# Complaints and Appeals Policy and Associated Procedures

### *Purpose of the policy*

This policy and associated procedures outline AICC's approach to managing complaints and appeals. This is to ensure that complaints are handled in a transparent way, as well as fairly, efficiently and effectively.

This policy and associated procedures meet the requirements of Standard 2.7 and 2.8 of the National Vocational Education Training Regulator (Outcome Standards for NVR RTOs) Instrument 2025, as well as Standard 10 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

## Policy statements

### *Approach*

Complaints may be made against AICC, its trainers and assessors and other staff, a learner of AICC, as well as any third-party providing services on behalf of AICC including education agents.

Complaints can be in relation to any aspect of AICC's services provided.

Appeals can be made in respect of any decision made by AICC. An appeal is a request for AICC's decision to be reviewed in relation to a matter, including assessment appeals.

In managing complaints, AICC will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaint process. This means reviewing each complaint or appeal in an objective and consistent manner.

AICC will appoint relevant person/s to manage complaints and appeals.

The internal complaints and appeals process will be conducted at no cost to students.

Potential causes of complaints and appeals will be investigated and corrective and preventative action will be taken in relation to complaint and appeals. Complaints and appeals will also be seen as an opportunity for improvement.

All individuals, including third parties will be informed of allegations made and will have the opportunity to present their case.

Nothing in this policy and procedure limits the rights of an individual to take action under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.

AICC encourages complainants to first seek to address the issue informally by discussing it with the person involved. However, if the person is not comfortable with this or has tried this unsuccessfully, they are to follow the procedures below.

All records of complaints and appeals will be kept by AICC and entered into the complaints and appeals register.

## *Complaints and appeals process*

Complaints and appeals are to be made as follows:

- Submit complaint or appeal in writing using the complaints and appeals form. The form is found in www.aicc.edu.au Additionally, the individual can write email to peo@aicc.edui.au directly to lodge a complaint. To note: The complaints and appeals form outlines the information that should be provided as compared to in email writing.
- Submit complaint within 30 calendar days of the incident or in the case of an appeal within 30 calendar days of the decision being made.

## *Response to complaints and appeals*

Complaints and appeals will be responded to as follows:

- The complaint or appeal will be acknowledged in writing within 3 working days of receipt.
- Review of the complaint or appeal will commence within 5 working days of receiving the complaints.
- Complaints and appeals will be finalised as soon as practicable or within 30 calendar days.
- Where the complaint or appeal is complex and is expected to take more than 60 calendar days to process, AICC will write to inform the complainant or appellant of this including the reasons for such. Following this update, regular updates will be provided of progress.
- The outcomes of the complaints and appeals process will be communicated in writing to the person making the complaint or appeals. This will also include the reasons for the outcome.

## *Complaints and appeals handling*

Each individual involved in the complaint may have a support person of their choice present at any meetings to resolve the complaint or appeal.

An independent assessor will be identified to conduct a review of an assessment decision that is being appealed.

## *Enrolment during a complaints process*

Domestic students' enrolment will be maintained throughout the complaints and appeals process unless the complaint is in relation to misconduct.

International students' enrolment will also be maintained throughout the internal appeals processes without notifying DESE via PRISMS of a change in enrolment status.

Additionally, for international students:

- If the appeal is against AICC's decision to report the student for unsatisfactory course progress or attendance, the student's enrolment will be maintained until the external process is completed and has supported or not supported AICC's decision to report.
- If the appeal is against AICC's decision to defer, suspend or cancel a student's enrolment due to misbehaviour, AICC will notify DESE via PRISMS of a change to the student's enrolment after the outcome of the internal appeals process.

### *Independent appeal process*

Where the internal process has failed to resolve the complaint or appeal, the matter will be referred to an independent mediator.

For domestic students, all associated costs are to be met by the complainant/appellant unless it is AICC that made the decision to appoint the independent party.

The independent party recommended by AICC for cases involving domestic students is the Resolution Institute. However, another mediator of the student's choice can be appointed.

For international students, the external mediator is the Overseas Students Ombudsman (OSO). International students can access the OSO at no cost in relation to matters that cannot be resolved through internal processes. Further information and contact details are included below.

During the mediation process, AICC will cooperate in full and commits to immediately implement the decision or recommendation made by the external mediator and/or take preventative or corrective action required by the decision or recommendation.

All actions taken will be communicated in writing to students.

### *Information about external bodies to whom complaints can be made*

Complaints can also be made to the organisations indicated below:

National Training Complaints Hotline:

The National Training Complaints Hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint. Access to the Hotline is through:

Phone: 13 38 73, Monday–Friday, 8am to 6pm nationally

Email: ntch@education.gov.au

Australian Skills Quality Authority (ASQA):

Complainants may also complain to AICC's registering body, Australian Skills Quality Authority (ASQA). It is important to understand that ASQA does not act as an advocate for individual students and is not responsible for resolving disputes between students and training providers. ASQA only uses information from all complaints as intelligence to inform regulatory activities. More information can be found at: https://www.asqa.gov.au/complaints

The Overseas Student Ombudsman (OSO)

International students may complain to the OSO about a range of circumstances including:

- being refused admission to a course;
- course fees and refunds;
- being refused a course transfer;
- course progress or attendance;
- cancellation of enrolment;

- accommodation or work arranged by AICC;
- incorrect advice given by an education agent;
- taking too long in certain processes such as issuing results; and/or
- not delivering the services indicated in the Offer Letter and Student Agreement.

More information can be found at:

http://www.ombudsman.gov.au/making-a-complaint/overseas-students#quality-of-education-provider

## Procedures

| 1 | **Process complaints and appeals** |
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| 1.1 | File the complaints and appeals form received. |
| 1.2 | Send out an acknowledgement within 3 working days of receiving the complaint or appeal. |
| 1.3 | Record details of the complaint or appeal on receipt on the complaints and appeals register. |
| 1.4 | Determine whether the complaint or appeal can be resolved quickly and easily. If so, take immediate action to resolve the complaint or appeal and inform the student in writing of the outcome. |
| 1.5 | If the complaint is more complex, organise relevant staff to review the complaint and commence investigation. |
| 1.6 | Inform the complainant or appellant within 5 days of receiving the complaint that the investigation will commence or of the action that will occur in the case of simple complaints. |
| 1.7 | Conduct an investigation that includes:<br>• checking of all facts and accuracy of information<br>• requesting further information as required<br>• organising a meeting with the complainant/appellant<br>• identifying relevant corrective/preventative action<br>• confirming a solution. |
| 1.8 | Where the matter is an appeal about an assessment decision, the investigation process will include an independent review of the assessment evidence and decision by another assessor. A relevant independent assessor should be organised. |
| 1.9 | The investigation will be completed within 30 days, or if it is considered that it will take longer to than 60 calendar days to process, AICC will write to inform the complainant or appellant of this including the reasons for such. Following this update, regular updates will be provided of progress. |

1.10 Where the process finds in favour of the student, organise a management meeting to discuss:

- the process and its outcome; and
- actions to be taken to implement the decision, including both corrective/preventative actions.

1.11 Following the meeting, agreed actions will be immediately implemented.

1.12 Update the complaints and appeals register.

1.13 Once the investigation is complete, the complainant or appellant will be informed in writing of the outcome using the complaints and appeals outcome letter. Where the response is in relation to a complaint, the letter will advise that the internal appeals process may also be accessed.

1.14 Archive the complaint or appeal documentation.

## 2 Organise external appeals

2.1 In cases where the student has organised the mediator, it will be responding to the mediator's requests.

2.2 Cooperate with all requirements of the mediator, providing all information as required.

2.3 Where the mediator finds in favour of the student, organise a management meeting to discuss:

- the external process and its outcome; and
- actions to be taken to implement the decision, including both corrective/preventative actions.

2.4 Following the meeting, agreed actions will be immediately implemented.

2.5 Advise the student of the action that AICC will take in response to the external mediator's decision.

2.6 Where the external mediator support AICC's decision's regarding international students, for example, in relation to cancellation, notify DESE via PRISMS.

## 3 Review compliance with Standards 2.7 – 2.8 of the Outcomes Standards for Registered Training Organisations (RTOs) 2025 and National Code 2018

3.1 Reviewed monthly on the AICC Management Meeting agenda

3.2 Reviewed as per Governance Schedule

## *Responsibilities*

The CEO/PEO is responsible for investigating complaints and appeals and making decisions about complaints and appeals in conjunction with others.

The Academic Manager is responsible for investigating complaints and appeals, making decisions about complaints and appeals in conjunction with others and facilitating external decisions.

The Administration and Student Support Officer is responsible for processing complaints and appeals forms and filing all documentation.

## *Document Control*

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| Version number: | V1.4 | Approved by: | CEO/PEO |
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