



Trinity College Pathways School, Student Complaints and Appeals Procedure

Policy Type:	Divisional Procedure
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1 OBJECTIVES

- 1.1 The purpose of this procedure is to provide guidance for students (past, present and prospective) who wish to lodge a complaint against Trinity College Pathways School or appeal a decision made by Trinity College.

2 SCOPE

- 2.1 This Procedure covers all students studying in the Trinity College Foundation Studies program. It covers issues arising from a student's current or past involvement with Trinity College.

3 PROCEDURE- COMPLAINTS AND APPEALS

Complaints

- 3.1 If you wish to make a complaint, 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 action you think needs to be taken to resolve your concerns.
 - Approach the Student Complaint Officer for guidance.

Note that you are able to bring a support person with you to 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 the 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 complaint
- 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 Deputy Dean, Pathways School. They will consider all the evidence as presented.

If you wish to appeal a decision made by either the Deputy Dean, Pathways School please go straight to Step 4 – Internal Appeal.

The Deputy 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
- place a copy of the outcome of the complaint will be placed on your file.

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

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

Appeals

Complainants who are not satisfied with the decision made in Step 3 of the complaint process, may appeal within 20 working days of notification of the original decision.

Students may also lodge an appeal regarding a decision made by Trinity College within the timeframe specified in the policy. These decisions include but are not limited to: admissions decisions, refunds, release letter decisions, Notices of Intention to Report.

Appeals may be lodged via email to tcfsappeal@trinity.unimelb.edu.au or via the appeal form available on the Trinity College LMS. An internal appeal must include a written statement 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 the appeal is denied, you will receive a written statement. If the appeal is supported, it will be heard within three working days of lodgement.

The internal appeal will be assessed by a panel 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.

External Appeal

If your appeal is denied, you are entitled to take the matter to independent, external authorities such as the Commonwealth Ombudsman. The web address for the Ombudsman is: <http://www.ombudsman.gov.au/about/overseas-students>. Please note that Trinity College will recognise the outcome of only one external appeals process.

You can also contact the federal Department of Education and Training through the Education Services for Overseas Students Act (ESOS) online enquiry form at <https://international.education.gov.au> or through the ESOS helpline at (02) 6240 5069 or by email at esosmailbox@dest.gov.au.

The Department of Education and Training will only intervene where the Trinity College appeals process was not conducted correctly or if Trinity College did not make the appeals process available to you.

There will be no cost to you for this external process.

Where the external appeal decision is in your favour, Trinity College will advise you immediately.

No action disadvantageous to you will be taken until the outcome is determined.

Where the appeal is denied, Trinity 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 Trinity College.

4 ROLES AND RESPONSIBILITIES

Role / Decision / Action	Responsibility	Conditions and limitations
Notify relevant staff of complaint	Student or eligible person	
Assist student /complainant to access the complaint resolution process	Student Complaints Officer/Associate Dean	
Investigate complaints and grievances and/or appointment of investigator	Deputy Dean, Pathways School	
Provide outcome notice to student following investigation	Deputy Dean, Pathways School	
Ensure that records are kept of all actions taken under this policy Identify student misconduct in complaints and triage to student discipline process	Deputy Dean, Pathways School	
Identify discrimination, sexual harassment and bullying behaviours and triage to appropriate internal or external process	Deputy Dean, Pathways School	
Provide annual analysis and reporting of complaints data to Executive Committee	Deputy Dean, Pathways School	
Lodge appeal within specified timeframe	Student	
Consideration of validity of appeal	Administration and Compliance Manager	
Forward appeal for decision	Administration and Compliance Manager	
Notify student of outcome and where necessary the opportunity to appeal to an external body	Administration and Compliance Manager	
Make relevant updates to the student record.	Registrations	

5 DEFINITIONS

Complaint: A problem or concern raised by a student (current, prospective or former) who considers that they have been wronged because of an action, decision or omission within the control of Trinity College or by another student.

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

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

Vexatious Complaint: a complaint that has been intentionally fabricated

6 RELATED DOCUMENTS AND LEGISLATION

Related legislation and 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 Providers of Education and Training to Overseas Students 2018 (the National Code)
- Overseas Students Ombudsman

Related Documents

Trinity College Pathway School Student Complaint and Appeal Procedure

Trinity College Student Code of Conduct

Trinity College Staff Code of Conduct

Student Disciplinary Procedure

7 POLICY OWNER

The Dean Trinity College Pathway School is responsible for the development, compliance monitoring and review of this Policy and any associated procedures or guidelines.

8 REVIEW

This Policy is to be reviewed by 31 January 2027.

9 VERSION HISTORY

Version	Approved By	Approval Date	Effective Date	Sections Modified
January 2019	Trinity College Board	January 2019	January 2019	
April 2024		April 2024	26 April 2024	Included Appeals in title and updated staff titles and processes.