

# Complaints and Appeals Policy and Procedure

## National Code 2018 Standard 10

This policy is provided to all students via the school website prior to any payment being made and key excerpts are contained in the Letter of Offer.

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

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

Skilled Services Australia t/a Skills Institute Australia (SIA) will in the first instance 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 Teacher, Compliance Officer, Student Welfare Officer or relevant staff member.
- Students and / or SIA staff may be accompanied and assisted by a support person at any relevant meeting.
- Each Complainant or Appellant is given the opportunity to formally represent his or her case as minimal or no cost to him or herself.
- The formal complaints assessment process will commence within 10 working days of SIA's receipt of a written complaint or appeal and supporting information.
- SIA will take all reasonable steps to finalise the process within 21 days from commencement or as soon as practicable. A written response, advising of the outcome will be provided.
- The complainant will be provided with a written statement of the outcome of each stage of the complaint/appeal, including details of the reasons of the outcome.
- If a student chooses to access SIA complaints and appeals processes, SIA must maintain the student's enrolment while the complaints and appeals process is ongoing.
- SIA will respond to any complaint or appeal an overseas student makes regarding their dealings with SIA, SIA's agents or any related party that has an arrangement with SIA to deliver a course or related services.
- SIA must advise students that are unsuccessful with SIA's internal complaints or appeals handling and process, within 10 working days of the decision being made, of the student's right to access an external complaints and appeals process at minimal or no cost to resolve the dispute. SIA must advise the student the contact details of the appropriate complaints and external appeals body.
- 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.

- 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 SIA's Complaints/Disputes Resolution policy negates the rights of any overseas student to pursue other legal remedies.
- Students can contact the Overseas Student Ombudsman directly.
- SIA is not required to continue to offer learning opportunities throughout the complaints or appeals process. SIA can decide whether it will continue to offer learning opportunities throughout any appeals process. SIA may decide to exclude a student from attending classes but continue to provide work to complete outside of the classroom environment. SIA acknowledges that to deny students learning opportunities throughout the appeals process may disadvantage the student should the appeals process find in their favour.
- Any substantiated complaint will be acted upon. All complaints and appeals will be recorded in detail including the outcome of each stage.
- A complaint can be forwarded directly to the Administration desk or emailed to [admin@skills.qld.edu.au](mailto:admin@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 SIA's decision to defer, suspend or cancel a student's enrolment, SIA only needs to wait until the internal complaints/appeals process is completed (if in favour of SIA) to notify DET/DHA 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 facilitator/trainer will be assigned to assess the complaint.

### **Suspension/ Cancellation of Enrolment**

- Where the appeal relates to SIA's decision to defer/suspend or cancel a student's enrolment for misbehaviour /breach of SIA rules, SIA will only await the outcome of the internal appeals process if it supports SIA before notifying DET and DHA 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 SIA will immediately implement any corrective action, decision or measures required and advise the student of the outcome.

## External Complaints and Appeals

SIA will only await the outcome of one external appeals process before reporting/ taking action against the student for course progress or attendance.

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

Independent mediation is available through the Queensland Government.

<http://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/setting-disputes-out-of-court/mediation/> Phone 13 74 68

Brisbane QGSC

Address: 33 Charlotte Street, Brisbane QLD 4000

For details of centres located around Queensland -

<http://www.qld.gov.au/about/contact-government/contacts/government-service-offices/?&start=11>.

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 SIA 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.

## Overseas 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 SIA, 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 <http://www.oso.gov.au> or phone 1300 362 072 for more information. Email: [ombudsman@ombudsman.gov.au](mailto: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 RTOs. 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/make-a-complaint---overseas-students/make-a-complaint---overseas-students-1.html>

## Commonwealth EESOS Regulator

Skilled Services Australia Pty Ltd t/a Skills Institute Australia

RTO 32473  
CRICOS 03328G  
ABN 34 150 413 219  
[www.skills.qld.edu.au](http://www.skills.qld.edu.au)

Brisbane: 3431 Pacific Hwy, Slacks Creek, QLD 4127 Ph. 07 3208 3182 Email: [enrol@skills.qld.edu.au](mailto:enrol@skills.qld.edu.au)  
Perth: 74 Walters Drive, Osborne Park, WA 6017 Ph. 08 9228 8542 Email: [perth@skills.qld.edu.au](mailto:perth@skills.qld.edu.au)  
Adelaide: Level 2 112 Rundle Mall, Adelaide, SA 5000 Ph. 08 7093 0408 Email: [adelaide@skills.qld.edu.au](mailto:adelaide@skills.qld.edu.au)

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Department of Education and Training (DET) through the ESOS helpline PHONE: 1300 615 262  
<https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/Pages/ESOSEnquiry.aspx>

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. DET will only intervene where SIA's appeals process was not conducted correctly or if SIA the appeals process met the requirements of the National Code. The DET role is not to judge whether the outcome was right or wrong.

## **Complaints Procedure**

SIA must conduct the assessment of any complaint or appeal in a professional, fair and transparent manner.

All students will be given the opportunity to present their case. The student should undertake the following steps:

1. In the first instance, an informal approach is encouraged to be made to the person with whom the student has the complaint, in order to see if the matter can be resolved in a mutually satisfactory way.
2. If not satisfied or unable to undertake Step 1, the student is then to lodge the complaint in writing for investigation.
3. Students lodging a complaint will be provided with a copy of the Complaints and Appeals policy outlining all of their rights and responsibilities with a 'Complaints / Appeals form'.
4. All complaints must be recorded.
5. A member of staff who has not been involved in the complaint, will review the complaint and endeavour to have the matter resolved.
6. An investigation must be commenced within 10 working days of written/ formal lodgement.
7. The student (and support person if required to accompany or assist the student) will be invited to attend any relevant meetings to discuss / formally present the complaint/appeal at no cost to them.
8. The investigating officer must provide a written outcome of the complaint/investigation to the complainant including detailed reasons for the outcome to the Chief Executive Officer within 21 days of written receipt wherever possible or as soon as practicable.
9. SIA must advise students that are unsuccessful with SIA's internal complaints or appeals handling and process, within 10 working days of the decision being made, of the student's right to access an external complaints and appeals process at minimal or no cost to resolve the dispute. SIA must advise the student the contact details of the appropriate complaints and external appeals body.
10. The written outcome is to include that if the student is not satisfied with the outcome, of their rights to access independent mediation at minimal or no cost to resolve the dispute.
11. Students who are not satisfied with the process/decision may contact the Overseas Students Ombudsman or other Regulator as outlined in our policy for assistance.
12. SIA will only maintain the student's enrolment while a College name or acronym will not report a student for unsatisfactory progress or attendance until the student has been allowed to access ONE external complaints and appeals process.

13. Full details of all complaints/appeals, including a statement of the outcome/s and any corrective/preventative action are to be kept on the student file.
14. A signed copy (signed by student and investigating officer) of the conclusions/outcome of the complaint/appeal provided to the student is also to be kept on the student file.
15. If the internal or external complaint or appeal process results in a decision that supports the student, SIA will immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

Written records of all complaints and appeals will be kept in detail at each stage (including corrective and preventative action, reasons and outcomes) on student files and provided to the student.

Standard 10 of the National Code must be adhered to at all times.