

General Complaints and Appeals Process

All enrolled and prospective complainants have the right to appeal against decisions taken by Le Cordon Bleu Australia administrative and academic staff, and against decisions taken by staff of partner institutions. To ensure that all potential students (enrolled or prospective students) are included, any person making a complaint or appeal will be referred in this document as 'complainant'.

These procedures cover non-academic grievances including the following five types of grievance:

- 1) General Complaints
- 2) Refund Applications
- 3) Unsatisfactory Attendance
- 4) Suspension or Cancellation of Enrolment
- 5) Other non-academic matters

For academic matters such as Academic progress, assessment, curriculum and awards in a course of study, please refer to the Academic Appeals policy.

Definitions:

1. *Complaint:* A complaint will be considered:

- 1.1. as an expression of dissatisfaction with the attitude, conduct or service of a staff member and/or the delivery of a product by either LCBA or its partner institutions.
- 1.2. unofficial when it is made through discussion or consultation with a member of staff from LCBA or a partner institution.
- 1.3. official when it is lodged in writing to a member of staff of either LCBA or a partner institution.

2. *Appeal:* An appeal may be a formal or informal request to review a formal decision made by a staff member (LCBA or partner institution). Appeals must follow a formal process as outlined in this document.

Complainants should know that:

- All complainants may lodge an appeal regardless of their campus, mode of study and place of residence
- Formal appeals must be lodged within 20 working days in writing; all grievances will be dealt with in a professional and timely manner within the principles of natural justice. However, in each case, where an appeal is not received within 20 working days, a decision or outcome will be considered final
- Complainants will not be charged any fees for appeals in the internal LCBA process

- Complainants and respondents will be supplied a written outcome within 45 days of receiving the appeal. The written outcome will include the decisions and actions to be taken as a result of the appeal application. Where an outcome requires additional time, all parties will be notified prior the expiry of the 45 day period.
- LCBA will commence investigations within 10 working days and will complete them in a timely manner
- His/her enrolment and learning opportunities will be maintained whilst internal appeals are being conducted but the complainant may be suspended from attending classes
- There may be more than one level of appeal within the LCBA internal appeals process
- Complainants may seek an external appeals process after exhausting all internal avenues of appeal
- the complainant and respondent will not be victimised or discriminated against in any appeal process outlined in this policy
- the complainant and/or respondent may be accompanied and supported by a third party where preferred
- Any recommendations provided through either an internal or external review in relation to a complainant's grievance will be provided to the General Manager for implementation. Implementation of such recommendations will be commenced within 10 working days of receipt of the recommendation and in accordance with LCBA governance and quality procedures. Any change to LCBA policy will be ratified by the appropriate body and at the earliest opportunity.
- Records of all grievances and applications for review of decisions will be kept within the complainant's file and can be accessed under supervision for a period of 5 years. All records are considered confidential and will have restricted access to only appropriate staff.
- The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other higher education provider policies or under statute or any other law.
- This policy has been ratified by the LCBA Board of Directors and is published for all students and staff in Student Handbooks and on LCBA's website

<http://www.lecordonbleu.com.au/adelaide/policies/en> The General Manager is responsible for the training of all staff in the application of the policy.

Should a complainant wish to discuss these procedures or seek assistance, he/she should firstly contact the Student Services Office. Please note: Student Services staff are not responsible for the complaints and appeals procedures nor are they able to change decisions or outcomes.

Contact:

Student Services, Le Cordon Bleu Adelaide

Days Rd

REGENCY ROAD, SA, 5010

Ph: 08 8348 3000

Fax: 08 8346 3755

Email: studentservicesadelaide@cordobleu.edu

Where a complainant has exhausted the internal LCBA procedures, they may seek an external process (see “External Appeals” below). For situations regarding Unsatisfactory Attendance, LCBA is only obliged to await the decision of one external process before reporting any enrolment change to the Department of Education, Employment and Workplace Relations (DEEWR). However, for other types of non-academic appeals, LCBA is not required to await the results of external appeals prior to reporting enrolment variations to DEEWR.

External appeals might only be heard if all internal steps have been exhausted and may only be heard on the grounds that either LCBA did not follow its own procedures or if the complainant was not offered an appeal process at all. There may be a minimal fee charged to the complainant by the relevant authority for the external appeals process (see “External Appeals” below for further information).

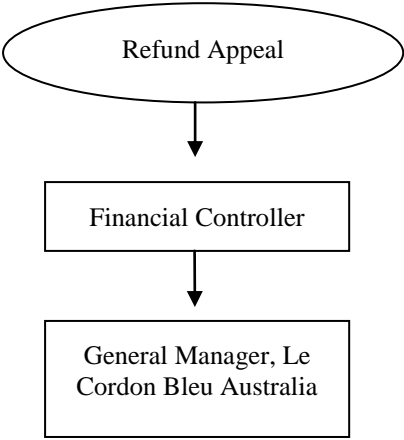
GENERAL COMPLAINTS

<p><u>Summary:</u></p> <p>A complaint may be discussed or lodged with any staff member of LCBA or its partner institutions.</p> <p>If the complainant is not satisfied with the outcome of the appeal, he/she should firstly contact the Student Services Registrar, then if there is further dissatisfaction, write to the General Manager of Le Cordon Bleu Australia.</p>	<pre> graph TD A([Complaint]) --> B[LCBA or partner institution staff member] B --> C[Student Services Registrar] A --> C C --> D[General Manager, Le Cordon Bleu Australia] </pre>
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- a) A complainant may lodge a complaint directly to the staff member involved in the issue or to the Student Services Registrar. A complaint may be:
 - i. Unofficial through discussion or consultation
 - ii. Official in writing.
- b) An investigation will commence within 10 days to reach a timely and satisfactory outcome. All parties must be given the opportunity to present their case, be fully informed about allegations and decisions made, and have the right to be supported by another person. During the investigation, privacy and confidentiality will be maintained, subject to necessary legal responsibilities, but in the case of suspected criminal matters, the police may be contacted. Where the complaint fits other state or federal legislation, it will be managed under relevant guidelines and requirements. A written statement regarding the outcome will be provided to the complainant.
- c) Where a complainant is dissatisfied with the outcome of their complaint, they may contact the Student Services Registrar:

Student Services Registrar (Adelaide)
Le Cordon Bleu Australia
Days Rd
Regency Park, SA, 5010
Ph: 08 8348 3000
Fax: 08 8346 3755
Email: studentservicesadelaide@cordobleu.edu
- d) If the complainant is still not satisfied with the outcome, they may write to the General Manager of Le Cordon Bleu Australia, Days Rd, Regency Park, SA 5010.
- e) An investigation of the appeal will commence within 10 working days and will be conducted in a timely manner. The General Manager of LCBA or nominee (independent, impartial and senior to the Student Services Registrar) will review the process undertaken by LCBA staff. Where required, the complainant may be called to attend an interview to discuss his/her appeal; he/she will be permitted to take a support person to assist him/her in his/her appeal. The investigation will be deemed as final and will conclude with a written response from the General Manager of LCBA to the complainant.
- f) Once a complainant has exhausted the above process, they may appeal to an external appeals process – see below for further information.

APPEALS AGAINST REFUND APPLICATION OUTCOMES

<p><u>Summary:</u></p> <p>A complainant wishing to appeal the result of an Application for Refund must write to the Financial Controller.</p> <p>If the complainant is not satisfied with the outcome of the appeal, he/she should then write to the General Manager of Le Cordon Bleu Australia.</p>	 <pre> graph TD A([Refund Appeal]) --> B[Financial Controller] B --> C[General Manager, Le Cordon Bleu Australia] </pre>
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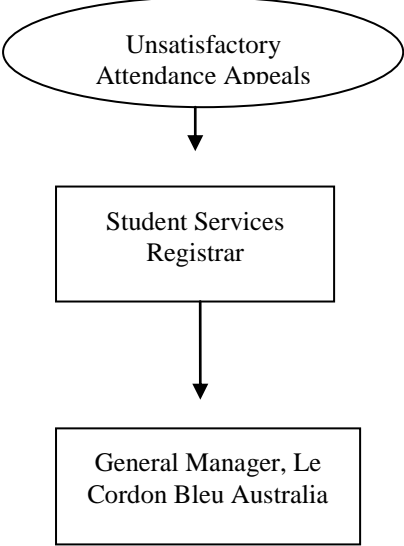
- a) Upon receiving an outcome of an Application for Refund, a complainant may lodge a formal appeal through the following process:
- i. In writing within 20 working days of the date of receiving the outcome
 - ii. In a business-style letter, stating clearly the reason for the appeal, providing documentary evidence where appropriate and providing all contact details for the complainant
 - iii. To the Financial Controller. Submissions can be posted, emailed, faxed or delivered in person to the Student Services office. Submissions should be directed to:

Financial Controller
Le Cordon Bleu Australia
Days Rd
REGENCY PARK SA 5010
Fax: 08 8346 3755
Email: Australia@cordobleu.edu

- b) An investigation of the appeal will commence within 10 working days and will be conducted in a timely manner. The Financial Controller or nominee (independent, impartial and senior to the original decision-maker) will review the process undertaken. Where required, the complainant may be called for an interview to discuss his/her appeal; he/she will be permitted to take a support person to assist him/her in his/her appeal. The review will conclude with a written response from the Financial Controller to the complainant. Should no appeal be lodged within 20 working days, this decision will be deemed as final.

- c) A complainant may appeal the decision of the Financial Controller:
 - i. On the grounds that LCBA policies and procedures have not been followed
 - ii. In writing within 20 working days of receipt of the Financial Controller's decision
 - iii. In a business-style letter, stating the reason for the appeal and with documentary evidence and providing all contact details for the complainant
 - iv. To the General Manager of LCBA, Days Rd, Regency Park, SA, 5010
- d) An investigation of the appeal will commence within 10 working days and will be conducted in a timely manner. The General Manager of LCBA or nominee (independent, impartial and senior to the Financial Controller/nominee) will review the process undertaken by LCBA staff. Where required, the complainant may be called to attend an interview to discuss his/her appeal; he/she will be permitted to take a support person to assist him/her in his/her appeal. The investigation will be deemed as final and will conclude with a written response from the General Manager of LCBA to the complainant.
- e) Once a complainant has exhausted the above process, they may appeal to an external appeals process – see below for further information.

APPEALS AGAINST UNSATISFACTORY ATTENDANCE

<p><u>Summary:</u></p> <p>A complainant wishing to make a formal appeal against an Unsatisfactory Attendance decision must write to the Student Services Registrar.</p> <p>Complainants may appeal against a decision of the Student Services Registrar, but only on the grounds that Le Cordon Bleu policies and procedures were not followed fairly. Appeals should be presented in writing to the General Manager of Le Cordon Bleu.</p>	 <pre> graph TD A([Unsatisfactory Attendance Appeals]) --> B[Student Services Registrar] B --> C[General Manager, Le Cordon Bleu Australia] </pre>
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- a) Upon receiving notification of Unsatisfactory Attendance, a complainant may lodge a formal appeal through the following process:
- i. In writing within 20 working days of the date of receiving the notification
 - ii. In a business-style letter, stating clearly the reason for the appeal, providing documentary evidence where appropriate and providing all contact details for the complainant
 - iii. To the Student Services Registrar. Submissions can be posted, emailed, faxed or delivered in person to the Student Services office. Submissions should be directed to:

Student Services Registrar
Le Cordon Bleu Australia
Days Rd
REGENCY PARK SA 5010
Fax: 08 8346 3755
Email: studentservicesadelaide@cordobleu.edu
- b) An investigation of the appeal will commence within 10 working days and will be conducted in a timely manner. The Student Services Registrar may establish a panel to review the classification of Unsatisfactory Attendance. Where required, the complainant may be called for an interview to discuss his/her appeal; he/she will be permitted to take a support person to assist him/her in his/her appeal. The review will conclude with a written response from the Student Services Registrar to the complainant. Should no appeal be lodged within 20 working days, this decision will be deemed as final.
- c) A complainant may appeal the decision of the Student Services Registrar:
- i. On the grounds that LCBA policies and procedures have not been followed
 - ii. In writing within 20 working days of receipt of the Student Services Registrar's decision
 - iii. In a business-style letter, stating the reason for the appeal and with documentary evidence and providing all contact details for the complainant
 - iv. To the General Manager of LCBA, Days Rd, Regency Park, SA, 5010
- d) An investigation of the appeal will commence within 10 working days and will be conducted in a timely manner. The General Manager of LCBA or nominee (independent, impartial and senior to the Student Services Registrar and/or review panel members) will review the process undertaken by LCBA staff. Where required, the complainant may be called for an interview to discuss his/her appeal; he/she will be permitted to take a support person to assist him/her in his/her appeal. The investigation will conclude with a written response from the General Manager of LCBA to the complainant. Should no further appeal be lodged within 20 working days, this decision will be deemed as final.
- e) Once a complainant has exhausted the above process, they may appeal to an external appeals process – see below for further information.

APPEALS AGAINST SUSPENSION OR CANCELLATION OF ENROLMENT

<p><u>Summary:</u></p> <p>A complainant wishing to make a formal appeal against Suspension or Cancellation of Enrolment must write to the Student Services Registrar.</p> <p>The complainant may appeal against a decision of the Student Services Registrar but only on the grounds that Le Cordon Bleu policies and procedures were not followed fairly. The appeal should be presented in writing to the General Manager of Le Cordon Bleu Australia.</p>	<pre> graph TD A([Suspension or Cancellation of Enrolment Appeals]) --> B[Student Services Registrar] B --> C[General Manager, Le Cordon Bleu Australia] </pre>
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- a) Upon receiving notification of Suspension or Cancellation of Enrolment, a complainant may lodge a formal appeal through the following process:
- i. In writing within 20 working days of the date of receiving the notification
 - ii. In a business-style letter, stating clearly the reason for the appeal, providing documentary evidence where appropriate and providing all contact details for the complainant
 - iii. To the Student Services Registrar. Submissions can be posted, emailed, faxed or delivered in person to the Student Services office. Submissions should be directed to:

Student Services Registrar
Le Cordon Bleu Australia
Days Rd
REGENCY PARK SA 5010
Fax: 08 8346 3755
Email: studentservicesadelaide@cordobleu.edu

- b) An investigation of the appeal will commence within 10 working days and will be conducted in a timely manner. The Student Services Registrar may establish a panel to review the classification of Suspension or Cancellation of Enrolment. Where required, the complainant may be called for an interview to discuss his/her appeal; he/she will be permitted to take a support person to assist him/her in his/her appeal. The review will conclude with a written response from the Student Services Registrar to the complainant. Should no appeal be lodged within 20 working days, this decision will be deemed as final.

- c) A complainant may appeal the decision of the Student Services Registrar:
- i. On the grounds that LCBA policies and procedures have not been followed
 - ii. In writing within 20 working days of receipt of the Student Services Registrar's decision
 - iii. In a business-style letter, stating the reason for the appeal and with documentary evidence and providing all contact details for the complainant
 - iv. To the General Manager of LCBA, Days Rd, Regency Park, SA, 5010
- d) An investigation of the appeal will commence within 10 working days and will be conducted in a timely manner. The General Manager of LCBA or nominee (independent, impartial and senior to the Student Services Registrar and/or review panel members) will review the process undertaken by LCBA staff. Where required, the complainant may be called for an interview to discuss his/her appeal; he/she will be permitted to take a support person to assist him/her in his/her appeal. The investigation will conclude with a written response from the General Manager of LCBA, to the complainant. Should no appeal be lodged within 20 working days, this decision will be deemed as final.
- e) Once a complainant has exhausted the above process, they may appeal to an external appeals process – see below for further information.

APPEALS AGAINST OTHER NON-ACADEMIC DECISIONS

<p><u>Summary:</u></p> <p>A complainant wishing to make a formal appeal against any other non-academic decision not covered in this document must write to the Student Services Registrar in the first instance. However, the matter may be referred to another appropriate manager.</p> <p>The complainant may appeal against a decision of the Student Services Registrar or other manager but only on the grounds that Le Cordon Bleu policies and procedures were not followed fairly. The appeal should be presented in writing to the General Manager of Le Cordon Bleu Australia.</p>	<pre> graph TD A([Suspension or Cancellation of Enrolment Appeals]) --> B[Student Services Registrar] B --> C[General Manager, Le Cordon Bleu Australia] </pre>
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- a) A complainant may lodge a formal appeal against other non-academic decisions not covered by this document through the following process:
- i. In writing within 20 working days of the date of receiving the notification

- ii. In a business-style letter, stating clearly the reason for the appeal, providing documentary evidence where appropriate and providing all contact details for the complainant
- iii. To the Student Services Registrar in the first instance; some issues may be referred to other appropriate managers. Submissions can be posted, emailed, faxed or delivered in person to the Student Services office. Submissions should be directed to:

Student Services Registrar
Le Cordon Bleu Australia
Days Rd
REGENCY PARK SA 5010
Fax: 08 8346 3755
Email: studentservicesadelaide@cordobleu.edu

- b) An investigation of the appeal will commence within 10 working days and will be conducted in a timely manner. The Student Services Registrar or nominee may establish a panel to review the original non-academic decision. Where required, the complainant may be called for an interview to discuss his/her appeal; he/she will be permitted to take a support person to assist him/her in his/her appeal. The review will conclude with a written response from the Student Services Registrar or nominee to the complainant. Should no appeal be lodged within 20 working days, this decision will be deemed as final.
- c) A complainant may appeal the decision of the Student Services Registrar or nominee:
 - i. On the grounds that LCBA policies and procedures have not been followed
 - ii. In writing within 20 working days of receipt of the Student Services Registrar's (or nominee's) decision
 - iii. In a business-style letter, stating the reason for the appeal and with documentary evidence and providing all contact details for the complainant
 - iv. To the General Manager of LCBA, Days Rd, Regency Park, SA, 5010
- d) An investigation of the appeal will commence within 10 working days and will be conducted in a timely manner. The General Manager of LCBA or nominee (independent, impartial and senior to the Student Services Registrar/nominee and/or review panel members) will review the process undertaken by LCBA staff. Where required, the complainant may be called for an interview to discuss his/her appeal; he/she will be permitted to take a support person to assist him/her in his/her appeal. The investigation will conclude with a written response from the General Manager of LCBA, to the complainant. Should no appeal be lodged within 20 working days, this decision will be deemed as final.
- e) Once a complainant has exhausted the above process, they may appeal to an external appeals process – see below for further information.

EXTERNAL APPEALS PROCESS

a) Once a complainant has exhausted the internal LCBA process as outlined above, they may appeal to an external appeals process. External appeals providers are as follows:

i. Domestic students: (as of 18 April 2011, the following have not stipulated any fee)

i. Higher Education Council, **Phone** (08) 8207 2168, www.highereducationcouncil.sa.gov.au

ii. NSW Ombudsman - <http://www.ombudsman.sa.gov.au/complaints> or phone 08 8226 8699 or toll free 1800 182 150

iii. Australian Human Rights Commission: <http://www.hreoc.gov.au>

ii. International students:

i. *The Overseas Students Ombudsman offers a **free** and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website www.oso.gov.au or phone 1300 362 072 for more information. For South Australian International students, OSO may refer you to the Office of the Training Advocate <http://www.trainingadvocate.sa.gov.au/Support/Internationalstudents/tabid/78/Default.aspx>*

ii. *If an International Student is dissatisfied with LCBA's complaints and appeals processes, he/she can contact DEEWR through the ESOS mailbox esosmailbox@deewr.gov.au or through the ESOS helpline (02) 6240 5069 – please note that DEEWR will only intervene where LCBA's appeals process was not conducted correctly and/or in compliance with the National Code of Practice 2007 or if LCBA did not make the appeals process available for a complainant. As of 18 April 2011, no fee is indicated on aei.gov.au for this service.*

b) Complainants should note that:

i. If the above LCBA procedures haven't been exhausted, he/she may be redirected back to LCBA

ii. A minimal fee may be charged to the complainant by the external appeals process handler – see point a) above. These fees are not within the control of LCBA and are subject to change.

iii. Whilst they are permitted to seek as many external appeals as they wish, LCBA is only required to await the decision of one process before reporting any enrolment variation, including Unsatisfactory Academic Progress, of a Student Visa holder to the Department of Education, Employment and Workplace Relations (DEEWR)

iv. Where an external appeal has been sought before an LCBA internal process has not been completed, LCBA may terminate the internal investigation