



Complaints and Appeals Policy and Procedure

AUSTRALIAN INSTITUTE OF WORKPLACE TRAINING

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1. Introduction

AIWT aims to provide a safe and enjoyable learning environment where students can experience relevant learning that is rewarding, preparing students for their future careers. We do recognise however that despite our best intentions, situations may arise where a dispute occurs.

AIWT believes in continuous improvement and we appreciate your feedback. If you feel that something is wrong, or you have been treated unfairly, it is important that we understand where and how we need to improve.

This policy has been developed to ensure that prospective and current students are given access to a free, fair, timely and effective complaints resolution process.

AIWT has defined standards and expectations which are set out in AIWT Policies and Procedures and the Code of Conduct for both staff and students. These are clearly communicated prior to and on enrolment (AIWT website, Letter of Offer), at orientation and are easily accessible via Moodle throughout the time of study at AIWT.

What is a complaint?

A complaint is an expression of dissatisfaction that relates to the conduct of AIWT, its staff, other AIWT learners or a third party offering services on behalf of AIWT.

This could be related but is not limited to:

- Academic Matters: Academic Program (structure or content), Teaching or Assessment, Attendance or Course Progress;
- Non-Academic Matters: AIWT Student Services and/or administrative action or non-action which has adversely affected the student, Fee Payment, Conduct of Staff and or Students (actions and behaviours), unfair treatment on the grounds for access and equity, Occupational Health and Safety concerns;

What is an appeal?

An appeal is a request for review of a decision made by AIWT. The decision could involve but is not limited to enrolment processes, approval or rejection of an application to defer and/or suspend study at AIWT, rejection of a letter of release to another provider, assessment outcomes and/or grounds for re-assessment, course progression, rejected access to support and grounds of cancellation by AIWT due to non-payment (NOITC) or no course progress (NOITR).

Alignment to Standards for RTOs 2015

- Clause 5.2di.: the learner's rights, including details of the RTO's complaints and appeals process required by Standard 6
- Clause 6: Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.
- Clause 6.1: The RTO has a complaints policy to manage and respond to allegations involving the conduct of:
 - a) the RTO, its trainers, assessors or other staff
 - b) a third party providing services on the RTO's behalf, its trainers, assessors or other staff
 - c) a learner of the RTO.Clause 6.2: The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.
- Clause 6.3: The RTO's complaints policy and appeals policy:
 - a) ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process

- b) are publicly available
- c) set out the procedure for making a complaint or requesting an appeal
- d) ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable
- e) 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.
- Clause 6.4: Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:
 - a) informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required
 - b) regularly updates the complainant or appellant on the progress of the matter.
- Clause 6.5: The RTO:
 - a) securely maintains records of all complaints and appeals and their outcomes
 - b) identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of recurrence.

Alignment to the National Code of Practice for Providers of Education and Training to Overseas Students 2018:

<https://internationaleducation.gov.au/regulatory-information/Pages/National-Code-2018-Factsheets-.aspx#:~:text=The%20National%20Code%20is%20a,commenced%20on%201%20January%202018.>

Standard 10 Complaints and appeals: Registered providers need to have an internal complaint handling and appeals process in place. Professional, timely, inexpensive and documented complaints handling, and appeals processes ensure that grievances between overseas students and registered providers can be heard and addressed. Registered providers must:

- have and implement a documented internal complaint handling and appeals policy and process;
- advise an overseas student within 10 working days of their right to access an external appeals process and provide contact details, if the overseas student is not satisfied with the outcome of the internal complaints and appeals process; and
- immediately implement any decision or recommendation in favour of the overseas student through the internal or external appeals process.

2. Policy Statement

AIWT is committed to the quality of training and assessment services we offer and the welfare of our students and staff. As a registered training organisation, it is a requirement to meet the 2015 Standards for RTO's (ASQA) and the standards set out in the National Code (CRICOS) to ensure AIWT has appropriate complaints handling and appeals processes which are accessible, efficient, effective and fair. AIWT will ensure that:

- the principles of natural justice and procedural fairness are adopted at every stage of the complaints and appeals process.
- all formal complaints and appeals must be in writing and are acknowledged by AIWT in writing
- the individuals have full access to the relevant evidence and parties involved will be personally heard by an independent person who was not involved in the original issue.
- the review and investigation is evidence based, defensible and transparent and is documented at all stages and all parties involved are given a written statement of the outcome, including details of the reasons for the outcome;

- all formal complaints and appeals are heard within 10 working days and dealt with and finalised within 20 calendar days of receiving the written complaint or appeal.
- if AIWT considers more than 20 calendar days are required to process and finalise the complaint or appeal, the complainant or appellant will be informed of the reasons in writing and will be regularly updated on the progress of the matter.
- if the process fails to resolve the complaint or appeal, a review by an independent party via the external complaint and appeal process is available however the internal process must have been accessed and completed.
- AIWT respects the rights of students to remain enrolled throughout all stages of any internal and external complaint and/or appeals processes they enter, except in cases of suspension or cancellation of enrolment for serious misbehaviour (suspected criminal activity, a student being a danger to themselves and/or others, etc.).
- AIWT Student Services will maintain a secure Complaints and Appeals Register, which documents all formal complaints, appeals and their outcomes and ensures open communication with all parties.
- any substantiated complaints and appeals, as well as the complaints and appeals policy, will be reviewed as part of the continuous improvement processes and appropriate corrective action taken to eliminate or mitigate the likelihood of recurrence.
- the CEO is ultimately responsible for ensuring that AIWT complies with the ASQA and CRICOS standards. This includes the complaints and appeals policy and procedures.

3. Complaint Procedure

Disputes, grievances and/or complaints should be verbally addressed to the person concerned through informal avenues. Where this is not possible or the grievance is of serious significance and/or there is serious or ongoing concern for the welfare of students, the complainant can enter a formal complaints process by following this procedure.

1. Formal complaints must be in writing and emailed to studentservices@aiwt.edu.au with the following title in the email subject box: *Confidential - Formal Complaint*
2. Formal complaints should be addressed to AIWT Student Services.
3. On receipt of a written complaint, a written acknowledgement is sent to the complainant and the complaint is forwarded to the CEO.
4. The RTO Director will either deal with the complaint or convene an independent panel to hear the complaint; this shall be the complaints and appeals committee.
5. The complaints committee shall not have had previous involvement with the complaint and will include representatives of AIWT CEO, Academic and independent student services staff. If required, an external independent person will be called onto the panel.
6. The complainant shall be given an opportunity to present their case and may choose to be accompanied by a support person.
7. The outcome/decision will be communicated to all parties in writing within 20 days. If the complaint is not finalised within 20 calendar days, the complainant is informed of the reasons in writing and regularly updated on the progress of the matter.
8. If the process fails to resolve the complaint, the individual making the complaint will have the right to enter into the appeal process
9. The root cause of any complaint will be included in the systematic monitoring and evaluation processes of the RTO so that appropriate corrective action can be instigated to eliminate or mitigate the likelihood of recurrence.
10. All formal complaints are dealt with in a confidential manner, documented and registered in the AIWT complaints and appeals register.

4. Internal Appeals procedure

The AIWT appeals procedure is designed to review an outcome made by AIWT in relation to a student matter, where the students feel unfairly treated, misunderstood or disadvantaged. Such decisions may include but are not limited to the following disputes:

- Refund of prepaid fees
- Variation of enrolment request e.g. change of course, early completion or extension of studies
- Deferral and/or suspension requests
- Credit transfer rejections
- Academic results
- Letter of release
- Rejected leave approval
- Cancellation due to non-payment of fees, low attendance, no course progression or serious student misconduct
- Internal Appeals are processed by the CEO or with the support of independent panel members within twenty 20 days and the outcome of the appeal will be conveyed to the student in writing.

5. External Appeal

If a student feels that their complaint and/or internal appeal was not resolved satisfactorily by AIWT, the student has the right to appeal and enter the external appeals process within twenty (20) working days from the written notification;

Depending on the type of student category, the following external appeal channels are available to students:

Type of Student	Responsible institution	Web link
Domestic fee for services students	ASQA	www.asqa.gov.au
WA Jobs and Skills funded students (Traineeships and PIT)	DTWD	www.dtwd.wa.gov.au/about-us/enquiries-compliments-and-complaints
International Student on a student visa	Overseas students Ombudsmen	www.ombudsman.gov.au/about/overseas-students 1300 362 072

Version Control

Policy Owner	Director, Student Services
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Version 001 22 September 2016	Original creation
Version 002 15 December 2017	Update to National code 2018
Version 003 11 June 2018	Update reflects improved AIWT processes under new management Combined domestic and international policy into one to ensure the process is apply consistently across AIWT Applied plain use of language and logical flow of events

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Version 004 22 April 2022	Removed Table of Contents. Updated website link for National Code of Practice for Providers. Removed Student Services Coordinator and replaced with Student Services. Removed RTO Director and replaced with CEO.
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