



Disputes, Complaints and Appeals Policy and Procedure

Australian College
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Approved by	CEO Australian College
Review by	Compliance
Last Reviewed	16/01/2021
Next Reviewed	16/01/2022
Approved and commenced	22/08/2013

REVIEW AND REVISION

The policy and procedure will be revised annually or, amended following continuous improvement strategies implemented by the College.

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BACKGROUND

The *Disputes, Complaints & Appeals Policy & Procedure* is applicable to the maximisation of training and assessment outcomes of Australian College, as a registered training organisation (RTO) that delivers vocational education and training (VET) qualifications that are nationally recognised training (NRT) within the Australian Qualifications Framework (AQF).

The *Disputes, Complaints & Appeals Policy & Procedure* has been designed to ensure that Australian College has effective processes in place to address any dispute, complaint or appeal received from individual students.

SCOPE

The *Disputes, Complaints & Appeals Policy & Procedure* addresses the requirement of the *Standards for Registered Training Organisations (RTOs) 2015: Standard 6: Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.*

Clause 6.1 The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

- a) *The RTO, its trainers or other staff;*
- b) *A third-party providing services on the RTO's behalf, its trainers, assessors or other staff; or*
- c) *A learner of the RTO*

Clause 6.2 The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third-party providing services on the RTO's behalf.

Clause 6.3 The RTO's complaints policy and appeals policy:

- a) *Ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;*
- b) *Are publicly available;*
- c) *Set out the procedure for making a complaint or requesting an appeal;*
- d) *Ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and*
- e) *Provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.*

Clause 6.4 Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:

- a) *informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and*
- b) *regularly updates the complainant or appellant on the progress of the matter.*

Clause 6.5 The RTO:

- a) securely maintains records of all complaints and appeals and their outcomes; and*
- b) identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.*

Clause 6.6 Where the RTO is an employer or a volunteer organisation whose learners solely consist of its employees or members, does not charge fees for the training and/or assessment, and does not have in place specific complaints and appeals policy in accordance with Clauses 6.1 & 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO.

The aim of the *Disputes, Complaints & Appeals Policy & Procedure* is to ensure that the Australian College has in place a fair and equitable disputes, complaints and appeals policy and that the policy is provided to each client as the requirement of the *Standards for Registered Training Organisations (RTOs) 2015*.

PURPOSE

Australian College ensures that any complaint from a student is handled in a constructive, timely, fair and equitable manner, which is easily accessible and offered to complainants at no charge. The *Disputes, Complaints & Appeals Policy & Procedure* is designed to ensure that Australian College responds effectively to individual cases of dissatisfaction.

Where the internal or external complaint or appeal process results in a decision that supports the complainant, Australian College will immediately implement any decision and/or corrective and preventative action required and advised the complainant of the outcome.

POLICY

Australian College ensures that any complaint from students are handled in a constructive, timely, fair and equitable manner, which is easily accessible and offered to complainants at no charge.

A complaint can be defined as a student's dissatisfaction with any aspect of Australian College's services and activities, such as:

- The enrolment or induction process
- Academic matters, including student progress, assessment, curriculum and awards in a VET course of study
- Handling of personal information and access to personal records, and/or
- The way someone has been treated.

This *Disputes, Complaints & Appeals Policy & Procedure* is designed to ensure that Australian College responds effectively to individual cases of dissatisfaction. In this document “student” refers to both students and potential students, enrolled or seeking to enrol, in an Australian College course.

Students are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned. Complainants may raise an informal grievance by contacting their educator or alternatively any staff member with whom they feel comfortable.

PROCEDURE

Formal Procedure

This procedure can be utilised to submit a complaint of an academic or non-academic nature. Complaints of an academic nature include matters related to student progress, assessment, curriculum and awards in a VET course study. Complaints of a non-academic nature cover all other matters including complaints in relation to personal information that Australian College holds in relation to the student.

During all stages of this procedure Australian College will take all steps that ensure that:

- The complainant and the respondent will not be victimised or discriminated against
- The complainant has an opportunity to formally present their case and each party to the complaint may be accompanied and assisted by a support person at any relevant meetings
- A full explanation in writing for decisions and actions taken as part of the process will be provided if so, required by the complainant or the respondent, and,
- Where the internal or external complaint handling or appeal proves results in a decision that supports the complainant, Australian College will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome.

There is no cost to the complainant for utilising this complaints and appeals process.

Stage One – Formal Complaint

Formal complaints must be submitted in writing to the Manager via email or letter detailing the complaint. The complaint will be entered into Australian College’s *Complaint’s Register*.

Australian College will aim for the complaints process to commence within ten days of the receipt of the written complaint and all reasonable measures are taken to finalise the process as soon as practicable.

The Manager or their nominee will seek to clarify the outcome that the complainant hopes to achieve. Such clarification may be sought by written or verbal request or by a face-to-face interview with the complainant. When such clarification occurs in a face-to-face interview, the complainant or respondent may ask another person to accompany them. There is no cost to the complainant for the process.

The Manager or their nominee will endeavour to resolve the complaint and provide a written report to the complainant on the steps taken to address the complaint, including the reasons for the decision, within ten days of receipt of the written complaint where possible. The report will further advise the complainant of their right to access the internal appeals process if they are not satisfied with the outcome of their formal complaint. This report must receive confirmation from the student on whether they accept the outcome or not.

Stage Two – Internal Appeals

If a complainant is dissatisfied with the outcome of their formal complaint, they may lodge an appeal with the Director. The Director will then review the dispute between Australian College and the appellant and aim to provide a result for both the complainant and Australian College.

The Director will provide a written report, which is part of the appeals process, to the appellant advising the outcome of the appeal, additional steps taken to address the grievance and the reasons for the decision within ten working days where possible.

Stage Three – External Appeals

If a complainant is dissatisfied with the outcome of their formal complaint and appeal, they may lodge a formal complaint with the Department of Fair Trading (<http://www.fairtrading.nsw.gov.au>)

Enrolment Status

Where a student chooses to access the *Disputes, Complaints and Appeals Policy & Procedure*, Australian College will maintain the student's enrolment while the complaint and appeals process is ongoing.

Process outcome

If the decision supports the student, then Australian College will immediately implement any decision and corrective action required. The student will also be notified of this action.

Record Keeping & Confidentiality

A written record of all complaints handled under this procedure and their outcomes shall be maintained for a period of at least two years to allow all parties to the complaint appropriate access to these records, upon written request to the Director. These records will be maintained at Unit 7 70 Croydon Street Cronulla NSW Sydney 2230, NSW Australia.

Assessment Appeals

If a student is not satisfied with the outcome of an assessment, they may appeal the decision within 20 working days of receiving the assessment outcome. This involves speaking to the CEO to request a review of the evidence. The CEO may require further evidence.

Where an appeal is granted, and the student is found competent, a new assessment outcome is issued and validated by the CEO.

When an agreement cannot be reached, the Director may employ an independent and external assessor to review the evidence. The student may be required to contribute towards the costs of the external assessor.

RELATED POLICIES AND FORMS

Complaints Register