

## Policy – Complaints and Appeals

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### 1. Purpose and Scope

The purpose of the Complaints and Appeals Policy is to ensure that all student complaints and appeals are dealt with in a timely and constructive manner, with impartiality, observing the principles of natural justice and procedural fairness by informing those involved of the allegations, providing those involved an opportunity to present their side of the matter and operating in a fair and unbiased way and at no cost to the student.

This policy applies to:

- all formal and informal complaints received by ATMC PY
- all students currently enrolled in ATMC PY's (ATMC PY) programs and is applicable to all complaints and appeals, including assessment decisions, involving:
  - the conduct of the Registered Training Organisation (RTO), its trainers, assessors, or other staff
  - a third-party providing services on the RTO's behalf including education and migration agents, its trainers, assessors, or other staff
  - or – the students of the RTO.



## 2. Policy

ATMC PY is committed to providing students the best possible environment in which to study. ATMC PY recognises, however, that on occasion there may be instances of dissatisfaction and acknowledges that the causes must be addressed and rectified promptly. In such instances, ATMC PY invites feedback from the dissatisfied party so that a resolution can be found and as an opportunity to consolidate the feedback into a review and improvement of ATMC PY's policies and practices. This policy is made available to all students via the ATMC PY website.

A complaints and appeals process has been developed for covering decisions made for or on behalf of ATMC PY and is detailed in Section 3.

ATMC PY Internal Complaints and Appeals Process:

- requires a written record if the complaint or appeal cannot be resolved informally
- provides a student with the opportunity to formally present their case at no cost
- ensures if the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, the provider will advise the student of his or her right to access the external appeals process at minimal or no cost
- provides a written statement of the outcome, including details and reasons for the decision
- allows the student to be assisted or accompanied by a support person; and
- requires that processes begin within 10 working days of ATMC PY receiving the formal written lodgement of the complaint or appeal.

ATMC PY will maintain the student's enrolment while the complaint and appeal process are ongoing.

In the first instance, the student is encouraged to attempt to resolve their complaint with the appropriate person or staff member. The following table provides details of the responsibility of various staff members to assist them in resolving their complaint.

<b>Problem of Assistance with</b>	<b>Who can help?</b>
A Class	The Class Trainer Administration & Student Support Officer PY Operations & Compliance Manager
Attendance / absence	Administration & Student Support Officer Administration & Student Support Coordinator PY Operations & Compliance Manager
Internship	Internship Placement Consultant Internship Coordinator PY Operations & Compliance Manager
Enrolment	Business Development Consultant Admission Officer PY Operations & Compliance Manager
Course Progress	The Class Trainer
Certificates	Administration & Student Support Officer Administration & Student Support Coordinator
Course Extension / Deferral / Change	Administration & Student Support Officer Administration & Student Support Coordinator
Any other problem	Administration & Student Support Officer Administration & Student Support Coordinator



## 2.1 Receiving Complaints or Appeals

- 2.1.1 ATMC PY will receive written complaints from students utilising the Complaints and Appeals Form available on the web at: <https://form.jotform.com/210110869274048>
- 2.1.2 Once a complaint or appeal is received, the Complaints and Appeals e-form will generate a pdf copy for the complainant's /appellant's records.
- 2.1.3 Where a student does not utilise the Form, written complaints may be received via email or lodgement of a ATMC PY complaints form available upon request from ATMC PY Administrative office.
- 2.1.4 ATMC PY will Endeavour to resolve all complaints and appeals in a timely and efficient manner not exceeding 30 days. If the complaint or appeal exceeds 30 days ATMC PY will inform the complainant or appellant in writing, including reasons why more than 30 calendar days are required; and provide regular updates, in writing, to the complainant or appellant on the progress of the matter.
- 2.1.5 There is no cost to the initiator to utilise ATMC PY's complaints and appeal procedure.

## 2.2 Investigation

- 2.2.1 The investigation of complaints and appeals will include a process of verification to ensure there is justification for the complaint. The difference between an allegation and a substantiated claim needs to be clear and all parties must be given full opportunity to provide their view of the matter under investigation.
- 2.2.2 All complaints will be investigated thoroughly and dealt with in an effective and timely manner. The principles of natural justice and procedural fairness will always apply.
- 2.2.3 During the investigation of complaints and appeals, the Administration & Student Support Coordinator will liaise and the PY Operations & Compliance Manager as required and will record the complaint or appeal within the electronic complaints handling system and upload any relevant documents relating to the outcome to the student's electronic complaint file.
- 2.2.4 Complaints submitted via email or complaints form will be handled and monitored using the ATMC PY Complaints and Appeal register, and relevant documentation stored on the student's e-file on SharePoint.
- 2.2.5 Privacy, confidentiality, and anonymity will be maintained throughout the complaints and appeals process unless otherwise negotiated with the stakeholders of this process.
- 2.2.6 At any point throughout the complaints and appeals process the initiator of the complaint or appeal may be accompanied and assisted by a third-party nominee if desired.

## 2.3 Resolution of Complaints and Appeal

- 2.3.1 Formal communication regarding the outcome of the investigation will be provided to the complainant or appellant in due course.
- 2.3.2 PY will identify the potential cause of the complaint or appeal and will take appropriate action to eliminate or mitigate the likelihood of reoccurrence.

## 2.4 Unresolved Complaints and Appeals

- 2.4.1 Where the complainant is not satisfied with the resolution provided, they may appeal in the first instance to the PY Operations and Compliance Manager. Upon review and to avoid any potential



or perceived conflicts of interest, the PY Operations and Compliance Manager may escalate to the Head of Professional Year.

- 2.4.2 Should the complainant or appellant remain dissatisfied the complaint or appeal may be externally reviewed, at the request of the complainant or appellant, by an appropriate party independent of ATMC PY, the complainant or appellant.

### 3. Procedure

- Step 1. Student attempts to resolve complaint informally. If resolved – process ends; if not resolved – proceed to Step 2.
- Step 2. Student accesses Complaints and Appeals form (e-form or other). Student formally presents their case in detail on the Complaints and Appeals form.
- Step 3. The Administration & Student Support Officer / Trainer forward complaint to the Administration & Student Support Coordinator for investigation. The Administration and Student Support Coordinator to consult the PY Operations and Compliance Manager and will inform those involved of the allegations, providing an opportunity for all parties to present their side of the matter, and operating in a fair and unbiased way
- Step 4. The Administration & Student Support Coordinator informs complainant of progress in their case and advises that student is able to be assisted or accompanied by a support person throughout the process.
- Step 5. The Administration and Student Support Coordinator to consult with the PY Operations & Compliance Manager regarding nature of problem: Academic Manager to handle complaints relating to course content, assessment decisions or trainer related issues; Administration & Student Support Coordinator to liaise with Business Development Manager for complaints relating to enrolments or agents.
- Step 6. Within 10 working days of lodgement of Complaint, the PY Operations & Compliance Manager to investigate complaint and provide suggested resolution.
- Step 7. Student to be advised of resolution including details and reasons for decision.
- Step 8. If student satisfied – process ends. If student dissatisfied, PY Operations & Compliance Manager to record case as open and escalate to appeal (Level 2)
- Step 9. The Head of Professional Year acknowledges receipt of appeal in writing and advised that student is able to be assisted or accompanied by a support person throughout the process.
- Step 10. The Head of Professional Year will inform those involved of the allegations, providing an opportunity for all parties to present their side of the matter, and operating in a fair and unbiased way.
- Step 11. Within 10 working days of lodgement of Appeal, the Head of Professional Year to investigate appeal and convene an appeals committee to allow the appellant to present their case. The appeal committee shall comprise:
  - a. The Head of Professional Year (Chair)
  - b. Three ATMC PY Management members ideally from different states

- Step 12. The Appeals committee shall hear the appellant case and form a recommendation
- Step 13. The Head of Professional Year will present the Appeals Committee recommendation to the ATMC CEO to provide suggested resolution.
- Step 14. Student advised of Appeal Outcome including details and reasons for the decision by the Head of Professional Year.
- Step 15. Student satisfied with outcome – process ends. If the Student is dissatisfied with outcome, they may then refer the matter to an external third party for independent review
- Step 16. If the process extends beyond 30 days, student is to be informed of reasons why more than 30 days have been required and will provide regular updates to the student on the progress of the complaint or appeal.
- Step 17. Outcome reported to Management Review Meeting to recommend strategies to mitigate reoccurrence and to reduce risk of similar complaints occurring.

#### 4. Responsibility

- The Head of Professional Year is accountable for the ongoing development, approval, implementation, awareness and effectiveness of this Policy and the supporting processes and documentation.
- The Curriculum & Learning Manager, PY Operations & Compliance Manager and Coordinator, PY are responsible for ensuring that all team members are aware of this Policy and their responsibilities defined herein.
- PY employees are responsible for being aware of and complying with this Policy.

#### 5. Definitions

Unless the contrary intention is expressed in this Policy, the following words (when used in this policy) have the meaning set out below:

- **Appeal** – An appeal is defined as a request to review a decision that has been made on an appellant
- **Complaint** – A complaint is defined as an individual’s expression of dissatisfaction with an aspect of PY’s services and activities, including both academic and non-academic matters.
- **Administration & Student Support Officer** – Person assigned to first assess a complaint and direct to applicable manager for processing.

#### 6. Review

This document is reviewed every 2 years by the relevant manager to ensure alignment to appropriate strategic direction and its continued relevance to ATMC PY’s current and planned operations.

The next scheduled review of this document is listed in the Version Control section on Page 6.

## 7. Records

All records in Relation to this policy will be managed as follows

Record type	Responsible	Location	Retention
Complaints / Appeal Record	Head of Professional Year	Complaints and Appeal Register	7 years
Complaints / appeal Supporting Documentation	Head of Professional Year PY Operations & Compliance Manager	Share point	7 years

## 8. Related document(s)

- Complaint and Appeal Form

## 9. Document Register

Document Name:	<b>ATMC PY Complaint and Appeal Policy &amp; Procedure</b>
Document Code	SCA2.3 ATMC PY Complaint and Appeal Policy & Procedure v1.0_07052021
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