



**Angad Australian Institute
of Technology Pty Ltd**
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POLICY AND PROCEDURE

COMPLAINTS AND APPEALS

1. Policy

This policy/procedure supports Standard 10 (Complaints and Appeals) of the 'National Code of Practice for Providers of Education & Training to Overseas Students 2018' and Standard 6 (clauses 6.1-6.5) of Standards for Registered Training Organisations 2015.

Despite all efforts of ANGAD Australian Institute of Technology to provide satisfactory services, complaints may occasionally arise that may require formal resolution. The following procedures provides a complainant or appellant with an opportunity to have complaints or appeals resolved and resolutions reached in a timely manner at a minimal or no cost.

This policy applies to any complaint or appeal the overseas student makes regarding his or her dealings with the Institute, education agents or any related

party the Institute has an arrangement with to deliver the overseas student's course or related services.

The Institute will also apply this policy to manage and respond to allegations involving the conduct of:

- the RTO, its trainers, assessors or other staff.
- a third party providing services on the RTO's behalf, its trainers, assessors or other staff.

ANGAD Australian Institute of Technology will ensure that:

- 1.1 In all cases, a process is in place for lodging a formal complaint or appeal, if the matter cannot be resolved informally.

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- 1.2 Each complainant or appellant has an opportunity to formally present his or her case at a minimal or no cost to him or herself;
- 1.3 Each party may be accompanied and assisted by a support person at any relevant meetings;
- 1.4 Student's enrolment will be maintained throughout each of the appeals process.
- 1.5 The Institute will commence assessment of the complaint or appeal within 10 working days of it being made in accordance with this policy and procedure and finalise the outcome as soon as practicable.
- 1.6 The Institute will conduct the assessment of the complaint or appeal in a professional, fair and transparent manner.
- 1.7 The complainant or appellant is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome.
- 1.8 The Institute will keep a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome.
- 1.9 The Institute will provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.
- 1.10 The Institute will securely maintain records of all complaints and appeals and their outcomes.

- 1.11 The Institute will identify potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

2. Procedure

ANGAD Australian Institute of Technology's complaints and appeal procedure follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by the Institute, or anyone who has allegations made against them, to tell their side of the story before a decision is made.

Internal complaints handling and appeals process include a process for the overseas student to lodge a formal complaint or appeal if a matter cannot be resolved informally.

The informal process may include advice, discussions, and general mediation in relation to the issue and the student's complaint. Any member of the staff can be involved in this informal process to resolve issues but once the student has placed a formal complaint / appeal the following procedures must be followed.

2.1 Internal Complaints

- 2.1.1 All formal complaints or appeals are submitted in writing to the Training Manager. It is his/her responsibility to acknowledge the complaint or request for an appeal in writing and to deal with the complaint in the first instance. A complaint/ Appeal Lodgment form is available from the Administration Department, which can be used to lodge the complaint. Support with filling in this form can be gained from the student support

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- officer. Complaints are to include the following information:
- Submission date of complaint
 - Name of complainant;
 - Nature of complaint ;
 - Date of the event which lead to the complaint
 - Attachments (if applicable);
- 2.1.2 Once a complaint is received it is to be entered into the 'Complaints log book/register', which is monitored by the CEO regularly. The information to be contained and updated within the register is as follows:
- Submission date of complaint
 - Name of complainant
 - Description of complaint / appeal
 - Determined Resolution; and
 - Date of Resolution.
- 2.1.3 A student may be assisted or accompanied by a support person at any stage of the complaints and appeals process regardless of the nature of the complaint.
- 2.1.4 Once a complaint has been filed and logged in the 'complaints and appeals register', the Training Manager shall notify the CEO of the complaint and provide any further documentation related to the matter.
- 2.1.5 The CEO shall then refer the matter to the appropriate staff to commence assessment of the complaint or appeal within 10 working days of it being made and finalise the outcome as soon as practicable. All assessments of a complaint or appeal will be conducted in a professional, fair and transparent manner.
- 2.1.6 The complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint. (The complainant or appellant must be informed when a complaint or appeal is expected to take longer than 60 days to finalise)
- 2.1.7 Once a decision has been reached the CEO shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing.
- 2.1.8 Copies of all documentation, outcomes and further action required will be placed into the 'complaints and appeals register' by the Training Manager and on the student's file.
- 2.1.9 Within the notification of the outcome of the formal complaint, the student shall also be notified that they have the right of appeal. To appeal a decision ANGAD Australian Institute of Technology must receive, in writing, grounds of the appeal. Student is referred to the appeals procedure.
- 2.1.10 Where a decision or outcome is in favour of the student, ANGAD Australian Institute of Technology shall follow the required action to satisfy the student's complaint immediately.
- 2.1.11 If the overseas student is not successful in internal complaints handling and appeals process, ANGAD Australian Institute of Technology will advise the overseas student within 10 working days of concluding the internal review of the overseas student's right to access an

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external complaints handling and appeals process at minimal or no cost.

2.1.12 In case of complaints received from a student, ANGAD Australian Institute of Technology will maintain student's enrolment, throughout the complaint process.

2.2 Internal Appeals

All students have the right to appeal decisions made by ANGAD where reasonable grounds can be established. The areas in which a student may appeal a decision made by ANGAD Australian Institute of Technology may include:

- Administrative and Management practices
- Training and assessments outcomes
- Reported breaches of academic performance
- Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
- Or any other decision that is made after a complaint has been dealt with by ANGAD at the first instance.

2.2.1 To activate the appeals process the student is to complete an 'appeal' application which is to include a summary of the grounds the appeal is based upon. The reason the student feels the decision is unfair is to be clearly explained. Any help and support with this process can be gained from Administrations department.

2.2.2 The Training Manager shall organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.

2.2.3 The process of assessment for all formally lodged 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 will be followed:

2.3 General appeals

2.3.1 Where a student has appealed a decision or outcome of a formal complaint they are required to notify ANGAD Australian Institute of Technology in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.

2.3.2 The appeal shall be lodged through administration department and the Training Manager shall ensure the details of the appeal are added to the 'complaints and appeals register'.

2.3.3 The CEO shall be notified and shall seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.

2.3.4 The student shall be notified in writing of the outcome and the 'complaints and appeals register' will be updated.

2.3.5 Where a decision or outcome is in favour of the student, ANGAD Australian Institute of Technology will

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immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision, and advise the overseas student of that action.

2.4 Assessment appeals

2.4.1 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.

2.4.2 If this is still not to the student's satisfaction, the student shall formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. They shall lodge this with administration department and the appeal shall be entered into the 'complaints and appeals register'.

2.4.3 The CEO shall be notified and shall seek details from the assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another assessor appointed by ANGAD Australian Institute of Technology.

2.4.4 The student shall be notified in writing of the outcome and the 'complaints and appeals register' updated.

2.4.5 Where a decision or outcome is in favour of the student, ANGAD Australian Institute of Technology shall follow the required action to satisfy the student's complaint immediately.

2.5 Appealing decisions to report breach of VISA requirements

2.5.1 Where a student wishes to appeal the decision of ANGAD Australian Institute of Technology to notify Department of Home Affairs (DHA) of a breach of procedures, fees and discipline, the student shall lodge, in writing, a letter outlining the details of their appeal.

2.5.2 The appeal shall be lodged with administration department along with a statement of the outcome and reasons for the outcome.

2.5.3 The process of assessment commences within 10 working days of formal lodgment of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable. (The complainant or appellant must be informed when a complaint or appeal is expected to take longer than 60 days to finalise.)

2.5.4 If a complaint or appeal cannot be satisfactorily resolved, complainant or appellant will be advised of their right to appeal to an external body in this case to Overseas Student Ombudsman. ANGAD Australian Institute of Technology has an arrangement with Overseas Student Ombudsman to resolve the complaint independently.

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2.5.5 Where a decision or outcome is in favour of the complainant or appellant, ANGAD Australian Institute of Technology shall follow the required action to satisfy student's complaint immediately.

2.6 Appealing deferrals, suspension or cancellation of enrolment decisions

2.6.1 Where a student wishes to appeal a decision relating to deferment, suspension, or cancellation of their enrolment they are required to lodge, in writing, a letter outlining the details of their appeal.

2.6.2 The appeal shall be lodged this with administration department and the appeal shall be entered into the 'complaints and appeals register'.

2.6.3 The CEO 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.

2.6.4 The student shall be notified in writing of the outcome and the 'complaints and appeals register' updated.

2.6.5 Where a student has decided to access the appeals process in relation to deferment, suspension or cancellation of their enrolment, ANGAD Australian Institute of Technology will not update the student's status via PRISMS until the appeals process is completed. ANGAD Australian Institute of Technology will maintain all relevant responsibilities until the change in

enrolment status has been reported to DHA via PRISMS.

2.7 External Appeals

2.7.1 If the matter is still unresolved after the above procedures have been implemented and the internal appeals process exhausted, the student will be advised of their right to seek assistance from an external third party mediator.

2.7.2 ANGAD, will refer the student to Overseas Students Ombudsman to lodge an external appeal or complain about this decision.

2.7.3 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.

The Overseas Students Ombudsman contact details are:

Overseas Students Ombudsman	
Website	www.oso.gov.au
Email	ombudsman@ombudsman.gov.au
Contact Number	1300 362 072

This service is free of charge for overseas student.

2.7.4 The decision of this independent mediator is final and any further action the student wishes to take is outside of ANGAD Australian Institute of Technology's policies and procedures.

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The student shall be referred to the government agencies such as Australian Skills Quality Authority (ASQA), Department of Education, DHA or the National Training Complaints Hotline (Tel. 1800 000 674). This information can be gained from the Training Manager or CEO.

please visit www.oso.gov.au or call 1300 362 072.

2.7.5 Where a decision or outcome is in favour of the student, ANGAD Australian Institute of Technology will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision, and advise the overseas student of that action.

2.7.6 The student's enrolment shall be maintained until the external appeals process through Overseas Students Ombudsman is finalised.

2.7.7 This complaints and appeals process does not affect the rights of the student to take action under the Australian Consumer Law, if the Australian Consumer Law applies.

2.8 Overseas Students Ombudsman

The Commonwealth Ombudsman can investigate complaints from international students about private education providers in Australia.

The Ombudsman also:

- (a) Provides information about best practice complaints handling to help private education providers manage internal complaints effectively.
- (b) Publishes reports on problems and broader issues in international education that are identified through investigations. For further information,

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