Complaints and Appeals (Policy & Procedure)

Policy / Procedure Number: 011

1. Policy

This policy & procedure supports ‘Standard 8 – Complaints and Appeals’ of the ‘National Code of Practice for Registration Authorities & Providers of Education & Training to Overseas Students 2007’ and SNR 16.7 for Standards for NVR Registered Training Organisations 2011.

Despite all the efforts of AITT to provide satisfactory services to its students and other clients, complaints & appeals may occasionally arise, requiring informal or formal resolution.

Policy Statement

AITT will provide students an easy access and fair opportunity to have their complaints and appeals resolved; and will ensure that resolutions are reached within timely manner.

Responsibility

CEO / Director of studies is responsible for implementation of this policy and procedure and ensuring that all staff are fully trained in its operation and students are made aware of its availability

Key Requirements

• AITT provides each complainant or appellant an opportunity to formally present his or her case at minimal or no cost to him or herself

• Students are encouraged to discuss their issues with any member of the AITT’s student support team. AITT staff will endeavour to address the complaint or appeal raised in appropriate manner informally

• Students / clients unsatisfied with the informal process are encouraged to lodge the complaint or appeal formally using AITT’s complaints and Appeals Form. This form can be accessed from the student notice / display board or from the reception at the campus, and from the AITT’s website (www.aitt.vic.edu.au) at any time

• Once the completed Complaints and appeals form is received, the resolution process will begin within 10 working days

• Student’s enrolment will be maintained until the completion of internal complaints and appeals process, and DEEWR will not be notified about any change to the student’s enrolment status via PRISMS

• The complainant or appellant will be given a written statement of the outcome, including details of the reasons for the outcome
The complete record of formal complaints and appeals process will be maintained in individual’s file where formal approach is instituted

Students are welcomed to bring along a support person (e.g. family member, friend, counsellor etc.) at any phase of entire complaints and appeals process

AITT will ensure that the complainant or appellant is not discriminated against or victimised

2. Complaints Procedure

Informal Process

Where possible all non-formal attempts shall be made to resolve the complaints. This may include advice, discussions, and general mediation in relation to the issue and the student’s complaint. Any staff can be involved in this informal process to resolve issues but student support team is the preferred contact for students.

Matters dealt informally will not be documented unless AITT’s staff determines that the matter is relevant to wider operation.

Formal Process

Students who are not satisfied with the outcome of informal handling of their complaints may use the formal approach by using the AITT’s complaints and Appeals form. This form can be accessed from the student display/ notice board, reception or via AITT’s website (www.aitt.vic.edu.au).

2.1 General Complaints

All complaints or appeals should be submitted at the reception. Reception staff will deal with the complaints in the first instance and will ensure that all the fields of the Complaint and Appeals Form are properly filled by the complainant. This include the following information:

- Submission date
- Name of complainant / Appellant
- Details description of complaint / appeal
- Attachments (if applicable);

Details of the complaint will be entered into the ‘Complaints and Appeals log book’ by the reception / administration staffs which is monitored by the Registrar regularly. The information to be contained and updated within the register is as follows:

- Submission date of complaint
- Name of complainant / Appellant
- Description of complaint / appeal
- Determined Resolution; and
- Date of Resolution.

The Registrar shall then refer the matter to the appropriate staff to resolve and ensure that the resolution process begins within 10 working days from the date of receipt of the complaints and appeals form. AITT will endeavour to conclude the process within the reasonable timeframe.
3 Appeals Process

3.1 Internal Appeals

All students have the right to appeal decisions made by the AITT staff members. Appeals may arise of many sources including decisions made on:

- Assessments
- Reported breaches of academic performance
- Deferral, suspension, or cancellation decisions made in relation to the student’s enrolment
- Or any other conclusion that is made after a complaint has been dealt by the AITT in the first instance.

To activate the appeals process the student is required to complete the Complaints and Appeals form and forward it to the reception in person or via email

Students are required to clearly explain the reason for appealing a decision in the form and attach any relevant supporting documents. Assistance with this process can be gained from student support team at all times

Once the completed form is received, reception staff will forward the form to the Registrar who shall organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate

The process for all appeals will begin within 10 working days of the appeal being lodged

Where an appeal has been lodged, it will be defined into one of the following categories and the appropriate procedures followed:

3.1.1 General appeals

- Where a student has appealed a decision or outcome of a formal complaint, they are required to notify the AITT in writing using the Complaints and Appeals form within 20 working days from the AITT’s decision notification date. Any supporting documentation should also be submitted with the form
The complaints and appeals form shall be lodged at the reception / student administrations department. Receptionist will forward the documentation to the Registrar who will ensure the details of the appeal are added to the ‘complaints and appeals logbook’.

The student shall be notified in writing of the outcome and the ‘complaints and appeals logbook’ updated.

3.1.2 Assessment appeals

- Where a student wishes to appeal an assessment they are required to notify their assessor in the first instance. Where appropriate the assessor may decide to re-assess the student to ensure a fair and equitable decision is gained. The assessor shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.

- If this is still not to the student’s satisfaction the student shall formally lodge an appeal by submitting the Complaints and Appeals form outlining their reasons for the appeal. They shall lodge this with reception / student administrations department.

- The ‘Registrar’ shall be notified and shall seek details from the assessor involved and any other relevant parties and make appropriate notes in Complaints and Appeals logbook. A decision shall be made regarding the appeal either indicating the original assessment decision stands or details of a possible re-assessment by a ‘third party’. The third party shall be another assessor appointed by the AITT.

- The student shall be notified in writing of the outcome and the ‘complaints and appeals logbook’ updated.

3.1.3 Appealing AITT’s decisions of reporting breach of academic or attendance requirements to DIAC

- Where a student wishes to appeal against the AITT’s decision of reporting the student to DIAC via PRISMS for a breach of academic or attendance requirements, the student shall lodge his / her appeal by submitting the Complaints and Appeals form outlining the details / reasons supporting their appeal at the reception / student administration department

- The student should have extenuating circumstances as to why they have breached their requirements and must be able to provide evidence of these circumstances

- The ‘Registrar’ shall be notified and shall seek details regarding the initial documentation of the breach and shall make a decision based on the grounds of the appeal. All details pertaining to the appeal process should be updated into the ‘Complaints and appeals logbook’

- The decision is then conveyed to the student in writing and all relevant documents are kept in student’s file

- Where a student has decided to access the appeals process in relation to the reportable breach, the AITT will not report the breach and enrolment will be maintained until the appeals process has been completed
3.1.4 Appealing deferrals, suspension or cancellation of enrolment decisions

- Where a student wishes to appeal a decision relating to deferment, suspension, or cancellation of their enrolment they are required to lodge the Complaints and Appeals form outlining the details of their appeal. The student should have extenuating circumstances as to why the decision should be reviewed and any supporting documentation supporting their appeal.

- The appeal shall be lodged with the reception / student administrations department and the appeal shall be entered into the ‘Complaints and Appeals logbook’.

- The ‘Registrar’ shall be notified and shall seek details regarding the initial documentation of the decision and shall make a decision based on the grounds of the appeal.

- The student shall be notified in writing of the outcome and the ‘complaints and appeals logbook’ updated.

- Where a student has decided to access the appeals process in relation to deferment, suspension or cancellation of their enrolment, the AITT will not update the student’s status via PRISMS and will maintain the enrolment until the appeals process is completed.

3.2 External Appeals

- If the matter is still unresolved after the above procedures have been implemented and the internal appeals process exhausted, student may wish to access an external independent / third party mediator. Where this is the case, the matter shall be referred to the following person / organisation at no cost to the student:

  Dispute Settlement Centre Victoria
  4/456 Lonsdale St, Melbourne VIC 3000
  Tel: 03 9603 8370, 1800 658 528 (toll free for regional callers)
  Email: dscv@justice.vic.gov.au

  OR

  Overseas Students Ombudsman (For international students only)

  If students wish to lodge an external appeal or complain about this decision, they 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 or phone 1300 362 072 for more information.

  Email: overseas.students@ombudsman.gov.au
  Call: 1300 362 072* within Australia. Outside Australia call +61 2 6276 0111.
  Enquiries 9am to 5pm Monday to Friday (AEDT)
• Student may request AITT to assist with the external appeal lodgement. AITT will ensure that the appeal is lodged within 3 working days of receiving the written request from the student.

• The decision of this independent mediator is final and any further action the student wishes to take is outside the AITT’s policies and procedures. The student shall be referred to the government agencies such as DEEWR and DIAC and this information can be gained from the ‘Registrar’.

4 Implementation

• Where a decision or outcome is in favour of the student, the AITT will immediately implement the decision.

Note:

• The student can contact DEEWR through the ESOS mailbox esosmailbox@deewr.gov.au or through the ESOS helpline (02) 6240 5069 at any point, including after he or she has exhausted the provider’s internal appeals process and the external appeals process.

• AITT’s complaints and appeals policy does not inhibit student’s rights to pursue other legal remedies at any point during or after the implementation of procedure.

• Student can also contact International Student Care Service (ISCS). ISCS provides vital support to international students experiencing difficulties during their studies in Victoria. It provides friendly and professional advice, information, support and referral to local services and community resources.

International Student Care Service
Level 1, 19-21 Argyle Place South Carlton
Victoria 3053
info@iscs.vic.gov.au
multicultural.vic.gov.au/iscs
Free Call: 1800 056 449