



Complaints and Appeals Policy and Procedure

The Australian College of Environmental Studies (ACES) has implemented this complaints and appeals policy in compliance with Standard 6 of the Standards for Registered Training Organisations (RTOs) 2015. This policy and procedure applies to any person who has any dealings with ACES including potential students and enrolled students.

It is the intent of this policy to:

- a. ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process
- b. make the policy and procedures publicly available
- c. set out clearly the procedure for making a complaint or appealing a decision
- d. ensure complaints and appeals are acknowledged in writing and finalised as soon as practicable, and
- e. provide for review by an appropriate party independent of the RTO if the processes fail to resolve the complaint or appeal.

This policy and procedure covers academic and non-academic complaints and appeals. All staff and students are made aware of the complaints and appeals processes through relevant induction processes.

Definitions

Complainant refers to the person who lodges a complaint or appeal.

Academic complaints include, but are not limited to:

- student progress
- assessment
- curriculum and content
- course delivery
- assessment processes and decisions
- awards issued : Qualifications / Statements of Attainment

Non-academic matters refers to general complaints about our organisation, our staff, other learners or a third party providing services on our behalf.

Informal complaints are complaints not lodged in writing, which provide a platform for all parties to try to resolve any issues and seek resolution informally, regardless of whether the complaint relates to academic or non-academic matters.

Formal complaints and appeals are official complaints and appeals, and must be documented and submitted as a formal complaint. Complainants will be asked to identify if the complaint or appeal is in relation to an Academic or Non-Academic matter when submitting a formal complaint.

Records of all formal complaints or appeals, including all correspondence, supporting evidence, decisions and outcomes, shall be maintained for a period of five (5) years. Personal details are held in accordance with the Australian Privacy Principles and the ACES Privacy Policy. All records will remain strictly private and confidential and accessible only to authorised parties. A complainant or appellant shall have access to their records upon request at no cost (identification requirements will be enforced for access to these records.)

Resolutions

Complainants will have the opportunity to have any issues relating to a substantiated complaint or appeal dealt with in a timely manner. Resolutions reached will attempt to satisfy all parties involved.



Responsibility

The CEO is responsible for the implementation of this policy and procedure and ensuring that all staff are fully trained in the implementation of the policy. It is also the CEO's responsibility to ensure that the Complaints and Appeals policy and procedure is made publicly available on the ACES website.

Procedures

Informal Resolution

Any person who wishes to raise a complaint should, in the first instance, discuss the matter with the person with whom they have the complaint, a relevant staff member, or the ACES CEO.

Where possible attempts shall be made to resolve the issue through consultation. This may include advice, discussions, and general mediation in relation to the issue and the complainant's concern.

If the complainant is satisfied with the outcome of the discussion, it would mean that the matter is resolved.

If the issue is not resolved to the complainant's satisfaction then a formal complaint should be submitted following the procedures below.

Formal Complaint (Stage 1)

- Any person may submit a formal complaint to ACES, addressed to the CEO, with the reasonable expectation that all complaints will be treated with integrity and privacy, without discrimination, and that the complainant will not be disadvantaged or victimised.
- Formal complaints are to be lodged in writing, preferably on the 'Complaints and Appeals Form', providing as many details as possible. This form can be obtained by contacting Student Administration. There is no cost for lodging the initial complaint.
- Complaints are to include the following information:
 - Submission date of complaint
 - Name of complainant;
 - Identification of Academic or Non-Academic complaint
 - Nature of complaint ;
 - Date of the event which lead to the complaint
 - Full details of the complaint
 - Attachments (if applicable)
- Complainants have the right to access advice and support from independent persons at any point of the complaint and appeals process. A complainant may be assisted or accompanied by a support person regardless of the nature of the issue or complaint throughout the process at all times. Use of external services will be at the complainant's costs unless authorised by the CEO.
- Once the complaint is received by ACES, it will be referred to the CEO who will acknowledge receipt of the complaint to the complainant within five (5) business days.
- ACES will attempt to resolve, or make a decision on the complaint within 10 business days of receipt of the complaint.
- The complainant will be informed of any decisions or outcomes concluded (within 15 business days), or be informed about the processes in place to deal with the complaint. Where ACES considers more than 60 calendar days are required to process and finalise the complaint or appeal, the CEO will inform the



complainant in writing, including the reasons why more than 60 calendar days are required, and regularly update the complainant on the progress of the matter.

- Once a decision has been reached the CEO will inform all parties involved, in writing, of the decisions or outcomes.
- The complainant shall also be notified that they have the right of appeal within 20 business days of the receipt of the decision.

During the consideration of the original complaint, the following process are followed by ACESL

- Additional information may be sought and discussions held with the complainant and parties involved with the complaint.
- Decisions will be made based on the information and details provided to support the complainant's case.
- Where a student has an Academic complaint in relation to their course or personal progress, training delivery, curriculum, course content, assessment processes or outcomes, or awards issued, all details regarding the Academic complaint will be gathered for consideration. This may include meeting with relevant trainers and assessors, or administration staff, and reviewing relevant documents and records to clarify all details of the student's complaint.
- Outcomes from academic complaints may include re-assessment, revision of records to ensure accuracy, evidence from training or assessment documents, or other relevant documentation.

Internal Appeals – Appealing a Decision (Stage 2)

A complainant may lodge an appeal against the conclusion / decision that is made after a complaint has been dealt with by ACES.

To appeal a decision the complainant (appellant) must appeal in writing on the Complaints and Appeals Form, stating the grounds of the appeal. The appeal must be lodged within 20 days of ACES providing an outcome to the initial complaint.

Students are referred to the appeals procedure below.

- An Internal Appeals should be lodged with the CEO. The CEO shall ensure that all decisions are reviewed impartially and include appropriate people to support the review process.
- The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
- The CEO shall ensure that ACES acts on any substantiated appeal.
- Where a decision relating to an academic complaint, such as an assessment decision, has been appealed, the CEO shall ensure a second trainer/assessor who was not involved with the original complaint, is involved in the review process.
- Where the decision involves a non-academic matter, the CEO shall ensure the original decision is reviewed in full by an Appeals Review Committee, which will include at least one other person independent from the original complaint. The Appeals Review Committee will review all evidence and information pertaining to the original issue that caused the complaint.
- Notification of the decision/outcome of the appeal will be provided by the CEO to the complainant within 20 working days of receipt of the appeal.
- All records and correspondence in relation to an internal appeal shall be maintained with the initial complaint and internal appeal documentation and details for a minimum of 5 years.



External Appeals – Further steps & information (Stage 3)

If the complainant is not satisfied with the outcome of the internal appeals process they have a right to lodge an appeal to an external independent organisation. (See table at end of this document for contact details).

- Where ACES is informed that a student has accessed external appeals processes ACES will maintain the student's enrolment until the external appeal process is finalised.
- ACES will comply with the findings of the external appeals process.
- Where a decision or outcome is in favour of the student, ACES shall follow the required action and recommendation from the relevant external appeals organisation to satisfy the student's grievance as soon as practicable.
- The decision of the independent mediator is final and any further action the student wishes to take is outside the RTOs policies and procedures.
- All records and correspondence in relation to an external appeal shall be maintained with the initial complaint and internal appeal documentation for a minimum of five years, and entry made on the 'complaints and appeals register'.

Record Keeping Procedures

Once a formal complaint is received it is entered into the 'Complaints and Appeals File' which is monitored by the CEO. The information to be contained and updated within the register includes:

- Submission date of complaint
- Name of complainant
- Description of complaint / appeal
- How the matter was dealt with
- Determined Resolution
- Date of Resolution

Copies of all documentation, outcomes and further action required will be placed into the 'Complaints and Appeals Records/File' and a reference to the complaint/appeal will be retained on the student's file.

Implementing Recommendations

The CEO will immediately implement any decision and/or corrective and preventative action that is required, and advise the student of the outcome.

Continuous Improvement

ACES staff will examine the cause of the complaints or appeal, the information gathered during the review, and will use this information to improve its processes and practices and to ensure the issue doesn't happen again.



External Appeal Organisations:

In addition to the above internal processes, if complainants are still dissatisfied with the decision of ACES, they may lodge a complaint with the Australian Skills Quality Authority (ASQA) complaints hotline. For contact details and information please see <http://www.asqa.gov.au/complaints/complaints.html>. Students can also contact the National training complaints hotline on Tel: 13 38 73. Additional support is also available through the below list organisations.

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| Victoria | Disputes Settlement Centre of Victoria www.disputes.vic.gov.au The Dispute Settlement Centre of Victoria (DSCV) is a free dispute resolution and mediation service funded by the Victorian Government and may be able to assist resolve any outstanding complaint or issue with the complaint handling process. | | |
| Contact Point: | <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> Melbourne Office: Level 4, 456 Lonsdale Street Melbourne VIC 3000 Tel: 1300 372 888 Fax: 8684 1311 </td> <td style="width: 50%; border: none;"> Bendigo Office: 60 Mitchell Street Bendigo VIC 3550 Tel: 4433 3100 Fax: 5444 5635 </td> </tr> </table> | Melbourne Office: Level 4, 456 Lonsdale Street Melbourne VIC 3000 Tel: 1300 372 888 Fax: 8684 1311 | Bendigo Office: 60 Mitchell Street Bendigo VIC 3550 Tel: 4433 3100 Fax: 5444 5635 |
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| New South Wales | Fair Trading NSW www.fairtrading.nsw.gov.au Fair Trading NSW provides consumer advice for students and links to other organisations that will provide advice and assistance in relation to student complaints, appeals and rights. | | |
| Contact Point: | NSW Fair Trading: Tel: 13 32 20 | | |
| Queensland | Office of Fair Trading QLD http://www.justice.qld.gov.au/corporate/about-us/business-areas/office-of-fair-trading | | |