



INTERNAL AND EXTERNAL APPEALS

Under the National Code of Practice for Providers of Education and Training to Overseas Students, providers have an obligation to report to the Department of Home Affairs if the student:

- does not commence studies or ceases studies after commencement
- does not meet the Course progress requirements
- takes two or more consecutive weeks of unapproved leave of absence
- transfers to another education provider
- does not pay the tuition fee as and when it falls due
- applies for deferral/suspension/extension of study
- does not abide by the TAFE NSW discipline policies
- withdraws from the course

The decision made by TAFE NSW will be communicated to the student in writing and/or a notice of intension to report will be issued. Where applicable (See: table 1), instructions will be provided to lodge an internal appeal if the student is not satisfied with the outcome.

INTERNAL APPEAL PROCESS

When a decision has been made by TAFE NSW and communicated to the student in writing, the student will be given 20 working days from the date of the written communication to lodge an internal appeal to review the decision, if the student is dissatisfied.

The internal appeal will be assessed by TAFE NSW in accordance with the policies and procedures available at www.tafensw.edu.au/international and the review will commence within 10 working days from the date the student lodged an internal appeal.

During the internal appeal process where a decision is pending from TAFE NSW the student must continue to be enrolled and attend classes, where appropriate. Depending on the outcome of the appeal, you may or may not be reported to Department of Home Affairs.

The outcome of the internal appeal will be communicated to the student in writing. Where applicable (See: table 1), instructions will be provided to lodge an external appeal if the student is not satisfied with the outcome.

EXTERNAL APPEAL PROCESS

When the outcome of the internal appeal assessment by TAFE NSW is not in favour of the student, the decision will be communicated to the student in writing and where applicable (See: table 1) the student will be given 10 working days from the date of the written communication to lodge an external appeal and inform TAFE NSW.

The student has a right to appeal to an independent external party. The student may lodge an appeal with the *Department of Education, Skills and Employment* or with the *Commonwealth Ombudsman*.

www.ombudsman.gov.au/about/overseas-students

The purpose of the external appeal process is to consider whether TAFE NSW has followed its policies and procedures in making its decision. It is not to make a decision in place of TAFE NSW.

TABLE 1: COURSE ENROLMENT VARIATIONS & APPEALS

TAFE initiated Enrolment Variation		
Variation	Internal Appeal	External Appeal
Non-Commencement	N/A	N/A
Unsatisfactory Course progress	20 days	10 days
Unapproved Leave of Absence (Two or more consecutive weeks)	20 days	N/A
Non-Payment of Tuition Fee	20 days	N/A
Provider initiated - Deferral/suspension	20 days	N/A
Disciplinary reasons	20 days	N/A
Student initiated Enrolment Variation		
Variation	Internal Appeal	External Appeal
Student notified Cessation of Studies	N/A	N/A
Transfer to another Education provider	20 days	10 days
Student initiated - Deferral/suspension/Extension of Study	N/A	N/A
Withdrawal from the Course	N/A	N/A