

POLICY & PROCEDURE: COMPLAINTS, GRIEVANCES AND APPEALS

The purpose of this policy is to provide Complaints, Grievances and Appeals guidelines for all domestic and International students who are currently enrolled or previously studied at the Ella Baché College of Skin and Beauty Therapy. All Students that have a complaint, grievance or wish to appeal an academic decision should consult this policy and procedure before initiating their actions.

Policy

The policy aims to ensure that the College responds effectively to all complaints, grievances and appeals in an effective, timely, fair and equitable manner. The policy relates to domestic and international students and applies to both academic and non-academic matters.

Feedback from students regarding the College, courses, staff and other services is always encouraged and this feedback is not considered as a grievance, until and unless this is stated as such and specific actions or outcomes are requested. A written record of all grievances handled under this procedure and their outcomes shall be maintained for a period of at least 5 years to allow all parties to the grievance appropriate access to these records, upon written request to the Head of Education.

A grievance can be defined as a person's expression of dissatisfaction with any aspect of the College's services and activities. In relation to non-academic grievances, the term "student" or "complainant" applies to both current students of the College and persons seeking to enrol with the College. Students who have ceased to study with the College will be given a further 12 months after they have ceased their enrolment to use this Complaints, Grievance and Appeals Policy and Procedures.

The Ella Baché College of Skin and Beauty Therapy will ensure that any grievances are resolved promptly, objectively and with sensitivity. All complaints, grievances, appeals and outcomes are treated as confidential (unless they involve breaches of the law) and records will be dealt with in accordance with the College Policy and Procedures on Privacy and Access to Information.

The College will ensure that the views of each complainant and respondent are respected and that any party to a grievance is not discriminated against nor victimised. Each complaint, grievance or appeal and outcome is recorded in writing. A written explanation for decisions and actions taken during the process will be given to all parties if requested.

Where the internal or external grievance handling or appeal process results in a decision that supports the complainant, the College will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome. There is no cost to students in utilising the internal Complaints, Grievance and Appeals process.

Procedure

Before an Issue becomes a Formal Grievance

Students are encouraged, wherever possible, to resolve concerns or difficulties informally with the person(s) concerned. There is support staff available to assist in the resolution of issues at this level:

- The student should contact the class trainer who will endeavour to resolve the problem in the first instance without the need for a formal complaint.
- If the complaint is of a general nature, the student may fill out the 'Complaints, Grievances and Appeals form' and submit it to the Head of Academic Studies or seek an appointment with the Head of College for an informal discussion.
- If the problem is of a personal nature that may need professional help, the trainer or the Head of Academic Studies will help the student to find an appropriate professional person in their local area

Stage 1 - Formal Grievance or Complaint

If the grievance, complaint or appeal is not able to be resolved through informal discussion with the parties involved, then a formal complaint should be made. The person making the complaint or appeal should follow this process:

1. Students should complete the 'Complaints, Grievances and Appeals form'. The form is available:
 - a. From the 'My Course Information' subject in the <https://my.ellabachecollege.edu.au> learning portal, or
 - b. By contacting Student Support on studentservices@ellabachecollege.edu.au
2. Lodging the complaint or appeal:
 - a. Students should complete the Form and email it to studentservices@ellabachecollege.edu.au
 - b. The Form should be accompanied with all supporting documentation and evidence which supports the claim

Receipt of the complaint will be acknowledged within 5 working days. The formal grievance handling process will commence within 10 days of the receipt of the formal complaint, and all reasonable measures will be taken to finalise the process as soon as practical. The Head of College will then, if necessary, seek to clarify the outcome that the complainant hopes to achieve. Such clarification may be sought by written or verbal request or by a face-to-face interview with the complainant. When such clarification occurs in a face-to-face interview the complainant or respondent may ask another person to accompany them.

The Head of College will then endeavor to resolve the grievance and provide a written report to the complainant on the steps taken to address the grievance, including the reasons for the decision, within 10 working days. The report will also advise the complainant of their right to access the internal appeals process if they are not satisfied with the outcome of their formal grievance. At all meetings the minutes are taken and outcomes recorded. All parties will receive a written copy of the minutes.

Stage 2 – Internal Appeal

If the complainant is dissatisfied with the outcome of their formal grievance or complaint they may lodge an appeal with the Head of Education within 20 working days of receiving notification of the outcome of their formal grievance. The appeal should present relevant information not considered during the original complaint. Appeals must be submitted in writing marked to the attention of the Head of Education as follows:

**Post: Head of Education
Ella Bache College of Skin and Beauty Therapy
2-4 Lambs Road,
Artarmon, NSW 2061**

Email: studentservices@ellabachecollege.edu.au

The Head of Education will consult with the complainant and other relevant parties within 10 working days of the appeal being lodged. Each case can be heard by the Head of Education, independent person or a panel and always with two persons present.

Where possible such consultations should take the form of face-to-face interviews. The internal appeal process will include the following:

- Ensure the complainant has an opportunity to present their case at minimal or no cost, and be accompanied and assisted by a support person at any relevant meetings;
- Conduct the assessment of the complaint or appeal in a professional, fair and transparent manner; and
- Following the consultation, the Head of Education will provide a written report within 10 working days to the complainant advising the reasons for the decision including further steps taken to address the grievance. The report will also advise the complainant of their right to access the external appeals process if they are not satisfied with the outcome of their internal appeal.

Timeframe

Ella Bache College Pty Ltd will attempt to resolve complaints / appeals as soon as possible. A timeframe to resolve a complaint / appeal within thirty (30) days is considered acceptable and in the best interest of Ella Bache College Pty Ltd and the person making a complaint or seeking an appeal. A person making a complaint or seeking an appeal will be provided with regular updates to inform them of the progress of the complaint / appeal handling. Updates will be provided to the person making a complaint or seeking an appeal at a minimum of two (2) weekly intervals.

Stage 3 – Review by an Independent Person

Ella Bache College Pty Ltd provides the opportunity for the person making a complaint or seeking an appeal who is not satisfied with the outcome of the complaints and appeals handling process to seek a review by an independent person. Before a person seeks a review by an independent person, they are requested to first allow Ella Bache College Pty Ltd to fully consider the nature of the complaint or appeal and to fully respond to the person in writing. If after this has occurred, the person is not satisfied with the outcome, they can then seek a review by an independent person. To request a review by an independent person, the complainant or the person making an appeal should inform the Education Manager of their request who will initiate the process with the Chief Executive Officer.

In these circumstances the Ella Bache College Pty Ltd Chief Executive Officer will advise of an appropriate party independent of Ella Bache College Pty Ltd to review the complaint, and its subsequent handling, and to provide advice to Ella Bache College Pty Ltd in regard to the recommended outcomes. The independent third-party is required to respond with their recommendations within fourteen (14) working days of their review being requested.

Where the Ella Bache College Pty Ltd appoints or engages an appropriate independent person to review a complaint / appeal, the Ella Bache College Pty Ltd will meet the full cost to facilitate the independent review. Where the person making a complaint or seeking an appeal objects to this appointment and requests to engage a person or organisation they nominate to undertake the review, the Ella Bache College Pty Ltd may seek the person making a complaint or seeking an appeal to contribute to the cost of engaging this person and undertaking the review.

Following an independent review, advice received from the independent person will be accepted by Ella Bache College Pty Ltd as final, advised to the person making a complaint or seeking an appeal in writing and implemented promptly and without prejudice.

Where a complaint is received by Ella Bache College Pty Ltd and the Chief Executive Officer feels that they may be biased or there is a perception of bias, then the complaint will be referred directly to an independent third-party for consideration and response as outlined above.

Stage 4 – External Appeal – Review by an External Body

Where the person making a complaint, or seeking an appeal is not satisfied with the handling of the matter by Ella Bache College Pty Ltd, they have the opportunity for a body that is external to Ella Bache College Pty Ltd to review his or her complaint or appeal following the internal completion of complaint or appeals process.

Students who are not satisfied with the process applied by Ella Bache College Pty Ltd may refer their grievance to the following external agencies:

- Representatives of state or territory government departments
- Commonwealth and State or Territory offices of the Ombudsman
- The Anti Discrimination Board

- The Office of Fair Trading – [Click Here](#)
- National Training Complaints Hotline - – [Click Here](#)
- Private conciliators or dispute resolution counselors
- International students can appeal to the Overseas Ombudsman Office – [Click Here](#)
- Complainants may lodge an external appeal to the Australian Skills Quality Authority – [Click Here](#)

NOTE: There is no charge for reconsideration or review of decisions, other than review by the Administrative Appeals Tribunal (AAT)

ASQA

In the first instance students must first follow the Ella Baché College of Skin and Beauty Therapy College internal appeals process prior to lodging a complaint with ASQA. If after the internal process, a complainant still believes the RTO is breaching or has breached its legal requirements, they can submit a complaint to ASQA by completing the Complaint about a training organisation operating under ASQA's jurisdiction form. A student can lodge a complaint about the RTO at: <https://www.asqa.gov.au/complaints/complaints-about-training-providers>.

Except in exceptional circumstances, students must attach evidence to the complaint form showing:

- They have followed the RTO's formal grievance procedure; and
- The RTO's response.

ASQA's processes require students to identify themselves as a complainant and ASQA is bound by the provisions of the Privacy Act 1988, including the Australian Privacy Principles (APPs). The personal information will be handled in accordance with ASQA's obligations under this Act. If however a student wants to request to keep their identity confidential throughout the investigation, if the student needs help with the Complaints, Grievances and Appeals process or if they are unsure whether ASQA can help with the complaint, they can call the ASQA Info line on 1300 701 801 or email complaintsteam@asqa.gov.au for further information.

The College will act accordingly when an outcome is reached, and will ensure that all parties are treated fairly and without bias. While the complaint, grievance and appeal process is in motion, the College will maintain the student's enrolment throughout the ongoing matter until it is resolved.

The Secretary of the Department of Education and Training may re-credit a student's VET Student Loan balance in relation to special circumstances if an approved course provider is unable to act or is being wound up or has been dissolved; or has failed to act and the Secretary is satisfied that the failure is unreasonable.

Appeals against an Assessment Decision

Students can appeal against an assessment result. It is important that the appeal is settled as quickly as possible. This may include:

Resubmission or a second assessment

In the first instance, the trainer will consult with the Head of Academic Studies and depending on the circumstances, will provide an opportunity to re-sit the exam or resubmit the piece of work. It will then be re-marked. The request and reasons will be recorded in writing.

Marking by a second assessor

The trainer should immediately inform the Head of Academic Studies if a re-sit or re-submission is recommended or if the student has a grievance, disagreement or dispute about the results. The appeal will be discussed with the student and trainer and recorded in writing, considered by the Head of Academic Studies and if appropriate, arrangements will be made for re-assessment by another assessor.

A written assessment appeal

If the student is still not satisfied with the re-submission process and second marking the student must put their appeal in writing as per the Complaints, Grievance and Appeal Policy. The Steps under "Stage 2 – Internal Appeal" of the Complaints, Grievance and Appeal Policy will then be followed.