

Complaints and Appeals Policy



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Related procedures	<ul style="list-style-type: none"> ▪ Continuous Improvement Procedure
Forms and supporting documents	<ul style="list-style-type: none"> ▪ Student Handbook ▪ Staff Handbook ▪ AuPI website ▪ LMS ▪ Continuous Improvement Form ▪ Continuous Improvement Register ▪ Complaints and Appeals Form ▪ Complaints Acknowledgment Email Template ▪ Complaint and Appeals Register

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PURPOSE

Australian Polytechnic Institute is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (SRTOs 2015) and the National Code of the Department of Education and Training. This policy provides the framework and general principles for complaints and appeals of Australian Polytechnic Institute.

This policy is based on providing and maintaining training services that are fair and reasonable and afford a forum where issues or inadequacies can be resolved. The Australian Polytechnic Institute process provides adequate opportunity for complaints and appeals to be forwarded to Australian Polytechnic Institute management for resolution in a timely, confidential and sensitive manner. Australian Polytechnic Institute will ensure that the principles of natural justice and procedural fairness will be adhered to throughout the hearing of all complaints and appeals.

The object of this policy is to ensure that Australian Polytechnic Institute staff act in a professional manner at all times. This policy provides clients with a clear process to register a complaint. It ensures all parties involved are kept informed of the resulting actions and outcomes.

RELEVANT STANDARD(S): Standards for Registered Training Organisations (RTOs) 2015 Standard 2 and 6; National Code Standard 8

SCOPE

Australian Polytechnic Institute acknowledges the student's right to lodge a complaint or appeal when they are dissatisfied with the training and/or assessment services and experiences that they have been provided by Australian Polytechnic Institute or by a third-party provider (if applicable).

Australian Polytechnic Institute ensures that clients have access to a fair and equitable process for expressing complaints and appeals, and that Australian Polytechnic Institute will manage the complaint by implementing principles of natural justice and procedural fairness.

With this, Australian Polytechnic Institute ensures that:

1. It has a procedure for collecting and managing complaints and appeals in a constructive, timely, confidential and sensitive manner.
2. These procedures are communicated to all staff, contractors, third party partners and students.
3. Each complaint and appeals and its outcome are recorded in writing.
4. Complainants and appellants are given written statements or communication of the appeal or complaints handling outcomes, including decision and reason for the decision.
5. Outcomes of complaints and appeals are utilised to review current practices which may potentially lead to continuous improvement initiatives in order to mitigate the likelihood of the complaints and appeals.

POLICY PRINCIPLES

1. Complaints and Appeals Policy

- 1.1 Details concerning the scope of Australian Polytechnic Institute Complaints and Appeals Policy are to be clearly displayed throughout the Australian Polytechnic Institute and contained within the Student Handbook, Staff Handbook and Website.
- 1.2 Complaints and appeals are treated seriously and dealt promptly, impartially, sensitively and in confidence.
- 1.3 Complaints and appeals will be resolved on an individual case basis and as the needs arise.
- 1.4 All Australian Polytechnic Institute students have the right to express a concern or problem and/or lodge a formal complaint, at minimal or no cost to the student, if they are dissatisfied with the training and assessment services they have been provided, including through a third party (if applicable) or the behavioural conduct of another student or Australian Polytechnic Institute.
- 1.5 Australian Polytechnic Institute supports the right of a student to lodge an appeal, at minimal or no cost to the student, against any assessment decision and will not impair that right in any way. Australian Polytechnic Institute will do everything possible to address the appeal in an unbiased and professional manner.
- 1.6 Australian Polytechnic Institute allows all parties involved, where desired, to be accompanied and assisted by a support person at any relevant meetings.
- 1.7 In the event that a student lodges a complaint or appeal, the student's enrolment will be retained by Australian Polytechnic Institute for as long as the complaints and appeals process is ongoing and unless otherwise invalidated by the result of the complaints and appeals process.
- 1.8 The handling of a complaint or appeal is to commence within 10 working days of the lodgement of the complaint or appeal and all reasonable measures are taken to finalise the process as soon as practicable.
- 1.9 All complaints and appeals are acknowledged in writing and finalised as soon as practicable. Australian Polytechnic Institute will aim to complete the complaints process as quickly as possible and within a total of 30 calendar days. Australian Polytechnic Institute will keep the student informed of the progress of the complaint throughout the process by phone communication, email correspondence or face-to-face meeting.
- 1.10 If the complaint will take in excess of 60 calendar days to finalise, Australian Polytechnic Institute will inform the complainant in writing providing the reasons why more than 60 calendar days are required.
- 1.11 Australian Polytechnic Institute will immediately inform the student of the decision resulting from the lodged complaint or appeal. Where the result of the complaints and appeals process, may be internal or external, arrives in a decision in favour of the student, Australian Polytechnic Institute will promptly implement any and all corrective actions and preventive measures required.

- 1.12 In the event that a student is dissatisfied with the result or conduct of the complaint handling or appeals process of Australian Polytechnic Institute, the student is advised of their right to an external complaints and appeals process to be conducted by an independent person or body completely separate from Australian Polytechnic Institute.
- 1.13 Where a student exercises their right to access an external complaints and appeals process, Australian Polytechnic Institute ensures that arrangements are in place for an independent and external person or body, completely separate from Australian Polytechnic Institute, to hear and review the complaints or appeals of the student. Where applicable, Australian Polytechnic Institute may also refer the student to an existing body appropriate for the nature of the complaint or appeal.
- 1.14 In the event of a suspension or a cancellation of a student's training, he/she will be given 20 working days to initiate an internal appeal, unless his health or wellbeing, or the wellbeing of others, is at risk. The suspension or cancellation will not be official until either the 20-day period has run its course, or the appeals process yielded a result that does not favour the student.
- 1.15 Overseas students will be reminded of their right to an external appeals process, should the internal appeal yield an outcome that does not favour them. An external appeal is part of the general appeals process, so if an overseas student decides to pursue an external appeal, any cancellation or suspension of his training will not yet be official until the external appeal process has been concluded.
- 1.16 If the conclusion of an appeal, whether internal or external, favours a student, the final recommendations of the appeal process will be immediately acted upon.
- 1.17 All complaints will be recorded in the Australian Polytechnic Institute Complaints and Appeals Register and on PRISMS. These records including the outcomes will be secured and maintained by Australian Polytechnic Institute.
- 1.18 No Australian Polytechnic Institute staff shall disclose information to any person without the permission of the CEO or Nominee, a decision to release information to third parties can only be made after the complainant has given permission for this to occur.

2. Types of Complaints

- 2.1 A complaint or grievance may include allegations involving the conduct of:
 - 2.2.1. The RTO, its trainers and assessors, or other staff members; or
 - 2.2.2. A third party providing services on behalf of Australian Polytechnic Institute; or
 - 2.2.3. A student of Australian Polytechnic Institute.

3. Grounds for Appeal

- 3.1 Valid grounds for an appeal against an assessment decision (where the client feels the assessment decision is incorrect) could include the following:
 - 3.1.1. that the training package they are currently enrolled in is superseded / no longer current / deleted;
 - 3.1.2. the transition process including relevant timeframes;
 - 3.1.3. the implications of the transition; and



3.1.4. available options for students and the implications for choosing such options.

4. Transitioning Students

- 4.1 The needs of students are best served by transitioning them into replacement qualifications as soon as possible:
 - 4.1.1. The judgment as to whether competency has been achieved and demonstrated was made incorrectly;
 - 4.1.2. The judgment was not made in accordance with the Assessment Plan;
 - 4.1.3. Alleged bias of the assessor;
 - 4.1.4. Alleged lack of competence of the assessor;
 - 4.1.5. Alleged wrong information from the assessor regarding the assessment process;
 - 4.1.6. Alleged inappropriate assessment process for the particular competency;
 - 4.1.7. Faulty or inappropriate equipment; and/or
 - 4.1.8. Inappropriate conditions.

5. Appeal Outcomes

- 5.1 Appeal is upheld; in this event the following options will be available:
 - 5.1.1. Australian Polytechnic Institute assessment will be re-assessed, potentially by another assessor.
 - 5.1.2. Appropriate recognition will be granted.
 - 5.1.3. A new assessment shall be conducted / arranged.
- 5.2 Appeal is rejected / not upheld; in accordance with the Australian Polytechnic Institute assessment policy the client will be required to:
 - 5.2.1. Undertake further training or experience prior to further assessment; or
 - 5.2.2. Re-submit further evidence; or
 - 5.2.3. Submit / undertake a new assessment

6. Complaints and Appeals Process

- 6.1 Australian Polytechnic Institute adopts the principles of natural justice and procedural fairness at every stage of the complaints and appeals process. Australian Polytechnic Institute handles and manages all complaints and appeals in accordance with the Complaints Procedure and Appeals Procedure document.
- 6.2 Students are provided with a clear process to follow in order to lodge a complaint or an appeal. All parties involved will be kept informed of the resulting actions and outcomes.
- 6.3 If a student has a complaint, they are encouraged to speak immediately with the trainer / assessor to resolve the issue. If the complainant is not satisfied that the issue has been resolved they will be asked to complete a Complaints and Appeals Form, to lodge a formal complaint.
- 6.4 The complainant resolution procedure is based on the understanding that no action will be taken without consulting the complainant and respondent, using a process of discussion, cooperation and conciliation. The rights of the complainant and respondent will be acknowledged and protected throughout the complaint resolution process, including the conduct of separate interviews initially.

- 6.5 In the interest of confidentiality, the number of people involved in the resolution process will be kept to a minimum. All complaints will be handled as Staff-In-Confidence and will not affect or bias the progress of the client in any current or future training.
- 6.6 Final decisions will be made by the CEO or Nominee of Australian Polytechnic Institute or an independent party to the complainant.
- 6.7 If the complaints process fails to resolve the complaint or the complainant is not satisfied with the outcome of the complaint, the matter will be referred to an independent third party for review, at the request of the complainant. All costs incurred for the third party review will be advised to the complainant.
- 6.8 Australian Polytechnic Institute reserves the right to nominate or agree to the independent party and will cooperate fully with the independent third party review.

7. Consumer Protection Officer

- 7.1 At Australian Polytechnic Institute, the CEO will be appointed the Consumer Protection Officer. The Consumer Protection Officer will be the primary point of contact for all complaints and appeals.
- 7.2 The CEO may delegate responsibility for the resolution of the complaint and appeal if necessary. Australian Polytechnic Institute will ensure that its staff and those acting on its behalf in accordance with the Australian Polytechnic Institute's Code of Conduct and Appeals Policy.

MONITORING AND IMPROVEMENT

All complaints and appeals will be discussed at Management meetings and/or in Continuous Improvement meetings to identify potential causes of complaints or appeals, to discuss appropriate corrective action to eliminate or mitigate the likelihood of re-occurrence, and to identify an opportunity for continuous improvement of the processes.

