



TRINITY COLLEGE | FOUNDATION
THE UNIVERSITY OF MELBOURNE | STUDIES

Trinity College Pathways School

Student Complaint Policy

Overview

Trinity College is an affiliated College of the University of Melbourne. The Pathways School consists of the Trinity College Foundation Studies program, the Young Leaders program and other short programs and conferences.

Trinity College recognises the importance of sound and fair proceedings for you as a student when dealing with complaints. The College upholds and complies with all State and Federal legislation, specifically the requirements of the Educational Services for Overseas Act 2000, which mandates the provision for international students of clear avenues for resolving complaints.

The College approaches student complaints following the guidelines set out below. The intention at all times is to consider a range of options for resolution and to approach the issue in good faith.

The College will follow transparent, fair and timely procedures for addressing complaints in accordance with principles of natural justice, ensuring that all parties are treated equally and fairly.

When you raise a complaint, the College will give you the opportunity to formally present your case and you will not suffer any discrimination or victimisation as a result. If you choose, you can be helped to understand the process by a Student Complaint Officer.

If you raise a complaint about another student (or if a complaint is raised against you), both your enrolments will be maintained while the process is going on, and you will both be able to attend all classes until the matter is determined (unless special circumstances apply).

There will be no cost imposed by the College if you make a complaint in accordance with this policy.

All parties to a complaint must respect privacy and confidentiality, except where the release of particular information is required by law.

The College reserves the right to review and make changes to this Policy from time to time.

Scope

This Policy covers all students studying in the Trinity College Foundation Studies program, Young Leaders program and other short programs conducted by the Pathways School. It covers issues arising from a student's current or past involvement with Trinity College.

Definitions

Appeal – An appeal is a request for review of the outcome of a complaint.

Complaint – A problem or concern raised by a student who considers they have been wronged because of an action, decision or omission within the control or responsibility of Trinity College or by another student.

Student Complaint Officer – An employee of Trinity College who can assist you to understand the complaints process.

Grounds for complaints

There are two types of complaints:

- Academic
- Non-academic

Grounds for complaint can include the following:

- you have been affected by a decision made by the College without sufficient consideration of facts, evidence or circumstances
- you have been affected by a failure of the College to adhere to appropriate or relevant published policies and procedures
- a penalty applied to you was unduly harsh or inappropriate
- you have been affected by improper or negligent conduct
- you have been affected by unfair treatment, prejudice or bias

Academic complaints

You may raise a complaint in relation to academic decisions, such as:

- decisions by academic staff members affecting an individual or group of students
- the content or structure of academic programs, including the nature of teaching and assessment
- authorship and intellectual property
- quality of teaching

Non-academic complaints

You may raise a complaint in relation to non-academic issues such as:

- decisions by administrative staff affecting individuals or groups of students
- the standard of service received through the College administration
- the administration of academic policies, procedures and rules of the College
- access to educational resources or facilities
- conduct by another student or staff member including bullying, stalking, harassment, discrimination or sexual harassment as outlined in the Student Code of Conduct and the Staff Code of Conduct

You may raise a joint complaint where more than one student has been affected, in

which case the matter will be considered as one issue. If two or more complaints about the same matter are submitted independently, they may be considered jointly by agreement of all parties concerned.

Timing of complaints

It is in your interest to raise complaints as soon as possible after the event, decision or action takes place.

Whilst the College will take reasonable steps to investigate all complaints, it may not be possible to proceed past preliminary stages where, due to the length of time elapsed since the event, decision or action, there is insufficient information available to enable investigation of the complaint.

Outcome of Complaint

The outcome of the complaint will be determined in accordance with the Code of Conduct. It may still lead to the termination or suspension of your enrolment.

You may appeal the outcome of the complaints process by following the steps outlined in the Student Complaint Procedure which provides for both Internal and External appeals.

Please note that since there are a variety of external entities to whom an external appeal can be made, Trinity College will act on the outcome of only one external appeals process.

Other Assistance

Please be aware you are able to access outside services for advice and support (such as police or relevant government departments) at any time. Where a cost is associated with this process, this will be undertaken at your own cost.

Trinity College Pathways School Student Complaint Policy	
CRICOS Code	00709G
ABN	39 485 211 746
Date of current revision	May 2016
Document number	Version 6
Topic	Complaint
Review date	May 2019
Business Owner	Dean, Pathways School
Authorising body	Trinity College Board
Audience	Public – Students, parents
Related legislation and	Department of Education and Training (Cth)

government departments	Department of Home Affairs (Cth) Education Services for Overseas Students Act 2000 (ESOS Act) National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (the National Code) Overseas Students Ombudsman
Related documents	Staff Code of Conduct PS Student Code of Conduct PS Student Complaint Procedure
Notes	Students are bound by all applicable federal and state legislation.
Published	Intranet / Website / Internal



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Trinity College Pathways School
Student Complaint Procedure

Overview

Trinity College is an affiliated College of the University of Melbourne. The Pathways School consists of the Trinity College Foundation Studies program, the Young Leaders program and other short programs and conferences.

The following procedure is made under the Trinity College Pathways School Student Complaint Policy.

Scope

This Procedure covers all students studying in the Trinity College Foundation Studies program, Young Leaders program and other short programs conducted by the Pathways School. It covers issues arising from a student's current or past involvement with Trinity College.

Definitions

Appeal – An appeal is a request for review of the outcome of a complaint.

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Complaint and appeal procedure

If you wish to make a complaint or appeal a decision, you should:

- Read the complaint process as set out below and understand the options for an informal resolution or formal resolution
- Clarify the details and the basis of the complaint – times, dates, places, why you are complaining
- Decide what action you need to take to resolve your concerns
- Approach a Student Complaint Officer for guidance.

Note that you are able to bring a support person with you at any relevant meeting, who may be a friend, relative or fellow student. However, your support person is not able to speak on your behalf.

Step One - Informal resolution

You should try to resolve the matter informally with the person concerned first as it may be a mistake or a misunderstanding. If you are not comfortable doing this you can proceed directly to Step Two.

Step Two – Seek advice

Speak to a Student Complaint Officer for guidance if Step One does not resolve the situation.

The Student Complaint Officer will:

- advise you on your options
- encourage you to produce a written record of the decision
- acknowledge receipt of your complaint within two working days
- advise you of a proposed process for resolving the complaint
- notify you of your right to be accompanied by a support person at any meetings or discussions
- attempt to clarify with relevant parties what is agreed and where opinions differ

Step Three - Formal resolution

You may lodge a written complaint with either the Associate Dean, Academic Administration, the Associate Dean, Student Services or the Associate Dean Teaching and Learning, depending on the nature of your complaint. They will consider all the evidence as presented.

If you wish to appeal a decision made by any of the Associate Deans mentioned above, please go straight to Step 4 – Internal Appeal.

The Associate Dean must:

- acknowledge receipt of the complaint in writing within two working days and indicate when an outcome can be expected.
- recommend any immediate corrective action that needs to be taken before the complaint is investigated.
- independently review the complaint including hearing from all relevant parties and attempt to resolve the problem
- notify you in writing within five working days of the decision being made
- a copy of the outcome of the complaint will be placed on your file.

The Associate Dean may decline to hear a complaint, for example, where a student has repeatedly submitted complaints in relation to the same matter, which have not been upheld or where the complaint is considered to be frivolous or unsubstantiated.

The Associate Dean may undertake an investigation of multiple complaints relating to the same issue.

Depending on the nature of the complaint, the Associate Dean may investigate the matter or choose a more appropriate process.

Step Four – Internal Appeal

If you are not satisfied with a decision, you may appeal within 20 working days of notification of the original decision.

An internal appeal is made by submitting to a Student Complaint Officer, a written statement within the deadline outlining the grounds on which the appeal is to be based, which may be on one of the three following grounds only:

- That there is new evidence to consider regarding the decision that was made and that this evidence could be reasonably expected to alter the decision
- That the decision was not made according to correct procedure as outlined in the procedure above
- That the matters at one or more of the steps were not heard or decided fairly and on their merits

The Student Complaint Officer will decide whether a case exists for at least one of the appeal criteria having been met. If you withdraw your enrolment or do not submit an official written statement within the deadline, you will be deemed to have withdrawn from the complaint and appeals process and you will be reported.

If the appeal is denied you will receive a written statement. If the appeal is supported, corrective action may be taken or a panel of two persons may be convened within three working days of lodgement to hear the appeal. The panel will consist of two persons: the Dean, Pathways School, and one other person. This second person cannot have been involved directly in making earlier decisions regarding the complaint or be the subject of the complaint.

If your appeal is upheld, you will not incur any penalty. Your enrolment will continue, with explanatory documentation recorded on your file.

Step Five - External Appeal

If your appeal is denied, please be aware that you are able to undertake an external appeal of our decision through the Overseas Student Ombudsman (<http://www.ombudsman.gov.au/about/overseas-students>) or call 1300 362 072. This is a free service.

You need to inform us within three working days that you have requested an external appeal of our decision. You must provide evidence that your appeal has been lodged with the relevant authority. If you do not advise us within the three day timeframe, we will report you to the Department of Home Affairs and cancel your enrolment. (You are still able to lodge a complaint with the Ombudsman outside of the three days, but it will not prevent us reporting you or cancelling your enrolment.)

Please note that the website of the Overseas Student Ombudsman states as follows:

“The Ombudsman cannot make decisions about academic merit. For example, if your provider has decided that you have not met course progress or attendance requirements, we cannot make a new decision about this. Instead, we can look at

whether your education provider followed the rules properly in making their decision and treated you fairly.”

The College will not cancel your enrolment or report you to the Department of Home Affairs while this external appeal is being conducted.

Please note that Trinity College will recognise the outcome of only one external appeals process.

Where the external appeal decision favours you, the College will advise you immediately. No action disadvantageous to you will be taken until the outcome is determined. Where the appeal is denied, the College will take whatever action is required by the Education Services for Overseas Students (ESOS) Act, the Department of Home Affairs (HA), or by the various policies and procedures of the College.

Trinity College Pathways School Student Complaint Procedure	
CRICOS Code	00709G
ABN	39 485 211 746
Date of current revision	March 2018
Document number	FINAL
Topic	Complaint
Review date	March 2021
Business Owner	Dean, Pathways School
Authorising body	Trinity College Board
Audience	Public – Students, parents
Related legislation and government departments	Department of Education and Training (Cth) Department of Home Affairs (Cth) Education Services for Overseas Students Act 2000 (ESOS Act)

	National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (the National Code) Overseas Student Ombudsman
Related documents	Sexual Misconduct Policy Staff Code of Conduct PS Student Complaint Policy PS Student Code of Conduct PS Student Disciplinary Procedure
Notes	Students are bound by all applicable federal and state legislation.
Published	Intranet / Website / Internal