

Complaints and Appeals Policy

NIET believes that a student, who has a complaint or appeal, has the right to raise the claim or petition and expect that every effort will be made to resolve it by this policy, without prejudice or fear of reprisal or victimisation.

The student has the right to present the complaint or appeal formally and in writing. The process commences within 48 hours of the formal lodgement of the claims or appeals.

NIET will manage all complaints and appeals reasonably, equitably and efficiently as possible. NIET will encourage the parties to approach the grievance or motion with an open mind and to resolve problems through discussion and conciliation. Where a complaint or motion cannot be resolved through dialogue and mediation, NIET acknowledges the need for an appropriate external and independent person to mediate between the parties. The parties will be given the opportunity to present their case to the independent person formally.

Mediation is arranged through Resolution Institute (LEADR)- <https://www.resolution.institute>. Students can contact one of the following bodies or another suitable external agency of their choice:

- Overseas Students Ombudsman (OSO)- <http://www.ombudsman.gov.au/about/overseas-students>;
- Queensland Civil and Administrative Tribunal (QCAT) - www.qcat.qld.gov.au;
- Queensland Government Department of Justice Dispute Resolution Branch - <https://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/setting-disputes-out-of-court/mediation>.

"The person or body which hears the external complaint or appeal must be independent of, and external to, the registered provider. To be considered independent and external, the person or body would generally:

- *be separated in structure from both parties involved in the complaints and appeals process*
- *have no personal or professional interest in the outcome of the complaints or appeals process*
- *not influence the policy setting of the provider*
- *be financially and administratively independent of the provider; and*
- *not have the same directors or managers as the provider."*

The mediation appeal process must commence within 14 days of the student receiving written notice of the outcome of their internal appeal. NIET will not be responsible for the cost of any legal services incurred by the student during the process. If any external complaint handling or appeal process results in a decision that supports the student, NIET will immediately implement any decision and corrective and preventative action required and advise the student of the outcome.

Confidentiality must be upheld throughout the complaints process if making and resolving complaints. NIET seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment.

Any stage of the complaints and appeals process, NIET may request to meet with a student who has the right to be accompanied by a support person at any meeting with NIET.

If NIET has made a decision to suspend or cancel a student's enrolment and report the student to the Department of Home Affairs, and the student commences the appeals process within the designated timeframe, NIET will maintain the student's enrolment until all appeals (internal and external) are complete.

NIET will notify the student as to whether or not NIET will continue to offer the student learning opportunities (e.g. allow them to continue to attend classes) while the appeals process is ongoing.

Records of all complaints, decisions, appeals, and all associated documents/evidence, will be securely stored by NIET for seven (7) years.