



COMPLAINTS AND APPEALS POLICY

Policy Number: AIIT/POL 002

Date of Approval: July 15 2017

Australian Institute of Innovation & Technology

RTO ID: 40987

CRICOS No: 03440G

Level 1, 40 Raymond Street, Bankstown NSW 2200

Tel. 02 8046 6255

Website: www.aiit.edu.au

PURPOSE

This policy is in place to ensure that Australian Institute of Innovation & Technology (AIIT) provides access to a complaints resolution and appeals process that is fair and available at minimal cost.

POLICY

This policy and procedure provide clear and practical guidelines to ensure that complaints and appeals received about AIIT, about and from participants, trainers, teachers, staff and/or third parties, can be resolved equitably and efficiently, and wherever possible at the informal level where appropriate and in accordance with the principles of natural justice.

SCOPE

This complaints and appeals policy and procedure manages allegations involving the conduct of:

- AIIT, its trainers, assessors and other staff
- stakeholders and others
- a third party providing services on the RTO's behalf, its trainers, assessors or other staff (where this may be relevant to its operations)
- course participant(s) of AIIT

and provides information on processes to appeal the associated outcomes.

Appeals against Intention to Report for participants on Student Visa is covered specifically in the AIIT Course Progress Policy.

DEFINITIONS

Complaint - is any expression of dissatisfaction with an action or service provided by AIIT

Appeal - is where a participant or staff member or stakeholder of AIIT or another interested party disputes a decision arising from a complaint, an assessment decision, or another decision made by AIIT.

Complaints and appeals can arise from matters of concern or decisions made relating to:

- training delivery
- materials and assessment
- access to or quality of the training
- fees and refunds
- discrimination and/or harassment
- incorrect advice given by an education agent.

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Natural Justice - is concerned with ensuring procedural fairness. It involves:

- Decisions and processes free from bias
- All parties having the right to be heard
- All parties having a right to know how and of what, they are involved/accused
- Investigating a matter appropriately before a decision is made
- All parties being told the decision and the reasons for the decision

Person – someone making the complaint (complainant or appellant) and can be an individual, a group or an entity/organisation.

Respondent - a party against whom the Complaint or appeal is lodged/ or someone who is defending the action in the complaint or appeal and can be an individual, a group or an entity/organisation.

POLICY PRINCIPLES

The policy addresses the requirements of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students Standard 8; and Standards for Registered Training Organisations Standard 6.

AIIT believes that a person, 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, and without prejudice or fear of reprisal or victimisation.

The person has the right to present the complaint or appeal formally and in writing.

AIIT will manage all complaints and appeals fairly, equitably and as efficiently as possible. AIIT will encourage the parties to approach the complaint or appeal with an open mind, and to resolve problems through discussion and conciliation.

Where possible Complaints and Appeals will be managed at an informal level with a minimum of formal procedures in the first instance, in an attempt to resolve the issue prior to a formal appeal being lodged.

Where a Manager in the Complaints and Appeals process has been involved in the specific matter and would possibly have a conflict of interest in considering the case, an alternate senior member of staff will be appointed to replace them.

AIIT seeks to prevent complaints by ensuring high levels of satisfaction with its training and assessment, its performance as an RTO and with its public image. If a complaint should arise, all staff are expected to be fair, courteous and helpful in all dealings with the person making the complaint or lodging the appeal, and to assist or refer where they can.

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Where a complaint or appeal cannot be resolved through discussion and conciliation, AIIT acknowledges the need for an appropriate external and independent party to mediate. The parties involved will be given the opportunity to formally present their case in an independent forum.

AIIT seeks to protect the rights and privacy of all involved, and to facilitate the return to a comfortable and productive learning environment. Confidentiality will be maintained throughout the process of making and resolving complaints and/or appeals, to the extent where information is necessary and required by the relevant parties to reach resolution and give effect to this policy.

The Complainant and respondents involved in the complaint or appeal have the right to be accompanied by a support person other than a qualified legal practitioner. Any complaint that is related to illegal activity, such as theft, assault or other will be immediately referred to the appropriate authority.

A copy of this Policy is available to the public, all stakeholders, participants and staff via the **AIIT website** and is referred to in the **AIIT Handbook**. Information and contact details of external authorities who may be approached is also included.

PROCEDURE

Should a person have a complaint or appeal, the following steps are to be followed:

Internal Process

1. Discuss the issue directly with those involved to try and resolve it verbally.
2. If no resolution is reached, discuss the issue with **RTO Manager** or delegated representative to see if it can be resolved.
3. If this resolves the situation, the outcomes will be put in writing and signed by both parties. One of the two copies of the outcome will be placed on file with the **RTO Manager** or delegated representative and securely stored.
4. If there is still no resolution, the person should put the following information relating to the complaint or appeal in writing with **Attention to the Customer Relations**. Written notification can be made using the **Complaints and Appeals form** (available on the website) or by email to info@AIIT.edu.au and supported with relevant documentation. The information sent to the Customer Relations Officer must include:
 - A description of the complaint or appeal
 - A statement about whether the person wishes to formally present their case

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- Information about any prior procedures/ outcomes in dealing with the complaint or appeal
 - What they would like to happen to fix the problem and prevent it from happening again.
5. A written acknowledgement of receipt of the complaint/appeal will be forwarded to the complainant within **five (5) working days**.
 6. The **Customer Relations Officer** will either deal with the issue personally, or arrange for it to be dealt with by the **Principal Education Officer (PEO)**. This process must commence within **five (5) working days** from the time the **Customer Relations Officer** receives the written notification and a response/resolution must be presented within fourteen (**14) working days**.
 7. The **Customer Relations Officer** will:
 - Undertake a preliminary enquiry to determine nature of the complaint/appeal
 - Inform other relevant parties (if necessary)
 - Provide all parties an opportunity to present their case with a support person and/or parent/guardian if a participant is under 18 years of age.
 8. and either continue to lead the process with the following steps OR refer the matter upwards to the **Principal Education Officer (PEO)** but continue to maintain an advisory role:
 - Discuss with the parties any resolution and determine any arrangements required to be made by AIIT
 - Record the outcome of discussion on **Complaints and Appeals Register**
 - Provide the outcome in writing to the person (and other parties if relevant).

External Process

9. Should the issue still not be resolved to the person's satisfaction, AIIT will make arrangements for an independent party to resolve the issue and outline any costs that may be involved. The person will be given the opportunity to formally present their case. The time frame for this process may vary but should take no longer than **14 working days**.
10. All parties involved will receive a written statement of the outcomes and the reasons for the decision, within the **14-working day** period; or if the process is delayed, the person will be notified in writing of the reason for the delay, and kept informed of all progress.
11. If the person is still not happy with outcomes from the independent process then:
 - **Local/ Domestic participants** -may take their complaint to the VET Regulator - the Australian Skills Quality Authority. Information about the process can be found at:

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<https://www.asqa.gov.au/complaints/make-complaint-domestic-students>

or at the National Training Complaints Hotline at <https://www.education.gov.au/NTCH>

- **International Student Visa participants** may take their complaint to the Overseas Student Ombudsman. Information about the process can be found at:

<https://www.asqa.gov.au/complaints/make-complaint-overseas-students>

or at the National Training Complaints Hotline at <https://www.education.gov.au/NTCH>

CONTINUOUS IMPROVEMENT

12. From any substantiated Complaints and Appeals, the causes will be reviewed as part of the AOIE's continuous improvement processes, and appropriate corrective action will be taken to prevent or reduce the likelihood of reoccurrence. Actions will be recorded on AIIT's **Continuous Improvement Register**.
13. All documentation relating to Complaints or Appeals will be stored securely as per the **AIIT Records Management Procedure**.
14. The AIIT **RTO Manager** will be personally responsible for the implementation and maintenance of the policy.

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