

Complaints and Appeals Handling Procedure

This procedure comes from the following policy: Complaints and Appeals Policy

Purpose: this procedure should be read in conjunction with Complaints and Appeals Policy. The complaints and appeals processes does not remove the right of the student to take action under Australia's consumer protection laws.

Informal Complaint Process

1. Any student with a question or complaint may raise the matter with staff of Institute of Skills and Training Australia and attempt an informal resolution of the question or complaint.
2. Questions or complaints dealt with in this way do not become part of the formal complaint process and will not be documented, recorded or reported on unless the Institute of Skills and Training Australia staff member involved determines that the issue question or complaint was relevant to the wider operation of Institute of Skills and Training Australia.
3. Students who are not satisfied with the outcomes of the question or complaint are encouraged to register a formal complaint.

Formal Complaint Process

1. Students who are not satisfied with the outcomes of the informal process or who want to register a formal complaint may do so. To register a formal complaint, a student must complete the Formal Complaint Form which is available from the International Support Officer (ISO). Once initial Formal Complaint Form is received by the International Support Officer the ISO will arrange a meeting with the International Student. At this meeting the complaint can be raised, and a resolution attempted.
2. At the stage of the complaint meeting, the complaint must be recorded in writing and signed and dated by the complainant and the ISO. The complaint is recorded in writing by completing the student complaint form prior to the meeting or a new document can be prepared and signed during the meeting.
3. The ISO will then attempt to resolve the complaint with the student and any other parties who may be involved. The resolution phase must commence within 10 working days of the complaint being lodged in writing.
4. A maximum time of 20 working days from the commencement of the resolution phase will be allowed for the resolution unless all parties agree in writing to extend this time. This period is called the resolution phase.
5. At the end of the resolution phase, the ISO will report the Registered Training Organisation (RTO) decision to the student. The RTO's decision and reasons for the decision will be documented by the ISO and recorded in the student's file.
6. Following the resolution phase, the RTO will implement the decision as conveyed to the student and undertake any improvement actions arising from the complaint.
7. If a student is dissatisfied with the outcome of the formal complaint process then they may institute an internal appeal process by completing the appeals form.

Internal Appeals Process

The essential nature of an internal appeal is that it is a request by a student to reconsider a decision made by Institute of Skills and Training Australia.

1. Internal appeals may arise from a number of sources including appeals against assessment, appeals against disciplinary actions and appeals against decisions arising from complaints.
2. Students appealing an assessment or course credit outcome will need to have a meeting with the Academic team/ISO will be given the opportunity for reassessment by a different assessor appointed by Institute of Skills and Training Australia. Costs of reassessment will be met by Institute of Skills and Training Australia. The recorded outcome of the assessment appeal will be the most favorable result for the student from either the original assessment or the reassessment.
3. A student's enrolment must be maintained whilst an internal complaint or appeal is in progress and the outcome has not been determined if the internal complaint or appeal is initiated by the student. Where the suspension or cancellation is not initiated by the student and if the student accesses the complaints and appeals process, the suspension or cancellation of the student's enrolment cannot take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply as stated in the Refusal, Deferral, Suspension and Cancellation of Student Enrolment Policy & Procedures.
4. The following matters must be lodged as a formal appeal within 20 working days of notification in order to be considered by Institute of Skills and Training Australia.
 - Deferral of commencement, suspension or cancelling a student enrolment outcome
 - Intention to report the student to the Department of Home Affairs for unsatisfactory course progress and non-payment of fees (applicable to international students only).
 - Non-achievement of unit competency
5. If the appeal is initiated by students, students are advised to complete a Formal Complaint Form available from the Website of the front desk. The appeal resolution phase must commence within 10 working days of the internal appeal being lodged in writing.
6. An Appeal Panel comprising The Assessment appeals panel will consist of;
 - The RTO Manager
 - Course trainer or coordinator
 - And an industry or content expert.

will be convened by the ISO within 10 working days of the appeal application being received.
7. The outcome of the internal appeal and reasons for the outcome will be recorded in writing and signed and dated by the Appeal Panel and recorded in the student file.
8. The decision of the Appeal Panel will be communicated to the student in writing within 5 working days, unless the Appeal Panel decides that additional investigations, information or monitoring are required. In this case the student will be advised of the decision within 5

Complaints and Appeals Handling Procedure

working days of the Appeal Panel reaching a decision.

9. Following the internal appeals phase, Institute of Skills and Training Australia will implement the decision as conveyed to the student and implement any improvement actions arising from the complaint.
10. There are no further avenues within the institute for complaints or appeals after the internal appeals process has been completed, however, an external appeals process is available.

External Appeals

1. Students, if after following our internal appeal process, still believe that Institute of Skills and Training Australia is in breach or have not met our legal requirements or are not satisfied with the decision reached; they may seek assistance from a formal external authority. The external providers Institute of Skills and Training Australia uses for this mediation service to students are:

For overseas students who are on a student visa:

- Overseas Student Ombudsman (OSO) Phone: 1300 362 072 Website: <https://www.ombudsman.gov.au/>
 - 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 the RTO.
2. Except in exceptional circumstances, the student must attach evidence to their complaint form showing:
 - that they have followed Institute of Skills and Training Australia's formal complaints procedure, and
 - Institute of Skills and Training Australia's response.
 3. The purpose of the external appeals process is to consider whether Institute of Skills and Training Australia has followed its student complaints and appeals procedure, not to decide in place of Institute of Skills and Training Australia. For example, if a student appeals against his or her subject results and goes through the internal appeals process, the external appeals process (if accessed) would look at the way in which the internal appeal was conducted; it would not make a determination as to what the subject result should be.
 4. The external appeals procedure will be determined by the independent mediator.
 5. Following the receipt of the outcome of the external appeal, Institute of Skills and Training Australia must immediately implement the decision, convey the outcome to the student and undertake any improvement actions arising from the complaint.
 6. If an appeal is against Institute of Skills and Training Australia's decision to report the student for unsatisfactory course progress, Institute of Skills and Training Australia must maintain the student's enrolment (i.e. not report the student for unsatisfactory progress) until the external appeals process is complete and has supported Institute of Skills and Training Australia's decision to report.
 7. If an appeal is against Institute of Skills and Training Australia's decision to defer or suspend a student's enrolment due to misbehavior or to cancel a student's enrolment, Institute of Skills and Training Australia only needs to await the outcome of the internal appeals process (supporting the provider) before notifying the Department of Education Skills and Employment (applicable to international students only) through PRISMS of the change to

Complaints and Appeals Handling Procedure



the student's enrolment.

The complaints and appeals processes, does not remove the right of the student to take action under Australia's consumer protection laws.