

Appeals Handling Policies and Procedures

Policy area	Student Support
Standards	Standards for Registered Training Organisations 2025, Outcome Standard 2.8
Responsibility	All Staff, Trainers and Assessors and Students

1. Purpose

The purpose of this policy and procedure is to ensure:

- students are clearly informed of their right to appeal decisions made by the College that affect their academic or administrative standing;
- students are afforded procedural fairness, including the right to be heard and to respond to any evidence before a decision is finalised;
- all appeals are handled impartially, without bias or conflict of interest, and in accordance with clearly defined procedures;
- appeals are reviewed and actioned within reasonable timeframes to minimise disruption to the student's learning or wellbeing;
- students are provided with access to an external, independent review where they are not satisfied with the outcome of the internal appeal process;
- appeal outcomes are documented and communicated in writing, including the reasons for the decision; and
- outcomes of appeals are reviewed and used to inform continuous improvement in the College's policies, procedures, academic practices, and student services.

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2. Definitions

Appeal. An appeal is an application by a student for reconsideration of an unfavourable decision or finding during their time with Magill College Sydney.

Appeals Officer: The designated staff member or panel responsible for reviewing, assessing and determining the outcome of a student appeal.

Appeal Lodgement Date: The date on which the student's appeal is officially received by the College, either in person, by email, or post. This date marks the beginning of the appeal response timeframe.

Appeal Acknowledgement: A written confirmation sent to the student to confirm receipt of the appeal, outline next steps and advise of expected timeframes for review and outcome.

Substantive Decision: The original decision or finding made by the College that is being challenged through the appeal process.

Procedural Grounds: Basis for appeal where the student alleges the College did not follow proper procedure in reaching a decision, which may have resulted in disadvantage or error.

Outcome Notification: The formal written response provided to the student at the conclusion of the appeal process, detailing the decision, rationale and next steps or rights to further review.

Appeal Withdrawal: A formal notification submitted by the student indicating that they wish to discontinue the appeal process. This may be submitted in writing at any stage prior to resolution.

Final Determination: The conclusive decision of the appeal process, after which no further internal review will be available. External avenues for review may still apply.

Unsuccessful Appeal: A decision where the original College finding is upheld, and the student's grounds for appeal are not accepted.

Successful Appeal: A decision where the original College finding is amended or overturned based on the merits of the student's appeal submission.

3. Policy statement

3.1 Applicability of the Appeals Process

This policy applies to appeals lodged by students in response to decisions made by Magill College Sydney that directly affect them or are materially relevant to their experience as an enrolled student. A student may submit an appeal when they believe that a decision made by the College has negatively impacted their academic progress, access to services, or entitlements under the terms of their enrolment. The policy does not extend to decisions that are unrelated to the individual student's circumstances or that do not have a direct bearing on their rights, obligations or participation in their course of study.

Appeals may be initiated in a broad range of circumstances, including but not limited to:

- A formal assessment decision regarding the student's demonstration of skills and knowledge, including competency outcomes and marking determinations;
- An administrative decision that directly affects the student, such as decisions relating to academic course progress, attendance, non-payment of fees or misconduct;
- A policy decision which alters the terms or conditions originally agreed to by the student at the time of pre-enrolment;
- A decision involving the use or replacement of third-party providers in the delivery of training or support services that may influence the student's learning experience, if applicable;

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- A determination regarding the transition or discontinuation of a training product, including the transition process involved;
- A refusal to grant Recognition of Prior Learning (RPL) or Credit Transfer (CT) where the student believes sufficient evidence or equivalency has been provided;
- Any internal complaint already made that the student believes was not handled fairly, impartially;
- A decision to not refund fees in full or in part where the student believes the refund policy was not applied correctly;
- A decision to refuse access to an official documentation, such as testamurs or Statements of Attainment;
- A refusal to grant transfer to another provider within the first six months of the principal course under the ESOS framework; and
- A material change in the mode, structure or scope of training and assessment from the information originally agreed during pre-enrolment, where the change may adversely affect the student's educational pathway.

In all cases, the student must be able to demonstrate how the decision in question affects them and outline the grounds for requesting reconsideration.

3.2 Principals of Procedural Fairness and Integrity in Decision-Making

Magill College Sydney recognises that procedural fairness, also known as natural justice, underpins every stage of the College's internal review mechanisms to ensure that students are afforded a fair, unbiased and respectful hearing. The following principles are embedded into all appeal procedure:

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- Appeals are reviewed by a person or panel who is independent of the original decision-making process and who holds the objectivity to assess the matter without prejudice.
- Students are granted a meaningful opportunity to present their case, submit documentation, provide context or clarification and respond to any adverse material. This includes written submissions and, where appropriate, participation in meetings or interviews.
- Students may be accompanied by a support person of their choosing, such as a friend, family member, staff advocate or interpreter. This right is upheld throughout all stages of the appeal, at no cost to the student.
- All information submitted in relation to an appeal is treated with strict confidentiality. Access is restricted to individuals directly involved in the appeal's assessment and resolution.
- Appeals are acknowledged promptly and resolved within a reasonable and clearly defined timeframe. The College makes every effort to minimise unnecessary delays while ensuring that each matter is reviewed thoroughly and fairly.
- Students are clearly informed of the steps involved in the appeal process, the timeframe for each stage, the expected documentation, and their rights throughout the procedure. This includes communication of decisions and available options if they are dissatisfied with the outcome.
- Decisions are based on a rational and balanced evaluation of the evidence presented. The reasons for the final decision are communicated to the student in writing, with reference to the grounds considered and any applicable policies.
- Similar appeals are assessed using consistent criteria to ensure fairness and eliminate arbitrary or inequitable outcomes.
- Students who lodge an appeal in good faith are protected from discrimination, disadvantage or retaliation.
- Each appeal is an opportunity for reflection and systemic learning. Outcomes and findings from appeal reviews may inform changes to College policies, procedures, or

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training and assessment models to enhance quality and prevent recurrence of similar issues.

3.3 Early Resolution of Appeals and Open Communication

Magill College Sydney strongly encourages students to seek early, informal resolution of any concerns or dissatisfaction they may have prior to lodging a formal appeal. Wherever practicable, students should first attempt to discuss the matter directly with the staff member or department responsible for the decision or action that has prompted concern. Open, respectful communication at this stage often allows for clarification, explanation or remedial action, which may resolve the issue without the need for escalation through the formal appeals process.

In many instances, a student's decision to pursue a formal appeal stems from a misunderstanding or miscommunication that can be effectively addressed through timely dialogue. As such, early resolution is not only less procedurally burdensome for all parties, but also promotes a more collaborative and supportive learning environment.

To facilitate this, students are encouraged to consult the Student Services Team as a first point of contact. The Student Services Team is available to assist students in understanding the nature of the decision they are concerned about, to provide guidance on the steps they may take to resolve it informally and to clarify what a formal appeal process entails should the issue remain unresolved.

Specifically, the Student Services Team can:

- Explain the distinction between informal resolution and formal appeal processes;
- Clarify what types of decisions are eligible for appeal;
- Outline the grounds on which an appeal may be submitted;
- Provide an overview of the stages of the appeal process and approximate timeframes;

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- Advise who will be involved in assessing or reviewing the appeal;
- Assist the student to determine whether additional documentation or evidence may support their concern; and
- Help the student understand their rights, including the right to be accompanied by a support person throughout the process.

Early engagement with the Student Services Team ensures that students are better informed, supported and empowered to make informed decisions about whether and how to proceed with an appeal. While the College recognises the student's right to access a formal appeal at any stage, early resolution should be regarded as the preferred and most efficient pathway to addressing concerns where circumstances permit.

3.4 Internal and External Appeals Pathway

Magill College Sydney provides a structured appeal process that includes both internal and external avenues for review. Students are first required to access the Internal Appeals Resolution Process, which offers an impartial reconsideration of decisions made by the College that may affect their enrolment. This process ensures that students are afforded procedural fairness and the opportunity to present their case, supported by relevant evidence and, if desired, a nominated support person.

Should the student remain dissatisfied with the outcome of the internal appeal, they have the right to escalate the matter to an external review body for independent reassessment provided that they have accessed the internal appeals process within a timely manner. This option is made available in recognition of the student's right to seek a fair and unbiased determination outside of the College's internal decision-making structure. Information about relevant external complaints and appeals bodies—such as the Overseas Students Ombudsman, the National Training Complaints Hotline, or the Australian Skills Quality Authority—is provided to students as part of the appeals outcome communication.

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Importantly, where a student's enrolment or visa status may be affected by the College's decision (for example, course suspension or cancellation), Magill College Sydney will maintain the student's Confirmation of Enrolment (CoE) throughout the duration throughout the internal appeals process. Furthermore, if the student chooses to pursue an external appeal, the College will not report any adverse action to the Department of Home Affairs until the external process has concluded, the allowable period for appeal has expired or the student formally withdraws from the appeal process.

3.5 Academic and Non-Academic Appeals

In order to facilitate an efficient, fair, and contextually appropriate response to both complaints and appeals, Magill College Sydney classifies all matters into two broad categories: academic and non-academic. This classification enables the College to ensure that each matter is addressed through the most appropriate resolution pathway and reviewed by personnel with the relevant expertise, independence and delegated authority.

While the College applies a consistent appeals management framework to all matters, the nature of the original complaint/appeal will determine the responsible department or individual for managing its resolution.

Classification of Appeals

Academic appeals refer to matters that arise from decisions directly related to the training and assessment policy, process and procedure. These may include, but are not limited to:

- Appeals against assessment outcomes, including disputes over competency judgments or marking accuracy;
- Academic progression or course completion decisions;
- Concerns regarding the training and assessment content, delivery, structure or materials;
- Decisions related to attendance or course progress;

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- Appeals concerning determinations on Recognition of Prior Learning (RPL), Credit Transfer (CT), or issuance of Statements of Attainment or Certificates;
- Allegations of academic misconduct and the decisions made as a result; and
- Issues related to any third-party arrangements in the delivery of training and assessment, if applicable.

Non-academic appeals involve decisions that are administrative in nature or concern the broader student experience. These may include:

- Appeals relating to student services, support or administration;
- Decisions involving fees, payment arrangements or refund entitlements;
- Concerns about privacy, data handling, or the release of personal information;
- Appeals relating to marketing or public representations made by the College or its authorised education agents;
- Issues involving harassment, bullying, or discrimination by staff, students, or other related parties;
- Concerns relating to education agents or external providers engaged in the delivery of support services;
- Campus facilities, access to resources, or safety-related concerns; and
- Welfare-related decisions that impact the student's participation or wellbeing.

All appeals will be reviewed by a designated Appeals Panel, which is formed based on the classification of the appeal and the nature of the decision being contested. To ensure objectivity and procedural fairness, members of the Appeals Panel may be involved from the Complaints Panel, however the decision-maker will be different from the original decision marker. Therefore, this structure provides an impartial and independent reconsideration of the matter.

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The Academic Appeals Panel may include (the person who made the original decision will be excluded from the Appeals Panel to ensure that unbiased and unprejudiced final determination is made):

- A senior trainer or assessor
- The General Manager
- The Administration Manager
- The Principal Executive Officer (PEO), or
- Any other senior academic staff member or delegate appointed by the PEO

The Non-Academic Appeals Panel may include (the person who made the original decision will be excluded from the Appeals Panel to ensure that unbiased and unprejudiced final determination is made):

- The General Manager
- The Administration Manager
- A senior manager from the relevant department
- The PEO, or
- Another appropriately qualified senior staff member designated by the PEO

In some cases, an external reviewer may be engaged to ensure the appeal is considered with complete impartiality, particularly where there is potential for a conflict of interest or where the student has expressed concerns regarding bias in the original decision.

3.6 Submitting a Formal Internal Appeal

Magill College Sydney acknowledges that students may, from time-to-time, disagree with a decision made by the College that directly affects their academic course progress, enrolment or overall experience. In such instances, students are encouraged to raise their concerns through the formal appeals process to ensure that the matter is reviewed fairly, transparently and in accordance with the principles of procedural fairness. The College is committed to ensuring that all students have access to a clear and accessible mechanism for appealing decisions that they believe to be incorrect, unreasonable or detrimental to their academic progression or overall experience.

Appeals may be submitted in any format, including in writing, electronically or in person, and are not required to follow a rigid template or structure in order to be considered. However, students are encouraged to use the official Appeals Form to ensure the necessary details are captured to facilitate a timely and effective review. There is no cost or fee associated with lodging an appeal at any stage of the internal process. Students have the right to appeal decisions within twenty (20) working days of receiving notification of the decision. Appeals submitted after this period may not be considered.

The completed Appeals Form or other written appeal should be submitted to the Administration Manager via the following contact channels:

- Administration Manager
- Email: admin@magill.edu.au
- Postal Address: Level 4, 695–699 George Street, Haymarket NSW 2000

The right to appeal applies exclusively to students where a decision made by the College is directly relevant to their enrolment, including but not limited to: decisions regarding assessment outcomes, course progression, deferral or suspension of enrolment, fee issues, refund, credit transfer and course transition. Where the decision does not directly relate to or affect the student, the College reserves the right to deem the matter ineligible for appeal.

All appeals will be handled with the confidentiality. The College will not release any information pertaining to an appeal to an external party without the written consent of the

appellant, unless required to do so by law or regulatory obligation. Any disclosure of appeal-related information must be authorised by the Principal Executive Officer (PEO). Students will be asked to provide written authorisation prior to the release of any documentation or details to third parties.

Once an appeal is submitted, the College will assess the submission to determine whether the matter has grounds for further review. Where it is determined that the appeal warrants formal review, an Appeals Panel will be convened depending on the nature of the complaints (i.e. academic or non-academic). The student's Confirmation of Enrolment (CoE) will remain active during this process to ensure that no academic or administrative disadvantage is incurred as a result of lodging an appeal.

Students are entitled to be accompanied or supported by a person of their choice, such as a friend, relative or staff advocate, throughout the appeal process. Where language barriers or communication challenges exist, the College may offer interpreters (if available in their language of preference or inform the student that they may bring an interpreter to the meeting as support person) or alternative support mechanisms to ensure inclusive participation. The College also recognises that some students may face additional challenges in navigating the process due to disability, impairment or unfamiliarity with procedures. In such cases, students are strongly encouraged to contact the Student Services team for assistance. The College will make every reasonable effort to provide equitable access to the appeals process.

3.7 Communicating the Appeals Handling Policy and Procedure

The appeals handling policy and procedure will be:

- Publicly available on the Magill College Sydney Website
- Integrated into the Magill College Sydney Student Handbook
- Integrated in the Magill College Sydney Policy and Procedures

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3.8 Receiving and Categorising Internal Appeals

The College is committed resolving appeals in a reasonable timeframe and without unnecessary delay. While we will respond to all complaints in a timely manner, some appeals may require more urgent attention than others, and some appeals may take longer to resolve than others.

- Written Acknowledgement:

Upon receipt of an appeal, Magill College Sydney will issue a written acknowledgement to the appellant within two (2) working days via email. This acknowledgement email will be sent to the email address as listed in the Appeals Form. This serves to confirm receipt of the appeal and to assure the appellant that the matter will be reviewed and a formal response provided as soon as practicable. The acknowledgement will also inform the appellant that they will receive a written outcome once the review has been completed and/or request further information.

- Initial Assessment and Categorisation:

Magill College Sydney will triage appeal by classifying them based on severity, urgency, and nature and prioritising cases that need immediate attention. An initial assessment and categorisation of the appeal will be conducted within two (2) working days based on:

- **Severity:** Determine if the appeal involves safety, harassment, discrimination, or legal concerns, which would necessitate urgent action. Less severe appeals could involve general dissatisfaction or requests for improvement.
- **Urgency:** By assessing how soon the matter needs to be resolved. Issues that impact current training delivery or present reputational risks may be escalated.

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- **Nature of Appeal:** By identifying the specific area to which the appeal relates, such as training and assessment, practices, trainer conduct, administrative services, student support or the adequacy of campus facilities and resources.

Following the initial assessment, each appeal will be assigned a priority level based on its severity, urgency, and potential impact, in such a way that priority levels guide the response time and escalation required. The levels are defined as follows:

- **Critical:** Appeals involving legal obligations, safety risks, serious misconduct, or any matter that may have an immediate impact on the physical or psychological well-being of a student or staff member. These require immediate action.
- **High:** Appeals that significantly affect the quality of training, assessment, or the student experience. Examples include serious concerns about trainer conduct, inappropriate behaviour or major issues with the training and assessment practices.
- **Medium:** Appeals that are important but do not require immediate resolution. These may include issues related to timetabling, access to services or communication delays.
- **Low:** Minor concerns that are administrative or preference-based in nature, such as requests for changes in procedure or feedback on non-urgent matters. These can be addressed in due course without disruption to service delivery.

3.9 Appeals with Potential Impact on Enrolment and/or Student Visa

There may be certain circumstances where appeal decisions may have direct implications on a student's enrolment status and, by extension, their student visa conditions. In accordance with the College's obligation under the Education Services for Overseas

Students (ESOS) Framework, particular care is taken when managing appeals that could result in a student's course enrolment being cancelled, suspended or deferred.

The College will prioritise cases where the matter directly relates to the following types:

- Appeals against course progress or attendance decision that may lead to reporting to the Department of Home Affairs via Provider Registration and International Student Management System (PRISMS);
- Appeals against disciplinary decisions that may result in exclusion or suspension;
- Appeals concerning non-payment of tuition fees resulting in cancellation of enrolment via PRISMS;
- Appeals involving serious allegations, such as harassment, bullying, discrimination, threats, or violence, where the student seeks review of how the College handled or responded to the incident; and
- Appeals related to refusal of course deferment or transfers (release).

Where an appeal of this nature is received, Magill College Sydney will maintain the student's enrolment in the course during the internal appeals process. This means that no adverse action affecting the student's Confirmation of Enrolment (CoE) will be taken until the appeal is heard and a decision is made. If the student elects to pursue an external appeal process after an internal appeal is finalised, the College will not report the student to the Department of Home Affairs until the external review process has concluded, the allocated time to appeal has expired or until the student formally withdraws from the appeal process.

Students are advised to maintain scheduled contact hours as required for attendance as well as satisfactory course progress throughout the duration of the appeal process. This ensures compliance with visa conditions and supports their academic progress during the review period. Where possible, Magill College Sydney will expedite the handling of such appeals to minimise uncertainty and ensure timely resolution, particularly where visa compliance is at risk.

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3.7 Internal Appeal Review Timeframe

Initiation of Investigation Stage

Magill College Sydney approaches the management of internal appeals with the aim of resolving appeals matter promptly and transparently while upholding the principles of natural justice and procedural fairness.

Appeals assessed as severe and allocated a critical priority rating, particularly those involving safety concerns, allegations of misconduct, discrimination or potential legal implications will be escalated for immediate review and response. In such cases, interim measures may also be considered to protect the welfare of any parties affected while the matter is being investigated.

All internal appeals will be formally acknowledged in writing within ten (10) working days of receipt. This acknowledgement will confirm that the appeal has been received, is under consideration, and outline the anticipated next steps in the appeal process.

Ongoing Communication During Appeal Assessment

Throughout the internal appeal process, the College will maintain clear and regular communication with the appellant. Updates will be provided in writing at intervals of no less than once every two (2) weeks. These communications will inform the student of the status of their appeal, any developments in the assessment process and the estimated timeframe for a final outcome.

In cases where the appeal cannot reasonably be finalised within twenty (20) working days due to complexity or exceptional circumstances, the matter will be escalated to the General Manager. The General Manager will issue a formal notification to the student explaining the reasons for the delay, the revised expected timeframe and any interim measures taken to support the student in the interim.

Review and Final Determination of Appeal

Magill College Sydney aims to conclude all internal appeal matters within twenty (20) working days from the date of lodgement. This timeframe is designed to ensure prompt

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and efficient resolution while enabling a thorough and impartial reassessment of the decision under review. Where feasible, the College will endeavour to finalise the appeal in a shorter timeframe to minimise disruption and provide closure to the student.

3.8 Procedure for Reviewing Formal Appeals

Following the formal lodgement of an appeal, Magill College Sydney undertakes a structured, impartial and comprehensive review process to ensure that all relevant information is carefully considered and that a fair and appropriate outcome is achieved.

Upon receipt of an appeal, the matter will be reviewed by the General Manager and/or PEO to determine the appropriate course of action. An appropriate senior staff member who was not involved in the original decision and has no conflict of interest will be assigned to manage the appeal. This individual will act as the lead decision-maker and will coordinate the review of relevant documents, liaise with the parties involved and ensure that the process is conducted in accordance with the College's Appeals Policy and Procedures and applicable regulatory standards.

The scope of the appeal investigation may include, but is not limited to:

- **Clarification of Appeal Grounds:** The reviewer will examine the grounds for appeal and identify the specific decision under review. Further clarification may be sought from the appellant to ensure all issues raised are fully understood. This step may involve email correspondence or a scheduled discussion with the student to confirm the scope of the appeal and supporting materials.
- **Review of Original Decision and Documentation:** The review will involve an assessment of the documentation and rationale that informed the original decision. This may include assessment records, administrative reports, academic progress and attendance records, correspondence, policy references or any documentation relevant to the decision being appealed.

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- **Consideration of New Evidence or Supporting Information:** The student lodging the appeal may submit new information or supporting evidence not available at the time of the original decision if a complaint was lodged. Upon request, the appellant will be advised to provide the new evidence and/or information within five (5) working days in writing via email. This may include updated medical documents, academic records, witness statements or other material that provides further context or substantiates the grounds for appeal. The reviewer will give due consideration to any such material.
- **Notification of Involved Parties:** Where the appeal relates to a matter involving another individual, such as a staff member or trainer, that person will be notified and given an opportunity to respond. Responses may be provided in writing or in person. All parties will be afforded the opportunity to present their case.
- **Interviews and Further Enquiries:** The reviewer may conduct confidential interviews with the appellant, relevant staff members and any witnesses as necessary to gain further insight into the matter. Both the appellant and any other party involved have the right to be accompanied by a support person during interviews or meetings.
- **Review of Relevant Policies and Standards:** The College's policies, procedures and applicable codes of conduct will be reviewed to ensure consistent interpretation and application of internal standards and legislative requirements.
- **Consultation with Subject Matter Experts (if applicable):** In complex or specialised cases, the College may seek advice from internal experts or external consultants (e.g. legal, regulatory or compliance) to ensure an informed and balanced outcome.

The presumption of validity of the student's grounds for appeal will be respected until a final determination is reached. The individual(s) involved in the appeal will be provided with a fair opportunity to respond to evidence, present additional information and participate in the process without fear of prejudice or adverse consequences.

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3.9 Application of Procedure Fairness and Natural Justice

All appellants will be afforded the opportunity to formally present their case at no cost, and without disadvantage or prejudice. Magill College Sydney understands that the process of lodging an appeal can be complex, particularly for students from diverse cultural or linguistic backgrounds. To support equitable participation, appellants and respondents may be accompanied by a support person or representative of their choice at any stage of the internal appeals process. This may include a friend, colleague, family member or interpreter where required.

The College acknowledges that procedural fairness must be observed, particularly in instances where the rights, interests or legitimate expectations of a person may be affected by the outcome of an appeal. Accordingly, the following principles apply to all internal appeal processes:

Responding to Original Decisions or Allegations

Where an appeal involves contesting a decision that includes findings or outcomes that affect another person, Magill College Sydney will ensure that all relevant parties are given the opportunity to be heard. If the appeal introduces new evidence, clarification or rebuttal of a prior claim, those impacted must be informed of any new material being considered and given the opportunity to respond. The individual affected by or involved in the appeal shall have the right to:

- Present arguments or evidence in their favour;
- Show cause why a proposed or upheld action should not be taken;
- Deny or clarify the basis of any original findings;
- Call for evidence or submit materials that disprove or contextualise the matter;
- Explain their actions or provide a different interpretation of events; and
- Present mitigating circumstances which may lessen the impact of the original decision.

These rights form the foundation of a fair and balanced appeals mechanism and must be upheld with integrity throughout the process.

Fair and Objective Consideration of Evidence

Magill College Sydney will ensure that all documentation, explanations and evidence submitted in support of an appeal are reviewed impartially, objectively and without bias. Appeals will be assessed based on factual accuracy and contextual understanding, not on assumptions or unsubstantiated claims.

Referral to Authorities (Where Applicable)

In the event an appeal gives rise to information indicating serious misconduct, unlawful behaviour or potential criminal activity (such as harassment, assault, fraud or threats), Magill College Sydney reserves the right to refer the matter to an appropriate external authority. If such a referral occurs, all involved parties will be informed in writing. In these circumstances, the internal appeals process may be temporarily paused to avoid interference with any parallel investigation or external proceedings.

3.10 Investigation Outcome and Communication Process

At the conclusion of the internal appeal process, Magill College Sydney will issue a formal written notification to the student (appellant) and, where relevant, to any individual who may be affected by the outcome of the appeal. This notification will be provided within twenty (20) working days of the receipt of the appeal, unless an extended timeframe is justified. The written outcome will serve as the official record of the appeal determination and will include the following:

- A summary of the appeal, including the grounds raised by the appellant;
- A review of the original decision and any new evidence or supporting information considered;
- The final determination of the appeal (i.e. whether the appeal is upheld or dismissed);
- The rationale underpinning the decision, including reference to relevant evidence, policies and procedures;

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- Any corrective actions, remedies, or adjustments to be implemented as a result of the decision; and
- Information about the student's right to pursue further review through an external complaints or appeals body, if they remain dissatisfied with the outcome.

In cases where the appeal is straightforward, such as those involving administrative decisions or minor disputes, the completed and signed Appeals Form may be used as a sufficient written record of the appeal outcome. This will include a clear statement of the appeal decision and the steps taken to address the matter.

For more complex or sensitive appeals, particularly those involving misconduct, serious allegations, or multiple parties, a detailed formal appeal outcome report will be issued to the student. This document will outline the process followed during the review, a summary of all evidence reviewed, the decision made and the reasons behind it, ensuring that the student is fully informed of the outcome and the implications of the decision.

Magill College Sydney endeavours to finalise and communicate appeal decisions within twenty (20) working days from the date the appeal is formally received. Where feasible, outcomes will be issued sooner to minimise any disruption to the student's course progress and/or visa obligations.

Should the appeal process not be finalised within the twenty (20) working days due to complexity, consultation with external parties, or other valid factors, the student will be notified in writing via email prior to the expiry of the initial timeframe. This correspondence will include:

- A clear explanation of the reasons for the delay;
- An updated expected completion date; and
- Confirmation that the College will continue to provide regular written updates at least once every fortnight until the matter is resolved.

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Magill College Sydney recognises that clear and respectful communication of the outcome is vital to maintaining confidence in the appeals process. Written outcomes will be delivered in a professional and accessible format, with any technical or policy references explained where necessary to ensure the student fully understands the decision and their further options.

3.11 Opportunity to Externally Appeal Decisions

Magill College Sydney acknowledges the right of all students to pursue an external review of a decision where they remain dissatisfied with the outcome of an internal appeals process. The external appeals process serves as an essential safeguard to ensure that decisions made by the College are subject to independent oversight and that the procedural integrity, fairness and transparency of the internal process can be objectively assessed by an impartial authority.

While the College maintains a strong commitment to resolving all appeals internally through fair, accessible and timely procedures, it recognises that there may be instances where a student believes the outcome does not appropriately address their concerns. In such cases, the student is entitled to lodge an external appeal with an independent body.

Nature and Scope of External Appeals

It is important to note that the function of the external review body is generally to assess whether Magill College Sydney has appropriately followed its own documented policies and procedures in arriving at its decision. In most cases, the role of the external body is not to re-make the decision, but rather to determine whether due process was followed and whether the student was treated fairly.

External appeals may address a range of matters, including but not limited to:

- Assessment or academic outcomes;

- Decisions relating to academic course progression, deferral, suspension or cancellation;
- Denial of transfer (release) requests;
- Dispute of refund entitlements, including where a student believes they are eligible for a full or partial refund;
- Misconduct findings and disciplinary actions;
- Alleged breaches of consumer protection legislation, including misleading conduct, unfair contract terms, or failure to uphold the terms of a written agreement under the Australian Consumer Law; and
- Complaints regarding breaches of consumer protection legislation, privacy or other statutory obligations.

Timeframe and Notification Requirements

Students who wish to access the external appeals process must do so within ten (10) working days from the date they are formally notified of the outcome of their internal appeal. Students who wish to access the external appeals process must do so within ten (10) working days from the date they are formally notified of the outcome of their internal appeal. In addition, they must notify Magill College Sydney in writing of their decision with an appeals lodgement record to pursue an external appeal no later than five (5) working days after the conclusion of this ten (10) working day period. Specifically, it is critical to ensure that the student retains sufficient time to complete their course within the duration specified on their Confirmation of Enrolment (CoE), as required under the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

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George Street Campus (Head Office):
Level 4, 695-699 George Street,
HAYMARKET NSW 2000



Sussex Street Campus:
Level 4, 388-390 Sussex Street,
SYDNEY NSW 2000

Access to External Review Bodies

Magill College Sydney provides information and support to students to help them identify the appropriate external agency based on the nature of their appeal. External bodies may include, but are not limited to:

External Agencies	Area of Review Matters	Contact Information
Overseas Student Ombudsman	The Overseas Students Ombudsman investigates complaints from international students studying with private education providers in Australia, including issues such as course fee and refund disputes, enrolment cancellations, transfer refusals, unsatisfactory progress reporting, poor complaint handling, misleading agent advice, OSHC concerns and delays in receiving academic records.	<p>Phone: 1300 362 072 (Australia) or +61 2 6276 0111 (International)</p> <p>Website: https://www.ombudsman.gov.au/complaints/international-student-complaints</p> <p>Postal Address: GPO Box 442 Canberra ACT 2601 Australia</p>
National Training Complaints Service	The National Training Complaints Hotline assists by receiving concerns related to misleading advertising, unfair contracts, lack of fee transparency, poor training delivery, refund disputes and refers these issues to the appropriate regulatory authority for further action.	<p>Phone: 13 38 73</p> <p>Website: https://www.dewr.gov.au/national-training-complaints-hotline/national-training-complaints-hotline-complaints-form</p> <p>Postal Address Department of Employment and Workplace Relations National Training Complaints Hotline GPO Box 9880 Canberra ACT 2601 Australia</p>

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Office of Fair Trading	Concerns related to misleading advertising, unfair agreements, lack of fee transparency, failure to deliver promised services, denied refunds, unresolved complaints, aggressive sales tactics.	<p>Phone: Within Australia: 13 32 20 (Monday to Friday, 8:30am to 5:00pm AEST)</p> <p>International: +61 2 8894 1555</p> <p>Website: https://www.nsw.gov.au/departments-and-agencies/fair-trading/complaints-and-enquiries</p> <p>Postal Address: NSW Fair Trading PO Box 972 Parramatta NSW 2124</p>
Office of the Australian Information Commissioner (OAIC)	The Office of the Australian Information Commissioner (OAIC) handles complaints about mishandling of personal information, including concerns about privacy breaches, unauthorised disclosure of personal data, failure to protect personal information, or not responding to access or correction requests. It may investigate and take action where an organisation breaches its obligations under the Privacy Act 1988.	<p>Phone: 1300 363 992 (Australia) or +61 2 9284 9800 (International)</p> <p>Website: https://www.oaic.gov.au/individuals/how-do-i-make-a-privacy-complaint</p> <p>Postal Address: Office of the Australian Information Commissioner GPO Box 5288 Sydney NSW 2001 Australia</p>
Anti-Discrimination NSW	Anti-Discrimination NSW investigates and helps resolve complaints related to discrimination, sexual harassment, vilification and victimisation under the Anti-Discrimination Act 1977, and also provides education, guidance, and policy advice to promote equality and eliminate discriminatory practices across New South Wales.	<p>Phone: (02) 9268 5544</p> <p>Website: https://antidiscrimination.nsw.gov.au/complaints/how-to-make-a-complaint.html</p> <p>Postal Address Anti-Discrimination NSW Locked Bag 5000 Parramatta NSW 2124</p>

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		Australia
Australian Skills Quality Authority (ASQA)	The Australian Skills Quality Authority (ASQA) receives and investigates complaints relating to breaches of the Standards for RTOs, including concerns about the quality of training and assessment, non-compliance with CRICOS obligations, student support, academic integrity, and provider governance.	<p>Phone: 13 38 73</p> <p>Website: https://asqaportal.asqa.gov.au/Make-a-Report/?From=complaint</p> <p>Postal Address: Australian Skills Quality Authority GPO Box 9928 Brisbane QLD 4001</p>
Australian Competition and Consumer Commission (ACCC)	The Australian Competition and Consumer Commission (ACCC) investigates systemic issues involving misleading or deceptive conduct, unfair contract terms, false advertising, anti-competitive behaviour, misuse of market power, product safety concerns, and breaches of consumer rights under Australian Consumer Law.	<p>Phone: 1300 302 502</p> <p>Website: https://www.accc.gov.au/about-us/contact-us-or-report-an-issue/report-a-consumer-issue</p> <p>Postal Address: Australian Competition and Consumer Commission GPO Box 3131 Canberra ACT 2601 Australia</p>

Cooperation with External Appeals Body

It is anticipated that the external agencies listed above will investigate the individual's concerns and may contact Magill College Sydney to obtain relevant information. In such cases, the external agency will generally request the individual to provide documentation outlining how the complaint was managed internally. Magill College Sydney must ensure that the individual receives a written outcome of their complaint, which they may present as part of any external review process. Furthermore, the will College maintains comprehensive records of all appeals and will fully cooperate with any request for further information or clarification. Where required by the external agency, the College will respond in a timely manner, providing

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supporting documentation, a chronology of actions taken and access to internal policy references.

It should be noted that the timeframe for external authorities to reach a decision is governed by their own policies and operational procedures. However, Magill College Sydney will endeavour to respond to any requests for information from the external body as soon as practicable, and will cooperate fully in order to facilitate an efficient and fair resolution.

Implementation of External Recommendations

Should the external body determine that the College has not followed its procedures correctly or that a different outcome is warranted such that the decision or recommendation is in favour of the overseas student, Magill College Sydney agrees to accept the decision and recommendations of the external authority. Any actions required as a result of the external review will be implemented without delay, and the student will be notified in writing via email of the final outcome. This shall also include the preventive or corrective action required by the decision.

However, where the external authority finds in favour of the College, the appeal process will be deemed finalised, and the original decision will stand. In such instances, the College will proceed to implement the original decision without further delay. This may include administrative actions such as the cancellation of a Confirmation of Enrolment (CoE), reporting the matter to the Department of Home Affairs through PRISMS (where applicable), enforcing academic or disciplinary outcomes, or applying any conditions as previously advised to the student. Magill College Sydney will ensure that all actions are carried out in accordance with the National Code of Practice for Providers of Education and Training to Overseas Students 2018, the Education Services for Overseas Students (ESOS) Act 2000 and other applicable regulatory requirements. The student will be notified in writing via email of the final decision, the outcome of the external appeal and the resulting course of action to be taken by the College.

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3.12 Record Management of Appeals Records

Magill College Sydney recognises the critical importance of accurate, secure and compliant record-keeping in the effective management of appeals. All records related to appeals are maintained in both electronic and physical student files and are subject to the College's overarching data management and confidentiality protocols. These records may include but are not limited to:

- Email correspondence exchanged between the appellant and College personnel
- Completed Appeals Form;
- Meeting notes, interview transcripts and written statements;
- Internal memos, action plans and file notes created throughout the resolution process;
- Any communication with external agencies including the decision and recommendation (if applicable); and
- Final outcome letters and notification of decisions.

Each appeal is recorded in the College's Complaints and Appeals Register, which serves as a centralised repository for tracking and monitoring the lifecycle of the appeal. This system maintains a structured log that includes:

- A summary of the issue raised and the nature of the appeal;
- Names of involved parties and departmental responsibilities;
- Key dates and actions taken at each stage of the process;
- Findings and decisions made by the General Manager, PEO or delegated College Representative;
- Final resolution and closure date;
- Any corrective or preventative measures arising from the appeal; and
- Opportunities for improvement flagged for review through the College's Continuous Improvement Policies and Procedures.

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Access to these files is strictly limited to authorised staff as designated by the General Manager. Files stored in the appeal management system are further restricted to administrators and relevant managers with defined permissions.

In accordance with the College's commitment to data integrity, the following procedures are enforced to ensure the safe preservation and protection of records:

- All physical and electronic records are stored in secure environments that prevent unauthorised access, interference or modification.
- Documents containing personal or sensitive information are kept strictly confidential.
- Physical records must be protected against loss or damage from environmental factors, including fire, stormwater, pests or general deterioration.
- Electronic records are protected against corruption, cyber threats, and system failures through secure servers and encrypted storage.
- Data is routinely backed up and stored in an offsite location (i.e. Cloud backup) to safeguard against unexpected hardware or system failure.

Furthermore, a detailed correspondence record is created for each appeal interaction. This includes a complete log of all communication, whether verbal (summarised and documented) or written, exchanged with the appellant and any involved parties. These communications, including formal letters, emails and internal messages, must be retained within the appeal file to provide a full and transparent record of the review process.

3.15 Period of Retention of Appeals Records

To support transparency, compliance, and potential future reference, the College maintains all appeal-related documentation for a minimum period of five (5) years from the date of finalisation. This retention period applies to both physical and electronic records, including but not limited to correspondence, interview notes, meeting records, outcome letters, and evidence of corrective actions or resolutions undertaken.

4. Considerations

4.1 Relationship to Continuous Improvement

Magill College Sydney regards its appeal management process not only as a vital tool for addressing individual grievances, but also as a mechanism for driving continuous improvement across all areas of its operation. The College recognises that well-handled appeal often highlight underlying gaps or inefficiencies in its training, assessment, and administrative systems, and these insights are critical to enhancing overall service quality and student experience.

Therefore, Magill College Sydney treats them as valuable opportunities to reflect, evaluate and improve existing policies, processes and practices. Staff involved in the resolution process are expected to actively identify and document any systemic issues or recurring themes that emerge during the course of an investigation. These insights must then be reviewed to determine whether corrective or preventative actions are warranted.

Following the resolution of an appeal, consideration is to be given to whether operational or procedural improvements are necessary to mitigate the risk of reoccurrence. Identified opportunities for improvement should be formally recorded and, where appropriate, entered into the College's Continuous Improvement Register for actioning by the relevant department. All actions taken are tracked to ensure accountability and transparent follow-through.

This approach ensures that the appeals process is not only remedial but also developmental in nature, contributing to the College's self-assurance, stakeholder satisfaction and the delivery of consistently high standards in training and assessment.

5. Procedure

Steps	Person/s responsible
Making an Appeal	
<p>i. Inform Students of Appeal Process</p> <p>Upload the Appeals Handling Policy and Procedure to Magill College Sydney Website and provide to appellant in the Student Handbook.</p>	<p>PEO</p> <p>General Manager</p>
<p>ii. Receive Appeal</p> <p>To appeal a decision, the person is required to complete the <i>Appeals Form</i>. This form is available via our website. The completed Request for an Appeal form is to be submitted to the Administration Manager either in hard copy or electronically via the following contact details:</p> <p>Administration Manager</p> <p>Email: admin@magill.edu.au</p> <p>Address: Level 4, 695-699 George Street, Haymarket NSW 2000</p> <p>If a person seeking an appeal has any difficulty accessing the required form or submitting the appeal to Magill College Sydney, they are advised to contact Magill College Sydney immediately at the following phone number:</p> <p>02 8061 6980</p>	<p>Administration Manager</p> <p>Student Services Manager</p>

	An appeal must be received by Magill College Sydney in writing using the specified form within twenty (20) working days of the decision or finding being informed to the person.	
iii.	<p>Written acknowledgement</p> <p>Magill College Sydney will provide written acknowledgement no later than two (2) working days from the time the appeal is received using the appeals written acknowledgment email template. The acknowledgement must inform the student that they will receive a written response within ten (10) working days to explain the appeals handling process and the person's rights and obligations.</p>	Administration Manager
iv.	<p>Recording the appeal</p> <p>The appeal must be entered into the <i>Complaints and Appeals Register</i>. The Complaints and Appeals Register identifies the student, relation with Magill College Sydney, nature of appeal, findings/outcomes and the dates received and closed. Prior to entering the appeals form into the register, check if the person has not already submitted an appeal, if it is accurately recorded or if it has been recorded as a subsequent contact.</p>	Administration Manager

v.	<p>Review of the appeal</p> <p>The appeal is referred to the General Manager and/or PEO, whereby they assign the matter to a senior College representative that has no involvement in the original decision making and determines if the appeal requires further investigation or consultation depending the nature of the issue (administration/academic matters). When such clarification occurs in a face-to-face interview with the appellant, he/she would have an opportunity to formally present his/her case and he/she has the right to have a witness and/or a nominated support person present at any stage of the relevant appeal resolution meetings</p> <p>The handling of an appeal is to commence within ten (10) working days of the lodgement of the appeal and all reasonable measures are taken to finalise the process as soon as practicable.</p> <p>Magill College Sydney shall maintain the enrolment of the student during the appeals handling process.</p>	<p>General Manager</p> <p>PEO</p> <p>Academic Panel</p> <p>Non-Academic Panel</p>
vi.	<p>Keep the appeal up to date</p> <p>As the appeal handling is progressing, the student is to be provided with regular updates not less than every two (2) weeks advising them of the status of the appeal and how it is progressing in writing via email.</p>	<p>Administration Manager</p> <p>General Manager</p>
vii.	<p>Give opportunity to respond (if applicable)</p> <p>Where an appeal is made about or involves allegations about another person, Magill College Sydney is obliged to inform this</p>	<p>General Manager</p> <p>PEO</p>

	person about this complaint or allegation and provide them the opportunity to respond and present information in response to the issues raised.	Administration Manager
viii.	<p>Refer to external authority (if applicable)</p> <p>Where an appeal is received by Magill College Sydney which involve allegations about alleged criminal conduct, Magill College Sydney are to recommend the person making the appeal refer the matter to the relevant external authority.</p>	<p>PEO</p> <p>General Manager</p>
ix.	<p>Finalise decision and communicate outcome to the student</p> <p>The decision-maker examines the outcome of the review and determines the appeal response within twenty (20) working days. In straightforward cases, the signed Appeals Form is used as written evidence of the outcome of the Appeal, including reasons and steps that will be taken to address the Appeal's outcomes. However, in more complex cases, the student will be provided with a written Appeal Report that documents the outcome of the Appeal.</p> <p>A written response must be provided to the student within twenty (20) working days of the lodgement of the appeal, including details of the reasons for the outcome and options to access an external appeal body.</p>	<p>Administration Manager</p> <p>General Manager</p> <p>PEO</p>

x.	<p>Review by an independent third party, where required</p> <p>Where a student is not satisfied with the handling of an internal appeal by Magill College Sydney, a body or person from an independent third party can be requested to review the appeal.</p> <p>They will have the option to contact the Overseas Students Ombudsman for an external appeal by referring to https://www.ombudsman.gov.au/about/how-we-can-help-you or calling 1300 362 072. In most cases, the purpose of the external appeals process is to consider whether Magill College Sydney has followed its policies and procedures – it is not to make a decision in place of Magill College Sydney.</p> <p>1. If the appellant decides to proceed with an external appeal, they must do so within ten (10) working days of the notification of decision record from the internal appeal process and shall notify Magill College Sydney of this within this timeframe, so that sufficient time is allowed to enable students to complete all course requirements within the expected course duration, as specified in each student's CoE. In addition, they must notify Magill College Sydney in writing of their intention to pursue an external appeal no later than five (5) working days after the conclusion of this ten (10) working day period.</p> <p>2. Magill College Sydney agrees to be bound by the external appeal body's recommendations, ensure that any recommendations are implemented by the appropriate staff, and that the appellant is informed in writing of the outcome of the external appeals process including the decision or</p>	<p>Administration Manager</p> <p>General Manager</p> <p>PEO</p>
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	recommendation and/or the preventative or correction required to be undertaken by the College.	
xi.	Implement decision Decisions or outcomes of the appeals handling process that find in favour of the student shall be implemented immediately. Record this in the Appeals Register.	Administration Manager General Manager PEO
xii.	Consider any opportunities for improvement to this process Consider the opportunities for improvement that may have emerged during the process and record these within a Continuous Improvement Register for consideration at a future management meeting.	Administration Manager General Manager Trainer / Assessor PEO
xiii.	Document Records The appeal outcome must be updated and recorded in the student's file both in physical and electronic format. All associated documents, correspondences, evidence, statements and any other important documents relevant to the appeal should be retained.	Administration Manager

6. Other documents to consider with this policy

Policies

- Complaints Handling Policies and Procedures
- Management Meeting
- Continuous Improvement

Forms

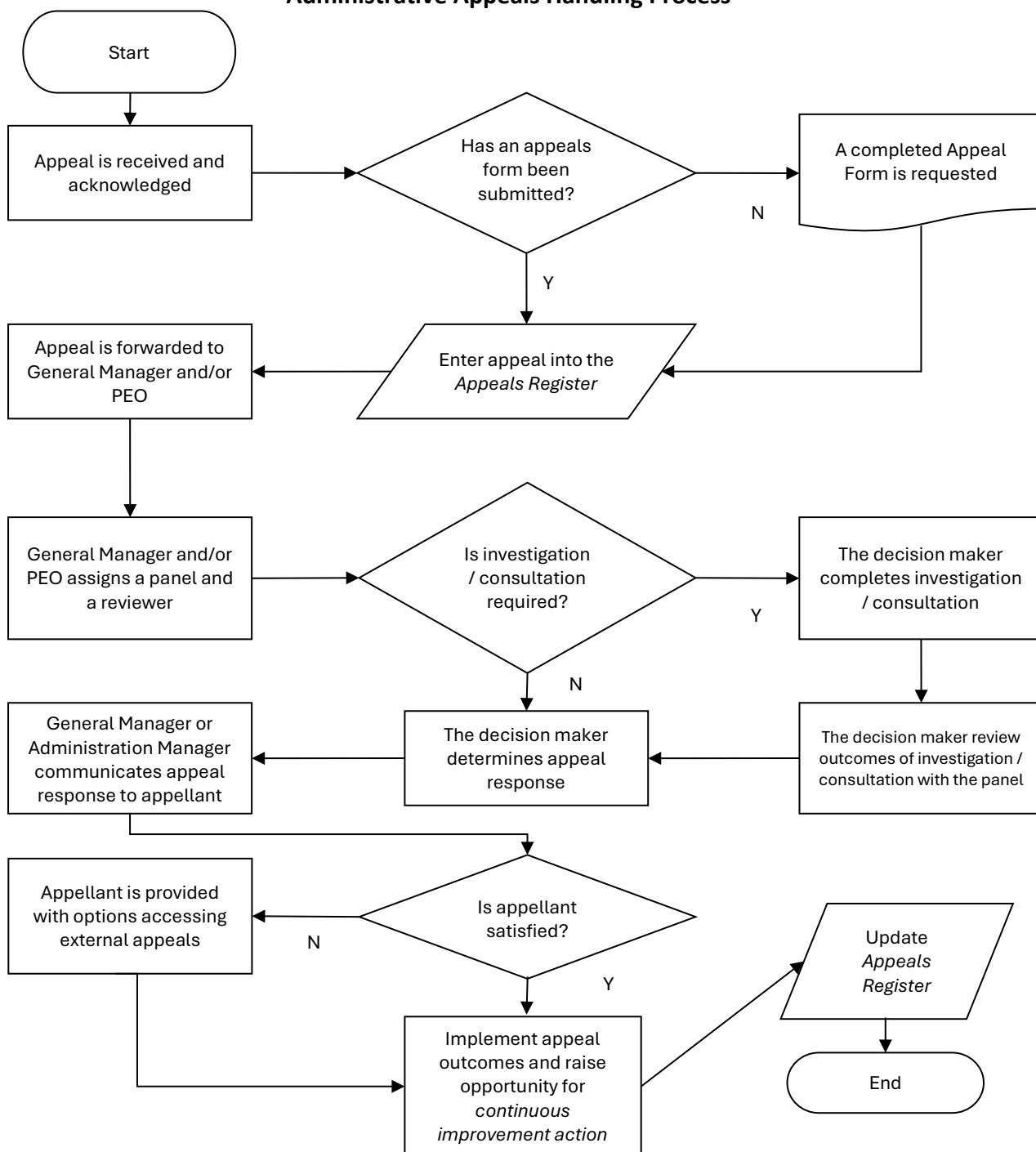
- Appeals Form
- Complaints and Appeals Register
- Continuous Improvement Register

Handbooks, manuals or other documents

- Student Handbook

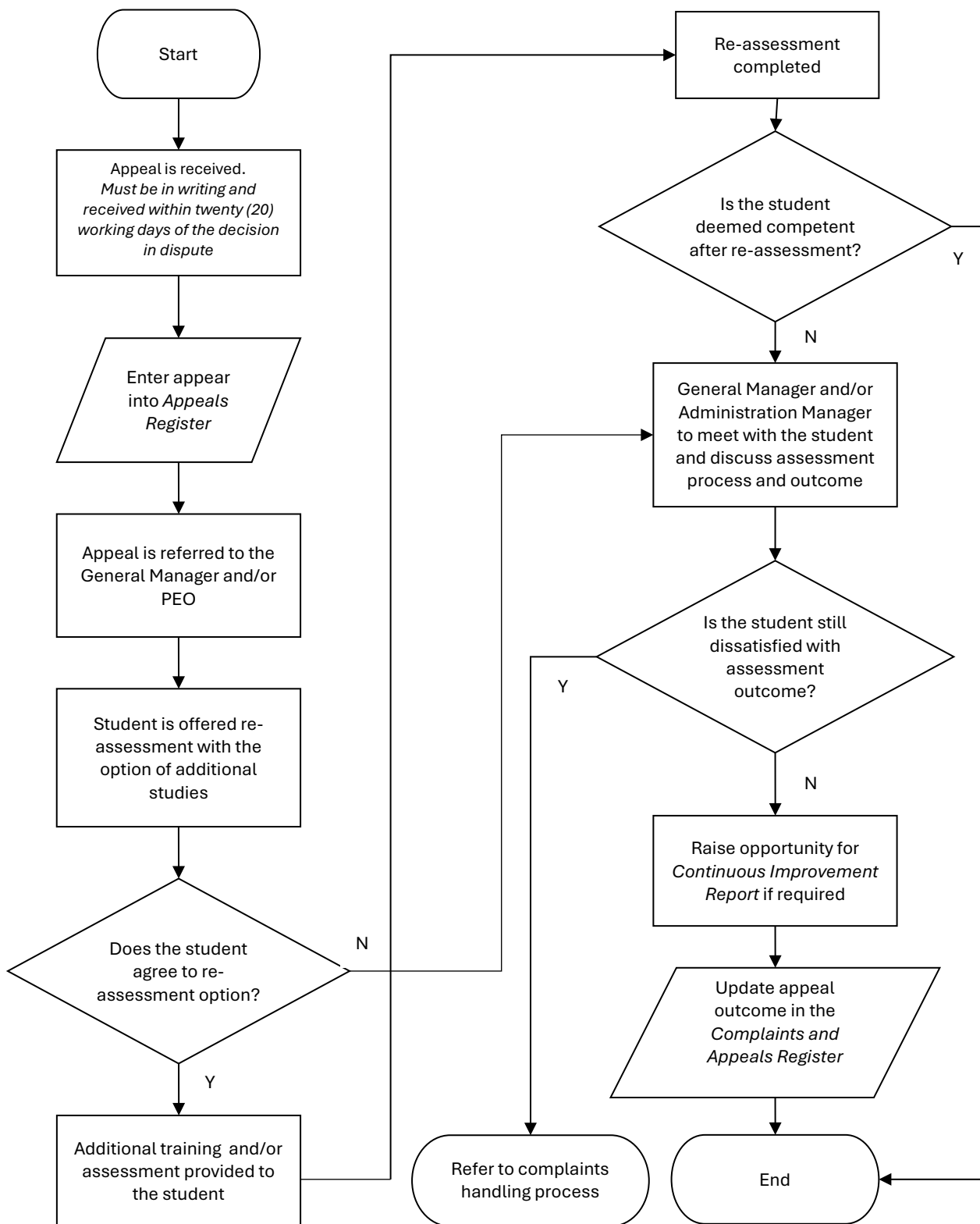
7. Flow chart

Administrative Appeals Handling Process



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Assessment Appeals Handling Process



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8. Reference(s)

Standards for Registered Training Organisations (RTOs) 2025

Outcome Standard 2.8

Effective appeal processes are available to VET students where decisions of the NVR registered training organisation or a third party adversely affect the student.

Performance indicators – An NVR registered training organisation demonstrates that it:

- a. operates an appeals management system that:
 - i. allows VET students to appeal decisions of the organisation, any third parties, and any person employed or contracted by the organisation where those decisions adversely affect the student;
 - ii. ensures all parties to the appeal are afforded procedural fairness;
 - iii. specifies reasonable timeframes for actioning appeals; and
 - iv. provides avenues for review by an independent party, if requested by the appellant (at no or low cost to the appellant);
- b. ensures that information about how to appeal an adverse decision through the appeals management system is publicly available and easily accessible by VET students;
- c. documents the outcomes of appeals and communicates them to the appellant; and
- d. ensures that the outcomes of appeals are used by the organisation to inform continuous improvement.

National Code of Practice 2018

Standard 10 — Complaints and Appeals

10.1 Registered providers must have documented internal complaints handling and appeals processes that are fair, easily accessible, and inexpensive for overseas students.

10.2 Providers must manage complaints and appeals in a professional, fair and transparent manner and according to procedural fairness.

10.3 Providers must have an internal complaints handling and appeals process that addresses complaints or appeals about matters that are the provider's responsibility, including decisions made by the provider and the quality of education and training provided.

10.4 Providers must inform overseas students about the complaints and appeals process during the enrolment process and provide details of external complaints and appeals processes available to students.

10.5 Providers must maintain records of all complaints and appeals and their outcomes.

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