

Complaints and Appeals

Policy

The ABI management recognises the obligation of the ABI to protect the rights of Students as consumers by implementing an appropriate and documented Complaints and Appeals policy and procedure

The ABI management understands that the National Code recognises that both internal and external complaint and appeals processes play a role in ensuring that grievances are appropriately heard and addressed for both the student and the registered provider.

That these processes will enable students to firstly seek recourse using the registered provider's internal processes, and then if needed, through an independent, external person or body.

And as the student's stay in Australia is subject to the period of his or her student visa, the timeliness of decision making is an important consideration in the development of appropriate complaints and appeals policies, procedures and practices (Standard 8).

The ABI Management ensures to document, make available and implement an internal complaints handling and appeals process that satisfies all of the following regulatory requirements.

8.1 a. a process is in place for lodging a formal complaint or appeal if the matter cannot be resolved informally, which requires a written record of the complaint or appeal to be kept

b. each complainant or appellant has an opportunity to formally present his or her case at minimal or no cost to him or herself

c. each party may be accompanied and assisted by a support person at any relevant meetings

d. the complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome, and

e. the process commences within 10 working days of the formal lodgement of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.

8.2 The registered provider must have arrangements in place for a person or body independent of and external to the registered provider to hear complaints or appeals arising from the registered provider's internal complaints and appeals process or refer students to an existing body where that body is appropriate for the complaint or appeal.

8.3 If the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, the registered provider must advise the student of his or her right to access the external appeals process at minimal or no cost.

8.4 If the student chooses to access the registered provider's complaints and appeals processes as per this standard, the registered provider must maintain the student's enrolment while the complaints and appeals process is ongoing.

8.5 If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

Policy and Procedure Availability

1. The CEO will ensure to document, maintain, implement and update this Complaints and Appeals policy and procedure

2. The CEO will ensure to make this policy and procedure available to staff and students through:

- Student handbook/induction
- Staff Handbook/induction
- Enrolment Form – terms and conditions
- Job description
- Relevant and timely notices

Policy and Procedure Implementation

Implementation

The ABIs Complaints and Appeals procedure has an initial informal stage to enable timely resolution of the complaint followed by formal stages.

Informal Complaints and Appeals

Non Academic

1. Any stakeholder including learners wishing to lodge a complaint or appeal informally ie not in writing, may approach any relevant ABI staff member and initiate discussions
2. The staff member is obligated under their terms of employment to follow through all informal complaints or appeals, in confidence and in good faith, alert other relevant staff and reach a timely resolution
3. If the complainant is accepting of the resolution the discussions end there or if not the staff member will recommend that the complainant follow up by using the ABI Formal procedures
4. The staff member will confirm with the complainant, prior to entering into discussions that the complainant is in fact making an informal complaint or appeal and if so that whilst discussions and resolutions will be undertaken in confidence and good faith:
 - The staff member may not have the authority to resolve the issue ie it might lie outside of their authority and consequently a more senior officer will need to be involved
 - For the purposes of continuous improvement, the staff member will be required to enter the issue into the for tabling (by using the Continuous Improvement Request and

Action Sheet) at the next scheduled monthly staff meeting (with or without the complainant name – depending on what the complainant prefers)

5. The staff member will follow through and ensure that the agreements or resolutions are enacted and the complainants informed

Note:

- a. There is no requirement for the ABI Complaints and Appeals Form or an outcome letter to be completed for informal issues – however it might assist both the staff member and the complainant with organising issues, agreements etc. to complete these forms.
- b. Regardless of point a. above a record of the informal issue and any resolutions will be made and maintained through the ABIs Continuous Improvement System

Academic

In the case of informal Academic Complaints and Appeals:

1. All of the procedures for Non- Academic issues, as above, are to be followed
2. However regardless of the staff member originally approached by the complainant, the staff member is to inform the complainant that all academic complaints or appeals, formal or informal, must be directed to the Director of Studies (unless the complaint or appeal is about the Director of Studies and in this case to the CEO)
3. The Director of Studies or CEO will organise either the ABI or external ,relevant qualified independent Trainers and Assessors to consider and resolve the matter.

Formal Complaints and Appeals

Non Academic

Stage one—Formal complaint

If either an informal complaint and appeal cannot be resolved informally or if the complainant wishes a complaint and appeal can be lodged as a Formal Complaint or Appeal in the first instance, they can do so by completing either of the and submitting along with evidence, to the Administration Officer (or if the complaint or appeal involves the Administration Officer directly, another senior ABI officer who is independent of the situation e.g. Director of Studies, Administration Officer, Compliance Officer.

Stage two—Internal Dispute Resolution (IDR)

The senior ABI officer, upon receiving the completed form will:

1. Forward the completed form along with any evidence to the CEO
2. The CEO will commence within 10 working days of the formal lodgement of the complaint or appeal and supporting information.
 - Both acknowledge (in writing) and by phone call:
 - The ABIs Receipt of a Formal Complaint or Appeal and supporting evidence and invite the complainant to attend a formal meeting to discuss and resolve.
 - all parties rights and obligations as per the ABI Complaints and Appeals Policy and Procedure (as available on the website and in the Student Handbook) including the right to have a support present
 - that the ABI will make all reasonable attempts to resolve the issue and formally acknowledge outcomes, in writing, in under 60 calendar days (including the initial 10 days) and that if more than 60 days is required the complainant is informed as to why and kept updated at all times
3. Arrange a place, time and attendees for the meeting
4. Undertake the meeting, maintaining Meeting Notes
5. Provide a Formal Complaints or Appeals Outcome Notice as a written account of the meeting proceedings, discussions and resolutions to the parties within the 60 calendar days. This notice to also inform of the process in the case of the issue not reaching resolution
6. Enter the complaint or appeal into the Complaints and Appeals Register and table for discussion (by using the Continuous Improvement Request and Action Sheet) at the next scheduled monthly management meeting – to determine causal factors and prevent re-occurrence

Stage three—External Dispute Resolution (EDR)

Any fees, charges for EDR will be identified and communicated to applicant after receipt of formal request for external dispute resolutions as per actual if any prior to initiation of EDR

Non Academic

1. The CEO (or Admin Officer) will make arrangements so a person or body independent of, and external to the ABI such as an independent dispute resolution body or stakeholder organisation—can hear unresolved appeals arising from the internal review.

Academic

In the case of formal Academic Complaints and Appeals to be resolved through EDR:

1. All of the procedures for Non- Academic EDR, as above, are to be followed

2. However the CEO (or Admin officer) will organise (on a case basis) an academic committee of qualified trainers and assessors preferably from another RTO with the same scope to form the EDR Academic Committee to resolve the issue

NOTE

academic matters includes issues such as :student progress, assessment, curriculum and awards in a course

non-academic matters includes complaints in relation to: personal information that is held in relation to the student, Non-academic decisions made by the ABI such as - harassment, vilification, discrimination, financial matters, fines and payments, application procedures, exclusions from events and facilities.