

COMPLAINTS AND APPEAL POLICY AND PROCEDURE

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COMPLAINTS AND APPEAL POLICY AND PROCEDURE

SCOPE

This policy applies to all the staff and students of Focus Language English.

OWNER

Chief Operations Officer (COO)

POLICY

Focus Language English recognises the need for students, staff and other clients to have confidence that the college will deal with grievances in a fair and equitable manner based on procedures that are appropriate, accessible and easily understood.

This policy ensures the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process and is publicly available.

Focus Language English has a duty of care in ensuring students study in a happy environment, free of coercion, unfair treatment or harassment. Nothing in these procedures limits the rights of individuals to take action under Australia's Consumer Protection laws.

Chambers is constantly reviewing and updating policies, as a grievance helps us to fix a problem and assists with continuous improvement.

PROCEDURE-COMPLAINT

STAGE 1 – INFORMAL COMPLAINT RESOLUTION

Any of the following may be an issue for a student:

- Assessment result disputes
- Attitude of other students
- Attitude of Focus Language English staff member or any third-party providing services on the RTO's behalf, its trainers, assessors or other staff
- Dissatisfaction with amenities in classroom
- Dissatisfaction with general amenities-computers, student common area, printers, kitchen and toilets etc.
- Timetable issues
- Other issues

The initial intent is for the above to be resolved through discussions, advice and general mediation. If these attempts fail the next step is for the student to submit a Focus Language English Student Complaint Form (STD-FOR12) to student services manager. Once this has been submitted Focus Language student services department is to forward the complaint to the General Manager(GM) and the GM is to arrange a meeting within 10 working days with the student and their nominated support person (where requested by the student). Upon receipt of the complaint, the GM also notifies all person/s who are involved with the complaint/allegation and requests them to add their input/feedback on the lodged complaint. If this process does not resolve the issue the student may progress their complaint to Stage 2



(below).

RE-ASSESSMENT

Re-assessment for assessments only occurs if the student has previously submitted the assessment or has missed the relevant session(s) and has been afforded special consideration which is approved by the Academic department.

Students will be given an opportunity to attempt a first re-assessment (this re-assessment is conducted free of charge). Each student is to fill out and submit a reassessment request to their Trainer/Assessor (TRN) and from this a suitable time will be arranged for the reassessment to occur within 14 days of the completion of the unit in question. Should a student either not make an attempt within this time frame or the student does not achieve a satisfactory result after the first re-assessment, they will be provided with the opportunity of a second reassessment attempt which must be completed within 14 days of the unsuccessful first attempt.

Should the student still not achieve competence after these assessment attempts, it will be necessary for them to re-enrol in (repeat) the unit of competence at a cost as mentioned in Fee Schedule.

STAGE 2 – Formal Complaints Resolution

- Student submits a formal complaint and this is documented in the Complaints & Appeals Register
- Within 10 days of receipt of the complaint the matter is to be resolved. A meeting is held between the student and their support person and the General Manager
- Within 48 hours of the meeting a decision is made and conveyed in writing to the student together with the reasons for the decision. The result is documented in Complaints and appeals register.
- At all times during the complaints and appeals process a students' enrolment is to be maintained by Focus Language School
- If the student is dissatisfied with the outcome they will be advised of their right to appeal the decision within 20 working days
- If the student is satisfied with the outcome the matter will be considered resolved and will be closed

STAGE 3 FORMAL APPEALS RESOLUTION

Once a complaint has been received and an outcome together with the reasons behind the decision has been conveyed to the student the following occurs:

1. The student is satisfied with the outcome and the matter is resolved and closed
2. The student is not satisfied with the outcome and exercises their right to appeal the decision made by Focus Language English.

In addition to the right to appeal against outcomes as stated above students may also appeal decisions made by Focus Language English such as:

- Assessments outcomes.
- Reported breaches of academic performance, misbehaviour such as non-payment of fees.
- Deferral, suspension, or cancellation decisions made in relation to the student's enrolment



- Decisions relating to harassment, discrimination or acts of violence

STAGE 4 -EXTERNAL APPEALS

Where no mutually acceptable resolution can be found, complainant may wish to have the matter dealt with through an external resolution process facilitated by:

OVERSEAS STUDENTS OMBUDSMAN (OSO) (FOR INTERNATIONAL STUDENTS)

Alternatively, the complainant may wish to lodge a complaint or seek further advice by contacting the National Training Complaints Hotline on 1800 000 674.

PROCEDURE-APPEAL

This procedure outlines Focus’s approach to managing complaints and appeals and ensures that all clients, students, employers and other stakeholders are aware of the steps to take to have their complaint or appeal addressed appropriately.

This policy provides an avenue for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

The word ‘complaint’ within the following refers to either a complaint or appeal.

STAGE 1 – FORMAL COMPLAINT

	Action	Details	Responsibility
1	Make complaint in writing.	<p>Formal complaints should be made in writing.</p> <p>When making a complaint, provide as much information as possible to enable Focus to investigate appropriately and determine an appropriate solution.</p> <p>The complainant is invited to include suggestions about how the matter might be resolved.</p>	Complainant



2	Acknowledge receipt of complaint and commence process.	<p>Provide receipt of the complaint to the complainant within five working days.</p> <p>Notify all person/s involved in the complaint to request their feedback/response to the lodge complaint.</p> <p>Commence the complaints and appeals process within ten days of receipt of the written complaint. All reasonable measures must be taken to finalize the process as soon as practicable and within twenty (20) days. If the matter is particularly complex and goes onto stage 2 of the complaints process or further, the matter may take longer to resolve.</p>	General Manager
3	Investigate and review the complaint.	<p>Upon receiving the complaint, the General Manager may request further details from the complainant. This may be sought by written or verbal request or by face-to-face interview with the complainant and/or respondent(s). When such clarification occurs in a face-to-face interview, the persons being interviewed may have another person accompany them.</p> <p>Investigation into the matter will take place to ensure Chambers has accurate, complete and relevant information.</p> <p>The General Manager will review the information and decide on the appropriate actions to be taken.</p>	General Manager
4	Recommend resolution and provide report to complainant.	<p>The General Manager will endeavor to resolve the complaint. Within ten working days, the General Manager will provide a written report to the complainant on the steps taken to address the complaints and will include their recommendations and reasons for their decision.</p> <p>The report will further advise the complainant of their right to access the internal appeals process if they are not satisfied with the outcome of the formal complaint.</p>	General Manager



STAGE 2 – INTERNAL APPEAL

	Action	Details	Responsibility
1	Escalate complaint – lodge appeal to CEO for review.	<p>If the complainant is dissatisfied with the outcome, they may lodge an appeal with the Chief Executive Officer (CEO) (who is senior to the original decision maker).</p> <p>An appropriate person or committee will be appointed to consult with the complainant and other relevant parties within ten (10) working days.</p> <p>c) Where possible such consultations should take the form of face-to-face interviews. The complainant or the respondent may ask another person to accompany them to these interviews.</p> <p>Following the consultation, the Chief Executive Officer (CEO) (or nominee) will provide a written report to the complainant within ten working days, advising the further steps taken to address the complaint, including the reasons for the decision.</p> <p>The report will further advise the complainant of their right to access the external appeals process if they are not satisfied with the outcome of their internal appeal.</p>	Chief Executive Officer (CEO)

STAGE 3 – EXTERNAL APPEAL

	Action	Details	Responsibility
1	If required, escalate to external mediator for review.	If the complainant is dissatisfied with the outcome of their appeal, they may make a written request to Chambers that they wish the matter be dealt with through an external dispute resolution process. The external process is facilitated by Overseas Students Ombudsman. (OSO- for international students).	Complainant
2	Report to Manager	The mediator will report to Manager or nominee, the outcome of the mediation, including any recommendations, asap. Focus agrees to be bound by the independent mediator's recommendations and the Chief Executive Officer (CEO), or nominee, will ensure that any recommendations made are implemented within thirty days of receipt of the mediator's report.	External mediator
3	Respond to complainant.	After receiving the report, the Chief Executive Officer (CEO) or nominee will respond to the complainant within ten working days, and provide a written summary of the actions recommended by the external parties to resolve the complaint.	Chief Executive Officer (CEO)

STUDENT NOTIFICATION

Focus Language School notifies the student in the following three instances:

- once the complaint is received through **LET-18 COMPLAINT ACKNOWLEDGEMENT LETTER**
- once the complaint is finalised through **LET-19 COMPLAINT RESPONSE LETTER**
- if the complaint takes more the 60 calendar days to resolve through **LET-21 COMPLAINT UPDATE LETTER-60 CALENDAR DAYS**
- when a complaint takes more than 60 calendar days to resolve, the complainant is being updated regularly on the progress of the resolution through **LET-21 COMPLAINT UPDATE LETTER-60 CALENDAR DAYS.**

RECORDS OF COMPLAINTS AND THEIR OUTCOMES

	Action	Details	Responsibility
1	Record complaint and outcomes.	<p>a) Following the complaint, appropriate actions will be taken by Chambers to prevent the problem from recurring through its Continuous Improvement and Quality Assurance policy and procedures.</p> <p>b) The complaint details and outcomes will be logged on Chambers Complaints and Appeals Register for review by Management.</p>	Chief Executive Officer (CEO) General Manager



VERSION CONTROL TABLE

The following table is NOT a part of the policy and can be updated from time to time without affecting the version of the document.

Related Documents			Version Control		
<ul style="list-style-type: none"> STUDENT COMPLAINT FORM (STD-FOR12) STUDENT APPEAL FORM (STD-FOR13) LET-18 COMPLAINT ACKNOWLEDGEMENT LETTER LET-19 COMPLAINT RESPONSE LETTER LET-21 COMPLAINT UPDATE LETTER-60 CALENDAR DAYS COMPLAINTS AND APPEALS REGISTER (RGT-002) 			<ul style="list-style-type: none"> V1.0; June 2020 		
Teamwork PM Task List					
Task#	Task Name	Task List	Project	Frequency	Task Description
Document Location					

