

Student Complaints and Appeals Policy and Procedure

2019-2021

The purpose of this policy is to ensure that all current and prospective students of People Improvers are given access to free, effective and fair complaints resolution and appeals processes. It applies to all current and prospective students.

For ease of reading the Definitions and the Legislative Context used are listed on the final page of this document.

This policy and procedure ensure that if a student has a complaint concerning any matter in relation to the RTO, there is a process in place to ensure that the complaint can be resolved amicably. Students have access to a complaints procedure if they feel they have been unjustly treated, undermined, vilified or harassed in any circumstances. All the complaints will be treated in full confidence.

A complaint can be lodged in writing by letter or by email or in person. A student can lodge their complaint with any member of staff but should preferably lodge their initial complaint with the RTO Manager. A written record of the complaint will be kept on the student file.

The student will have the opportunity to formally present their case at no cost. The student is encouraged to bring a support person preferably from their employer. The student will be advised that their employer has been advised of the complaint, and if appropriate, their representation is requested for the meeting.

The RTO will investigate and respond to all complaints lodged by a student. Only RTO staff authorised by the CEO can respond to a complaint.

The process will commence within 10 working days of the formal lodgement of the complaint and supporting information and all reasonable measures will be taken to finalise the process in the shortest possible time

The RTO treats all complaints in confidence and will seek the permission of the student before discussing the complaint with any party mentioned or named in the complaint. The student and their employer will be given a written statement of the outcome, including details of the reasons for the outcome.

If the process results in a decision that supports the student, the RTO will immediately implement the decision or preventive actions required and advise the student of the outcome.

Students who are not satisfied with the outcome of their complaint may appeal the decision by lodging an external appeal with an appropriate agency.

The RTO will maintain the student's enrolment until the external complaints/appeals process is completed and has supported the RTO's decision to report. The RTO will wait for the outcome of the external process and will have consideration for student welfare.

Procedure: Complaints

1. Complainant gathers information and arranges to meet the RTO Manager for advice and information discussion;
2. Online complainant or a complainant not able to physically attend the RTO may choose to communicate electronically or telephonically with the RTO Manager
3. If not resolved in Step 1, the complainant fills and submits the complaint in writing using the Complaints and Appeals form to the RTO Manager
4. RTO Manager confirms the receipt of the complaint in writing to the complainant with three (3) working days of the date of receipt of the complaint and enters the complaint in the Complaints Register
5. RTO Manager starts the process no later than ten (10) working days from the date of receipt of the complaint and calls upon respective parties for discussions/meetings
6. All the evidences concerning the complaint are collected and reviewed
7. RTO Manager discusses the outcomes with the CEO and the Employer (Client) and reaches a decision
8. The complainant is advised of the decision in writing by the RTO Manager
9. If the decision is not accepted, an internal or external mediator is appointed with mutual consent
10. If the mediation fails, external complaint options are advised and exercised
11. All the documents and notes are forwarded to Student Support staff for filing
12. RTO Manager updates the Complaints and Appeals Register with the outcome
13. If the complaint is regarding / involving the RTO Manager, all of the above tasks will be undertaken by the People Improvers CEO.

7. Policy: Appeals

PEOPLE IMPROVERS is committed to providing fair, safe and productive study environment to all its students. Consideration of appeals will be dealt with fairly, consistently, promptly, with sensitivity to all parties and in accordance with PEOPLE IMPROVERS's policies and quality principles.

7.1 PEOPLE IMPROVERS will appoint an Appeals Committee comprising of at least three of the following;

CEO/Director
RTO Manager
Independent VET/Higher Education administrator
Employer Representative

7.2 All the appeals will be heard by the committee on a designated date. Minutes of the meeting will be taken and filed.

7.3 Student enrolment will be maintained while the appeals process is ongoing

7.4 Students will be advised of their right to access an External Appeal process with appropriate agencies if they are not satisfied with PEOPLE IMPROVERS's internal Complaints and Appeals processes of conduct of such processes.

8. Procedure: Appeals

1. The complainant arranges a meeting with the RTO Manager and discusses appeals options
2. Online complainant or a complainant not able to physically attend the RTO may choose to communicate electronically or telephonically with the RTO Manager
3. The complainant fills and submits the appeal in writing using the Complaints and Grievance form to the RTO Manager
4. The RTO Manager enters the appeal in the Complaints and Appeals Register and forwards it to the CEO to fully initiate the process
5. RTO Manager confirms the receipt of the complaint in writing to the complainant with three (3) working days of the date of receipt of the complaint
6. RTO Manager notifies the Complaints and Appeals Committee and provides them with copies of the documents
7. Complaints and Appeals Committee convenes no later than ten (10) days from the date of receipt of the appeal
8. Case background and grounds for appeal are reviewed and discussed by the Complaints and Appeals Committee
9. Complaints and Appeals Committee reaches a Final Decision
10. The Final Decision is conveyed to the complainant in writing
11. If the decisions is not accepted by the student, external compliant options are advised and exercised

9. External Complaints and Appeals

There is an external complaint/appeal process available to students if they have exhausted the above RTO/internal complaint and appeal procedures and still feel unsatisfied.

Students may contact Australian Skills Quality Authority (ASQA). Students can submit a complaint to ASQA by completing the 'Complaint about a training organisation operating under ASQA's jurisdiction' form

<https://www.asqa.gov.au/complaints/getting-started-making-complaint-about-training-provider/should-i-make-complaint-asqa>

Alternatively, students may choose to contact the Department of Education and Training;

Department of Education and Training
GPO Box 9880
Canberra ACT 2601

<http://education.gov.au/contact-department>

Students may also seek legal redress through the usual court processes if they feel unsatisfied. They may also approach other agencies relevant to their specific situation;

- The Ombudsman
- The Privacy Commissioner
- The Equal Opportunity and Human Rights Commissions

- Department of Education and Training

If the problem resolution fits within equal opportunity guidelines, it will be managed under college's relevant policies and procedures. The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and procedure limits the rights of individuals to act under Australia's Consumer Protection laws. Also, these procedures do not circumscribe an individual's rights to pursue other legal remedies.

10. Natural justice

The principle of Natural Justice includes two rules: the fair dealing rule and the no bias rule. This means that all parties must be given the opportunity to present their case, be fully informed about allegations and decisions made and have the right to be represented by another person.

In addition, a decision maker must have no personal interest, beyond the scope of their role in this process and must be unbiased. If the decision maker cannot meet these requirements they must immediately withdraw from the process. Should interference by the student affect the normal process of events, the RTO shall not be held responsible for the consequences.

11. Responsibility

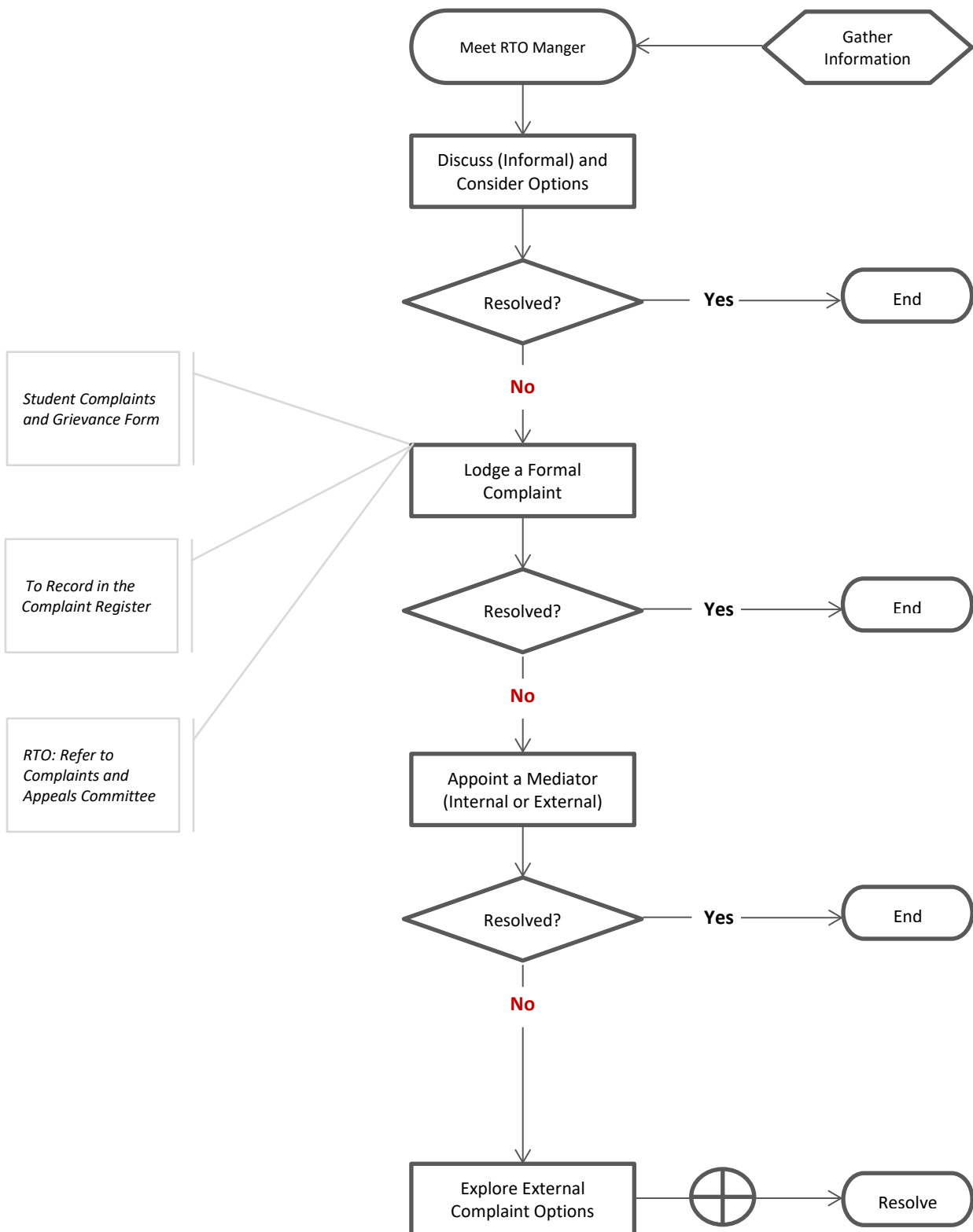
The RTO Manager is responsible for ensuring the maintenance of the Complaints and Appeals Register and may delegate as appropriate.

The RTO Manager is responsible for effective implementation and management of this policy and procedure.

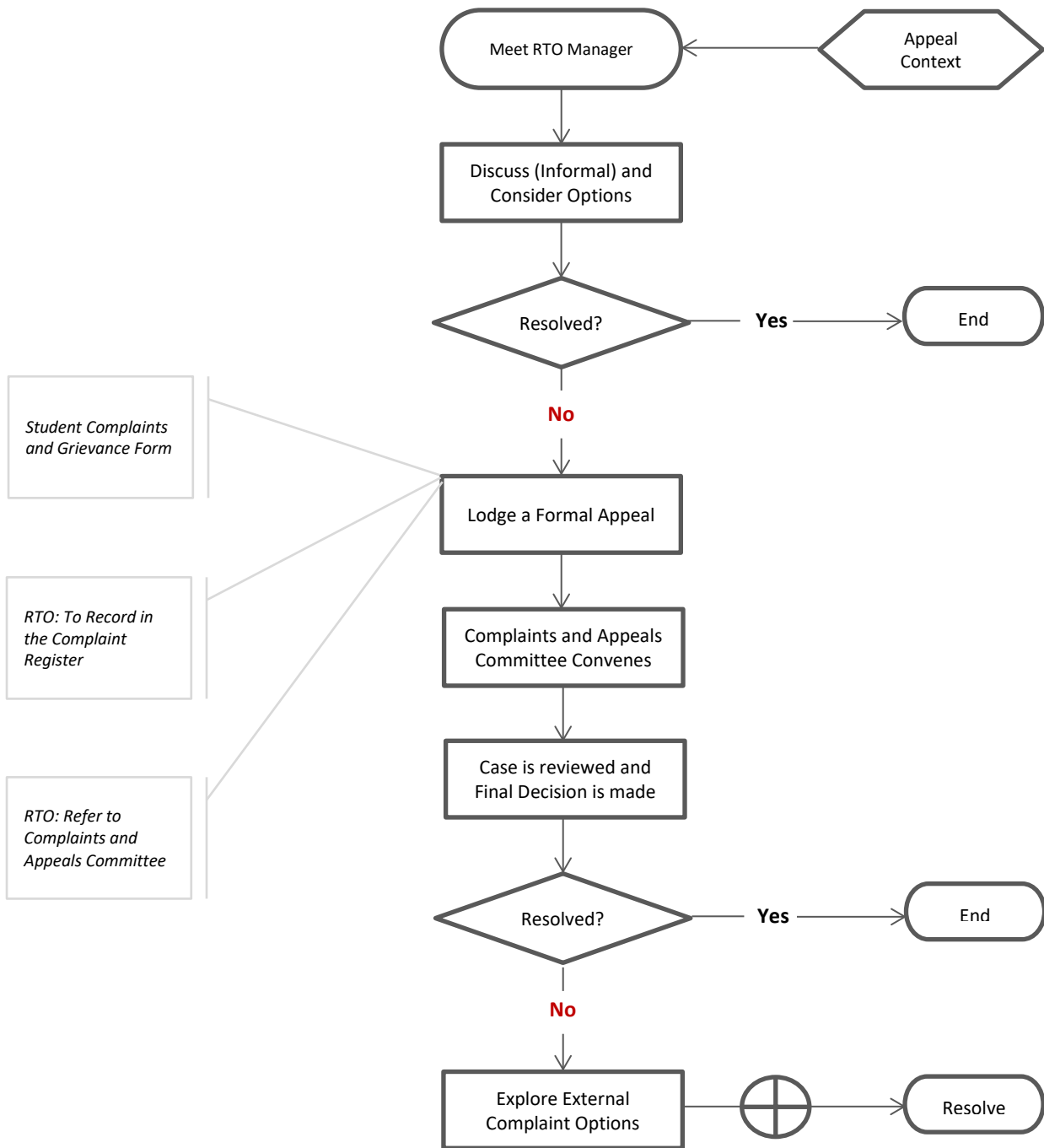
The CEO has overall responsibility for the implementation and review of this policy.

Any complaints or breaches in relation to this policy should be reported to the Chief Executive Officer in person or by email to: ceo@peopleimprovers.com

Student Complaint Procedure



Student Appeal Procedure



3. Definitions

Appeal: A request to review an adverse decision or an unfavourable outcome that may have arisen from any administrative, academic or disciplinary processes. An Appeal may be an Internal Appeal or an External Appeal

Internal Appeal: An appeal against a decision where the appeal is brought under PEOPLE IMPROVERS policies and code of conducts or where there is a process for appeal within PEOPLE IMPROVERS policies and procedures

External Appeal: An appeal to an external agency against a final decision of the RTO. Agencies may include the Ombudsman, the Privacy Commissioner, the Equal Opportunity and Human Rights Commissions

Final Decision: A decision made by the member of staff authorised by the CEO to make that decision and communicated to the Complainant in writing when all Internal Appeal avenues within RTO's policy, procedures and codes have been exhausted

Complainant: A person lodging a complaint or an appeal

Respondent: A person responding to a complaint or an appeal

4. Legislative Context

The legislative base for this policy is as follows:

- National Vocational Education and Training Regulator Act 2011 (Cth)
- Standards for Registered Training Organisations 2015
- Human Rights and Equal Opportunity Commission Act 1986 (Cth)
- Equal Opportunity Act 1995

Forms

Student Complaint and Grievance Form	
Relevant Standards SRTO 2015: 6.1, 6.2, 6.3, 6.4, 6.5, 6.6	Linked Documents Student Complaints and Appeals Policy and Procedure Anti-discrimination and Bullying Policy Access and Equity Policy Student Handbook Staff Handbook

This form should **ONLY** be used to lodge an official complaint about a matter which the student has found to be offensive, discriminatory or derogatory in any aspect of their student life at PEOPLE IMPROVERS. For reporting general concerns – and not a specific complaint – please use a separate “Student Concern” form

Student ID	
Student Name	
Course/Group	

Reason for or Nature of Complaint	
Your Complaint Details <i>(Please provide as much details as possible)</i> Note: Attach any supporting documents with this form as applicable.	
Student Declaration and Signature	<i>All the information I have provided in this form is true and accurate. I also understand that this complaint will be dealt with according to PEOPLE IMPROVERS’s relevant complaint handling policies and procedures.</i>
	Date:

ADMIN use only

Matter Referred to	<input type="checkbox"/> CEO	<input type="checkbox"/>
	<input type="checkbox"/> RTO Manager	<input type="checkbox"/> Appeals Committee
Comments and Suggested Action		
Signature		Date: