

COMPLAINTS AND APPEALS POLICY AND PROCEDURES

Purpose

This policy and procedure is to provide clear and practical guidelines to ensure that complaints including the grievances and appeals lodged with Abbey College Australia can be resolved, equitably and efficiently, in accordance with the principles of natural justice. The Complaints grievances and Appeals Policy is there to manage and respond to allegations involving the conduct of Abbey College Australia, its trainers, assessors, or other staffs, its education agents, third parties providing services on behalf of Abbey College Australia and students at Abbey College Australia.

Definitions

Complaints and appeals include, but are not restricted to, matters of concern to a student or staff member relating to training delivery and assessment including the quality of the training, student support, learning materials, discrimination, and sexual harassment.

Natural Justice is concerned with ensuring procedural fairness:

- Decisions and processes should be free from bias;
- All parties have the right to be heard;
- The respondent has a right to know of what s/he is accused;
- All parties are told the decision and the reasons for the decision.

Scope

This policy relates to all students including those who are, or would be, entitled to government financial support.

This Policy and Procedures applies to both academic and non-academic matters.

A grievance can be defined as a person's expression of dissatisfaction with any aspect of ACA's services and activities.

In relation to non-academic grievances, the term "students" or "complainant" applies to both current students of the RTO and persons seeking to enroll with the RTO.

Non-academic matters may include:

- Operational matters
- Administrative matters
- The enrolment, Orientation/orientation process
- The quality of education and training provided
- Handling of personal information and access to personal records
- The way someone has been treated
- Discrimination and harassment issues e.g. sexual harassment, racial or sexual discrimination, physical or verbal abuse.

Grievances of an academic nature include:

- Issues related to students progress
- Assessment and assessment results
- Curriculum
- Awards in a course of study.

The complaints and appeals procedure will be made available to students regardless of the location where the grievance has arisen, the mode in which they study or their place of residence.

This Policy and Procedures will be made available to students and persons seeking to enroll with ACA through publication in the Student Handbook, on the RTO's website and during students orientation.

For the purposes of communicating to and training staff, the Policy and Procedures will be included in the Staff Handbook and form part of the staff Orientation process (which will be facilitated by the RTO Manager).

Policy

ACA will ensure that any grievances are resolved promptly, objectively and with sensitivity. ACA acknowledges that a student, who has a complaint, grievance or appeal, has the right to raise the complaint or appeal and expect that every effort will be made to resolve it in accordance with this policy, without prejudice or fear of reprisal or victimisation. The student has the right to present the complaint, grievance or appeal formally as well as in writing.

All complaints, grievances, appeals and outcomes are treated as confidential (unless they involve breaches of the law) and records will be dealt with in accordance with ACA's Policy and Procedures on Privacy and Access to Information.

ACA will ensure that the views of each complainant and respondent are respected and that any party to a grievance is not discriminated against nor victimised.

Each complaint, grievance or appeal and outcome is recorded in writing. A written explanation for decisions and actions taken during the process will be given to all parties if requested.

Abbey College Australia will manage all complaints and appeals fairly, professionally and efficiently as possible and commences assessment of the formal complaint or appeal within 10 working days of lodgement, and finalise the outcome as soon as possible.

Abbey College Australia ensures that the student is given an opportunity to formally present his or her case at minimal or no cost and be accompanied and assisted by a support person at any relevant meetings.

Abbey College Australia seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment. Confidentiality will be maintained throughout the process of making and resolving complaints.

A copy of this Policy is available to all students and staff via Student Handbook available on website and the information on this policy is also provided during orientation.

Abbey College Australia ensures to provide students with written outcome of the complaint or appeal with reasons for the outcome.

Where a complaint or appeal cannot be resolved through internal processes, Abbey College Australia informs students, within 10 days of concluding the internal review, the right to access an external complaints handling and appeals process at a minimum or no cost.

Abbey College Australia will maintain the student's enrolment while the complaints and appeals process is ongoing. This does not necessarily mean that a student will remain in class. For overseas students, to 'maintain the student's enrolment' means Abbey College Australia does not record any changes PRISMS.

Abbey College Australia retains records of complaints or appeals the outcomes.

If the internal or external complaints handling or appeal process results in a decision or recommendation in favour of the student, Abbey College Australia implements the preventative or corrective action required by the decision and advise the student of that action.

ACA's Complaints, Grievance and Appeals process is a staged process:

1. As soon as the complaint or issue arises, it will be dealt initially by discussion with all mentioned parties involved and an agreeable solution will be worked towards for all parties in an impartial and professional manner.
2. If the grievance or issue is not resolved informally, students may then use ACA's formal Complaints, Grievance and Appeals process.
3. If the complainant is dissatisfied with the outcome of the formal grievance he or she may lodge an appeal with the CEO.

4. If parties still remain in conflict they may agree to appoint an external mediator to help resolve the grievance. Each complainant has an opportunity to formally present his or her case and be heard by an independent person or panel and is entitled to seek outside support at any time if he or she desires.

Where the internal or external grievance handling or appeal process results in a decision that supports the complainant, the RTO will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome. Students who have ceased to study with ACA will be given a further 12 months after they have ceased their enrolment to use this Complaints, Grievance and Appeals Policy and Procedures.

There is no cost to students utilising this Complaints, Grievance and Appeals process. Feedback from students regarding the RTO, courses, staff and other services is always encouraged and this feedback is not considered as a grievance, until and unless this is stated as such and specific actions or outcomes are requested.

A written record of all grievances handled under this procedure and their outcomes shall be maintained for a period of at least 5 years to allow all parties to the grievance appropriate access to these records, upon written request to the RTO Manager.

All records relating to grievances will be treated as confidential and will be covered by the RTO's Privacy and Personal Information Procedures.

Procedures

Stage 1: Before an issue becomes a formal grievance

In cases where students, trainers or staff may feel they have been treated unreasonably or unfairly or where they feel they have been disadvantaged or feel distressed, and they wish to make a complaint about this, they are encouraged to initially talk to the person concerned directly and personally in an informal and confidential manner in an attempt to resolve the issues.

To resolve concerns or difficulties informally with the person(s) concerned:

- The students should contact the trainer who will endeavour to resolve the problem in the first instance without the need for a formal complaint.
- If the complaint is of a general nature, the students may fill out a complaint form and submit it to their trainer or the Administration and Student Services Representative or seek an appointment with the RTO Manager for an informal discussion. This may be via email, teleconference or Skype where a face-to-face meeting is not possible.
- If the problem is of a personal nature that may need professional help, the trainer or Administration and Student Services Representative may help the students to find an appropriate professional person in their local area.

Stage 2: Formal complaint or grievance

If the complaint or appeal is not able to be resolved through informal discussion with the parties involved, then a formal complaint should be made.

The person making the complaint is required to complete a *Complaints and Appeal Form*.

The form is also available at Abbey College Australia's website or can be collected from Student Services front desk. Student will be required to provide the following information:

- A description of the complaint or appeal;
- State whether they wish to formally present their case;
- Steps taken thus far to deal with issue / complaint;

- What outcomes they would like to fix the problem & prevent it from happening again. Formal grievances must be submitted in writing marked to the attention of the Administration and Student Services Representative. The students must include any supporting documentation to assist the staff member in understanding the grievance.

The student should lodge the form to the Office Administrator. Office Administrator acknowledges the complaint or appeal in writing within 10 working days of the receipt. The Office Administrator forwards written complaint or appeal to the CEO or their delegate. The relevant staff member will investigate the grievance and interview key people where necessary (which may include the students). The formal grievance handling process will commence within 10 days of the receipt of the formal complaint, and all reasonable measures will be taken to finalise the process as soon as practicable.

The students will usually receive a written response within 10 working days of their grievance being lodged outlining the outcome and rationale for the decision. The students will be notified of any delays which may occur during the process. ACA ensures that the outcome is finalized as soon as practicable.

Completed documents are reviewed by the RTO Manager and entered into the complaints folder as a record.

ACA will ensure that the complainant is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome.

ACA will keep a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome.

Stage 3: Internal appeal

If the complainant is dissatisfied with the outcome of the formal grievance, he or she may lodge an appeal with the CEO within 7 days of receiving notification of the outcome of their formal grievance.

The CEO will consult with the complainant and other relevant parties within 10 working days of the appeal being lodged.

Students can make an appointment with the CEO or their delegate to formally present the case. The CEO or their delegate makes a decision and recommends appropriate action and provides a written outcome.

Where possible such consultations should take the form of face-to-face interviews. The complainant or the respondent may ask another person to accompany them to these interviews. Should a face-to-face interview not be possible, then it may be conducted via a teleconference or Skype.

Following the consultation, the CEO will provide a written report within 10 working days to the complainant advising the further steps taken to address the grievance, including the reasons for the decision. The report will also advise the complainant of their right to access the external appeals process if they are not satisfied with the outcome of their internal appeal. CEO or their delegate, while deciding the outcome of the complaint or appeal considers all applicable policies, student enrolment conditions and evidence provided with due consideration given to principles of natural justice and procedural fairness.

If the complaint is not finalized within 60 days, Abbey College Australia informs the complainant or appellant in writing, including reasons why more than 60 days are required and regularly updating on the progress of the matter to student.

Stage 4: External appeal

Should the issue still not be resolved to the student's satisfaction, the student has right to access an independent external agency to resolve the issue. Students can refer their complaint or appeal to National Training Complaints Hotline who can assist students and refer their issue to appropriate agency. Contact No: 13 38 73

website: <https://www.education.gov.au/NTCH>.

Overseas students are advised to contact Overseas Students Ombudsman
(<http://www.ombudsman.gov.au/about/overseas-students>)

OR

Complainants may lodge an external appeal to the Australian Skills Quality Authority. Students must first follow the ACA Internal Appeals Process. If after, a complainant still believes ACA is breaching or has breached its legal requirements, they can submit a complaint to ASQA by completing the *Complaint about a training organisation operating under ASQA's jurisdiction* form.

Except in exceptional circumstances, students must attach evidence to the complaint form showing:

- that they have followed the RTO's formal grievance procedure and;
- the RTO's response.

ASQA's processes require students to identify themselves as a complainant; however students may request to keep their identity confidential throughout the investigation. If students need further help with the Complaints, Grievances and Appeals process or if they are unsure whether ASQA can help with the complaint, they can call the ASQA Info line on 1300 701 801 or email complaintsteam@asqa.gov.au for further information.

ACA will act accordingly when an outcome is reached and will ensure that all parties are treated fairly and without bias.

While the complaint, grievance and appeal process is in motion, ACA will maintain the student's enrolment throughout the ongoing matter until it is resolved.

If the external appeals process results in a decision that supports the student, Abbey College Australia will immediately implement any decision and/or corrective and preventive actions required and advise the student of the outcome.

Related Standard

Clause 6.1

The RTO has a Complaints Policy to manage and respond to allegations involving the conduct of:

- a) the RTO, its trainers, assessors or other staff*
- b) a third party providing services on the RTO's behalf, its trainers, assessors or other staff or*
- c) a student 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

Not Applicable

National Code 2018 Standard 10

10.1 The registered provider must have and implement a documented internal complaints handling and appeals process and policy, and provide the overseas student with comprehensive, free and easily accessible information about that process and policy.

10.2 The registered provider's internal complaints handling and appeals process must:

10.2.1 include a process for the overseas student to lodge a formal complaint or appeal if a matter cannot be resolved informally.

10.2.2 include that the provider will respond to any complaint or appeal the overseas student makes regarding his or her dealings with the registered provider, the registered provider's education agents or any related party the registered provider has an arrangement with to deliver the overseas student's course or related services.

10.2.3 commence assessment of the complaint or appeal within 10 working days of it being made in accordance with the registered provider's complaints handling and appeals process and policy, and finalise the outcome as soon as practicable.

10.2.4 ensure the overseas student is given an opportunity to formally present his or her case at minimal or no cost and be accompanied and assisted by a support person at any relevant meetings.

10.2.5 conduct the assessment of the complaint or appeal in a professional, fair and transparent manner.

10.2.6 ensure the overseas student is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome.

10.2.7 keep a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome.

10.3 If the overseas student is not successful in the registered provider's internal complaints handling and appeals process, the registered provider must advise the overseas student within 10 working days of concluding the internal review of the overseas student's right to access an external complaints handling and appeals process at minimal or no cost. The registered provider must give the overseas student the contact details of the appropriate complaints handling and external appeals body.

10.4 If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the overseas student, the registered provider must immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision and advise the overseas student of that action.

Student Complaint Form and Appeal Form can be downloaded from Abbey College Australia's website.

STUDENT COMPLAINT FORM

Please submit directly to Reception or Administration Department. It may take up to 10 working days to review the complaint from the date of submission

STUDENT DETAILS (Optional):

First Name:		Family Name:	
Student ID:		Contact Number:	
Address:			
Email Address:			
Course Name:			

COMPLAINT DESCRIPTION:

I request the college to address the following issue (please select):			
<input type="radio"/> Academic	<input type="radio"/> Financial	<input type="radio"/> Personal	<input type="radio"/> Procedural
<input type="radio"/> Other: _____			
Location of issue (if appropriate):			
Date:	/ /	Time:	
Briefly describe the issue:			

(Attached separate sheet if required)

STUDENT DECLARATION:

I declare that all the information I have given above is correct and complete.

Student Signature: _____ Date: ___/___/___

OFFICE USE ONLY			
Received By:		Signature:	
		Date:	/ /
Issue discussed with (staff name):		Date:	/ /
Action taken:			
Resolved:	<input type="radio"/> Yes <input type="radio"/> No	Refer to:	
Principal Review:		Date:	/ /
Record Update:	<input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> N/A	Date:	/ /

FORM/DOCUMENT: STD Student Complaint Form

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Sydney: Ground & L3/187-189 Thomas Street NSW 2000 Australia
Adelaide: L11 118 King William Street SA 5000 Australia



info@abbeycollege.edu.au
www.abbeycollege.edu.au



02 9055 8558



STUDENT APPEAL FORM

This form is to be completed by students who want to appeal against the intention to cancel by Abbey College Australia. This form must be read in accordance with the Complaint and Appeal Policy.

This form will not be acceptable without supporting evidence.

Which type of cancellation are you appealing against?	Please Tick
Non-payment of Fees	<input type="checkbox"/>
Unsatisfactory course progress	<input type="checkbox"/>
Unsatisfactory Attendance	<input type="checkbox"/>

STUDENT DETAILS

Student ID:			
Family Name:		First Name:	
Course Enrolled:			
Current Address:			
Contact Number:		Email:	

You have the right to appeal against the institution's decision to cancel your enrolment. The appeal period is generally 20 working days. However, you must always refer to the timeline mentioned in the notification sent to you.

Describe in your own words why you believe you should not have your enrolment cancelled:

(Attach additional pages as needed)

List actions you believe you could take that would assist us in allowing your enrolment to continue:

Student Signature:		Date:	
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The copy of this form must be kept in the student file for future reference.



Sydney: Ground & L3/187-189 Thomas Street NSW 2000 Australia
Adelaide: L11 118 King William Street SA 5000 Australia



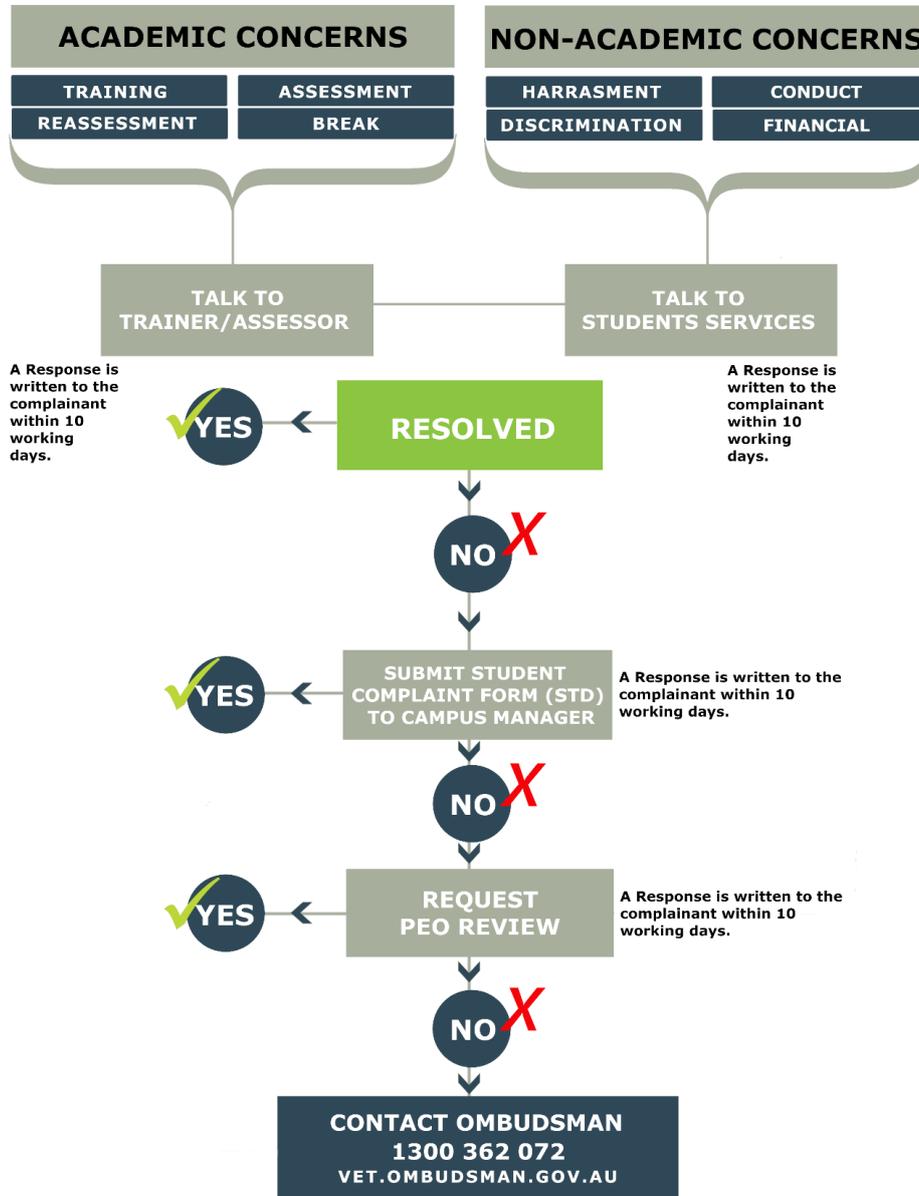
info@abbeycollege.edu.au
www.abbeycollege.edu.au



02 9055 8558



COMPLAINTS & GRIEVANCES PROCEDURE



APPEAL PROCEDURE

YOU ARE NOTIFIED BY ABBEY OF A
DECISION IN RELATION TO AN
APPLICATION, REQUEST OR
COMPLAINT.

