



Complaints and Appeals Policy & Procedure

Scope

Complaints and appeals can relate to AITI and its staff, students, third parties providing services on AITI's behalf (such as agents).

1. Policy

This policy/procedure supports AITI in providing a process for complaints and appeals to be heard and actioned. All complaints and appeals received by AITI will be viewed as an opportunity for improvement and contribute to AITI's Quality Assurance procedure.

Despite all efforts by AITI to provide satisfactory services to its students, complaints may occasionally arise that require formal resolution.

The following procedures provide opportunity to have any issues relating to a substantiated complaint or appeal resolved and resolutions reached that attempt to satisfy all parties involved. This complaints and appeals process will be at no cost to the complainant (unless referred to a third party; see procedure for more details).

Please note: This policy should be applied in conjunction with reference to the *Access and Equity Policy & Procedure*.

2. Procedure

The *Complaints and Appeals Policy and Procedure* and applicable forms are made available to all potential complainants by directly contacting the Student Administration Department at AITI, through AITI's website, and within the Student Information Handbook.

2.1 General Complaints

Where possible, all non-formal attempts shall be made to resolve the issue. This may include advice, discussions, and general mediation in relation to the issue. Any staff member can be involved in this informal process to resolve issues, but once a formal complaint/appeal has been received by AITI, the following procedures must be followed:

- Any staff, student, potential student, or third party may submit a formal complaint to AITI with the reasonable expectation that all complaints will be treated with integrity and privacy. There is no cost for the complaints process unless it is referred to an independent party.
- Complainants have the right to access advice and support from external agencies/persons at any point of the complaint and appeals process. Use of external services will be at the complainant's cost unless authorised by the PEO.
- Any person wishing to submit a formal complaint or appeal can do so by completing the *Complaints and Appeals Form*, stating their case and providing as many details as possible. This form can be accessed by contacting Admin Officer at AITI, or through the AITI website.
- All formally submitted complaints or appeals are submitted to the Admin Officer or the Compliance Officer. 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)

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- Once a formal complaint is received, it is to be entered into the *Complaints and Appeals Register* by whoever accepted the form (i.e. Admin Officer or the Compliance Officer) which is monitored by the Compliance Officer regularly. The information to be contained and updated within the register is as follows:
 - Submission date of complaint
 - Name of complainant
 - Description of complaint / appeal
 - Determined Resolution
 - Date of Resolution
- A student may be assisted or accompanied by a support person throughout the process at all times regardless of the nature of the issue or complaint.
- After the formal complaint has been received and logged in the *Complaints and Appeals* register, it will be acknowledged in writing and will be referred to the Operations Manager for resolution, who shall liaise with appropriate staff as required, or make a decision on the complaint within 10 working days and will keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.
- All parties involved in the allegations are to be informed of receipt of the complaint and will be provided an opportunity to present their side of the matter during the investigation.
- Where the Operations Manager and/or the CEO consider more than 60 calendar days are required to process and finalise the complaint, AITI shall
 - a. inform 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
- Once a decision has been reached, the Operations Manager shall notify the Admin Officer to inform all parties involved of any decisions or outcomes that are concluded in writing. The complainant shall also be made aware within the notification of the outcome of the formal complaint that they have the right of appeal. To appeal a decision, AITI must receive the grounds of the appeal in writing. The complainants are referred to the appeals procedure (see sections 2.2 and 2.3 below).
- The Operations Manager shall ensure that AITI will act immediately on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the student, AITI must immediately implement any decision and/or corrective and preventative action required through the *Quality Management Policy and Procedure*, and advise the student of the outcome.
- Copies of all documentation, outcomes and further action required will be securely placed into the *Complaints and Appeals Register* and the complainant's file (student, staff or agent) by the Compliance Officer.
- AITI will identify the potential causes of complaints and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

2.2 Appealing a Decision – Internal Appeals

All complainants have the right to appeal decisions made by AITI where reasonable grounds can be established. The areas in which a complainant may appeal a decision made by AITI 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 AITI in the first instance.

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- To activate the appeals process, the complainant must complete a *Complaints and Appeals Form* to be submitted to either the Admin Officer or Compliance Officer. The form is to include a summary of the grounds upon which the appeal is based upon. The reason the complainant feels the decision is unfair must be clearly explained – help and support with this process can be gained from the Admin Officer or the Compliance Officer.
- The Operations Manager/CEO shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.
- All parties involved in the appeal allegations are to be informed in writing acknowledging receipt of the appeal and will be provided an opportunity to present their side of the matter during the resolution process.
- Where the Operations Manager and/or the CEO consider more than 60 calendar days are required to process and finalise the appeal, AITI shall
 - a. inform 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
- The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
- The Operations Manager and/or CEO shall ensure that AITI acts on any substantiated appeal.
- Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

GENERAL APPEALS

- Where a complainant has appealed a decision or outcome of a formal complaint, they are required to notify AITI in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
- The appeal shall be lodged through the Admin Officer or Compliance Officer who shall ensure the details of the appeal are added to the *Complaints and Appeals Register*. The appeal will be acknowledged in writing and will be referred to the Operations Manager/CEO for resolution.
- The Operations Manager/CEO shall be notified by the Admin Officer or Compliance Officer and will then seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.
- The appellant shall be notified in writing of the outcome with reasons for the decisions, and the *Complaints and Appeals Register* updated by the Admin Officer. The appellant shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The appellant is required to notify AITI if they wish to proceed with the external appeals process.

ASSESSMENT APPEALS

- Where a student wishes to appeal an assessment they are required to notify their Trainer & Assessor in the first instance. Where appropriate the Trainer & Assessor may decide to re-assess the student to ensure a fair and equitable decision is gained. The Trainer & Assessor shall complete a *Reassessment and Assessment Appeals Decision Form* regarding the re-assessment, outlining the reasons why assessment was or was not granted.
- If this is still not to the student’s satisfaction, the student should formally lodge an appeal by submitting a completed Complaints and Appeals Form outlining their reasons for the appeal. They shall lodge this with the Admin Officer and the appeal shall be entered into the *Complaints and Appeals Register*. The Admin Officer will notify the appellant in writing to acknowledge receipt of the appeal.
- The Operations Manager shall be notified and shall seek details from the Trainer & Assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the

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assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be the AITI Training Coordinator or another qualified Assessor.

- The Operations Manager will notify the Admin Officer to ensure the student shall be notified in writing of the outcome with reasons for the decision, and the *Complaints and Appeals Register* updated. The student shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify AITI if they wish to proceed with the external appeals process.

Please note: the Operations Manager is required to notify the PEO when a complaint or appeal is lodged, and to provide regular updates until resolution is achieved.

2.3 Further Steps & Information

Please Note: The external appeals process and further steps should only be accessed after all AITI Complaints and Appeals internal processes have been completed.

International Students External Appeals

In addition to the above internal processes, International students enrolled with AITI can also lodge an external appeal with the Commonwealth Overseas Students Ombudsman.

- Where AITI is informed that the student has accessed external appeals processes, AITI will maintain a student's enrolment until the external appeal process is finalised
- AITI will comply with the findings of the external appeals process
- Where a decision or outcome is in favour of the student, the Operations Manager shall ensure AITI will follow the required action and recommendation from The Overseas Ombudsman to satisfy the student's grievance as soon as practicable. The Operations Manager shall inform the PEO of this outcome.
- The decision of this independent mediator is final and any further action the student wishes to take is outside AITI's policies and procedures. The student shall be referred to the appropriate government agencies and this information can be gained from the Operations Manager.

The contact details of the Commonwealth Overseas Student Ombudsman are provided below:

Overseas Student Ombudsman	
Website: http://www.oso.gov.au/	
Email: ombudsman@ombudsman.gov.au	
Call: 1300 362 072 within Australia +61-2 6276 0111 outside Australia Enquiries 9am to 5pm Monday to Friday (AEDT)	Fax: 02 6276 0123 within Australia +61 2 6276 0123 outside Australia
Postal: GPO Box 442 Canberra ACT 2601.	

Further Steps

If a client (student or other client) is dissatisfied with AITI, they may wish to seek legal advice, or place a complaint about AITI to a higher authority if they believe AITI is breaching or has breached its legal requirements after AITI's internal complaints and appeals processes have been completed. In such circumstances, AITI is obligated to provide further information to the client on lodging the complaint.

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