

## **EQI Complaints and Appeals Policy - Suspension or Cancellation of Enrolment**

Education Queensland International (EQI) is registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) as a Registered Provider of courses to students in Queensland. EQI provides primary and secondary school courses to international students through selected Queensland Government Schools. As a Registered Provider, EQI must comply with the provisions of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (National Code 2007).

The National Code 2007 sets out the requirements of education providers in relation to the educational outcomes and services which must be delivered to students on student visas.

Standards 8 and 13 of the National Code 2007 and section 8 of the Education (Overseas Students) Regulation 1998 require Registered Providers to have a documented complaint handling and appeals policy freely accessible to students. This policy applies in situations where EQI has decided to suspend or cancel a student's enrolment in a course provided by EQI.

A copy of this policy must be provided to each prospective international student before a contract about the student is entered into or before an amount is paid by a student's parent/guardian for a registered course. A copy of this policy must also be provided within 7 days after a student starts attending a registered course, conducted by EQI in which the student is enrolled.

### Introduction

1. A student and his/her parents/guardian will be formally notified of EQI's intention to suspend or cancel a student's enrolment in writing.
2. Upon being notified of EQI's intention to suspend or cancel a student's enrolment, the parent/guardian and/or the student may, within 20 working days, initiate this complaints and appeals process.
3. Unless there are extenuating circumstances relating to the welfare of the student, the suspension or cancellation of the student's enrolment will not take effect until the parent/guardian and/or the student has been given the opportunity to access this complaints and appeals process.
4. If the parent/guardian and/or the student and/or his/her parent/guardian accesses this complaints and appeals process within 20 working days, then the suspension or cancellation of the student's enrolment will not take effect until Stage 1 of this complaints and appeals process has been undertaken.
5. If the parent/guardian and/or the student do not access this complaints and appeals process within 20 working days, then EQI may immediately proceed to suspend or cancel the student's enrolment.

### Stage 1 - Internal Review

1. A parent/guardian and or a student wishing to seek review of EQI's intention to suspend or cancel the student's enrolment must, within 20 working days of being notified by EQI of the intention to suspend or cancel the student's enrolment, lodge a written request for an Internal Review with the Director EQI at the following address:

Director, Education Queensland International  
Department of Education and Training  
PO Box 15050  
City East Qld 4002

2. If an Internal Review is initiated by the parent/guardian and/or the student:
  - (a) The parent/guardian and/or the student will be notified of the name, position and contact details of the person who will be conducting the Internal Review within 10 working days of the Internal Review having been initiated by the parent/guardian and/or the student;
  - (b) The parent/guardian and/or the student will be given the opportunity to nominate a support person and may be assisted by the support person throughout the Internal Review process;
  - (c) The parent/guardian and/or the student will be provided with an opportunity to formally present their case, including the opportunity to provide the Internal Review decision maker with additional evidence and materials; and
  - (d) At the conclusion of the Internal Review, the parent/guardian and/or the student will be notified in writing of the outcome of the Internal Review and the reasons for the outcome.
3. In deciding the outcome of the Internal Review, the Internal Review decision maker will give consideration to all of the evidence and material provided in the Internal Review process, in addition to evidence and material that was available at the time the initial decision to suspend or cancel enrolment was made.

#### Stage 2 – Independent Mediation

1. If a parent/guardian and/or student are not satisfied with the result or conduct of the Stage 1 Internal Review, the parent/guardian and/or student may initiate an independent mediation of the conduct and process followed by EQI in undertaking the Internal Review.
2. EQI has an arrangement in place with the Dispute Resolution Branch of the Department of Justice and Attorney-General who will conduct an independent mediation for unresolved matters.
3. To initiate an independent mediation, the parent/guardian and/or student must, within 10 working days of being notified of the outcome of the parent/guardian and/or student's complaint to the Director-General, lodge a written request to:

Dispute Resolution Branch  
Department of Justice and Attorney-General  
GPO Box 149  
Brisbane Q 4001

Or

Level 1, Brisbane Magistrates Court  
363 George Street, Brisbane  
Tel: +617 3239 6269 (free call 1800 017 288)  
Fax: +617 3238 6284
4. The independent mediation will not consider new evidence or materials relating to the substantive merits of the original decision or the outcome of the Internal Review. However, the parent/guardian and/or student may provide additional materials and

- evidence relating to the procedure that was followed by EQI in deciding to suspend or cancel the student's enrolment, as well as in the conduct of the Internal Review.
5. The outcome of the independent mediation will be notified in writing to the parent/guardian, student and EQI.
  6. A student's enrolment may not be maintained during the stage 2 Independent Mediation. However, a parent/guardian of a student who has initiated the independent mediation process may make a written application to the Director EQI for the student's enrolment to be maintained during the independent mediation process. In such circumstances, the Director EQI has the discretion to approve the continuation of the student's enrolment during the independent mediation process.
  7. If at any time during the student's enrolment at a Queensland Government School, the parent/guardian and/or student is concerned about certain actions undertaken by the School or EQI, the parent/guardian and/or student may lodge a written complaint to the State Authority for CRICOS Registration, through the Office of Non-State Education of the Queensland Department of Education and Training. Complaints should be addressed to:

**ATT: The Director-General**

Manager, CRICOS Registration  
Office of Non-State Education  
Department of Education and Training  
PO Box 15033  
City East Qld 4002

8. The parent/guardian and student acknowledge that the Director-General of the Department of Education and Training has the power to suspend or cancel a School's registration or a course if a breach of the requirements of registration provision is proven.
9. The availability of this complaints and appeals process, does not remove the right of the student to take action under Australia's consumer protection laws. Furthermore, this policy does not prevent an international student from exercising their rights to other legal remedies.