

# International Students – Complaints and Appeals Policy

[ESOS Act - National Code Standards 10]

- All of Brighton Grammar School’s policies are intended to be up to date and be consistent with all relevant laws.
- Employees are expected to comply with all applicable policies.
- Various parts of the policies require managers and staff to exercise discretion, and the policies are not intended to be applied in a legalistic or prescriptive manner.
- These policies may be varied by Brighton Grammar School from time to time, at its absolute discretion.
- Brighton Grammar School is fully committed to the protection of children and young people during all School activities and environments both within and outside of School hours.
- This is a whole of school policy and there may, from time to time, be variations in different parts of the School. In such circumstances, advice will be issued by the relevant Head of School.

## Introduction

The Education Services for Overseas Student (ESOS) Act sets out the legal framework governing delivery of education to overseas students studying in Australia on a Student Visa. Within the ESOS legislative framework are the standards to ensure quality with which Brighton Grammar School (BGS) must comply in order to retain registration as an educational provider for International Students – the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018).

This Policy outlines the principles and processes of the internal complaints and/or appeals process (Standard 10).

- Standard 10: Complaints and appeals. Registered providers must ensure overseas students have the right to natural justice protected through access to professional, timely, inexpensive and documented complaints handling and appeals processes.

## Definitions

For the purpose of this policy, the following definitions apply:

**Complaint** – an expression of dissatisfaction with the quality of an action taken or service provided, or dissatisfaction with a delay or failure in providing a service, taking an action, or making a decision.

**Appeal** is defined as a request for a review of a formal decision.

**Working Day** – any day other than a Saturday, Sunday or public holiday during term time.

**Student** – a student enrolled at Brighton Grammar (including overseas students or intending overseas student)

**Support person** – a friend/teacher/relative not involved in the grievance. Lawyers and/or education agents are not acceptable support persons at this stage of the complaints handling process.

## Purpose

Brighton Grammar School acknowledges that, whilst always endeavouring to provide a satisfactory outcome for international students and their parent(s), there may be circumstances where students wish to raise a complaint or lodge an appeal against a decision made by the School.

## Complaints and Appeals Process

Brighton Grammar will respond to all complaints and appeals made by students or their parent(s) / legal guardian regarding dealings with the school, agents, third parties, homestay hosts or any other related party that the School has an arrangement with to deliver the course of study or other services related to the study.

The School will supply a written outcome statement for all complaints and appeals that clearly states:

- An overview of the complaints process that was followed in order to reach the resolution;
- The parties involved in the process;
- The outcome of the complaint or appeal;
- A detailed explanation of the reasons for reaching the outcome; and
- Any rectification that has been undertaken or will be addressed.

Copies of this outcome statement and all records relating to the complaint or appeal will be kept on the student record.

## Informal Complaints and Appeals Procedure

### **Complaints against other Students**

Any complaint or grievance against another student that attends Brighton Grammar School will be dealt with under the Student Code of Conduct and Behaviour Ownership Policy. If an international student has a complaint against another student, they should direct their concerns to their class teacher (JS), House Tutor, Head of House or Director of Students (SS) in the first instance. If no resolution can be achieved, then escalation via the formal complaints process can be enacted.

### **Complaints regarding Homestay arrangements**

Students that have a concern regarding homestay arrangements must discuss these concerns with the School's International Liaison Officer who will assist the student in communications with the homestay host and support in the rectification of the concern. If no resolution can be achieved, then escalation via the formal complaints process can be enacted.

### **Complaints against third party providers**

The School will support the student with any complaint they wish to raise regarding any supplier that has a third-party arrangement with Brighton Grammar School. An informal complaint should be raised with the International Liaison Officer in the first instance for immediate support and rectification. If no resolution can be achieved, then escalation via the formal complaints process can be enacted.

### **Complaints against Brighton Grammar School**

Brighton Grammar School will attempt to resolve all complaints and concerns via informal conversations or mediation between the student and class teacher (JS) or House Tutor (SS) in the first instance. It is expected the international student contact the appropriate member of staff to arrange these discussions as soon as practical after the complaint arising.

If further consultation and assistance is required, the matter may be referred to the Head of House, Director of Students or Deputy Head of Junior School. If this is the case, then the complaint and consultation process is

documented and saved on the student file. If no resolution is reached, then a formal complaint can be lodged with the Headmaster.

All complaints are treated as confidential and a matter between the parties involved.

Students may have a support person present at all informal and formal meetings.

## Formal Complaints and Appeals Procedure

If an international student wishes to proceed with a formal complaint the following process applies.

1. The student submits the complaint in writing to the Headmaster using the Formal Complaint Form (template) - available on the International Student page on the BGS website, or upon request from the International Liaison Officer. Replicated in the Appendix to this Policy
2. The student has an opportunity to present his case formally to the Headmaster. *Note: A support person may accompany the student at this meeting*
3. The Headmaster will review the case in detail and provide a response and outcome in writing to the student within 20 working days (10 days for the initial assessment and a further maximum of 10 days to formalise and communicate the outcome).
4. If the decision finds in favour of the student, in accordance with National Code 10 Section 10.4 the School will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision, and advise the overseas student of that action.
  - a. In accordance with section 10.2.6, regardless of the outcome, the student will be provided with a written statement of the outcome of the internal appeal, including detailed reasons for the outcome.

All complaints will be reviewed in a fair, transparent and professional manner.

It is expected that the student remains at School and attends all classes during this process, if safe to do so.

No cost will be incurred by the student to lodge a complaint with the School at any stage during either the informal or formal process.

## Further independent assistance

If no resolution and agreement can be obtained then the School will advise the student in writing that they may raise the complaint with the below independent appeals board. In such circumstances, the student is encouraged to access legal aid in order to minimise any associated costs.

If an external review finds in favour of the student, the School will immediately implement any decisions made as a result of the review process, and advise the student of the action taken.

The school will not adjust student records in PRISMS until the complaints process is finalised and an agreed resolution has been reached.

Further assistance can be obtained by the student by contacting:  
the Overseas Student Ombudsman..

- The Overseas Student Ombudsman ([www.oso.gov.au](http://www.oso.gov.au));
  - Up to date contact details available on their website and by phone on 1300 362 072
- Dispute Resolution Centre of Victoria, (<https://www.disputes.vic.gov.au/>); or
- Victorian Registration and Qualifications Authority (VRQA) ([www.vrqa.vic.gov.au](http://www.vrqa.vic.gov.au)).

## Record Keeping

We acknowledge that good records management practices are a critical element of International Student Safety and Wellbeing and manage our records in accordance with our Records Management Policy and Procedures which are aligned with the Public Record Office Victoria Recordkeeping Standards and the Records, Retention and Disposal Schedule for Non- Government Schools guidelines.

All records and prescribed information about the accepted enrolment of each International Students are kept as set out in section 21 of the ESOS Act. All written agreements as well as receipts of payments made by students' families under the written agreement will be kept for a minimum of 2 years after the person ceases to be an enrolled student. Brighton Grammar will review all records relating to accepted international students every 6 months to ensure accuracy. This includes written confirmation of:

- Students current Australian residential address
- Students contact phone number.
- Students email address.

PRISMS - (Provider Registration and International Student Management System)

To ensure compliance with Section 21 of the ESOS Act, CRICOS Brighton Grammar maintains an up-to-date and accurate student register that records details of all enrolled overseas students. This includes promptly updating enrolment information such as course commencement dates, changes to student details, and course completions or terminations. The school will report any variations through PRISMS within the required frames specified by the ESOS legislation. Maintaining the currency of this register is essential for meeting the provider's obligations under the Act, supporting visa integrity, and safeguarding the rights and welfare of international students.

### Changes to Registration Status

In accordance with CRICOS Standard 11.2, any change to the ownership, directorship, or key management of the provider must be identified and reported without delay to the Department. Staff or Council members who become aware of such changes are required to notify the Principal immediately. The Principal will verify the details of the change, including the effective date and supporting documentation. Once verified, the Principal or delegate will notify the Department of Education through PRISMS or another prescribed channel within 10 working days of the change. Copies of all notifications, supporting evidence, and acknowledgement from the Department must be securely stored for a minimum of seven years.

The School will retain records as per the BGS Records and Data Management Policy, Records, Retention and Destruction Schedule, BGS Privacy Policy and ESOS Act. Records are kept on the student's file on the School database. Retention practices include:

Documentation	Criteria	Retention timeline
Attendance records, absence information, sign in and sign out registers	Homestay Students	Indefinitely
Attendance records, absence information, sign in and sign out registers	International students not in homestay	75 years from date of birth
Teaching and Learning – academic results, student reports	Homestay Students	Indefinitely
Teaching and Learning – academic results, student reports	International students not in homestay	75 years from date of birth
Co-curricular activities – participation, injury and accident records	Homestay Students	Indefinitely

Co-curricular activities – participation, injury and accident records	International students not in homestay	75 years from date of birth
Pastoral records, including orientation / transition checklists, critical incident records, behavioural reports	Homestay Students	Indefinitely
Pastoral records, including orientation / transition checklists, critical incident records, behavioural reports	International students not in homestay	75 years from date of birth
Details of any complaints or appeals	Homestay Students	Indefinitely
Details of any complaints or appeals	International students not in homestay	75 years from date of birth
Detailed records and copies of all original enrolment communication, which may include application records, Conditional Letters of Offer and Written Agreements, and payment receipts provided	All international students	At least 2 years after the student ceases to study at BGS (hard copies) Indefinitely (digital summary)
Records and communication related to changes to enrolment, which may include initial request documentation, decision making process and outcomes	All international students	At least 2 years after the student ceases to study at BGS (hard copies) Indefinitely (digital summary)
All departure/exit records	All international students	25 years from the student's date of birth (must be destroyed)

## Supporting Documentation

- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Education Services for Overseas Students Act 2000
- International Students – Enrolment Policy
- International Students – Refund Policy
- International Students – Academics and Attendance Policy
- International Students – Student Support Services and Critical Incident Policy
- International Students – Homestay Accommodation Policy
- International Students – Transfer, Defer, Suspend or Cancel Enrolment Policy
- International Students – Complaints and Appeals Policy
- International Students – Conditional Letter of Offer and Written Agreement (Template)
- International Students Handbook
- International Students – Homestay Accommodation Request (Template)
- International Students – Formal Complaint form (Template). *NOTE: Also embedded in International Students – Complaints and Appeals Policy Appendix*
- International Students – Education Agent Agreement (Template)
- International Students – Student Safety Card (Template)
- Orientation Checklist for International Students
- BGS Business Notice and General Regulations
- BGS Records and Data Management Policy
- BGS Data Records, Retention and Destruction Schedule
- BGS Privacy Policy
- BGS Child Safety and Wellbeing Policy
- BGS Child Safety Code of Conduct
- BGS Child Safety and Wellbeing Reporting Obligations Policy

- BGS Child Safety and Wellbeing Complaints Process
- BGS Whistleblower Policy
- BGS Critical Incident Management Policy
- BGS Emergency Management Plan

This Policy is a controlled document. Any printing of this document is uncontrolled. Please refer to the school portal for the latest version of this policy

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<b>Next Review Date</b>	March 2027



Please complete section 1 and 2 of this form and email to [headmaster@brightongrammar.vic.edu.au](mailto:headmaster@brightongrammar.vic.edu.au).

If required, a meeting with the Headmaster will be scheduled within 10 days of lodgement of the complaint. The full review process will take no more than 20 days to resolve.

If you are not satisfied with the process or outcome please refer to our Complaints and Appeals policy for further action.

**Please note: If you are concerned for your safety while this complaint is being managed please contact the International Liaison Officer or School Counsellor for further support.**

## SECTION 1 – Student Details (Student to complete)

Student Name		Year Level	
Student email			
Head of House			
Tutor Group			
Support person for face to face meetings (if required)			

## SECTION 2 – Complaint/Concern (Student to complete)

Date of Complaint	
Type of Complaint	<ul style="list-style-type: none"> <li>• Teaching and Learning</li> <li>• Co-Curricular (sport, camp, excursion)</li> <li>• Personal (Teacher, student)</li> <li>• Homestay/Accommodation</li> </ul> <hr/> <p>Other</p>

Further Details regarding the complaint (please be specific)	
Have you tried to resolve this complaint informally? If so who did you seek help from and what was the outcome?	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Informal outcome and assistance
Do you have any supporting evidence to support this complaint?	<input type="checkbox"/> Yes (please submit with this form) <input type="checkbox"/> No
What effect has this event or action had on you?	

**SECTION 3 – Outcome (to be completed by the Headmaster or delegated authority in consultation with the complainant)**

Date of discussions with Headmaster/delegated authority	
Response from other staff assisting with the complaint	
Further analysis of the matter	

Actions suggested and discussed	
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**SECTION 4 – Review (to be completed by the Headmaster or delegated authority in consultation with the complainant)**

Time taken to review the complaint	
Actions agreed upon and implemented	
Complainant satisfied with the outcome	<input type="checkbox"/> Yes <input type="checkbox"/> No
Escalated to external party	<input type="checkbox"/> Yes <input type="checkbox"/> No
Follow up review required	<input type="checkbox"/> Yes <input type="checkbox"/> No
	Date

**SECTION 5 – Acknowledgement**

Headmaster	
Complainant	
Date	