

COMPLAINTS AND APPEALS POLICY



This policy will be given to students before a contract is entered into **or** before an amount of money has been paid **whichever happens first**.

SIA will provide this policy again **within 7 days** of a student attending a course or during orientation whichever comes first.

Written records of all complaints and appeals will be kept in detail on student files and provided to the student.

All disputes Complaints and Appeals will be handled fairly, professionally, equitably, confidentially, and in a timely manner, with a view to achieving satisfactory resolution.

SIA will in the first instance will always endeavour to resolve complaints/disputes informally. Students are encouraged to firstly talk to a member of staff as soon as a problem arises.

SIA is committed to dealing with complaints/disputes in a fair and timely manner.

- Where possible the complaint will be dealt with immediately by the Chief Executive Officer or staff member.
- Students and or SIA staff may be accompanied and assisted by a support person at any relevant meeting.
- The complaints process will commence within 10 working days of the formal lodgement of the complaint or appeal and supporting information.
- SIA will take all reasonable steps to finalise the process as soon as practicable.
- The complainant will be provided with a written statement of the outcome, including details of the reasons of the outcome.
- If a student chooses to access SIA's complaints and appeals processes SIA must maintain the student's enrolment while the complaints process and appeals is ongoing.
- If the internal or external complaint handling or appeal process results in a decision that supports the student, SIA must immediately implement any decision and/or corrective and preventative action and advise the student of the outcome.
- All complaints will be dealt with within 21 days of receipt of the written details. A written response, advising of the outcome of the complaint, will be provided.
- If the student is not satisfied with the result or conduct of SIA's internal complaints handling and appeals process, SIA will assist the student to access independent mediation at minimal or no cost to resolve the dispute.
- Nothing in the Colleges Complaints/Disputes Resolution policy negates the rights of any overseas student to pursue other legal remedies.

- If a student is not satisfied with the result or conduct of our internal complaints and appeals process, the college must advise the student of his or her right to access the external appeals process at minimal or no cost.
- Students can contact the Overseas Student Ombudsman directly.
- The college is not required to continue to offer learning opportunities throughout the complaints or appeals process. The college can decide whether it will continue to offer learning opportunities throughout any appeals process. The college may decide to exclude a student from attending classes, but continue to provide work to complete outside of the classroom environment. The college acknowledges that to deny students learning opportunities throughout the appeals process may disadvantage the student should the appeals process find in their favour.
- The dispute resolution policy does not prevent an overseas student from exercising the student's right to other legal remedies.
- Any substantiated complaint will be acted upon. All complaints will be recorded on an Improvement Log.
- A complaint can be forwarded directly to Skills Institute Australia, Chief Executive Officer by telephone on 1300 036 765 or email <mailto:sia@skills.qld.edu.au>
- SIA will not report a student for unsatisfactory progress or attendance until the student has been allowed to access our internal and **ONE** external complaints and appeals process.
- SIA will await the outcome of this process (and, if, in favour of the provider) before reporting the student through PRISMS.
- For appeals on the college's decision to defer, suspend or cancel a student's enrolment, the college only needs to wait until the internal complaints/appeals process is completed (if in favour of the college) to notify DOE/DIBP via PRISMS.

ACADEMIC COMPLAINTS / APPEALS

- Complaints/appeals against **academic decisions will be accepted up to fourteen (14) days from the date an assessment result was received.**
- Assessment will be reviewed having due regard to submissions made by the participant.
- An independent teacher/trainer will be assigned to assess the complaint.

Suspension/Cancellation of Enrolment

- Where the appeal relates to the College's decision to defer/suspend or cancel a student's enrolment for misbehaviour /breach of college rules, the College will only

await the outcome of the **internal appeals** process if it supports the College before notifying DOE and DIBP through PRISMS of the change to the student's enrolment.

- If the outcome of the internal or external appeals process results in a decision favouring the student the College will immediately implement any corrective action, decision or measures required and advise the student of the outcome.

EXTERNAL COMPLAINTS AND APPEALS

The college will only await the outcome of our internal and one external appeals process before reporting/taking action against the student for course progress or attendance.

Where the appeal relates to the College's decision to defer/suspend or cancel a student's enrolment for misbehaviour /breach of college rules, the College will only await the outcome of the **internal appeals** process if it supports the College before notifying DOE and DIBP through PRISMS of the change to the student's enrolment.

Independent mediation is available through the Dispute Resolution Branch, Department of Justice and Attorney-General. <http://www.justice.qld.gov.au/justice-services/dispute-resolution>.

Level 1 Brisbane Magistrates Court
363 George Street
Brisbane QLD 4000
Postal address
GPO Box 149
Brisbane QLD 4001
Phone 3006 2518

For details of centres located around Queensland - <http://www.justice.qld.gov.au/justice-services/dispute-resolution/dispute-resolution-centres> outside Brisbane phone 1800 017 288.

At present there is no fee for use of this service, but this may change.

If mediation is sought, the mediator is required to report the outcome of the mediation, including any recommendations arising, within 14 days of the completion of the review. Once the college receives the report of the outcomes from independent mediation, they will provide a written report to the complainant within 10 working days on the recommended actions to resolve the grievance.

INTERNATIONAL STUDENTS OMBUDSMAN

The Ombudsman provides an external complaint and appeals process for overseas students of private education providers.

*If you wish to lodge an external appeal or complain about a decision made by the college, you can contact the 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.oso.gov.au or phone **1300 362 072** for more information. Email: ombudsman@ombudsman.gov.au*

COMMONWEALTH RTO AND CRICOS REGULATOR

If the student is concerned about the actions of the provider they may approach The Australian Skills Quality Authority (ASQA), the Registration Authority for CRICOS. The Australian Skills Quality Authority (ASQA) has the power to suspend or cancel the provider's registration or a course if a breach of the requirements of registration provision is proved. To lodge a complaint with ASQA visit <http://www.asqa.gov.au/complaints/making-a-complaint.html>

COMMONWEALTH ESOS REGULATOR

DOE through the [ESOS online enquiry form](#) or through the ESOS helpline(02) 6240 5069. The student may send through a complaint at any point, including after he or she has exhausted the provider's internal appeals process and the external appeals process. DOE will only intervene where the SIA's appeals process was not conducted correctly or if SIA did not make the appeals process available to the student. DOE will only look at whether the appeals process met the requirements of the National Code. DOE will not be looking at whether the outcome of a properly conducted appeal process was right or wrong.