

## Complaints and Appeals Policy and Procedure

### Purpose

This Complaints and Appeals Policy and related procedure are designed to ensure that Chambers Institute responds effectively to individual cases of dissatisfaction. This policy outlines Chambers Institute's approach to managing complaints and appeals regarding Chambers Institute, our students, our employees and third parties such as education agents and homestay providers. We ensure that all clients, students, employers and other stakeholders are aware of the steps to take to have their dissatisfaction addressed appropriately.

This policy provides an avenue for all complaints to be addressed in a fair, efficient and confidential manner.

This policy ensures compliance with Chapter 5 of the VET Guidelines 2015, Standard 8 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (2007) and Standard 6 of the Standards for Registered Training Organisations (RTOs) 2015. International students will be informed of, and provided with this, policy and the complaints and appeals procedure during their orientation.

### Definitions

*Complaint* – a person's expression of dissatisfaction with any service provided by Chambers Institute.

*Appeal* – a request to review a decision that has previously been made.

*Formal Complaint or Appeal* - an official complaint. To be considered a formal complaint or appeal, it must be submitted in writing on the Complaint Form.

*Complainant* – a person who formally lodge a complaint or appeal

*Respondent* - a person, department or organization or service against whom the complaint or appeal is lodged

### Scope

This policy applies to all students, prospective students, clients, employers, staff and other stakeholders of Chambers Institute. Complaints can be made in relation to Chambers Institute, our students, our employees and third parties such as education agents and homestay provider. This policy and related procedure will be made available to all complainants regardless of the location of the campus at which the complaint has arisen, the mode in which they study or their place of residence.

### Policy

#### 1. Complaints and appeals systems

- 1.1 Despite all efforts of Chambers Institute to provide satisfactory services to its students, clients, and other persons, complaints may occasionally arise requiring formal resolution.
- 1.2 Chambers Institute is committed to developing and maintaining an effective, timely, fair and equitable complaints and appeals system which is easily accessible and offered to complainants at no charge. Chambers Institute aims to:
  - a) Develop a culture that views complaints and appeals as an opportunity to improve the organisation and how it works;
  - b) Set in place a complaints and appeals handling system that is client focused and helps Chambers Institute to prevent these events from recurring;

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- c) Ensure that any complaints and appeals are resolved promptly, objectively and with sensitivity and in complete confidentiality;
- d) Ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process by operating in a fair, unbiased way. Chambers Institute will inform those who are involved in the complaint matters and providing them with an opportunity to present their defense of the matter.
- e) Ensure that the complaints policy is publicly available.
- f) Ensure that, in the case of international students, complaints are resolved promptly as not to impact on an international student's study time in Australia as determined by their visa.
- g) Ensure that the views of each complainant and respondent are respected and that any party to a complaint or appeal is not discriminated against nor victimised;
- h) Ensure that there is a consistent response to complaints and appeals.

### 2. Nature of complaints and appeals

2.1 Complaints and appeals may be made in relation to any of Chambers Institute's services, activities and decisions which involve any of our stakeholders such as, our students, our employees and third parties such as education agents and homestay provider. Examples of complaints and appeals are as follows, but not limited to:

- a. the enrolment, induction/orientation process;
- b. the quality of education provided;
- c. training and assessment matters, including student progress, assessment, curriculum and awards in a course of study;
- d. plagiarism, cheating and collusion matters;
- e. access to personal records;
- f. decisions made by Chambers Institute; and/or
- g. the way someone has been treated.

### 2.2 Bullying and harassment

- 2.2.1 If staff suspect that a student may be involved in some form of abuse which appears to involve more than one student, they need to report it immediately to senior staff (Academic Manager, General Manager, CEO).
- 2.2.2 If a student is reported to have been bullied or harassed (which by definition means that the actions are deliberate and ongoing) then Chambers Institute will take the following steps:
- 2.2.3 Strategies might include: *Individual management plans; Parental involvement; Counseling; Removal of the bully into another class; Suspension; Expulsion.*
- 2.2.4 Investigations of complaints and/or allegation will be conducted in a prompt, fair and confidential manner consistent with Complaints and Appeals Policy and Access, Equity and Anti-Discrimination Policy.
  - All students involved will be interviewed to ascertain the actions that took place.

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- Parents/ a relative/a guardian will be informed of the incident (if students are under 18 years of age)
- Meetings may be held with all concerned parties in an attempt to find solutions to the problems encountered by those involved.
- Strategies will be put into place to assist all parties to reach a positive resolution. The situation will be monitored and reviewed.

### 3. Resolving issues before they become a formal complaint

3.1 Students and clients are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned to deal with the issue before it becomes a formal complaint. Chambers Institute's teachers are available to assist students to resolve their issues at this level.

### 4. Lodging a complaint

4.1 Formal complaints and appeals must be made in writing according to the Complaints and Appeals Procedure. All parties are encouraged to approach matters with an open view and to attempt to resolve problems through discussion and conciliation. Chambers Institute acknowledges the need for an appropriate independent party to mediate where an appropriate outcome cannot be reached internally. This is defined as an external appeal and procedures for such an appeal are outlined in Chambers Institute Complaints and Appeals Procedure.

4.2

4.3 In the case of an assessment appeal and following an internal review of the assessment, Chambers Institute may appoint an independent, qualified assessor to review and make a decision on the assessment.

4.4 International Students can contact the Overseas Students Ombudsman at any time about complaints and appeals as described in the following section.

### 5. External appeals – international students

5.1 If the complainant is dissatisfied with the outcome of their appeal, they may lodge an external appeal to the Overseas Students Ombudsman who offer a free and independent service to overseas students who have a complaint or want to lodge an external appeal about a decision made by Chambers Institute. Students are able to view the Overseas Students Ombudsman website [www.oso.gov.au](http://www.oso.gov.au) or call on 1300 363 072 for further information.

5.2 Chambers Institute will be bound by the External Reviewer's recommendations and the Chambers Welfare Officer will ensure that any recommendations made are implemented within 30 days of receipt of the report from the External Reviewer.

### 6. Resolution timeframe

6.1 All formal complaints and appeals will be responded to efficiently to ensure an effective resolution within a reasonable timeframe, usually twenty (20) days or as soon as practicable. However in some cases, particularly if the matter is complex, the resolution may take longer. Where Chambers Institute considers more than 60 calendar days are required to process and finalize the complaint or appeal, Chambers Institute informs the complainant or appellant in writing, including reasons why

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more than 60 calendar days are required and regularly updates the complainant or appellant on the progress of the matter.

### 7. Complaints and Appeals Register

- 7.1 All formal complaints and appeals and their corrective actions and outcomes will be recorded on the Complaints and Appeals Register. In addition, the register will be regularly reviewed by management and used as an opportunity for improvement and reflection.

### 8. Timeframe for assessment appeals

- 8.1 Students have the right to make an appeal against the academic decisions made by Chambers Institute.
- 8.2 Appeals against any decisions of a non-academic nature are to be made in writing following the Formal Complaints and Appeals procedure.
- 8.3 Appeals against assessment decisions and other academic matters must be made within twenty-one (21) days of the original decision being made.

### 9. Enrolment status – international students

- 9.1. For international students, maintaining the student's enrolment means not notifying DEEWR of any change to the student's enrolment status through the Provider Registration and International Student Management System (PRISMS).
- 9.2. Except in cases of suspected serious misconduct, students may continue to attend classes. There may be some cases where it is considered more appropriate for the student to complete work outside of the classroom environment and this will be discussed with the student when the complaint or appeal is lodged. While Chambers Institute will maintain a student's enrolment through the internal appeals process, in the case of an external appeals process, it will depend on the type of appeal as to whether Chambers Institute maintains the student's enrolment.
- 9.3. If the progress or attendance, the student's attendance will be maintained until the external process is completed and has supported or not supported Chambers Institute's decision to report. Appeal is against Chambers Institute's decision to report the student for unsatisfactory course
- 9.4. If the appeal is against Chambers Institute's decision to defer or suspend a student's enrolment due to misbehaviour to cancel the student's enrolment, Chambers Institute will notify DEEWR through PRISMS of a change to the student's enrolment after the outcome of the internal appeals process, not the external appeals process as with 9.3.

### 10. Record keeping and confidentiality

- 10.1 A written record of all complaints and appeals handled under this policy and procedure and their outcomes shall be maintained for a period of at least five (5) years to allow all parties to the complaint or appeal appropriate access to these records.
- 10.2 All records relating to complaints and appeals will be treated as confidential and will be covered by Chambers Institute's *Privacy and Personal Information Policy*.
- 10.3 A record of the relevant complaint and/or appeals will be kept on the student's file including the outcome of the complaint and/or appeal.

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### 11. Non-limitation of policy

11.1 This policy and related procedure do not replace or modify those or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and related procedure limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, this policy does not circumscribe an individual's rights to pursue other legal remedies.

### 12. For students under the age of 18

12.1 For students under the age of 18 a copy of complaints or appeal will be sent to the parent, suitable nominated relative a care giver provider. A copy of the outcome will be sent to the parent, suitable nominated relative or care giver provider as applicable.

## Procedure

### 1. Stage 1 – Informal complaint

	Action	Details	Responsibility
1.1	Make an informal complaints	Wherever possible, Students and clients should attempt to resolve concerns or difficulties directly with the person(s) concerned to deal with the issue before it becomes a formal complaint. Chambers Institute's Administration is available to assist students to resolve their issues at this level.	Complainant

### 2. Stage 2 – Formal complaint

	Action	Details	Responsibility
2.1	Make complaint in writing.	a) Formal complaints should be made in writing and made attention to the Course Administrator by filling in the Complaint Form b) When making a complaint, provide as much information as possible to enable Chambers Institute to investigate appropriately and determine an appropriate solution. c) The complainant is invited to include suggestions about how the matter might be resolved.	Complainant
2.2	Acknowledge receipt of complaint and commence process.	a) Provide receipt of the complaint to the complainant within five working days. b) Commence the complaints and appeals process within ten days of receipt of the written complaint. All reasonable measures must be taken to finalise the process as soon as practicable and within twenty (20) days. This is especially important in the case of international students who have visa restrictions. If the matter is particularly complex and goes onto stage 2 of the complaints process or further. The matter may take longer to resolve.	Administrator

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	Action	Details	Responsibility
2.3	Investigate and review the complaint.	a) Upon receiving the complaint, the Course Administrator may request further details from the complainant. This may be sought by written or verbal request or by face-to-face interview with the complainant and/or respondent(s). b) When such clarification occurs in a face-to-face interview, the persons being interviewed may have another person accompany them. c) During further investigation of the complaint, those parties who are involved in the complaint will be informed regarding the complaint matter d) Parties involved in the complaint matters will be given an opportunity to provide their side of the matter by written or verbal request, or by face-to-face interview e) Investigation into the matter will take place to ensure Chambers Institute has accurate, complete and relevant information. f) The Course Administrator will review the information and decide on the appropriate actions to be taken based on the identified cause of the complaint.	Course Administrator
2.4	Recommend resolution and provide report to complainant.	a) The Course Administrator will endeavor to resolve the complaint. b) Within ten working days, the Course Administrator will provide a written report to the complainant on the steps taken to address the complaints in order to eliminate and/or mitigate the causes identified in step 2.3. This will include their recommendations and reasons for their decision. c) Where necessary, other staff members will be contacted and corrective actions will be carried out to solve the issues identified. d) The report will further advise the complainant of their right to access the internal appeals process if they are not satisfied with the outcome of the formal complaint.	Course Administrator

### 3. Stage 3 – Internal appeal

	Action	Details	Responsibility
3.1	Escalate complaint – lodge appeal to Manager for review.	a) If the complainant is dissatisfied with the outcome, they may lodge an appeal with the Manager (who is senior to the original decision maker). b) An appropriate person or committee will be appointed to consult with the complainant and other relevant parties within ten (10)	Manager

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	Action	Details	Responsibility
		<p>working days.</p> <p>c) Where possible such consultations should take the form of face-to-face interviews. The complainant or the respondent may ask another person to accompany them to these interviews.</p> <p>d) Note that in the case of an assessment appeal, Chambers Institute may appoint an independent, qualified assessor to review the assessment.</p> <p>e) Following the consultation, the Manager (or nominee) will provide a written report to the complainant within ten working days, advising the further steps taken to address the complaint, including the reasons for the decision.</p> <p>f) The report will further advise the complainant of their right to access the external appeals process if they are not satisfied with the outcome of their internal appeal.</p> <p>a) Where the decision supports the student's appeal, the Course Administrator will ensure that the decision and/or corrective or preventative action is immediately implemented and the student will be advised of the outcome.</p> <p>b) In the case of international students, where the internal appeals process recommends a deferral, suspension or cancellation of the student's enrolment, the Manager will notify DEEWR through PRISMS of the change to the student's enrolment and the student has 28 days in which to:</p> <ul style="list-style-type: none"> <li>• Leave Australia</li> <li>• Show the department of Immigration and Citizenship (DIAC) a new Confirmation of Enrolment (CoE); or</li> </ul> <p>g) Provide DIAC with evidence that he or she has accessed an external appeals process.</p>	

#### 4. Stage 4 – External appeal

	Action	Details	Responsibility
4.1	If required, escalate to external mediator for review.	<p>If the complainant is dissatisfied with the outcome of their appeal, they may make a written request to Chambers Institute that they wish the matter be dealt with through an external dispute resolution process. The external process is facilitated by Overseas Students Ombudsman.</p> <p>With regard to international students, enrolment will be maintained</p>	Complainant

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	Action	Details	Responsibility
		<p>throughout the external appeal process if the appeal is with regard to unsatisfactory course progress or attendance. In this case, no change to the student's enrolment will be notified to DEEWR via PRISMS.</p> <p>Where the appeal is in relation to deferring or suspending the student due to misbehaviour or cancelling a student's enrolment, Chambers Institute will advise DEEWR through PRISMS of a change in enrolment status through PRISMS after the internal appeals process is complete as noted in Stage 2.</p>	

### 5. Records of complaints and their outcomes

	Action	Details	Responsibility
5.1	Record complaint and outcomes.	<p>a) Following the complaint, appropriate actions will be taken by Chambers Institute to prevent the problem from recurring through its Continuous Improvement and Quality Assurance policy and procedures.</p> <p>b) The complaint details and outcomes will be logged on Chambers Institute's Complaints and Appeals Register for review by Management.</p>	Course Administrator



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### Related policies

- BQ2: Continuous Improvement and Quality Assurance Policy
- BQ3: Privacy and Personal Information Policy
- Student plagiarism, cheating and collusion policy

### Related procedures, forms and documents

- BQ2A: Continuous Improvement Register
- BQ7A: Complaints and Appeals Register
- BQ7.1.3: Complaints Form

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