

POL-QA-02 Complaints and Appeals Policy

GOVERNANCE

SRTOs 6.1-6.6 – Managing Complaints and Appeals

National Code 2018 - Standard 6 – Overseas Student Support Services

POLICY

a) This policy supports Ironwood Institute complaints and appeals from:

- Ironwood Institute, its trainers, assessors or other staff
- a third-party providing services on the Ironwood Institute's behalf, its trainers, assessors, or other staff; or
- a learner of Ironwood Institute

b) Ironwood Institute will:

- View all complaints and appeals as an opportunity for improvement.
- Provide a 'Complaints and Appeals Form' for the lodgement of complaints and appeals available on its website www.ironwood.edu.au, in the student information handbook available from Student Services.
- Make every non-formal attempt to resolve the complaint, including providing advice, discussions, and general mediation in relation to the issue and the complainant's issue. Any staff member can be involved in this informal process to resolve issues but once a complainant has placed a formal complaint / appeal the formal policy is to be followed.
- Allow any staff member, student, potential student, or third party to submit a formal complaint with the reasonable expectation that all complaints will be treated with integrity and privacy.
- Not levy any cost for accessing the internal complaints and appeals process.
- Allow Complainants to have the right to access advice and support from independent external agencies / persons at any point of the complaint and appeals process. The use of such external services will be at the complainant's cost unless authorised by the CEO.
- Allow all formally submitted complaints or appeals to be submitted to Student Services or directly to the CEO. Complaints are to include the following information:
 - Submission date of complaint
 - Name of complainant
 - Nature of complaint
 - Date of the event which lead to the complaint
 - Attachments (if applicable)
- Ensure that when a formal complaint is received it is entered in the 'Complaints and Appeals Register', which is to be monitored by the CEO. The information to be contained and updated within the register is as follows:
 - Submission date of complaint
 - Name of complainant

- Description of complaint / appeal
 - Determined Resolution
 - Date of Resolution
- Notify the complainant in writing that their complaint has been received and registered with Ironwood Institute.
 - All complaints and appeals will be handled as Staff-In-Confidence.
 - Allow the complainant to be assisted or accompanied by a support person regardless of the nature of the issue or complaint throughout the process.
 - Have the CEO refer the matter to the appropriate staff member to resolve or decide on the complaint within 10 working days and keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.
 - Ensure the principles of natural justice and procedural fairness are always maintained. This includes informing and involving all parties involved in the allegations or cause for the complaint.
 - Provide opportunities to all parties to detail their version of the event(s) or action(s) that have caused the complaint. The collection of information and details regarding the complaint will be conducted in a manner that ensures the privacy and confidentiality of all parties involved.
 - Ensure the fairness of the complaints system, the complaints resolution process (investigation and determining outcomes of a complaint), which must be completed by a person independent of the complaint.
 - In the unlikely event that the complaint is not finalised within 60 calendar days, the RTO shall ensure that the complainant shall be provided reasons for the delay and will be regularly kept informed and updated of the progress of the matter.
 - Upon the a decision being reached have the CEO, inform all parties involved of any decisions or outcomes that are concluded in writing. Within the notification of the outcome of the formal complaint the complainant shall also be notified that they have the right of appeal.
 - Ensure the CEO acts immediately upon the substantiation of any complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the complainant, the Ironwood Institute must immediately implement any decision and/or corrective and preventative action that is required and advise the complainant of the outcome.
 - Ensure copies of all documentation, outcomes and further action required will be placed into the 'Complaints and Appeals Register' by Student Services and on the student's file / complainant's file.

Internal Appeals

- c) All complainants have the right to appeal decisions made by Ironwood where reasonable grounds can be established. The areas in which a complainant may appeal a decision made by Ironwood may include:
- Assessments conducted
 - Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
 - Or any other conclusion / decision that is made after a complaint has been dealt with by Ironwood in the first instance.

- d) Appeals can only be considered if the complainant submits a completed 'Complaints and Appeals Form' which includes a summary of the grounds upon which the appeal is based, including a clearly explained reason the complainant perceives the decision to be unfair. Assistance and support with this may be gained from Student Services.
- e) The complainant shall be notified in writing that their appeal has been received and registered with Ironwood.
- f) In the event of an appeal being lodged:
 - The CEO shall determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.
 - The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
 - The CEO shall ensure that Ironwood acts on any substantiated appeal.
- g) Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

General appeals

- h) Where a complainant has appealed a decision or outcome of a formal complaint, they are required to notify Ironwood in writing within 20 working days of the grounds of their appeal. Any supporting documentation is to be attached to the appeal.
- i) The appeal is to be lodged through Student Services, who shall ensure the details of the appeal are added to the 'Complaints and Appeals Register'.
- j) The CEO is to be notified and shall seek details regarding the initial documentation of the complaint and shall decide based on the grounds of the appeal.
- k) The complainant is to be notified in writing of the outcome with reasons for the decisions, and the 'Complaints and Appeals Register' updated. The complainant shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The complainant is required to notify Ironwood if they wish to proceed with the external appeals process.

Assessment appeals

- l) Where a student wishes to appeal an assessment, they are required to notify their Trainer & Assessor in the first instance. Where appropriate the Trainer & Assessor may decide to re-assess the student to ensure a fair and equitable decision is reached. The Trainer & Assessor shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.
- m) If this is still not to the student's satisfaction, the student may lodge a formal appeal by submitting a written letter outlining their reasons for the appeal. They shall lodge this with the Student Support Officer and the appeal shall be entered into the 'Complaints and Appeals Register.'
- n) The CEO shall be notified and shall seek details from the Trainer & Assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another Trainer & Assessor appointed by Ironwood.
- o) The student shall be notified in writing of the outcome with reasons for the decision, and the 'Complaints and Appeals Register' updated. The student shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify Ironwood if they wish to proceed with the external appeals process.

External (Independent) Appeals

- p) In addition to the above internal processes, if the processes fail to resolve the complaint or appeal, or the complainant or appellant is still dissatisfied with the decision of Ironwood an application with an independent and external dispute resolution body can be submitted to allow for any decisions made by Ironwood in relation to the complaints and / or appeals process to be reviewed independently of Ironwood.
- q) Where Ironwood is informed that the student has accessed external appeals processes:
- Ironwood Institute will maintain a student's enrolment until the external appeal process is finalised.
 - Ironwood Institute will comply with the findings of the external appeals process.
 - Where a decision or outcome is in favour of the complainant, Ironwood shall follow the required action and recommendation from the relevant external appeals organisation to satisfy the student's grievance as soon as practicable. The decision of the independent mediator is final and any further action the student wishes to take is outside Ironwood's policies and procedures. Students wishing to take further action shall be referred to the appropriate government agencies and this information can be gained from the CEO.
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 - All records and correspondence in relation to an external appeal shall be maintained with the initial complaint and internal appeal documentation within the 'Complaints and Appeals Register' and the student file for a minimum of 5 years.

Independent Mediators:

South Australian Skills Commission

Phone: 1800 006 488

Email: skillscommission@sa.gov.au

Office address: Level 3, 11 Waymouth Street, Adelaide SA 5000

Postal address: GPO Box 320, Adelaide SA 5001

Office hours are 9.00am to 5.00pm Monday to Friday, excluding public holidays.

International Students External Appeals (International Student only):

In addition to the above, overseas students enrolled with Ironwood Institute can lodge an external appeal with the Commonwealth Overseas Students Ombudsman www.oso.gov.au.

Overseas Student Ombudsman

Phone: 1300 362 072 (within Australia) +61 2 6276 0111 (outside Australia)

Fax: 02 6276 0123 (within Australia) +61 2 6276 0123 (outside Australia)

Email: ombudsman@ombudsman.gov.au

Postal address: GPO Box 442 Canberra ACT 2601

Enquiries 9 am to 5 pm Monday to Friday (AEDT)

Resolution Institute (all students):

Ironwood also holds a membership with *Resolutions Institute* which offers the Student Mediation Scheme providing education and training institutions with an external appeals process. The scheme allows a member educational and training institution or its student to refer to Resolution Institute as the external review body once its internal grievance system has been exhausted.

Website: <https://www.resolution.institute/>

Phone: 1800 651 650

Email: infoaus@resolution.institute

ASQA complaints (all students):

If, after the Ironwood's internal complaints and appeals processes have been completed, and the student still believes that Ironwood Institute is breaching its legal requirements, the students can submit a complaint to ASQA via the ASQAconnect webpage. <https://asqaconnect.asqa.gov.au/>

National Training Complaints Hotline (all students):

Alternatively, students can contact the **National Training Complaints Hotline** which is designed to protect the interests of students and employers. The contact details are as follows:

Website: <https://www.dese.gov.au/national-training-complaints-hotline>

Phone: 13 38 73

Students are able to submit their complaint online (via an online form) following the process described at <https://www.dese.gov.au/national-training-complaints-hotline/national-training-and-complaints-hotline-complaints-form>.

Preventative and Corrective Action

- r) If the internal or any external complaint handling or appeal processes result in a decision that supports the complainant, Ironwood Institute will immediately implement any decision and/or corrective and preventative action that is required, and advise the complainant, and all involved in the matter, of the outcome.
- s) In all cases where a complaint, internal appeal, or external appeal is submitted results in any type of corrective action to be taken by Ironwood Institute, details of the complaint and / or appeal shall be reviewed to ensure that steps are taken to eliminate or mitigate the likelihood of recurrence.
- t) The CEO shall monitor the complaints and appeals register ensure that all complaints and appeals submitted, regardless of the outcome, to identify and prevent further re-occurrence.
- u) The details of the complaint and resulting outcome(s) shall be reviewed as part of Ironwood Institute next management meeting with the purpose of identifying the potential causes of the initial complaint. Ironwood will then determine appropriate steps to be taken to remove the potential issue arising again in the future. Where the complaint has arisen due to any employee or student actions, appropriate mechanisms shall be implemented to ensure appropriate education is provided to prevent recurrence of potential issues.

RESPONSIBILITY

CEO/Delegate – for overall authority