

APPENDIX 8 GRIEVANCES, COMPLAINTS & APPEALS

1.0 Purpose

The aim of Australasian College of Education and Training Pty Ltd (ACET) Grievances, Complaints and Appeals Policy & Procedure is to:

- provide a fair and equitable process for resolving complaints/conflicts of clients, employees, students or others that deal with the college.
- support the Standards for Registered Training Organisations 2015 (standards 1.7, 5.2, 6, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6 in providing a process for complaints and appeals to be heard and actioned. All complaints and appeals received by Australasian College of Education and Training Pty Ltd will be viewed as an opportunity for improvement.

2.0 Scope

2.1 This policy covers all matters relating to staff, students, and clients of the Australasian College of Education and Training Pty Ltd.

3.0. Definitions

3.1 Grievance - is a concern about academic or non academic matters, provided by the Australasian College of Education and Training Pty Ltd, which a person or party brings to the attention of the college in an informal way, i.e. it is spoken about, not written down.

3.2 Complaint – a formal (written) dissatisfaction with a service (academic or non academic) offered by Australasian College of Education and Training Pty Ltd.

3.3 Appeal – a request to review a decision made by Australasian College of Education and Training Pty Ltd

3.4 Complainant – the person lodging the grievance or complaint.

3.5 Academic grievances, complaints or appeals - matters concerning provision of training and assessment within a VET qualification or course of study, including quality of teaching, qualification/course contents, training facilities, unsatisfactory course progress or unsatisfactory course attendance.

3.6 Non-academic grievances, complaints or appeals - may include, but are not limited, to matters arising from administrative admissions, enrolment processes; discrimination, harassment, bullying or intimidating behaviour towards an intending, current student, staff member, educator or any other person associated with the College.

4.0. Responsibility

4.1 It is the responsibility of the Chief Executive Officer, the Training and Compliance Manager, the Student Services & Administration Manager and the Student Administration Officer to ensure this policy is implemented.

5.0 Policy Statements and requirements

5.1 ACET recognizes the importance of seeking a resolution to any conflict between ACET and its clients, employees or students in a professional and ethical manner. ACET will incorporate conflict management principles into all processes involved in lodging a complaint and an appeal.

5.2 ACET recognizes that all its clients, employees and students have the right to and are encouraged to openly discuss expectations and problems, or to lodge a complaint where they consider there are genuine grounds for a complaint.

5.3 ACET recognizes student rights in raising any matters of concern relating to training delivery and assessment, the quality of the teaching, student amenities, discrimination, sexual harassment and other issues.

5.4 ACET is to promote, exercise and uphold the principles of fairness, ethics and social justice in all its dealings with clients, employees and students. Also, ACET shall ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process.

5.5 ACET to develop a procedure for lodging and dealing with grievances, complaints and appeals that is easily accessible and not unduly complex.

5.6 ACET will communicate in writing the current grievances, complaints and appeals policy and procedure to its students and employees via the ACET's website, the staff handbook, the student handbook and verbally at staff induction and student orientation programs.

5.7 ACET to treat all complaints and appeals with honesty, integrity, fairness, professionally and confidentially in order to achieve a satisfactory resolution to all concerned. Access to information about a grievance, complaint or appeal shall be strictly limited to those staff that "have a need to know" in order to deal with the grievance, complaint or appeal.

5.8 ACET is required to:

- record in writing student's formal complaint/appeal in the complaints/appeals register (records the relevant details of the case). ACET staff shall maintain a Register of Formal Complaint and Appeal Cases that records the relevant details of the case, and,
- provide complainant or appellant with acknowledgement of receipt of the complaint/appeal, and,
- provide the complainant /appellant written statement of the outcome, which includes reasons for the decision.

record in writing student's formal complaint, or appeal. Also, ACET is required to provide complainant or appellant a written statement of the outcome, which includes reasons for the decision. ACET staff shall maintain a Register of Formal Complaint and Appeal Cases.

5.9 ACET to assist clients, employees and students with access to an independent review of a complaint and appeal should the need arise. Students will be provided with details of external authorities they may approach, if required.

5.10 ACET is to ensure that complaints and appeals are processed in an appropriate timeframe and regularly updates the complainant or appellant on the progress of the matter. The resolution phase must commence within 5 working days of the complaint or appeal being lodged in writing. A maximum time of 10 working days from the appeal being lodged in writing will be allowed for the resolution unless all parties agree in writing to extend this time.

5.11 There is no cost for the complaint and appeal process unless it is referred to a third party.

5.12 A student's enrolment must be maintained whilst a complaint/ or appeal is in progress and the outcome has not been determined.

5.13 Students wishing to lodge an appeal in respect to the ACET's intention to suspend or cancel the enrolment of the student must do so within 10 working days. (The 10 working days will be calculated from the date of the letter notifying of the intention to suspend or cancel.)

5.14 The formal appeal process will be conducted by a legal representative engaged by the College and at no cost to the student.

5.15 ACET shall implement appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence identified potential causes of complaints and appeals.

Grievances and Complaints

6.0 Method

Informal Complaints

6.1 Any student, staff, or client with a grievance, question may raise the matter with staff of ACET and seek an informal resolution of the question or grievance. Trainers and administration staff are the preferred first point of contact with students. Any issues related to of academic nature will be managed by trainer and all other issues (of non academic nature) will be handled by the Administration or other senior management staff.

6.2 Questions or grievance dealt with in this way do not become part of the formal complaint process and will not be documented, recorded or reported on unless the college staff member involved determines that the issue, question or grievance is relevant to the wider operation of the college or if the student requests that the matter be documented and placed on his or her student file.

6.3 Students, staff, or clients who are not satisfied with the outcome of the question or grievance are encouraged to register a formal complaint (after 5 working days from the day the grievance was raised).

Formal Complaints

6.4 Students, staff, or client who are not satisfied with the outcome of the informal process, or, who want to register a formal complaint may do so. To register a formal complaint a student, staff, or client must complete the Complaints/Appeals Form. This form can be obtained from (and submitted to) Student Administration at of the Australasian College of Education and Training Pty Ltd offices. Also, it is available on the ACET's website: www.acet.edu.au.

Refer: VCID.SMS.05 – Complaints or Appeals Form.

6.5 All formally submitted complaints are to be forwarded to the Training and Compliance Manager. Complaints are to include the following information:

- Submission date of complaint
- Name of complainant;
- Nature of complaint;
- Date of the event which lead to the complaint
- Attachments (if applicable);

6.6 Once a formal complaint is received, it is to be entered into the 'Complaints Log Register' which is monitored by the Training and Compliance Manager regularly. The information to be contained and updated within the register is as follows:

- Submission date of complaint
- Name of complainant;
- Description of complaint
- Determined Resolution; and
- Date of Resolution.

Refer: VCID.QMSR.09 – Complaints and Appeals Log Register

6.7 The Training and Compliance Manager shall then refer the matter to the appropriate staff to resolve, attempt to resolve the complaint with the student, staff, client and any other parties who may be involved. The resolution phase:

- must commence within 5 working days of the complaint being lodged in writing.
- a maximum time of 10 working days from the date the complaint was lodged will be allowed for the resolution unless the student agrees in writing to extend this time. This period is called the resolution phase.

6.8 If required, the Training and Compliance Manager will contact the student, staff, or client and arrange a meeting (might include other relevant ACET staff). At this meeting the complaint can be raised and a resolution attempted.

6.9 At the stage of the complaint meeting the complaint must be recorded in writing and signed and dated by the complainant and the Training and Compliance Manager. A new document can be prepared and signed during the meeting.

Note: The student may be accompanied and assisted by a support person at any relevant meetings.

6.10 At the end of the resolution phase the Training and Compliance Manager will report, in writing, the college's decision to the student, staff, or client. The college decision and reasons for the decision will be documented by the Training and Compliance Manager and placed in the student's file. The 'complaints and appeals log register' is to be updated.

6.11 Following the resolution phase the college must implement the decision as conveyed to the student, staff, or client.

6.12 If corrective action is to be taken, *Action Report Form (VCID.QMS.12)* must be completed by the Training and Compliance Manager and recorded on the Continuous Improvement Register.

6.13 If a student, staff, or client is dissatisfied with the outcome of the formal complaint process; then the student, staff, or client may institute the appeals process by completing the Complaint/Appeals form.

6.14 Any complaints that are lodged as a result of or relate to criminal activities are outside of this process, and shall be referred to the appropriate authorities, or legal representatives for their attention.

6.15 All students and staff are to be advised they can seek advice from the following organisations:

- National Registering Body – Australian Skills Quality Authority (ASQA)
Ph:1300 701 801 or submit your complaint using the <https://www.asqa.gov.au/complaints>. This form asks you for information that ASQA requires to consider your complaint.
- The Administrative Appeals Tribunal (AAT).
Phone:1800 228 333 or email: generalreviews@aat.gov.au
- Australian Council of Private Education and Training's (ACPET)-if applicable:
Ph (03) 9412 5900 or email: acpet@acpet.edu.au
- The National Training Complaints Hotline on 1300 566 046

- Consumer Affairs Victoria
Phone: 1300 55 81 81 or online: <https://www.consumer.vic.gov.au/>

7.0 Appeals Procedures

7.1 All student, staff, or client have the right to appeal decisions made by Australasian College of Education and Training Pty Ltd (ACET) where reasonable grounds can be established. The areas in which a student may appeal a decision made by ACET may include:

- Assessments conducted.
- Deferral, suspension, or cancellation decisions made in relation to the student's enrolment.
- Or any other conclusion / decision that is made after a complaint has been dealt with by Australasian College of Education and Training Pty Ltd in the first instance.

8.0 Method:

8.1 The appeals process is initiated and activated by a student, staff, or client completing the Complaints/Appeals Form. The form can be obtained from the ACET Offices and is available on the ACET's website: www.acet.edu.au. The form is to include:

- a summary of the grounds the appeal is based upon.
- the reason the student, staff, or client feel the decision is unfair and
- resubmit all relevant written items originally submitted

Note: Help and support with this process can be gained from student administration staff.

8.2 The appeal shall be lodged through ACET student administrations (either via email or in person) and the student administration Officer shall ensure the details of the appeal are added to the 'complaints and appeals register'. Requests for an appeal are to be acknowledged by ACET in writing (either via an email or a letter).

Note:

- The process for all formally lodged appeals will begin within 5 working days of the appeal being lodged.
- A maximum time of 10 working days from the date the appeal being lodged will be allowed for the resolution.

8.3 The Training and Compliance Manager shall be notified and shall seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.

8.4 The Training and Compliance Manager shall then determine the validity of the appeal and organize a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.

Note: For all Internal Appeals

- The student will have an opportunity to present his or her case in person, or, if the student elects, in writing.
- A student may be accompanied and assisted by a support person at any relevant meetings.

8.5 The outcome of the formal internal appeal and reasons for the outcome will be recorded in writing and signed and dated by the student, staff, or client and the college and placed in the student file. The student, staff, or client will be provided with a copy of the signed written document.

8.6 The student, staff, or client shall be notified in writing of the outcome with reasons for the decisions, and the 'complaints and appeals log register' updated.

8.7 If the student appeal is successful the ACET must implement the decision as conveyed to the student, staff, or client.

8.8 Copies of all documentation, outcomes and further action required will be placed into the 'complaints and appeals register' by the Office Administrator and on the student's/staff file.

8.9 If the student, staff, or client is not satisfied with the outcome of the formal internal appeal; the student, staff, or client may request the ACET to assist the student in an appeal to an external mediator. The student, staff, or client is required to notify ACET if they wish to proceed with the external appeals process.

Note for all External Appeals

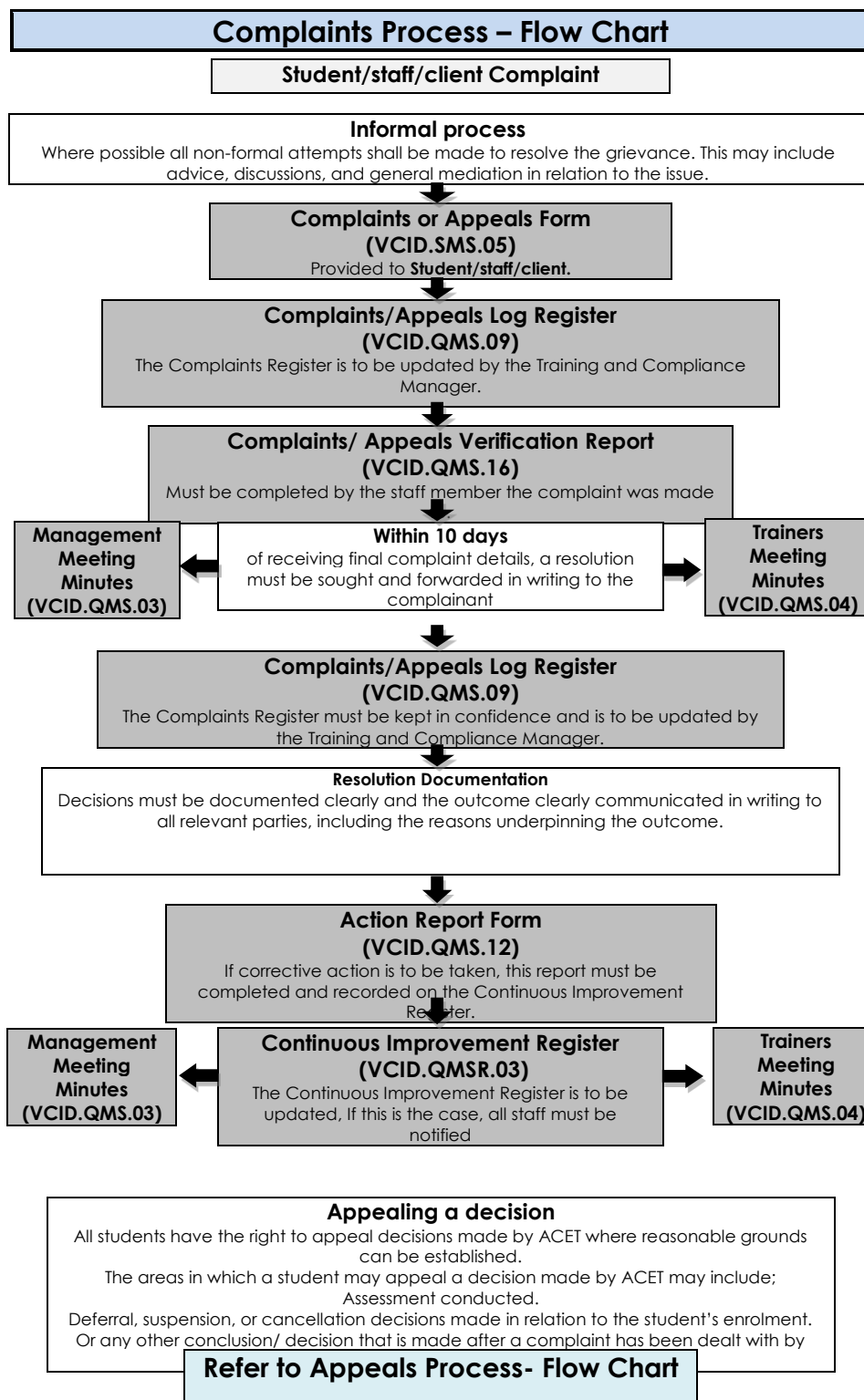
8.10 If a student is still dissatisfied with the decision of Australasian College of Education and Training Pty Ltd, a student may wish to refer the matter to an external independent / third party mediator. In this situation, the Student Administration Manager must advise the student that the appeal can be lodged in writing, by phone or email to the following organisations:

- National Registering Body – Australian Skills Quality Authority (ASQA)
Ph: 1300 701 801 or through <https://www.asqa.gov.au/complaints>
- The National Training Complaints Hotline on 1800 000 674
- Australian Council of Private Education and Training's (ACPET)-if applicable:
Ph (03) 9412 5900 or email: acpet@acpet.edu.au

8.11 Where a decision or outcome is in favour of the student the RTO shall follow the required action and recommendation from the third party mediator to satisfy the student, staff, or client's appeal as soon as practicable.

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