseas Students Ombudsman (OSO) at <https://www.ombudsman.gov.au/making-a-complaint/overseas-students>.
- 15.18 The service offered by the Overseas Students Ombudsman (OSO) is free. Students can make a complaint to OSO by using the online complaint form available on the OSO website:
<https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=oco-complaint-form> or by phone on 1300 362 072 (in Australia) or +61 2 6276 0111 (from outside Australia)
- 15.19 Further information, including in other languages, is available on the OSO website: <http://www.ombudsman.gov.au/How-we-can-help/overseas-students/tools-and-resources>
International student visa holders are required to continue to meet their course progress and attendance requirements while the external appeal case is being reviewed.
- 15.20 Domestic students may lodge an application for external review to the Resolution Institute, Student Mediation Scheme, at www.resolution.institute/membership-information/student-mediation-scheme.
- 15.21 If the external review process supports the Student, MCOHB will immediately implement any recommendations and will advise the Student in writing as to the action taken. Where applicable, these recommendations will be incorporated into MCOHB's policies and procedures for implementation ensuring the continuous improvement of service and quality education to Students.
- 15.22 If the appeal is not upheld, the student will be given a written explanation by the external reviewer. It will include the reasons for the decision.
- 15.23 It should be noted that the procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and procedure limits the rights of individuals to take action under Australia's Consumer Protection Laws. Also, these procedures do not circumscribe an individual's rights to pursue other legal remedies.
- 15.24 Following the receipt of the outcome of the external appeal MCOHB must immediately implement the decision, convey the outcome to the student, place a copy of the documentation on the student file and undertake any improvement actions arising from the complaint.

- 15.25 If an appeal is against MCOHB's decision to report the student for unsatisfactory course progress MCOHB must maintain the student's enrolment (i.e. not report the student for unsatisfactory progress or attendance for international students) until the external appeals process is completed and has supported the MCOHB's decision to report.
- 15.26 For International students, MCOHB is required to await the outcome of the appeals process (supporting MCOHB) before notifying Department of Home Affairs through PRISMS of any change to the student's enrolment.
- 15.27 Once the Department of Home Affairs has been notified of a deferment, suspension or cancellation of a student's enrolment, the student has 28 days to leave Australia or show Department of Home Affairs a new Confirmation of Enrolment or provide Dept. of Home Affairs with evidence that they have accessed an external appeal.
- 15.28 If the outcome of internal or external appeals process is favorable to the student, the MCOHB will immediately advise the student of this and implement any decision or corrective and preventive action required.
- 15.29 If there is any matter arising from a student appeal that is a systemic issue which requires improvement action this will be reported at a scheduled management meeting as part of the continuous improvement process.
- 15.30 If the outcome of internal or external appeals process supports MCOHB's intention to report a student for unsatisfactory progress, the Department of Home Affairs will be provided with all the information available. If MCOHB decides to consider cancelling the students enrolment, a Notice of Intention to Cancel enrolment will be sent to the student prior to a decision being made to cancel the students enrolment and/or CoE. The student will have chance to respond to the notice and explain their situation.
- 15.31 Nothing in this procedure inhibits student's rights to pursue other legal remedies. Students are entitled to resolve any dispute by exercising their rights to other legal remedies. Students wishing to take this course of action are advised to:
- Contact a solicitor;
 - The Victorian Law Society,
 - International Students can contact the Overseas Student Ombudsmen,
 - Domestic students; Resolution Institute, Student Mediation Scheme, at www.resolution.institute/membership-information/student-mediation-scheme.

International and domestic students:

- 15.32 You can lodge complaint about MCOHB's Complaints and Appeals Policy and Procedure with the Australian Skills Quality Authority VET Regulator (ASQA).
- 15.33 ASQA accepts complaints about providers (also known as reports alleging provider non-compliance) from all members of the community. Complaints are lodged through asqaconnect.
- 15.34 ASQA is not responsible for resolving individual complaints. ASQA does not advocate on behalf of students or request that providers take action on behalf of students.

16.0 Complaint and Appeal Records Management

- 16.1 All records of complaints and appeals and their outcomes are securely maintained.
- 16.2 Records will be maintained in accordance Public Records Act 1973 (Vic) and any other applicable legislation.

Student complaints and appeals	Requests and decisions	Student Support Manager	Electronic records and student file	2 years
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17.0 Continuous improvement

- 17.1 MCOHB identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.
- 17.2 MCOHB will undertake a continuous improvement process for complaints and appeals that includes:
- reviewing the details in the Complaints and Appeals Register
 - reviewing the complaints and appeals policy and procedures
 - taking appropriate corrective action to eliminate or mitigate the likelihood of the same problems occurring again.
- 17.3 Potential causes of complaints are monitored through (but limited to):
- Student surveys
 - Feedback forms
 - Suggestion boxes
 - Verbal feedback
- 17.4 Where practicable, the RTO acts on the above information to mitigate and reduce future complaints.