

## Dispute Resolution Policy for Overseas Students

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### 1. Responsibility and Authority

The Dean and Chief Executive of The Australian College of Theology (ACT) shall define the *Dispute Resolution Policy for Overseas Students*. The Director of Academic Services shall ensure the policy is developed, distributed, reviewed, maintained, understood, and implemented in the ACT (“the College”) and throughout the affiliate colleges. This policy is published in the Handbooks of the College and on the College website [www.actheology.edu.au](http://www.actheology.edu.au).

### 2. Policy Statement

The College shall provide processes for handling grievances (complaints)/resolving disputes brought by prospective, enrolled and former overseas students (called “students” in this policy) regarding academic and non-academic matters.

TEQSA’s Provider Registration Standard 6.4 states that the ACT and its affiliated colleges are required to ensure that “students have ready access to effective grievance processes which enable them to make complaints about any aspect of the higher education provider’s higher education operations, including operations provided by other entities on behalf of the higher education provider, without fear of reprisal, and which provide for review by an appropriate independent third party if internal processes fail to resolve a grievance.” ACT and affiliated colleges are required to provide access to fair and just avenues to deal with any grievances students may have. The ACT is obligated under section 26 of the TEQSA Act 2011 to ensure that delivery of its courses through its affiliates complies at all times with the Threshold Standards. This policy outlines the process for students to lodge complaints and grievances, and includes avenues of appeal against actions, inactions or decisions made by the ACT or its affiliated colleges.

Affiliated colleges of the Australian College of Theology are bound by this policy. If it is found that an affiliated college fails to meet the requirements of this policy, action may be taken against the affiliated college as determined by the Board of Directors of the Australian College of Theology Limited, with the maximum penalty being the dis-affiliation and exclusion of the college from the ACT.

**Grievance** means a statement of concern by a student that:

- (a) has been reported by the student to an officer in an affiliate college or the ACT; and
- (b) requires action or a response under the policies or regulations of the ACT.

General feedback and comment from students about administration, academic programs and services will not be treated by the ACT as a grievance unless action or a response is required under the policies or regulations of the ACT.

A student may lodge a complaint about any aspect of the Australian College of Theology’s higher education operations, including operations provided by entities on behalf of the College, without fear of reprisal.

Whenever possible, grievances will be handled at the affiliated college level and within the College. Formal procedures for the resolution of grievances will normally only be invoked when a matter cannot be resolved by informal means. A complaint/grievance is deemed formal when it is lodged in writing. However, should these internal processes not resolve the matter, provision is made for external independent grievance handling/dispute resolution by reference to the Council of Private Higher Education. If the Council of Private Higher Education makes recommendations in relation to a grievance they have reviewed, they will forward those recommendations within 10 working days of the decision to the ACT Director of Academic Services, who will ensure that the recommendations are implemented within 25 working days.

Information contained in this policy statement must be given to students before an agreement is entered into or before any fees are paid, whichever occurs first, and within seven (7) days of starting an award course at an affiliate college of the ACT. Continuing students should have this policy brought to their attention at the commencement of each subsequent year of enrolment in units of their course. The ACT and its affiliated colleges are required to make this policy clearly accessible to all current and prospective students in student handbooks and on affiliated college websites.

Affiliated colleges must record all formal complaints, and report formal complaints, and decisions reached, in their Annual Report to the ACT Board of Directors. The ACT Board of Directors has appointed the Dean of the College as the review officer in relation to outcome of appeals to the Principal of affiliated colleges. If the Dean

was involved in making the original decision that becomes the matter in dispute or the Dean is unavailable to participate in any resolution process below, another person of appropriate rank and expertise shall be appointed by the Chair of the ACT Board of Directors as the review officer in place of the Dean.

### **2.1 Principles underpinning this policy include:**

- (a) Actions within the process will be undertaken in a timely manner and timelines for responses will be specified at each stage of the process;
- (b) The process will be as simple as possible and easily accessible to students;
- (c) The process will not victimise or discriminate against any student or respondent;
- (d) As part of the process, reasons and full explanations will be given for decisions and actions taken;
- (e) Appropriate records of the handling of a grievance/complaint will be kept for a minimum of 5 years and treated as confidential, with appropriate access available to involved parties;
- (f) Components of the process within the ACT or an affiliated college shall normally be at no cost to the student, apart from travelling expenses. A fee may apply when a review is formally requested in relation to the grade of a passed assessment item or the grade of a passed unit;
- (g) All staff involved in a complaint or appeal have a duty to observe the principles of procedural fairness (natural justice);
- (h) Students accessing the appeal process will have their enrolment maintained while the process is ongoing;
- (i) Students may use the procedures set out in this policy regardless of the location of the campus of the affiliated college at which the grievance has arisen, the student's place of residence or the mode in which the student studies;
- (j) The complainant may withdraw a grievance at any stage in the process. If the grievance is withdrawn, the matter will be deemed to be closed;
- (k) If the appeal results in a decision that supports the student, the ACT will immediately implement that decision and/or corrective and preventative action required and will advise the student of the outcome.

Nothing in the ACT's policies and procedures negates the right of any student (Australian or overseas resident) to take action under Australia's consumer protection laws in the case of financial disputes. This Dispute Resolution Policy does not circumscribe the student's right to pursue other legal remedies.

### **2.2 Principles of Natural Justice (Procedural Fairness)**

All staff involved in resolving a complaint have a duty to observe the principles of natural justice, which include the following elements:

- (a) the right of the student (complainant) to a fair hearing;
- (b) the right of the student (complainant) or any respondent to attend hearings with a friend or support person, if desired, provided the person is not a practising solicitor or barrister;
- (c) the opportunity for all parties involved to be heard;
- (d) any respondent having full knowledge of the nature and substance of the grievance;
- (e) the complainant not determining the outcome, but may be a party to it;
- (f) the right to an independent, unbiased decision-maker;
- (g) a final decision that is based solely on the relevant evidence with all submissions considered.

## **3. Appeals against Academic Matters**

In these procedures, an '**academic matter**' means the action, inaction, or a decision of a member of the academic staff of an affiliate college or the ACT that affects the academic assessment or progress of a student. Academic matters include, but are not limited to, final grades for units and marks for intra-semester assessment tasks.

### **3.1 Complaints about the grade awarded in a unit**

Following release of the final grades in units by the ACT, students may wish to lodge a complaint about the grade awarded in an enrolled unit. Should the student proceed to formal appeal of a passing grade, a fee may apply.

#### **3.1.1 Informal resolution with the Registrar in an affiliated college**

Students concerned about the final grade awarded in a unit of study should initially discuss the issue informally with the Registrar at their college of enrolment. This should be done within twenty-five (25) working days of the release of results by the ACT. The Registrar should respond to the issue promptly, giving a full explanation to the student of the reasons for the grade awarded.

If the student's concerns are not resolved by this means, the Registrar should:

- Explain the next step in the procedure, set out below; and
- Give the student a copy of this policy

### **3.1.2 Reference to the Academic Dean of an affiliated college**

If the student's concerns were not resolved by the Registrar, or because of a failure to follow procedures, the student may then choose to approach the Academic Dean of the affiliate college. The student may approach the Academic Dean on an informal basis, or else make the complaint formal by putting the grievance in writing, specifying the nature of the complaint and the grounds for their appeal. The student should do one of these things within 15 working days of the outcome of discussions with the Registrar.

#### *Informal complaints*

If the student chooses to approach the Academic Dean informally, this does not preclude later lodgement of the grievance formally in writing to the Academic Dean.

The Academic Dean should respond to the informal complaint about the final grade for a unit promptly, giving a full explanation to the student of the reasons for the academic decision, action or inaction.

#### *Formal complaints*

While not limited to the following, a student may normally appeal formally against the award of a grade only where:

1. the lecturer did not provide a unit outline as required; or
2. the assessment requirements as specified in the unit outline were varied in an unreasonable way; or
3. the student alleges examiners' judgement was not objectively applied because of prejudice against the individual candidate; or
4. a student is of the view that a clerical error has occurred in the computation of the grade; or
5. the student is of the view that due regard has not been paid to the evidence of illness or misadventure if submitted by the specified date; or
6. the student is of the view that they have been disadvantaged in some way due to the conduct of their final examination.

If the Academic Dean was involved in making the original decision that that has become the matter in dispute or the Academic Dean is unavailable to participate in the resolution process for any other reason, another person of appropriate rank and expertise shall be appointed by the Principal of the affiliate college as the review officer in place of the Academic Dean.

The Academic Dean must acknowledge a formal complaint in writing within five (5) working days of receipt.

The Academic Dean must try to resolve the complaint within 15 working days of receiving the complaint. The Academic Dean may discuss the matter with both the student and the relevant lecturer in attendance. The Academic Dean may arrange for the assessment script(s) completed in the unit to be marked by another lecturer in the student's college of enrolment. If the Academic Dean determines that the student's appeal should be upheld and the final unit grade be changed, the unit field moderator (where relevant) will be contacted to confirm the appealed mark.

Following investigation of the matter, the Academic Dean will advise the student in writing of his or her decision:

- (a) setting out the reasons;
- (b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to the Dean of the ACT; and
- (c) giving the student a copy of this policy, if the student does not already have a copy.

### **3.1.3 Reference to the Dean of the ACT**

If the student's concerns cannot be resolved by the Academic Dean of an affiliate college, or because of failure to follow procedures, the student may only formally approach the Dean of the ACT by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the Academic Dean. Again the nature of the complaint and the grounds for appeal should be detailed.

Contact details for the ACT Dean:

Rev Dr Mark Harding

Dean & CEO

Australian College of Theology

Level 10

257 Clarence Street

Sydney NSW 2000

Ph. 02 9262 7890

[mharding@actheology.edu.au](mailto:mharding@actheology.edu.au)

If the Dean was involved in making the original decision that that has become the matter in dispute or the Dean is unavailable to participate in the resolution process for any other reason, another person of appropriate rank and expertise shall be appointed by the Chair of the Board of Directors of the Australian College of Theology as the review officer in place of the Dean.

The Dean must acknowledge the formal complaint in writing within five (5) working days of receipt.

The Dean must try to resolve the complaint within fifteen (15) working days of receiving the complaint.

Following investigation of the matter, the Dean will advise the student in writing of his or her decision:

- (a) setting out the reasons for the awarding of the final grade for the unit;
- (b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- (c) giving the student a copy of this policy, if the student does not already have a copy.

### **3.1.4 Reference to the Academic Appeals Committee of the ACT**

If the student's concerns cannot be resolved by the Dean of the ACT, and/or the student alleges failure to follow procedures, the student may only formally approach the Academic Appeals of the ACT by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the ACT Dean. Again the nature of the complaint and the grounds for appeal should be detailed.

The membership of the Academic Appeals Committee is determined on a case-by-case basis and is defined in the Committees of the Academic Board Policy (available to view at [www.actheology.edu.au](http://www.actheology.edu.au)). In the first instance, an appeal to the Academic Appeals Committee of the College can be submitted to the Director of Academic Services.

Contact details for the ACT Director of Academic Services:

Mr Simon Davies  
Director of Academic Services  
Australian College of Theology  
Level 10  
257 Clarence Street  
Sydney NSW 2000  
Ph. 02 9262 7890  
[sdavies@actheology.edu.au](mailto:sdavies@actheology.edu.au)

The Director of Academic Services (on behalf of the Academic Appeals Committee) must acknowledge the formal complaint in writing within five (5) working days of receipt.

The Director of Academic Services must try to assist the Academic Appeals Committee to meet promptly in an attempt to resolve the complaint within fifteen (15) working days of receiving the complaint.

Following investigation of the matter, the Executive Officer of the Academic Appeals Committee will advise the student in writing of the Committee's decision:

- (a) setting out the reasons for the awarding of the final grade for the unit;
- (b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- (c) giving the student a copy of this policy, if the student does not already have a copy.

### **3.1.5 External Dispute Resolution**

Students who remain dissatisfied with the outcome of a grievance under section 3.1.4 of this policy can make a final appeal free of charge to the Council of Private Higher Education (COPHE), an independent third party. Details of how to lodge an appeal to COPHE are contained in Section 5 of this document.

Notwithstanding the above, in matters of dispute resolution, students may exercise their rights to other legal remedies. Students can include a nominee to represent them in this process if they so choose.

### **3.2 Complaints and Grievances about other Academic Matters**

For the purposes of this policy these matters include those relating to student admission or progression, curriculum and awards in a course of study, as well as results of intra-semester assessments (e.g. an essay).

### **3.2.1 Informal resolution with a lecturer in an affiliate college**

Students concerned about action, inaction or an academic decision concerning curriculum/assessment in a unit of study should initially discuss the issue informally with the relevant lecturer at their college of enrolment. In particular, following the release of results of intra-semester assessments, students may informally request that an assessment be reviewed by the lecturer of the unit of study. This should be done within twenty-five (25) working days of the particular academic decision being made. The lecturer should deal with the issue promptly, giving a full explanation to the student of the reasons for the action, inaction or academic decision.

If the student's concerns are not resolved by this means, the lecturer should:

- explain the next step in the procedure, set out below; and
- give the student a copy of this policy.

### **3.2.2 Reference to the Academic Dean of an affiliate college**

If the student's concerns cannot be resolved by the relevant lecturer, or because of a failure to follow procedures, the student may then choose to approach the Academic Dean of the affiliate college. The student may approach the Academic Dean on an informal basis, or else make the complaint formal by putting the grievance in writing, specifying the nature of the complaint and the grounds for their appeal. The student should do one of these things within 15 working days of the outcome of discussions with the lecturer.

#### *Informal complaints*

If the student chooses to approach the Academic Dean informally, this does not preclude later lodgement of the grievance formally in writing to the Academic Dean.

The Academic Dean should deal with informal complaints promptly, giving a full explanation to the student of the reasons for the academic decision.

#### *Formal complaints*

The Academic Dean must acknowledge a formal complaint in writing within five (5) working days of receipt.

If the Academic Dean was involved in making the original decision that that has become the matter in dispute or the Academic Dean is unavailable to participate in the resolution process for any other reason, another person of appropriate rank and expertise shall be appointed by the Principal of the affiliate college as the review officer in place of the Academic Dean.

The Academic Dean must try to resolve the complaint within 15 working days of receiving the complaint. If the complaint relates to the mark for an intra-semester assessment, the Academic Dean may arrange for the assessment script to be marked by another lecturer in the student's college of enrolment.

Following investigation of the matter, the Academic Dean will advise the student in writing of his or her decision:

- (a) setting out the reasons;
- (b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to the Dean of the ACT; and
- (c) giving the student a copy of this policy, if the student does not already have a copy.

### **3.2.3 Reference to the Dean of the ACT**

If the student's concerns cannot be resolved by the Academic Dean of an affiliate college, or because of failure to follow procedures, the student may only formally approach the Dean of the ACT by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the Academic Dean. Again the nature of the complaint and the grounds for appeal should be detailed.

Contact details for the ACT Dean:

Rev Dr Mark Harding  
Dean & CEO  
Australian College of Theology  
Level 10  
257 Clarence Street  
Sydney NSW 2000  
Ph. 02 9262 7890  
[mharding@actheology.edu.au](mailto:mharding@actheology.edu.au)

If the Dean was involved in making the original decision that that has become the matter in dispute or the Dean is unavailable to participate in the resolution process for any other reason, another person of appropriate rank and

expertise shall be appointed by the Chair of the Board of Directors of the Australian College of Theology as the review officer in place of the Dean.

The Dean must acknowledge the formal complaint in writing within five (5) working days of receipt.

The Dean must try to resolve the complaint within fifteen (15) working days of receiving the complaint. If the complaint relates to the mark for an intra-semester assessment, the Dean may appoint an independent assessor who will remark the assessment script under dispute. A fee may be charged if the student had been awarded a pass grade or higher for the assessment script under dispute.

Following investigation of the matter, the Dean will advise the student in writing of his or her decision:

- (a) setting out the reasons;
- (b) if the complaint relates to the mark on an intra-semester assessment, advising that his/her decision is final;
- (c) on other academic matters, advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- (d) giving the student a copy of this policy, if the student does not already have a copy.

### **3.2.4 Reference to the Academic Appeals Committee of the ACT**

If the student's concerns cannot be resolved by the Dean of the ACT, and/or the student alleges failure to follow procedures, the student may only formally approach the Academic Appeals of the ACT by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the ACT Dean. Again the nature of the complaint and the grounds for appeal should be detailed.

The membership of the Academic Appeals Committee is determined on a case-by-case basis and is defined in the Committees of the Academic Board Policy (available to view at [www.actheology.edu.au](http://www.actheology.edu.au)). In the first instance, an appeal to the Academic Appeals Committee of the College can be submitted to the Director of Academic Services.

Contact details for the ACT Director of Academic Services:

Mr Simon Davies  
Director of Academic Services  
Australian College of Theology  
Level 10  
257 Clarence Street  
Sydney NSW 2000  
Ph. 02 9262 7890  
[sdavies@actheology.edu.au](mailto:sdavies@actheology.edu.au)

The Director of Academic Services (on behalf of the Academic Appeals Committee) must acknowledge the formal complaint in writing within five (5) working days of receipt.

The Director of Academic Services must try to assist the Academic Appeals Committee to meet promptly in an attempt to resolve the complaint within fifteen (15) working days of receiving the complaint.

Following investigation of the matter, the Executive Officer of the Academic Appeals Committee will advise the student in writing of the Committee's decision:

- (a) setting out the reasons for the awarding of the final grade for the unit;
- (b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- (c) giving the student a copy of this policy, if the student does not already have a copy.

### **3.2.5 External Dispute Resolution**

Students who remain dissatisfied with the outcome of a grievance under section 3.2.4 of this policy, except those related to a mark for an intra-semester assessment (as those students will be given an opportunity to appeal under section 3.1 of this document once the final unit marks are released), can make a final appeal free of charge to the Council of Private Higher Education (COPHE), an independent third party. Details of how to lodge an appeal to COPHE are contained in Section 5 of this document.

Notwithstanding the above, in matters of dispute resolution, students may exercise their rights to other legal remedies. Students can include a nominee to represent them in this process if they so choose.

#### **4. Appeals Regarding non-Academic/Administrative and Other Matters**

Non-academic/administrative matters are not limited to, but include, matters related to fees, withdrawals, expulsion, allegations of bullying or harassment etc., and other action, inaction or decisions students may consider are interfering with the progress of their studies or with issuing of an award of the College, or any other aspect the higher education provider's higher education operations, including operations provided by other entities on behalf of the higher education provider (i.e. Affiliated Colleges). Students are able to lodge complaints without fear of reprisal, and the appeals process provides opportunity for review by an appropriate independent third party if internal processes fail to resolve a grievance.

##### **4.1 Informal resolution with the Overseas Liaison Officer/Registrar of an Affiliated College**

In the first instance, a student who is concerned about a non-academic decision made or action taken (or not taken) by their college of enrolment or the ACT should discuss their grievance with the Overseas Liaison Officer/Registrar at their college. The Overseas Liaison Officer/Registrar will promptly notify the student of any action taken or any decision made by them in relation to the grievance.

If, following the notification from the Overseas Liaison Officer/Registrar, the student's grievance is not resolved to their satisfaction or the student alleges failure to follow procedure, the student should seek advice from the Overseas Liaison Officer/Registrar concerning to whom the student may next address their grievance. If the matter relates to the affiliate college, the student may address their grievance to the Principal (see section 4.2.a of this policy); if the matter relates to ACT policy or regulations, the student may address the grievance to the ACT Director of Academic Services (see section 4.2.b of this policy). The Overseas Liaison Officer/Registrar will give the student a copy of this policy.

##### **4.2.a Reference to the Principal of an Affiliated College**

If the student's concerns cannot be resolved by the Registrar of an affiliated college, and/or the student alleges failure to follow procedures, the student may only formally approach the Principal of the affiliated college by putting the complaint in writing and lodging it within 15 working days of receipt of the notification from the Registrar. Again the nature of the complaint and the grounds for appeal should be detailed.

If the Principal was involved in making the original decision / action / inaction that has become the matter in dispute or the Principal is unavailable to participate in the resolution process, another person of appropriate rank and expertise shall be appointed by the Chair of the affiliated college Council (or equivalent) as the review officer in place of the Principal.

The Principal must acknowledge the formal complaint in writing within five (5) working days of receipt.

The Principal must try to resolve the complaint within fifteen (15) working days of receiving the complaint.

Following investigation of the matter, the Principal will advise the student in writing of his/her decision as well as:

- (a) setting out the reasons for this decision;
- (b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to the Dean of the ACT; and
- (c) giving the student a copy of this policy, if the student does not already have a copy.

##### **4.2.b Reference to the ACT Director of Academic Services**

If the student's concerns relate to ACT policy or regulations and have not be resolved by the Overseas Liaison Officer/Registrar of the affiliate college, or the student alleges failure to follow procedures, the student may then choose to formally approach the Director of Academic Services of the ACT. The student should put the complaint in writing to the ACT Director of Academic Services within 15 working days of the outcome of discussions with the Overseas Liaison Officer/Registrar, specifying the nature of the complaint and the grounds for their appeal.

Contact details for the ACT Director of Academic Services:

Mr Simon Davies  
Director of Academic Services  
Australian College of Theology  
Level 10  
257 Clarence Street  
Sydney NSW 2000  
sdavies@actheology.edu.au

If the Director of Academic Services was involved in making the original decision that that has become the matter in dispute or the Director of Academic Services is unavailable to participate in the resolution process for any other reason, another person of appropriate rank and expertise shall be appointed by the Dean of the Australian College of Theology as the review officer in place of the Director of Academic Services.

The ACT Director of Academic Services must acknowledge the formal complaint in writing within five (5) working days of receipt.

The ACT Director of Academic Services must try to resolve the complaint within 15 working days of receiving the complaint.

Following investigation of the matter, the ACT Director of Academic Services will advise the student in writing of his or her decision as well as:

- (a) setting out the reasons for the decision;
- (b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to the Dean of the ACT; and
- (c) giving the student a copy of this policy, if the student does not already have a copy.

#### **4.3 Reference to the Dean of the ACT**

If the student's concerns cannot be resolved by the affiliate college Principal (see section 4.2.a of this policy) or the ACT Director of Academic Services (see section 4.2.b of this policy), or the student alleges failure to follow procedures, the student may formally approach the Dean of the ACT only by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the affiliate college Principal or ACT Director of Academic Services. Again the nature of the complaint and the grounds for appeal should be detailed.

Contact details for the ACT Dean:

Rev Dr Mark Harding  
Dean & CEO  
Australian College of Theology  
Level 10  
257 Clarence Street  
Sydney NSW 2000  
Ph. 02 9262 7890  
[mharding@actheology.edu.au](mailto:mharding@actheology.edu.au)

If the Dean was involved in making the original decision that that has become the matter in dispute or the Dean is unavailable to participate in the resolution process for any other reason, another person of appropriate rank and expertise shall be appointed by the Chair of the Board of Directors of the Australian College of Theology as the review officer in place of the Dean.

The Dean must acknowledge receipt of the formal complaint in writing within five (5) working days of receipt.

The Dean must try to resolve the complaint within fifteen (15) working days of receiving the complaint.

Following investigation of the matter, the Dean will advise the student in writing of his or her decision as well as:

- (a) setting out the reasons for the decision;
- (b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- (c) giving the student a copy of this policy, if the student does not already have a copy.

#### **4.4 External Dispute Resolution**

Students who remain dissatisfied with the outcome of a grievance under section 4.4 of this policy can make a final appeal free of charge to the Council of Private Higher Education (COPHE), an independent third party. Details of how to lodge an appeal to COPHE are contained in Section 5 of this document.

Notwithstanding the above, in matters of dispute resolution, students may exercise their rights to other legal remedies. Students can include a nominee to represent them in this process if they so choose.

### **5. External Dispute Resolution**

Students who remain dissatisfied with the outcome of any appeal, except those related to a mark for an intra-semester assessment, can make a final appeal free of charge to the Council of Private Higher Education (COPHE), c/- the Executive Officer, Mr Adrian McComb, Suite 244, 813 Pacific Highway, Chatswood, NSW,



2167 (02 8021 0841). Such appeals must be in writing. The staff at affiliate colleges and the ACT are also able to make representation to COPHE regarding the matter. Students can include a nominee in this process if they so choose. Decisions of the COPHE shall be final and binding on all parties.

Notwithstanding the above, in matters of dispute resolution, overseas students may exercise their rights to other legal remedies and may contact the Overseas Education Unit in their state. Contact details for the Overseas Education Unit in each state where the ACT is the registered provider are listed below. Students can include a nominee to represent them in this process if they so choose.

**External Formal Concern**

If an overseas resident student is concerned about the College’s actions, the student may raise concerns with respect to the ACT’s registration as an education and course provider to overseas students with the Overseas Students Ombudsman. The Overseas Student Ombudsman will not make any decisions on student complaints.

GPO Box 442  
Canberra ACT 2601  
Ph: (02) 6276 0111  
Fax: (02) 6276 0123  
Web: [www.oso.gov.au](http://www.oso.gov.au)

**Implications of withdrawing from or not accessing the complaints and appeals process**

Where the ACT has assessed the student as not complying with their student visa conditions, either through unsatisfactory attendance or unsatisfactory course progress, or for disciplinary reasons, the ACT will notify the student in writing of its intention to report the student to the Department of Immigration and Border Protection (DIBP). The written notice will inform the student that he or she is able to access the ACT’s Dispute Resolution Policy for Overseas Students and that the student has twenty (20) working days in which to do so.

Where a student has chosen not to access the complaints and appeals process outlined in this policy within the twenty (20) working day period, withdraws from the process, or the process is completed and results in a decision supporting the ACT, the ACT will notify the Secretary of the Department of Education through PRISMS as soon as practicable.

**Review**

This policy shall be reviewed annually in compliance with education industry standards including the Australian Universities Quality Agency (AUQA) Good Practice Database and the National Code of Practice for Registration Authorities Providers of Education to Overseas Students, 2007.

Policy last updated June 2015



Policies/Dispute Resolution Policy for Overseas Students

## Summary of Dispute Resolution Procedures

