



## ESOS Standard 8

### Student Complaint and Appeal Handling Policy and Procedure

**Complaint and appeal** include but are not restricted to matters of concern to a student relating to training delivery and assessment; the quality of the training; student support and materials; discrimination; and sexual harassment.

#### Definitions:

**a. Informal Complaint** - an informal complaint is a concern about a situation, a process, a person or people, a facility or a service provided by AITI, which the student brings to the attention of AITI in an informal way, i.e. it is spoken about, not written down. Informal complaint is generally dealt with on the spot. If the student is not satisfactory about the outcome, he/she shall lodge a formal complaint in written form.

**b. Complaint** – a formal complaint takes place if an informal complaint cannot be resolved informally and is written down (*Form\_S030\_Student\_Complaint\_Form--Appendix 1*) for official processing. Refer to Complaints Handling Procedure for further information.

**c. Appeal** – if a student is dissatisfied with a decision made by AITI, he/she has 20 working days from the date stated within the written notification in which to lodge an appeal to have the case reviewed. This includes decisions relating to complaints outcomes, as well as notifications of unsatisfactory academic progress, unsatisfactory attendance, misbehaviour, refusals of transfer applications, and/or pending cancellation of enrolment.

**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.

#### Principle:



Australian Institute of T & I believes that a student who has a grievance has the right to raise the grievance 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 student has the right to present the complaint / appeal both informally and formally.

Australian Institute of T & I will deal with all complaints and appeals as fairly, equitably and efficiently as possible. It will encourage the complainant or appellant to approach the complaint and appeal with an open mind and to resolve problems through discussion and conciliation. Where a complaint and appeal cannot be resolved through discussion and conciliation, Australian Institute of T & I acknowledges the need for an appropriate external appeal to mediate between the parties. The complainant or appellant will be given the opportunity to formally present their cases to the independent person or body.

Confidentiality should be maintained throughout the process of making and resolving complaints. Australian Institute of T & I seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive work environment.

**Policy:**

1. AITI's complaints and appeals processes are independent, easily and immediately accessible and at minimal or no cost to the complainant or appellant involved.
2. AITI has an appropriate internal complaints handling and appeals process that satisfies the following requirements:
  - a. a process is in place for lodging a formal complaint or appeal if the matter can not be resolved informally, which requires a written record of the complaints or appeal to be kept;
  - b. each complainant or appellant has an opportunity to formally present his or her case at minimal or no cost to him or herself;
  - c. each party may be accompanied and assisted by a support person at any relevant meetings;
  - d. the complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome; and
  - e. the process commences within 5 working days of the formal lodgment of the complaint or appeal and supporting information and all reasonable measures are taken to finalize the process as soon as practicable.



- f. It must be completed within a reasonable timeframe which takes into consideration the length of a student's visa and the student's enrolment in future subjects and/ courses.
3. AITI has arrangements in place for a person or body independent of and external to AITI to hear complaints or appeals arising from AITI's internal complaints and appeals process or refer students to an existing body where that body is appropriate for the complaint or appeal.
  4. If the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, AITI will advise the student of his or her right to access the external appeals process.
  5. If the student chooses to access the AITI's complaints and appeals processes as per this standard, AITI ensures to maintain the student's enrolment while the complaints and appeals process is ongoing.
  6. If the internal or any external complaint handling or appeal process results in a decision that supports the student, AITI will immediately implement any decision and/or corrective and preventative actions required and advise the student of the outcome.
  7. The student is ensured to be granted immediate access to AITI's complaints and appeals process, which will begin within 5 working days of the receipt of the formal complaint and appeals.



## **Procedures:**

Should a student have a complaint/appeal, the following steps are to be followed:

### **Informal complaint Handling Procedure:**

1. The student brings the complaint to the attention of the Administrative Officer on each campus. The student can present his/her case informally, for example, not in written form, if the complaint/appeal is minor in nature and/or the student is willing to present it in an informal way.
2. Administrative Officer provides any possible support to answer students' concerns and besetments.
3. Administrative Officer enters the informal complaint details into Student Services spreadsheet on Intranet, including proposed follow up actions.
4. Follow-up actions are taken by Administrative Officers.
5. Closure of the informal complaint if students are satisfied with the resolution. Where the student is unsatisfied with AITI's response, Administrative Officer suggests students to move into the next Complaints step by filling up the *Form\_S030\_Student\_Complaint\_Form--Appendix 1* and follow the Complaints Handling Procedure.

### **Complaints and Appeals Handling Procedure:**

Where there's the matter cannot be resolved informally, the complainant/appellant may pursue the internal complaint/appellant process and procedure.

1. If the student chooses to access the complaints and internal appeals processes, the student's enrolment must be maintained while the complaints and appeals process is ongoing, which means no change to the student's enrolment status should be done through PRISMS.
2. It must be completed within a reasonable timeframe which takes into consideration the length of a student's visa and the student's enrolment in future subjects and/ courses.
3. The student has the opportunity to be accompanied or assisted by a support person.

### **Complaints**

4. The student should put the following information relating to the complaint in writing (*Form\_S030\_Student\_Complaint\_Form--Appendix 1*) :
  - description of the complaint/appeal
  - steps you have taken to deal with it



- what solution you are seeking

*Form\_S030\_Student\_Complaint\_Form* (Appendix 1) is available at Reception on each campus.

5. The student brings the complaint to the attention of the Administrative Officer on each campus. Administrative Office roughly goes through the complaint and make sure the complaint/appeal form is complete and is with supporting document(s). Then, Administrative Officer should pass the case to Admission Officer within 1 working day upon the formal lodgment of the complaint. Admission Officer will inform student where further supporting information/evidence is required and the steps AITI is proposed to take in dealing the complaint. The internal complaint process is ensured to commence within 5 working days by the Admission Officer. After necessary investigation, Admission Office lodges the complete complaint together with a written report of findings to Principle Executive Officer.
6. Principle Executive Officer assesses and makes the decision on the complaint in a fair and independent manner within 5 working days. Principle Executive Officer has to write down the decision together with the reasons behind the decision made on the complaint/appeal to the complaint/appeal form and give the whole lot of complaint back to Admission Officer as soon as possible.
7. The complainant is issued a written notice of outcome and reasons behind the decisions within 2 working days by AITI's Admission Officer. With the written notice, the complainant should also be advised his/her right to access internal student appeals service if he/she is not satisfied with the outcome or conduct of the internal complaint handling process. An appeal form (*Form\_S031\_Student\_Appeal\_Form--Appendix 2*) should be enclosed with the written notice.
8. If the complainant is satisfied with the outcome, the case can be closed at internal complaint stage and change(s) should be done to the student's enrolment status through PRISMS where applies. If the complainant initiates the internal appeal procedure, the internal appeal process should commence within 5 working days on receiving the complete appeal.
9. A copy of all forms, supporting documents, responses, records, mails, emails, etc should be retained on the student's file.

### **Internal Appeals**



10. The complainant completes appeal form (Form\_S031\_Student\_Appeal\_Form--Appendix 2) and lodges it to Principal Executive Officer along with supporting documents (if any). The internal appeal process is ensured to commence within 5 working days by PEO upon receiving the appeal.
11. Interview may be arranged by PEO with the student and the outcome should be given to student in the form of written notice within 5 working days by PEO. With the written notice, the complainant should also be advised his/her right at no or minimal cost to access the Overseas Students Ombudsman independent external student appeals service if he/she is not satisfied with the outcome or conduct of the internal appeal handling process.
12. If the student is satisfied with the outcome, the case can be closed at internal appeal stage and change(s) should be done to the student's enrolment status through PRISMS where applies. If the appellant is not satisfied with the result or conduct of the internal appeal process, Admission Officer is responsible to supply information to the student with no cost on how to pursue the appeal through the Overseas Students Ombudsman in 2 working days on receiving the student's request for external appeals process. If the internal appeal process results in a decision that supports the student, Admission Officer is responsible to promptly advise the student of the outcome and relevant department to implement any decision and/or corrective and preventative action required immediately.
13. All documents relating to complaints / appeals should be archived on student's file and a written record (*Form\_ESOS\_8-1\_Complaints\_and\_Appeals\_Process\_Register--Appendix 3*) by AITI's Admission Officer within 5 working days upon the close of the complaint/appeal case.

### **External Appeals**

14. If the appeal is against AITI's decision to report the student for unsatisfactory course progress, the student's enrolment must be maintained until the external appeals process is complete and has supported AITI's decision to report.
15. If the appeal is against AITI's decision to 'defer or suspend a student's enrolment due to misbehaviour' or 'to cancel the student's enrolment', AITI only needs to await the outcome of the internal appeals process (supporting the provider) before notifying DEEWR through PRISMS of the change to the student's enrolment. If the student is pursuing external appeal due to the reason other than non-payment of tuition fees, he/she could still attend classes until the external appeals process is complete and has supported AITI's decision to report.



16. Admission Officer must promptly inform the decision reached by the Overseas Students Ombudsman to the student should the Overseas Students Ombudsman have not done so. If the external appeal process results in a decision that supports the student, Admission Officer is responsible to promptly advise relevant department to implement any decision and/or corrective and preventative action required immediately.
17. All documents relating to complaints / appeals should be archived on student's file and a written record (Form\_ESOS\_8-1\_Complaints\_and\_Appeals\_Process\_Register--Appendix 3) by AITI's Admission Officer within 5 working days upon the close of the complaint/appeal case.

### **Maintenance**

18. AITI's Admission Officer will be the person responsible for the implementation and maintenance of the policy.
19. Australian Institute of T & I's Compliance Officer will be the person responsible for the monitor and review of the implementation and maintenance of the policy.



### **The Overseas Students Ombudsman**

If the student wishes to lodge an external appeal or complaint about AITI's decision, he/she can contact the Overseas Students Ombudsman. The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website [www.oso.gov.au](http://www.oso.gov.au) or phone 1300 362 072 for more information.



**Appendix 1- Form ESOS 8-2**

**Student Complaint Form**

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_ Gender: F / M  
Date of Birth: \_\_\_ / \_\_\_ / \_\_\_\_\_ Passport No.: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Email: \_\_\_\_\_  
Course Enrolled: \_\_\_\_\_  
Course Commencement Date: \_\_\_ / \_\_\_ / \_\_\_\_\_  
Course Completion Date: \_\_\_ / \_\_\_ / \_\_\_\_\_

Please give details of your complaint (attach supporting documents / evidence / proof if any):

- description of the informal complaint/complaint/appeal
- state whether you wish to formally present your case
- steps you have taken to deal with it
- what you would like to happen to fix the problem and prevent it from happening again.

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Student Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**Office use only**

Date received

Officer Initial

Complaint follow-up:

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\_\_\_\_\_

\_\_\_\_\_

Manager's signature: \_\_\_\_\_

Date: \_\_\_ / \_\_\_ / \_\_\_\_\_



**Appendix 2-Form ESOS 8-3**

**Student Appeal Form**

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_ Gender: F / M  
 Date of Birth: \_\_\_ / \_\_\_ / \_\_\_\_\_ Passport No.: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Email: \_\_\_\_\_  
 Course Enrolled: \_\_\_\_\_  
 Course Commencement Date: \_\_\_ / \_\_\_ / \_\_\_\_\_  
 Course Completion Date: \_\_\_ / \_\_\_ / \_\_\_\_\_  
 Visa Expiry Date: \_\_\_ / \_\_\_ / \_\_\_\_\_

Please give details of your appeal (attach supporting documents / evidence / proof if any):

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Student Name: \_\_\_\_\_  
 Signature: \_\_\_\_\_  
 Date: \_\_\_\_\_

**Office use only**

Date received

Officer Initial

Appeal follow-up:  
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 \_\_\_\_\_  
 \_\_\_\_\_

Manager's signature: \_\_\_\_\_ Date: \_\_\_ / \_\_\_ / \_\_\_\_\_



**Appendix 3-Form ESOS 8-1**

**Complaints and Appeals Process Register**

Student Name & Student Number	Contact Details	Date Received	Date Process Commenced	Complaints/Appeals details and outcomes	Person Responsible for Processing Application and date forwarded	Date Process Completed	Date Student Notified