



# Australian College for Excellence(ACE)

Achieve your goals through excellence

ABN No: 99 625 415 849 RTO No: 45577 CRICOS No: 03823C



## ACE Complaints and Appeals Policy & Procedure

Complaints & Appeals Policy and Procedure	Last Reviewed: August 2021	Managed By: RTO Manager	Approved By: CEO	V2.0
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## DOCUMENT DETAILS

Policy Name: Complaints and Appeals Policy & Procedure	Published Date January 2020	Last Reviewed August 2021
Manage By: RTO Manager	Approved By: CEO	
Document uncontrolled when printed		

## LEGISLATIVE CONTEXT

Standards for Registered Training Organisations (RTOs) 2015; Clause 6.1,6.2,6.3,6.4, 6.5,6.6

The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018, known as 'the National Code 2018' Standard 3.3.7, 6.1.6, 7.5.2, 10.1, 10.2, 10.3, 10.4

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# Complaints and Appeals Policy & Procedure

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## PURPOSE

This policy outlines the Australian College for Excellence (ACE)'s approach to managing complaints and appeals and ensures that all students are aware of the steps to take to have their dissatisfaction addressed appropriately. It provides an avenue for all complaints to be addressed in a fair, efficient, and confidential manner.

## SCOPE

This policy applies to all students of ACE.

## OBJECTIVE

Australian College for Excellence (ACE) should effectively

- Manage and respond to allegations involving the conduct of:
  - the RTO, its trainers, assessors, or other staff
  - a third-party providing services on the RTO's behalf, its trainers, assessors, or other staff or
  - a learner of the RTO.
- 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.

## DEFINITIONS

Appeal – A request to review an adverse decision or an unfavourable outcome that may have arisen from any administrative, academic or disciplinary processes. An Appeal may be an Internal Appeal or an External Appeal.

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Internal Appeal – Internal Appeal is a follow up process in dealing with initial complaint where there is a dissatisfaction against a decision exists.

External Appeal – An appeal to an external agency against a final decision taken by ACE. Agencies may include the Commonwealth Ombudsman, the Victorian Ombudsman, the Privacy commissioner, the Victorian Equal Opportunity and Human Rights Commissions or Department of Education (in relation to ESOS Act).

Final Decision – A decision made by the authorised Staff or the CEO of ACE and communicate with the person who appealed or lodges a complaint.

Ombudsman – Ombudsman is a private body who has been appointed to look into complaints about companies and organisations. Ombudsmen are independent, free and impartial, and does not represent either overseas students or private education providers, can make recommendations arising out of investigations.

## **POLICY**

This policy outlines how ACE is committed to provide access to free, effective and fair complaints resolution and appeal processes to its current and prospective students. This Policy and Procedure is designed to support the student’s right to natural justice also to ensure that all the complaints will be treated in full confidence and neutrality, without any discrimination.

## **PROCESS**

### **COMPLAINTS**

All the students at ACE have the right to raise their voice on any matters / decisions in a respected and polite manner. The Complaints may be Academic related or Non-Academic related. All students have the right to request an academic review. Where a student is dissatisfied with the outcome/result of the assessment then they are free to discuss and get the resolution. Students may raise any matters of concern or Non-Academic related such as unjustly treated, undermined, harassed in any circumstances, discrimination etc.

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## INFORMAL COMPLAINTS

In the first instance it is better (subject to the circumstances) for the issue to be resolved at the time in a discussion with their Training Manager for Academic matters or with Admin Officer / Admin Staff for Non-Academic matters. The outcome of any informal complaint will not be kept on the student file unless requested to do so by the student. If the matter has been raised informally by the way of email; then the email and any response, there will be deleted unless otherwise requested by the student.

If the informal complaint raises a matter of importance for ACE; then the complaint and outcome will be documented but, if possible, the name of the student will not be included in any documentation to maintain privacy.

## FORMAL COMPLAINTS

Where this is not possible, or there is no resolution then this formal process in place to expedite the resolution of the complaint or appeal. The complaint or Appeal can be lodged either in person at ACE Campus or via email to the Student Support Officer by completing the Internal Appeals Form.

Upon receiving the “Internal Appeals Form” from the student, will be contacted within (10) working days of the complaint been received and a time will be organised for them to attend the meeting with Student Support Officer to discuss on the complaint and try to resolve the issue. Student may accompany and assisted by a support person at any relevant meetings. If the outcome is satisfied then the student will be provided with a copy of the signed written document.

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## INTERNAL APPEAL

Still the student is not satisfied with the outcome of the meeting with Student Support Officer and the essential nature of an appeal is that it is requested by a student or third party to reconsider a decision made by ACE, an “Internal Appeal Meeting” will be arranged between the student and RTO Manager to resolve the issue or to discuss how ACE can offer additional support in line with ACE policy and procedure.

If the student is not satisfied with the outcome of the Internal Appeal; the student is advised within 5 working days to access the external process.

## EXTERNAL APPEAL

There is an external complaint/appeal process available to students if they have exhausted the above internal complaint and appeal procedures and still feel unsatisfied. Student may request the College to assist the student in an appeal to an external mediator.

ACE will approach Commonwealth Ombudsman (Ombudsman for the Overseas Student)

<http://www.ombudsman.gov.au/> for any external appeals requested by the student to handle as a mediator to review the case and make a final determination.

## IMPLEMENTATION

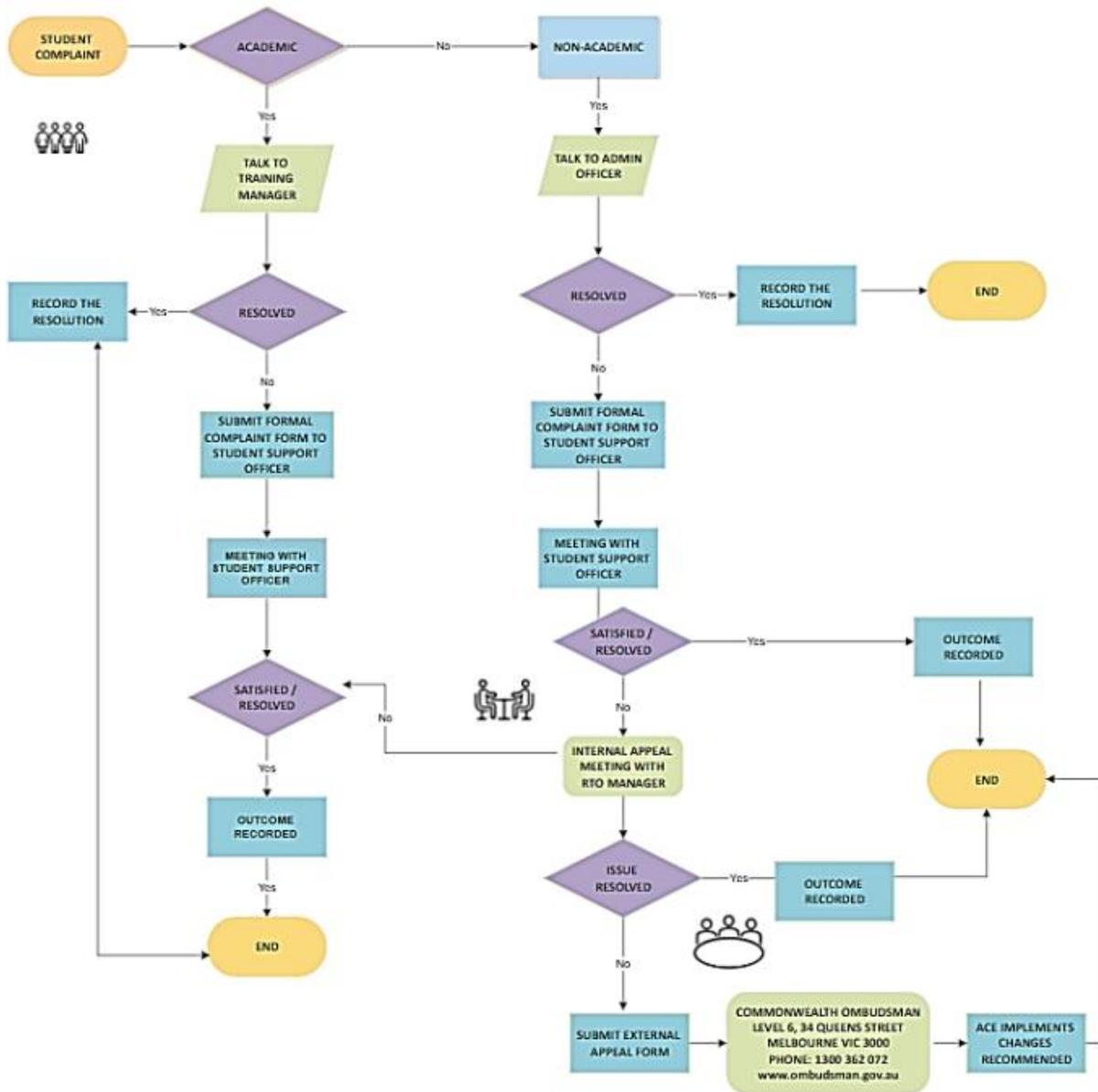
ACE agrees to be bound by the independent mediator’s recommendations and the CEO, or their nominee, will ensure that any recommendations made are implemented within 30 days of receipt of the mediator’s report. Each complaint, grievance, appeal and its outcome will be recorded in writing and each party to the complaint is given in a written statement of the appeal outcomes,

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including reasons for the decision. The CEO has overall responsibility for the implementation and review of this policy and procedure.

## COMPLAINTS AND APPEALS PROCESS AT ACE



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## RESPONSIBILITY

Prospective Student or Education Agent is responsible for:

- ensuring that they read and understand “Complaints and Appeal Policy & Procedure” from the Student Handbook or from the ACE Website.

Student Administration Officer is responsible for:

- ensuring that they read and understand this policy and have thorough knowledge of the process of resolving the complaints in first instance.
- ensuring that they should maintain the confidentiality at any time.
- assist and guide the student for the Internal Appeals Process if they are not satisfied with the outcome of first instance discussion.

Training Manager is responsible for:

- ensuring that they read and understand this policy and the process of resolving the academic issues in a fair manner.
- assist and guide the student for the Internal Appeals Process if they are not satisfied with the outcome of first instance discussion.

ELICOS Coordinator is responsible for:

- ensuring that they read and understand this policy and the process of resolving the academic issues in a fair manner.

Student Support Manager is responsible for:

- ensuring that they read and understand this policy and the process of resolving the academic issues in a fair manner.

RTO Manager is responsible for:

- ensuring that they read and understand this policy and the process of resolving the issues during the “Internal Appeals Meeting”.

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- be polite and try to resolve the issue by making arrangements for the additional support if possible.

CEO is responsible for:

- identify potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.
- review against other complaints and appeals (if any) in an effort to identify underlying systemic issues and if identified put together an improvement plan.
- The CEO has overall responsibility for the implementation and review of this policy and procedure.

## ASSOCIATED DOCUMENTS

1. ACE Complaints and Appeals Register
2. ACE Internal Appeals Form
3. ACE External Appeals Form
4. Student Handbook

## VERSION CONTROL RECORD

Date	Version	Revision Description
20/04/2018	D0.01	Policy Created
19/01/2020	V1.0	Published
14/08/2021	V2.0	Reviewed & Updated