



Complaints and Appeals Policy

Student Complaints and Appeals

1.0 Purpose

- 1.1 The purpose of this procedure is to define the system available to students for dealing with student complaints and appeals

2.0 Responsibility

- 2.1 The Administration Manager is responsible for implementation of this procedure and ensuring that staff and students are made aware of its application.

3.0 Requirements

- 3.1 This procedure is designed to enable complaints to be made and resolved involving any or all of:
- the RTO, its trainers, assessors or other staff;
 - a third party providing services on the RTO's behalf, its trainers, assessors or other staff; or
 - a learner of the RTO.
- 3.2 Students who are concerned about the conduct of SGAE are encouraged to attempt to resolve their concerns using this procedure.
- 3.3 The procedure will be implemented at no cost to the student.
- 3.4 The procedure will commence within 5 working days of the formal lodgement of the complaint or appeal and supporting information
- 3.5 Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:
- Informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and
 - Regularly updates the complainant or appellant on the progress of the matter.
- 3.6 All prospective students will be provided with information about the complaints and appeals procedure before making an agreement to enrol.
- 3.7 All complaints and appeals will be handled professionally and confidentially in order to achieve a satisfactory resolution that is fair and equitable to all parties.
- 3.8 Students will be provided with details of external authorities they may approach, if required
- 3.9 At any stage in the complaint or appeal process students are entitled to have their own nominee included to accompany and support them.
- 3.10 Students may raise any matters of concern relating to training delivery and assessment, the quality of the teaching, student amenities, discrimination, sexual harassment and other issues that may arise.
- 3.11 For complaints and appeals:
- The student will have an opportunity to formally present their case, in writing or in person at no cost to the student
 - The student may be accompanied and assisted by a support person at any relevant meetings.
 - Students will be notified in the event that any complaint or appeal will take longer than 60 days to finalise.



SOUTHERN GRAMPIANS ADULT EDUCATION

Complaints and Appeals Policy

- At the conclusion of the complaint or appeal the student will be given a written statement of the outcome, including details of the reasons for the outcome and the record of the complaint and outcome will be placed in the student file.
- 3.12 A student's enrolment will normally be maintained whilst a complaint or appeal is in progress and the outcome has not been determined except in cases where SGAE is intending to cancel a student's enrolment
- 3.13 SGAE will encourage the parties to approach a complaint with an open view and to attempt to resolve problems through discussion and conciliation. Where a complaint cannot be resolved through discussion and conciliation, we acknowledge the need for an appropriate external and independent agent to review the process implemented by SGAE.
- 3.14 If there is any matter arising from a student informal complaint, formal complaint or appeal that is a systemic issue which requires improvement action this will be reported in writing (to the Executive Officer) and tabled at the monthly Continuous Improvement meeting so the matter can be recorded in the SGAE Complaints Register and be used as part of the continuous improvement activities of the Organisation.
- 3.15 Nothing in this procedure inhibits student's rights to pursue other legal remedies. Students are entitled to resolve any dispute by exercising their rights to other legal remedies. Students wishing to take this course of action are advised to:-
 - Contact a solicitor; or-
 - Contact the Law Institute for Victoria.

4.0 Definitions

- 4.1 N/A

5.0 Method

Informal Complaint Process

- 5.1 Any student with an issue, question or complaint may raise the matter with staff of SGAE and attempt an informal resolution of the complaint.
- 5.2 Students with an issue, question or complaint can arrange a meeting to discuss the matter with one of the following SGAE staff members who are responsible to try and resolve the issue, question or complaint with the student:
 - Trainer
 - Course Co-ordinator
 - Curriculum Compliance Co-ordinator
 - Administration Manager
- 5.3 If there is any matter arising from a student informal complaint that is a systemic issue which requires improvement action this will be reported by the staff member, in writing (the Executive Officer) to be tabled so the matter can be recorded in the College Complaints Register and be used as part of the continuous improvement activities of the College.
- 5.4 The staff member (or any of those listed in 5.2) will try and resolve the complaint at the meeting or if required investigate the matter and then arrange another meeting with the student to discuss the outcome of investigation and offer a solution if appropriate.
- 5.5 Students who are not satisfied with the outcome of their discussion of the complaint are encouraged to register a formal complaint by:
 - Obtaining a copy of the Student complaint form which can be requested from the Administration Manager;
 - Completing the Student complaint form;



SOUTHERN GRAMPIANS ADULT EDUCATION

Complaints and Appeals Policy

- Lodging the Student Complaint Form with the Administration Manager.
- 5.6 Students having difficulty completing the Student complaint form should ask a trainer, the Course Co-ordinator, the Curriculum Compliance Co-ordinator or the Administration Manager to assist them.
- 5.7 Once the Student complaint form is lodged with the Administration Manager it will be dealt with as described in the formal complaint process below.

Formal Complaint Process – preamble

- 5.8 The formal complaint process will commence within 5 working days of the formal lodgement of the complaint or appeal and supporting information.
- 5.9 A maximum time of 10 working days from the commencement of the formal complaint process will be allowed for the resolution unless all parties agree in writing to extend this time. This period is called the resolution phase.
- 5.10 Formal complaints must be lodged using the Student complaint form which can be requested from the Administration Manager.
- 5.11 Formal complaints must be recorded in the student's files

Formal Complaint Process - details

- 5.12 Students who are not satisfied with the outcome of the informal process, or, who want to register a formal complaint may do so at any time by.
- Obtaining a copy of the Student complaint form which can be requested from the Administration Manager;
 - Completing the Student complaint form;
 - Lodging the Student complaint form with the Administration Manager.
- 5.13 Once completed the complaint form is to be lodged with the Administration Manager who will arrange for the complaint to be entered on the College complaint register and meet with the student to discuss the complaint.
- 5.14 During the formal complaint process:
- Students will have an opportunity to formally present their case to the Administration Manager, in writing or in person at no cost to the student
 - Students may be accompanied and assisted by a support person at any meetings involving the complaint.
- 5.15 Complaints can only be dealt with by the Curriculum Compliance Co-ordinator, the Course Co-ordinator, the Administration Manager or the Executive Officer. Whoever does hear the complaint must not be the subject of the complaint and cannot be involved in subsequent appeal hearing. In the event that the Curriculum Compliance Co-ordinator, the Course Co-ordinator, the Administration Manager and the Executive Officer are not eligible to hear the complaint then the complaint must be directed to an external person at no cost to the student.
- 5.16 The external person to hear a student complaint on behalf of a student is to be engaged from the Institute of Arbitrators and Mediators Australia (IAMA) phone (03) 9602 1711.
- 5.17 The role of the Administration Manager is to:
- Assist the student register their formal complaint
 - Ensure the resolution phase commences within 5 working days of the written complaint being lodged
 - Provide the student, or the students representative, with an opportunity to present their complaint
 - Ensure they fully understand the students complaint



SOUTHERN GRAMPIANS ADULT EDUCATION

Complaints and Appeals Policy

- Work with the student to identify how the complaint can be resolved to the satisfaction of the student
- Consult and negotiate with the all parties involved with the complaint in order to obtain their commitment and agreement to the proposed solution
- Formally document the resolution to the complaint including reasons for the method of resolution and provide the student with a written copy of the document
- Arrange for the proposed resolution to be signed off by the student.
- Monitor the implementation of the resolution to ensure that all parties adhere to the agreed resolution.
- Ensure that the details of the complaint are recorded in the SGAE Complaints Register and reported to the Continuous Improvement meetings for continuous improvement purposes.
- Advise the student to take the complaint to appeal if a resolution cannot be agreed upon

Formal Complaint Process – finalisation

- 5.18 At the end of the resolution phase the Administration Manager will report the SGAE decision in writing to the student within 5 working days. The decision and reasons for the decision will be documented by the Administration Manager and placed in the students file. A copy of this document will be provided to the student.
- 5.19 Following the resolution phase SGAE will implement the decision as conveyed to the student and undertake any improvement actions arising from the complaint
- 5.20 If there is any matter arising from a student formal complaint that is a systemic issue which requires improvement action this will be reported, by the Administration Manager, in writing to the Executive Officer to be tabled at the Continuous Improvement meeting so the matter can be recorded in the SGAE Complaints Register and be used as part of the continuous improvement activities of the Organisation.
- 5.21 Students who are not satisfied with the outcome of the formal complaint are encouraged to appeal against the SGAE decision by:
- Obtaining a copy of the Student appeal form which can be obtained from the Administration Manager;
 - Completing the Student appeal form;
 - Lodging the Student appeal form with the Administration Manager.
- 5.22 Once the Student appeal form is lodged with the Administration Manager it will be dealt with as described in the Internal Appeal Process below.

Internal Appeal Process – preamble

- 5.23 Internal appeals may arise from a number of sources including appeals against assessment, appeals against discipline actions, and appeals against decisions arising from complaints. The essential nature of an appeal is that it is a request by a student to reconsider a decision made by SGAE.
- 5.24 Students who are not satisfied with the outcome of a formal complaint or wish to appeal a decision made by SGAE are encouraged to appeal against the decision by:
- Obtaining a copy of the Student appeal form which can be requested from the reception desk, the Course co-ordinator or the Curriculum Compliance Co-ordinator
 - Completing the Student appeal form
 - Lodging the Student appeal form with the Course Co-ordinator or Curriculum Compliance Co-ordinator
- 5.25 A student's enrolment will be maintained whilst an appeal is in progress and the outcome has not been determined.



SOUTHERN GRAMPIANS ADULT EDUCATION

Complaints and Appeals Policy

- 5.26 The appeal resolution phase must commence within 5 working days of the internal appeal being lodged in writing.
- 5.27 A maximum time of 10 working days from the commencement of the appeal resolution phase will be allowed for the appeal resolution unless all parties agree in writing to extend this time.

Internal Appeal Process - general

- 5.28 Internal appeals (except assessment appeals) will be heard by a 3 person Appeals Panel selected from the Organisations Executive Officer, the Curriculum Compliance Co-ordinator, Course Co-ordinator, and members of the teaching staff of SGAE (the Appeals Panel). No member of the Appeals Panel is to have been directly involved in the complaint leading up to the appeal.
- 5.29 The role of the Appeal Panel is to:
- Ensure the appeal phase commences within 5 working days of the written appeal being lodged
 - Provide the student, or the students representative, with an opportunity to present their appeal to the Appeal Panel
 - Ensure they fully understand the students appeal
 - Review the evidence and information provided by the student, or the students representative, and SGAE
 - Make an **independent** decision, based on the evidence to either support the students appeal, and reverse the decision by the Organisation that lead to the appeal or to support the Organisation case and proceed with the original decision.
 - Arrange for the decision to be signed off by the student and the Executive Officer (this is not agreement by the student but to record that the decision has been transmitted to the student)
 - Within 24 hours of making its decision the Appeal Panel must have formally documented the decision of the panel including reasons for the decision and convey the written decision and reasons for the decision to the student.

Internal Appeal Process - assessment

- 5.30 Students appealing an assessment decision (including RPL) will be given the opportunity for reassessment by a different assessor selected by SGAE. Costs of reassessment will be met by SGAE.
- 5.31 The recorded outcome from the assessment appeal will be the most favourable result for the student from either the original assessment or the reassessment.
- 5.32 Only one assessment appeal will be allowed.

Internal Appeal Process – finalisation

- 5.33 The outcome of an internal appeal and reasons for the outcome will be recorded in writing and signed and dated by the student and SGAE and placed in the student file. A copy of this document will be provided to the student.
- 5.34 Following the internal appeals phase SGAE will implement the decision as conveyed to the student and undertake any improvement actions arising from the complaint through the Organisation continuous improvement process
- 5.35 If there is any matter arising from a student informal complaint, formal complaint or appeal that is a systemic issue which requires improvement action this will be reported in writing (to the Executive Officer) to be tabled at the Continuous Improvement meeting so



SOUTHERN GRAMPIANS ADULT EDUCATION

Complaints and Appeals Policy

the matter can be recorded in the SGAE Complaints Register and be used as part of the continuous improvement activities of the Organisation.

- 5.36 There are no further avenues within SGAE for complaints or appeals after the internal appeals process has been completed, however an external appeals process is available
- 5.37 Students who are not satisfied with the process undertaken for an internal appeal are encouraged to make an external appeal by:
- Obtaining a copy of the Student appeal form which can be requested from the reception desk or the Curriculum Compliance Co-ordinator.
 - Completing the Student appeal form and selecting the External appeal option on the form.
 - Lodging the Student appeal form with the Curriculum Compliance Co-ordinator
- 5.38 Once the Student appeal form is lodged with the Curriculum Compliance Co-ordinator it will be dealt with as described in the External Appeal Process below.

External Appeal Process

- 5.39 Students who are not satisfied with the process undertaken for an internal appeal are encouraged to make an external appeal by:
- Obtaining a copy of the Student appeal form which can be requested from the reception desk or the Curriculum Compliance Co-ordinator
 - Completing the Student appeal form and selecting the External appeal option on the form.
 - Lodging the Student appeal form with the Curriculum Compliance Co-ordinator
- 5.40 The purpose of the external appeals process is to consider whether SGAE has followed its student complaint and appeals procedure, not to make a decision in place of the Organisation. For example, if a student appeals against his or her subject results and goes through the SGAE internal appeals process, the external appeals process (if accessed) would look at the way in which the internal appeal was conducted; it would not make a determination as to what the subject result should be.
- 5.41 For external appeals the independent mediator will be the IAMA (www.iama.org.au/victoria). The cost of mediation is to be shared equally between the parties involved in mediation.
- 5.42 The external appeals procedure will be determined by the IAMA.
- 5.43 Following the receipt of the outcome of the external appeal SGAE must immediately implement the decision, convey the outcome to the student, place a copy of the documentation on the student file and undertake any improvement actions arising from the complaint