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Complaints & Appeals Policy

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Allora College Website: www.allora.edu.au

Head Office Address:

3/414 Logan Road, Greenslopes, QLD, 4120.

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| V1.1 | 9-May-2019 | Change of Trading Name |

Review Process:

This policy shall be reviewed on the date mentioned below in compliance with education industry standards and **Standards for Registered Training Organisations (RTOs) 2015**.

Next Review Due: 01 May 2020.

Complaints & Appeals Policy

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Complaints & Appeals Policy

1. COMPLAINTS AND APPEALS POLICY

1.1 Responsibility and Authority

The Chief Executive Officer (CEO) of Allora College (the College) shall define the Complaints and Appeals Policy and ensure the policy is developed, distributed, reviewed, maintained, understood, and implemented throughout the members of College.

1.2 Policy Statement

Allora College shall provide processes for handling grievances (grievances/complaints) to resolve disputes brought by prospective, enrolled and former students regarding academic and non-academic matters.

Grievance means a statement of concern by a student that:

- (a) Has been reported by the student to an officer in the College; and
- (b) Requires action or a response under the policies or regulations of the College.

General feedback and comment from students about administration, academic programs and services will not be treated by Allora College as a grievance unless action or a response is required under the policies or regulations of the College.

Whenever possible, grievances will be handled at College level. However, should these internal processes not resolve the matter, provision is made for external independent grievance handling/dispute resolution at minimal or no cost to the complainant.

Outcomes of the grievance will be provided to the student in writing, recorded and placed in the student's file and the College Complaints Folder.

Information contained in this policy statement must be given to students before an agreement is entered into or before any fees are paid, whichever occurs first, and within seven (7) days of starting an award course at the College.

1.3 Purpose and Scope

The purpose of the Complaints and Appeals Policy is to ensure that all participant complaints and appeals are dealt with in a timely and constructive manner, with impartiality, observing the principles of natural justice and procedural fairness by informing those involved of the allegations, providing those involved an opportunity to present their side of the matter and operating in a fair and unbiased way and at no cost to the participant. This policy applies to:

- all formal and informal complaints received by Allora College.
- all participants currently enrolled in courses at Allora College and is applicable to all complaints and appeals, including assessment decisions, involving:
 - the conduct of the Registered Training Organisation (RTO), its trainers, assessors or other staff;
 - a third party providing services on the RTO's behalf including its trainers, assessors or other staff; or
 - a learner of the RTO

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1.4 Principles underpinning this policy include:

- (a) Actions within the process will be undertaken in a timely manner and timelines for responses will be specified at each stage of the process
- (b) Students will be permitted to participate in the process, and the student may include a nominee if so desired
- (c) The process will be as simple as possible and easily accessible to students
- (d) The process will not victimise or discriminate against any student or respondent
- (e) As part of the process, reasons and full explanations will be given for decisions and actions taken.
- (f) Appropriate records of the handling of a grievance/complaint will be kept in the student's file and the College Complaints Folder, and treated as confidential, with appropriate access available to involved parties
- (g) Any required arrangements for external independent grievance handling/dispute resolution will be inexpensive to the student
- (h) All staffs involved in a complaint or appeal have a duty to observe the principles of procedural fairness (natural justice)
- (i) If a student chooses to access the College complaints and appeals process, his or her enrolment is maintained with the College while the complaints and appeals process is ongoing
- (j) If the outcome of a student's appeal through internal or external complaints and appeals handling process is favourable to the student, the College will immediately advise the student of this and implement any decision and/or corrective and preventive action required

Nothing in the College's policies and procedures negate the right of any student to take action under Australia's consumer protection laws in the case of financial disputes. This Dispute Resolution Policy does not circumscribe the student's right to pursue other legal remedies.

1.5 Advocacy

A student and/or the College may nominate an advocate to accompany, represent, and support them at any stage of the internal complaint and grievance processes, or external independent processes to resolve problems.

2. COMPLAINTS AND APPEALS PROCEDURE

2.1 Complaints and Grievances about Academic Matters

2.1.1 Informal resolution with a Trainer

Students concerned about an academic matter (including but not limited to training delivery and assessment, and the quality of the teaching) in a unit of study should initially discuss the issue informally with the relevant trainer. The trainer should deal with the issue promptly, giving a full explanation to the

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student and offering her or him a possible solution. All information given will be recorded and placed in the client's file and the College Complaint Folder.

If the student's concerns are not resolved by this means, the trainer should: Explain the next step in the procedure, set out below; and

Give the student a copy of this policy.

2.1.2 Reference to the Administration Manager (Student Support Officer)

If the student's concerns cannot be resolved by the relevant trainer, or because of a failure to follow procedures, the student may then choose to approach the Administration Manager. The student may approach the Administration Manager on an informal basis, or else make the complaint formal by putting the grievance in writing, specifying the nature of the complaint and the grounds for their appeal. The student should do either of these things within 15 working days of the outcome of discussions with the trainer.

Informal complaints

If the student chooses to approach the Administration Manager informally, this does not preclude later lodgement of the grievance formally in writing to the Administration Manager.

The Administration Manager should deal with informal complaints promptly, giving a full explanation to the student of the reasons for the academic decision and offering her or him a possible solution.

Formal complaints

The Administration Manager (AM) must acknowledge receipt of a formal complaint in writing within five (5) working days of receipt.

The Administration Manager must start the process to resolve the complaint within 10 working days of receiving the complaint. To resolve the issue, the AM may discuss with the relevant trainer and the student, and arrange a meeting between the student and AM in an attempt to find an acceptable solution.

Following investigation of the matter, Administration Manager will advise the student in writing of his or her decision:

- (a) Setting out the reasons;
- (b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to the CEO of the College; and
- (c) giving the student a copy of this policy, if the student does not already have a copy.
- (d) All information given will be recorded and placed in the client's file and the College Complaint Folder

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2.1.3 Reference to the Executive Level Officer (CEO) of the College

If the student's concerns cannot be resolved by the Administration Manager, or because of failure to follow procedures, the student may only formally approach the Executive Level Officer of the College by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the Administration Manager. Again the nature of the complaint and the grounds for appeal should be detailed.

The Executive Level Officer must acknowledge receipt of the formal complaint in writing within five (5) working days of receipt and start the process to resolve the complaint within ten (10) working days of receiving the complaint. If the complaint relates to the assessment judgement of an assessment, the Executive Level Officer may appoint an independent assessor who will re-mark the assessment script under dispute. A fee may be charged if the student had been awarded a pass mark for the assessment script under dispute.

Following investigation of the matter Executive Level Officer will advise the student in writing of his or her decision:

- (a) Setting out the reasons;
- (b) if the complaint relates to the assessment judgement on an assessment, advising that his/her decision is final;
- (c) on other academic matters, advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- (d) Giving the student a copy of this policy, if the student does not already have a copy.
- (e) All information given will be recorded and placed in the client's file and the College Complaint Folder

2.2 Appeals regarding non-Academic/Administrative and Other Issues

Non-academic/administrative issues are not limited to, but include, matters related to fees, withdrawals, or related third party(if applicable) Allora College engages with etc., and other issues students may consider are interfering with the progress of their studies.

2.2.1 Informal resolution with the Administration Officer (Student Support Officer)

In the first instance, a student who is concerned about a non-academic decision made or action taken by any staff of the College should discuss their grievance with the Administration Officer. The **Administration Officer** will promptly notify the student of any action taken or any decision made by them in relation to the grievance.

If, following the notification from the **Administration Officer**, the student's grievance is not resolved to their satisfaction; the student should seek advice from the Administration Officer who will advise the student to whom the student may next address their grievance. If the matter relates to the College policy or regulations, the student may address the CEO. The Administration Officer will give the student a copy of this policy.

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2.2.2 .Reference to the Executive Level Officer (CEO) of the College

If the student's concerns cannot be resolved by the Administration Manager, or because of failure to follow procedures, the student may only formally approach the CEO by putting the complaint in writing and lodging it within 15 working days of receipt of the written response by the College Administration Manager. Again the nature of the complaint and the grounds for appeal should be detailed.

The CEO must acknowledge receipt of the formal complaint in writing within five (5) working days of receipt, and must begin to resolve the complaint within ten (10) working days of receiving the complaint.

Following investigation of the matter, the CEO will advise the student in writing of his or her decision:

- (a) Setting out the reasons;
- (b) advising that if the student does not agree with the decision, then the student has the right of formal appeal to an independent external agency; and
- (c) Giving the student a copy of this policy, if the student does not already have a copy.
- (d) All information given will be recorded and placed in the client's file and the College Complaint Folder

Contact details for the College:

Chief Executive Officer

Ms. Shivani Verma

Registered Address: 3/414 Logan Road,

Greenslopes QLD 4120

P: 07 3157 6552

M: 0416292112

E: Shivani.v@allora.edu.au

W: www.allora.edu.au

Administration Manager

P: 07 3157 6552

E: info@allora.edu.au

***Note:** Where Allora College considers more than 60 calendar days are required to process and finalise the complaint or appeal, Allora College will:

- a) Inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required
- b) Regularly update the complainant or appellant on the progress of the matter.

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3. External Dispute Resolution

If the student remains dissatisfied with the outcome of the internal complaint handling and appeals process, the College will advise the student within 10 working days to access an external / independent mediation at minimal or no cost to resolve the dispute. The college shall also provide the contact details of the Third party to the student.

Independent mediation is available through the Dispute Resolution Branch, Department of Justice and Attorney-General. At present there is no fee for use of this service, but this may change.

There are six Dispute Resolution Centres throughout Queensland. The Brisbane Centre contact details:

Level 1 Brisbane Magistrates Court

363 George Street Brisbane Qld 4000

Tel: + (07) 3239 6007; 1800 017 288 (toll free outside Brisbane)

E: drc.sq@justice.qld.gov.au

Website: <https://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/settling-disputes-out-of-court/dispute-resolution-centres>

Such appeals should be in writing. The staff members are also able to make representation to the Mediation Committee regarding the matter. Students and/or the College can include a nominee in this process if they so choose. Decisions of the Committee shall be final and binding on all parties.

Allora College will ensure a person or body independent of and external to the College is accessible to hear complaints or appeals arising from the College's internal complaints and appeals process. Students will be made aware of how to access this person / body which will include mediation supplied by the Dispute Resolution Branch, Department of Justice and Attorney-General.

It should be noted that where the Colleges' internal policies and procedures have been followed, the independent mediation supplied by the Dispute Resolution Branch, Department of Justice and Attorney-General, will not include making a decision on the complaint/appeal. The Dispute Resolution Branch currently provides mediation between parties.

The mediator will report to Allora College the outcome of the mediation, including any recommendations arising. Once the College receives the report of the outcomes from independent mediation, they will provide a written report to the complainant/appellant within 10 working days on the recommended actions to resolve the grievance.

Allora College agrees to be bound by the independent mediator's recommendations and should the complaint handling or appeal process result in a decision that supports the student, Allora College will immediately implement any decision and/or corrective and preventive action required and advise the student of the outcome. Allora College will also ensure that any recommendations are recorded in the Continuous Improvement Registered and actioned.

The complainant and the College are required to share or negotiate the \$80 per hours cost (if any) of this service prior to signing a mediation agreement to appoint the mediator. Administration of the service, which includes allocation (but not cost) of a mediator and a venue, will be organized by the College. The service will be conducted in an open and respectful manner (non-adversarial) in an attempt to reach

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agreement in the dispute. If the dispute is not settled in the mediation process, either party may seek other legal remedies.

If, after following Allora College internal procedures, you still believe the College is breaching or has breached its legal requirements, you can submit a complaint to the Australia Skills Quality Authority (ASQA) by completing the online complaint form (<https://rms.asqa.gov.au/registration/newcomplaint.aspx>) Except in exceptional circumstances, you must attach evidence to your complaint form showing that you have followed Allora College formal complaints procedure and the College's response.

ASQA's processes requires you to identify yourself to ASQA as a complainant, although you may request that your identity is kept confidential throughout any investigation that ASQA undertakes.

Nothing in this Dispute Resolution Policy denies the rights of students to pursue other legal avenues.

*While the parties attempt to resolve the matter, the College will maintain the enrolment of the student and the student will continue to attend classes as normal, unless the student has a reasonable concern about an imminent risk to his or her health and safety.

*** in case of physical barriers or language barriers students may access the following:**

National Relay Service: Teletypewriter (TTY) users phone 133 677 and then ask for 1300 362 072. Speak and Listen users phone 1300 555 727 and then ask for 1300 362 072. Internet Relay users can connect to the National Relay Service internet-relay.nrscall.gov.au and then ask for 1300 362 072.

Interpreter Service: The student can make a complaint in their language. They can call the Translating and Interpreting Service (TIS) in Australia on 131 450, outside Australia call +61 3 9203 4027. We will pay for the interpreter.