

Complaints and Appeals Policy and Procedure

POLICY

Purpose

As a Registered Training Organisation (RTO) Open Colleges School of Health (the School) is committed to developing and maintaining an effective, timely, fair and equitable complaints and appeals handling system based on the principles of natural justice and procedural fairness. Refer: *Standard 6* of the **Standards for Registered Training Organisations (RTOs) 2015** (RTO Standards) and *Standard 10* of the **National Code of Practice for Providers of Education and Training to Overseas Students 2018** (National Code)

This policy and its associated documents are made available to our students and staff through publication on our website.

As part of continuous improvement, we identify potential causes of complaints and appeals and take appropriate corrective action to resolve the complaint as well as eliminate or mitigate the likelihood of reoccurrence.

For the purposes of communicating to our administration and education staff, this policy and procedure forms part of our staff induction process.

We aim to:

- Work within a culture that views any complaint as an opportunity for improvement.
- Set in place a complaints system that is client focussed, enhances our internal and external customer experience and helps to prevent complaints from reoccurring.
- Ensure any complaint is resolved confidentially where appropriate, promptly, objectively and with sensitivity.
- Ensure that the views of each complainant and respondent are respected and that any party to a complaint is not discriminated against nor victimised.
- Ensure that any complaint is treated with a consistent approach allowing for relevant policies and procedures.
- Securely maintain records of all complaints and appeals and their outcomes.

A complaint or appeal can be defined as a person's expression of dissatisfaction with any aspect of our services and activities, including both academic and non-academic matters, such as:

- The enrolment, induction / orientation process.
- The quality of education provided by us as an RTO or by third parties providing training and/or assessment services on our behalf.
- Academic issues, including course progression, assessment, curriculum and awards in a Vocational Education Training (VET) course of study.
- Secure handling of personal information and access to personal records.
- The way someone has been treated or perceived to have been treated.

This policy and procedure is designed to ensure that we acknowledge and respond effectively to individual cases of dissatisfaction. Where we consider more than 60 calendar days are required to process and finalise a complaint or appeal, we will inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required and will update the complainant or appellant in writing on the progress of the matter.

Scope

This policy is designed to cover all complainants including:

- Domestic students who are eligible for and access State/Territory or Commonwealth funding.
- Full fee-paying domestic students.
- International students.

The term "complainant" applies to both academic and non-academic student complaints.

Before an Issue Becomes a Formal Complaint or Appeal

Students are encouraged, wherever possible, to resolve concerns or difficulties informally with the person(s) concerned. We have staff available to assist with resolution of issues at this level. Students may raise an informal complaint by contacting the local manager of the person or service to which the complaint relates or call us on 1300 886 204 or +61 8 9468 9510 to contact a Student Support Officer.

If the complaint is about a Student Support Officer, students should contact the National Operations Manager.

Please note that it is not mandatory for students to raise a complaint informally however we encourage this, as it can often result in a satisfactory resolution quickly and without activating the formal procedure.

Raising a Complaint or Appeal

Should a student wish to raise a formal complaint of an academic or non-academic nature, they should follow the procedure and forms outlined in this document.

Complaints of an academic nature include issues relating to student progress, assessment, curriculum and awards in a VET course of study.

Complaints of a non-academic nature cover all other matters including complaints in relation to personal information that we hold in student records.

Independent Appeal

In the event a student is not satisfied with the result of the complaint procedure, the student is entitled to seek independent review as detailed in this document.

COMPLAINTS AND APPEALS HANDLING PROCEDURE

This procedure can be utilised by a student to submit a complaint or appeal of an academic or non-academic nature.

The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this procedure limits student rights to take action under Australian Consumer Law. Also, these procedures do not circumscribe student rights to pursue other legal remedies.

During all stages of this procedure we will take all reasonable steps to ensure that:

- Students and any respondent will not be victimised or discriminated against
- Students have an opportunity to formally present their case and each party to a complaint may be accompanied and assisted by a support person at any relevant meetings.
- A full explanation for decisions and actions taken as part of the procedure will be provided in writing.
- Any decisions or actions taken as part of this procedure will be documented as notes in the student record within our Student Management System (SMS)
- Where the internal or external complaints or appeal procedure results in a decision that supports the student, we will implement any decision and/or corrective and preventative action required and advise the student of the outcome.
- There is no cost to students to utilise this Complaints and Appeals Procedure (except where a student chooses to access external mediation services to facilitate resolution of an appeal lodged against an outcome to the complaint).

Informal complaint

A complaint is considered informal when it is made verbally or by email to any School employee.

Academic informal complaint

If a student is unhappy with the quality of training or any related academic issue, they should discuss the issue with their Educator in the first instance. If the student is not comfortable in raising the issue with their educator or the complaint is not resolved satisfactorily, the Course Coordinator should be notified of the situation. The Academic Director may be involved in resolving any informal academic complaint.

Non-academic informal complaint

If students have a non-academic complaint, they should first raise it with a School employee. An informal complaint will be referred to an appropriate person to assist the effective and rapid resolution. Our goal is to resolve a complaint as quickly as possible, at the local level with a minimum number of people involved recognising principles of natural justice and fair process. The National Operations Manager may be involved in resolving any non-academic informal complaint.

Stage one – formal complaint

If a student's informal complaint is not resolved and/or students wish to raise a formal complaint this must be submitted in writing using the [Complaint Form](#) within twenty (20) working days of the event. Complaints should be submitted by email to quality@ocschoolofhealth.edu.au or in person to the Student Support Officer at their local campus.

Complaints will be handled relevant to nature of complaint as follows:

- Academic complaints will be assessed and handled by the Academic Director.
- Non-academic complaints will be assessed and handled by the National Operations Manager.

Receipt of the complaint will be acknowledged in writing within five (5) working days. The complaint handling process will commence within ten (10) working days of the receipt of the formal complaint and all reasonable measures will be taken to finalise the process as soon as practicable.

The Academic Director or National Operations Manager (as relevant to the nature of complaint) or their nominee (who must be independent of the complaint) will then, if necessary, seek to clarify the outcome the student hopes to achieve. If a student complaint is about a manager in the School, students can submit their complaint directly to:

Chief Executive Officer
Open Colleges School of Health
Email: quality@ocschoolofhealth.edu.au

Such clarification may be sought by written, email or verbal request or by a face-to-face interview with students. When such clarification occurs in a face-to-face interview, both the student and any respondent may have a support person accompany them.

If there is a support person to be present in the interview, each party must advise the other prior to the meeting. The role of a support person is to listen, observe, take notes, and monitor the wellbeing of the person they are supporting.

The Academic Director or National Operations Manager (as relevant to nature of complaint) or their nominee will then endeavour to resolve the complaint and will provide a written report to the student within twenty (20) working days of receipt of the complaint. The report will further advise the student of their right to access the internal appeals process if they are not satisfied with the outcome.

Students will be kept informed of the progress of the complaint on a regular basis, at least weekly, either by email, telephone or in person. All communications will be recorded on the student record in our SMS.

Stage two – internal appeal

If a student is dissatisfied with the outcome of the formal complaint process, they may lodge an appeal.

Appeals must be submitted in writing using the [Appeal Form](#), within twenty (20) working days of receiving notification of the outcome of a formal complaint. Appeals Forms should be submitted by email to quality@ocschoolofhealth.edu.au or in person to the Student Support Officer at their local campus.

Appeals will be handled relevant to nature of the original complaint as follows:

- Appeals relating to academic complaints will be assessed and handled by the National Operations Manager.
- Appeals relating to non-academic complaints will be assessed and handled by the Academic Director.

The National Operations Manager or Academic Director (as relevant to the nature of the appeal) will convene an Appeals Panel within ten (10) working days of the receipt of an Appeal. This panel is to comprise appropriate individuals relevant to the nature of the appeal. To ensure independence no person involved in the original complaint process may be a member of an Appeals Panel.

The Appeals Panel will make a determination by reviewing the original decision and the basis of the appeal. Where the Appeals Panel meets with the student or any respondent during its review, both the student and any respondent are able to have a support person to be present at these meetings. All discussions and meetings will be held in confidence and the content of such discussions or meetings may not be disclosed to a third party.

Following the decision of the Appeals Panel, the National Operations Manager or Academic Director (as relevant to the nature of the appeal) will provide a written report to the student within five (5) working days of the Appeals Panel being convened advising the outcome and the reasons for that outcome. The report will further advise the students of their right to access the external appeals process if they are not satisfied with the outcome.

Students will be kept informed of the progress of their appeal on a regular basis, at least weekly, either by email, telephone or in person. All communications will be recorded on the student's record in our SMS.

Stage three – external appeal

If students are dissatisfied with the outcome of the appeal, they may lodge an external appeal to an external mediator within twenty (20) working days of receiving notice of the Appeals Panel outcome.

Students should be aware that external services will typically only become involved if students can confirm to them that all resolution options made available to students by the school have been exhausted. They may contact us to validate the student claim that this has happened.

We agree to be bound by the External Reviewer's recommendations and the Chief Executive Officer will ensure that any recommendations are implemented within twenty (20) working days of receipt of the report from the External Reviewer.

External Mediation and Dispute Resolution Services

For Domestic Students only

Resolution Institute

Resolution Institute offers a national service that assists students in resolving disputes. Students would need to join the student mediation scheme and pay associated costs for dispute resolution.

Telephone: 02 9251 3366
Freecall: 1800 651 650
Email: infoaus@resolution.institute
Website: <https://www.resolution.institute/>

Australian Skills Quality Authority (ASQA)

In addition to the above independent complaint handling authorities, students may contact ASQA on 1300 701 801 or via their website at www.asqa.gov.au. ASQA's services are available for students in all stages.

ASQA's processes require students to identify themselves to ASQA as a complainant although students may request that their identity is kept confidential throughout any investigation that ASQA undertakes.

ASQA may require students to provide evidence that they have followed the RTO's formal complaint procedure and the RTO's response.

For International Students only

If international students wish to lodge an external appeal or complain about a decision, students can contact **The Office of the Commonwealth Ombudsman - Overseas Students Ombudsman**.

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.

See the Overseas Students Ombudsman website www.ombudsman.gov.au/How-we-can-help/overseas-students or phone 1300 362 072 for more information.

Course Progression

For International Students only

If an international student complaint or appeal relates to not meeting course progression requirements or not finishing the enrolled course of study in the enrolled duration of the course the [Course Progress Policy and Procedures](#) will be followed.

As per this procedure, students should first informally discuss any concerns with their Educator. Where the informal approach is not appropriate, or students wish to take the matter further, students can escalate the matter by following the formal complaint stages as outlined above.

Enrolment Status

Where students choose to access the Complaints and Appeals Procedure, the enrolment status of the student will be maintained and they must continue their studies while the complaint handling process is ongoing. The exception to this is where student's health or safety is potentially at risk or the matter poses a health or safety risk to others.

Students should be aware that depending on the nature of the complaint their ability to meet course progress requirements may be negatively impacted. The School will attempt to minimise any adverse impact on the student enrolment, however in some circumstances this will be beyond our control.

Record Keeping and Confidentiality

A written record of all complaints handled under this procedure and their outcomes shall be maintained for a period of at least five years to allow all parties to the complaint appropriate access to these records, upon written request to:

The Privacy Officer
Open Colleges School of Health
Level 1
144 North Terrace
Adelaide SA 5000

These records will be maintained electronically.

All records relating to complaints will be treated as confidential and will be covered by our [Privacy Policy](#).

YourLife Health & Learning Inc t/a **Open Colleges School of Health**

ABN 39 742 730 429 | ARBN 151 831 417 | RTO 40049 | CRICOS Provider 03733E

South Australia • Level 1, 144 North Terrace, Adelaide SA 5000 | Western Australia • Level 6, 202 Pier Street, Perth WA 6000

International Students • +61 8 9468 9510 | international@schoolofhealth.edu.au | www.schoolofhealth.edu.au

Domestic Students • 1300 886 204 | info@ocschoolofhealth.edu.au | www.opencolleges.edu.au/school-of-health

This Policy and Procedure should be read in conjunction with the following:

- Standards for Registered Training Organisations (RTOs) 2015 – Standard 6
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 – Standard 10
- Legal Compliance and VET Regulator Policy
- Privacy Policy

Date of Origin	October 2011
Last Review Date	August 2023
Next Review Date	August 2024
Version	5.6
Authority	Compliance and Quality Assurance Coordinator
Responsibility	All Staff