

## Student Complaints and Appeals Policy & Procedure

### Purpose

The purpose of this policy and procedure is to outline Training Masters approach to managing dissatisfaction, formal complaints and appeals of students, clients, staff and third-party providing services on behalf of the College. It provides a transparent approach for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

The College is required to address all the registered complaints and appeals as per:

1. Standard 10 of the National Code
  2. SRTO Standard 6 clause 6.1 to 6.6
- The Training Masters acknowledges that a student, member of staff, or a member of the public, who has a complaint 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 victimization.
  - The person making the complaint has the right to present the complaint or appeal formally and in writing.
  - Training Masters will manage all complaints and appeals fairly, equitably and efficiently as possible.
  - Training Masters will encourage the parties to approach the complaint or appeal with an open mind and to resolve problems through discussion and conciliation. Where a complaint or appeal cannot be resolved through discussion and conciliation, the Training Masters acknowledges the need for an appropriate external and independent person to mediate between the parties. The parties will be given the opportunity to formally present their case to the independent person.
  - Confidentiality will be maintained throughout the process of making and resolving complaints. The Training Masters seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment.
  - Where complaints or appeals have been received, TM must securely keep evidence of how the matter was dealt with and the outcome (including the timeframes). Training Masters will use this information received via any complaint to review TM's processes and practices to ensure the issue doesn't happen again.

### Policy statement

1.0 A complaint is defined as a dissatisfaction with a treatment or service made by:

1.1 Training Masters, its trainers, assessors or other staff

1.2 A third-party providing services on Training Masters's behalf (including, the third-party organization itself, their trainers, assessors or other staff)

### 1.3 Another learner of Training Masters

Examples of complaints include, but are not limited to:

- a) Unfair treatment conducted by any party identified in point 1.0 of this policy
- b) State of classroom facilities, equipment or resources of Training Masters or third-party organizations providing services on Training Masters's behalf
- c) Time taken to receive feedback on academic results
- d) Time taken to access any service provided by Training Masters or a third-party organization providing services on Training Masters's behalf
- e) Any interaction conducted by a party identified in point 1.0 of this policy

2.0 An appeal is defined as a dissatisfaction with a decision made by Training Masters, or a third-party providing services on Training Masters's behalf.

Examples of appeals include, but are not limited to, a review of:

- a) A decision, including an assessment decision made by a Training Masters assessor or assessor of a third-party providing services on Training Masters's behalf
- b) TM's intention to report a student for non-compliance of a visa condition
- c) TM's decision to not provide a student refund
- d) TM's decision to not approve a transfer request
- e) TM's decision to not accept an enrolment
- f) TM's decision to not approve a suspension of studies, deferment or cancellation request

Note that grounds for internal appeals generally fall in to, but are not limited to, one of the following categories:

- a) New evidence being received by the Institute, which was not reasonably available at the time that Training Masters or a third-party providing services on Training Masters's behalf, made its decision
- b) Procedural irregularity by Training Masters or a third-party providing services on Training Masters's behalf
- c) Other (compassionate or compelling circumstances)

### 3.0 Internal Complaints/Appeals Guidelines

3.1 There is no cost involved to students in accessing TM's internal complaints and appeals process

3.2 All parties directly involved in the internal complaints and appeals process may be accompanied and assisted by a support person at any relevant meeting

3.3 Complaints and Appeals applications must be accompanied with relevant documentation e.g. written statements, names of witnesses and any other relevant documents to support the students' case. The evidence provided by the student will determine TM's investigative activities and will form the basis of TM's decision

3.4 Should a student not make an internal appeal within 5 working days of

Training Masters or a third-party providing services on Training Masters's behalf's initial decision, the initial decision will be maintained and the Institute or third party acting on Training Masters's behalf will act on the decision

- 3.5 All students that access Training Masters's complaints and appeals process will be provided with acknowledgement of receipt within 5 working days of the complete complaint/appeal (including supporting evidence) being received
- 3.6 Training Masters will maintain the students' enrolment while the complaints and appeals process is ongoing, and will not act on its', or a third party acting on Training Masters's behalf, initial decision until the appeals process has been completed. Students must in turn ensure they continue to meet their attendance and course progress requirements until the process has been completed
- 3.7 All students that access Training Masters's complaints and appeals process will be provided with written notification of the outcome, including reasons for the outcome, within 10 working days of the complete complaints/appeal being received or as soon as practicable unless there is a significant reason for the matter to take longer.
- 3.8 In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time that the matter is resolved.
- 3.9 Where the complaint or appeals process results in a decision that supports the student, Training Masters or a third party acting on Training Masters's behalf, will complete any corrective actions within 10 working days from the decision.
- 3.10 Where the complaint or appeals process results in a decision that is not in favor of the student, the student may choose to access Training Masters's external appeals process within 10 working days of the internal appeal outcome.
- 3.11 Training Masters will assist all students with the external appeals process and will provide the student with written acknowledgement that the external appeals process has been activated upon advice from the student.
- 3.12 All records of the complaints and appeals process will be filed in the student's file.

#### **4.0 External Complaints/Appeals Guidelines**

- 4.1 Students that are dissatisfied with the outcome of Training Masters's internal complaints and appeals process, have the right to access Training Masters's external appeals process within 10 working days of the internal appeal outcome. Should a student not make an external appeal within 10 working days of the internal appeal outcome, Training Masters's initial decision will be maintained, and the Institute will act on the initial decision
- 4.2 Training Masters 's external appeal reviewers are:

4.2.1 Australian Council for Private Education and Training (Domestic Students)

4.2.2 Overseas Students Ombudsmen (International Students)

More information can be found at:

<https://www.ombudsman.gov.au/complaints/international-student-complaints>

4.3 Training Masters will maintain the students' enrolment while the complaints and appeals process is ongoing and will not act on the initial decision until the appeals process has been completed. Students must in turn ensure they continue to meet their attendance and course progress requirements until the process has been completed

4.4 In most cases, the purpose of the external appeals process is to consider whether Training Masters or a third-party providing services on Training Masters's behalf has followed its policies and procedures, not to make a decision in place of Training Masters

4.5 The outcome of the external appeal is final, however does not remove the right for the student to take further action under Australia's Consumer Protection Laws, pursue other legal action or make a complaint to:

- **The National Training Complaints Hotline** -is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint. Consumers can register a complaint with the National Training Complaints Hotline by:

Online: <https://www.dewr.gov.au/national-training-complaints-hotline>

Phone: 13 38 73, Monday–Friday, 8am to 6pm nationally.

Email: [NTCH@dewr.gov.au](mailto:NTCH@dewr.gov.au)

- **Australian Skills Quality Authority (ASQA)**

Complainants may also complain to the College's registering body, Australian Skills Quality Authority (ASQA). ASQA can investigate complaints about RTOs that have not met their obligations. ASQA may not be able to investigate the complaint if you do not include evidence that you have already exhausted our formal internal complaints process as above.

Please refer to the following webpage below before making a complaint to ASQA as it provides an online tool that will advise you about whether or not you can make a complaint to ASQA:

<https://asqaconnect.asqa.gov.au/> or

<http://www.asqa.gov.au/complaints/making-a-complaint.html>

- **Department of Fair Trading** (<http://www.fairtrading.nsw.gov.au>)
- **Administrative Appeals Tribunal** (<http://www.aat.gov.au>)

4.6 Where the external complaints or appeals process with ITECA or OSO, results in a decision that supports the student, Training Masters will

provide written advice to the student and any other relevant party of the outcome and will complete all necessary corrective actions within 10 working days

- 4.7 Where the external complaints or appeals process with ITECA or OSO, maintains Training Masters 's or a third-party providing services on Training Masters 's behalf initial decision, the Institute will implement the actions as stated in the initial decision
- 4.8 All records of the complaints and appeals process will be filed in the relevant students' file
- 4.9 Students not satisfied with Training Masters 's complaints and appeals process can contact the Department of Education by email on [esosmailbox@deewr.gov.au](mailto:esosmailbox@deewr.gov.au) or phone 13 33 97

## 5.0 Complaints/Appeals Process

- **Step1- Informal Stage (Complaint only):** Student advises Student Services Team and attempts to solve the problem with the relevant party identified in point 1.0 of this policy informally.
  - If the student is satisfied with the outcome, no further action is needed.
  - If the student is not satisfied with the outcome, progress to step 2.
- **Step 2 – Internal (Complaint):** Student completes the relevant form (TM Complaint Form) with relevant supporting documentation and lodges it with student service and the complaint goes to the appropriate department manager.
- The responsible department Manager:
  - a) Reviews the case and provides written advice of receiving the complaint within 5 working days of receiving the complete student submission
  - b) Schedules a meeting with the relevant parties involved
  - c) Provides student with outcome, including reasons for the outcome within 10 working days of receiving complete student submission or as soon as practicable unless there is a significant reason for the matter to take longer.
  - d) In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time that the matter is resolved.
  - If the student is satisfied with the outcome, no further action is needed.
  - If the student is not satisfied with the outcome, progress to step 3.



- **Step 3 – Internal (Appeals):** Student completes the relevant form (TM Internal Appeal Form) with relevant supporting documentation and lodges it with student service and the appeal goes to PEO. For appeals, this must be within 10 working days of Training Masters or third-party providing services on Training Masters 's behalf's initial decision.
- The PEO:
  - e) Reviews the case and provides written advice of receiving the appeal within 5 working days of receiving the complete student submission
  - f) Schedules a meeting with the relevant parties involved
  - g) Provides student with outcome, including reasons for the outcome within 10 working days of receiving complete student submission or as soon as practicable unless there is a significant reason for the matter to take longer.
  - h) In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time that the matter is resolved.
    - If the student is satisfied with the outcome, no further action is needed.
    - If the student is not satisfied with the outcome, progress to step 4
- **Step 4 – External (Complaints and Appeals):** Within 10 working days of receiving the outcome, the student makes an external appeal to the Australian Council for Private Education and Training (Domestic Students) or the Overseas Students Ombudsmen (International Students) and completes and submits the TM External Appeal Form to the Academic Manager.

The Academic Manager:

  - a) Provides ongoing assistance to the student in accessing the Institute's external appeals process
  - b) Provides written advice acknowledging the students external complaint/appeal within 5 working days
  - c) Provides student and other relevant parties with the final outcome, including reasons for the outcome within 10 working days of receiving notification from ITECA or OSO
  - ITECA and the OSO will review the appeal and inform Training Masters and the students of the outcome.
  - Note that in most cases, the purpose of the external appeals process will be to consider whether Training Masters or a third-party providing services on Training Masters 's behalf has followed its policies and procedures, not to make a decision in place of Training Masters. ITECA and OSO decisions are final however this does not remove the right for the student to take further action under Australia's Consumer Protection Laws or pursue further

legal action.

- Where the external complaints or appeals process with ITECA or OSO results in a decision that supports the student, Training Masters will provide written advice to the student and any other relevant party of the outcome and will complete all necessary corrective actions within 10 working days.
- Where the external complaints or appeals process with ITECA or OSO, maintains Training Masters 's or a third-party providing services on Training Masters 's behalf's initial decision, the Institute will implement the actions as stated in the initial decision
- Domestic students lodging an external appeal should contact ITECA on 1800 657 644.
- International students lodging an external appeal should contact the OSO on 1300 362 072.
- If student is not satisfied with the outcome of either the Training Masters internal appeals process or the following external appeals process, they can access multiple external appeals. However, Training Masters does not have to assist the overseas student with finding further appropriate appeals processes.

## **6.0 Records of complaints and appeals**

- The College will maintain a record of all complaints and appeals and their outcomes and reasons for the outcomes on the Complaints and Appeals Register, which will be securely stored according to the Privacy Policy and Procedures.

## **7.0 Publication**

- This policy and procedure will be published in the Student Handbook and on the College's website.
- A copy of this Policy is also available to all students and staff on the college Notice Board near the reception area.