

## Complaints & Appeals Policy & Procedure

### 1.0 Policy

This policy/procedure addresses RTO 2015 standards- standard 6 and in accordance with the National Code of Practice for Registration Authorities and Providers of Education to Overseas Students 2018- standard 10, all students in possession of an Overseas Student Visa must have access to a complaints and appeals process. The resolution of international students' complaints and appeals is vital to the wellbeing and success of students. The intention of this policy is to describe procedures for the effective and early resolution of disputes and supports Princeton International College to provide a process for complaints and appeals to be heard and actioned. All complaints and appeals received by Princeton Education Group Pty Ltd T/A Princeton International College will be viewed as an opportunity for improvement.

The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

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

The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third-party providing services on the RTO's behalf.

### 1.1. Responsibility

The Admin Manager is responsible for the implementation of this procedure and ensuring that staff and students are made aware of its application.

### 1.2. Requirements

- A. Students who are concerned about the conduct of the training provider are encouraged to attempt to resolve their concerns using this procedure.
- B. The procedure will be implemented at no cost to the student.
- C. The complaint or appeal will be acknowledged in writing within 3 working days of receipt.
- D. The procedure will commence within 5 working days of the formal lodgment of the complaint or appeal and supporting information and all reasonable measures are taken

## Complaints & Appeals Policy & Procedure

to finalise the process as soon as practicable. The complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome.

- E. All prospective students will be provided with information about the complaints and appeals procedure before making an agreement to enroll.
- F. Complaints and appeals will be finalised as soon as practicable or within 30 calendar days.
- G. Where the complaint or appeal is complex and is expected to take more than 60 calendar days to process, PIC 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.
- H. All complaints and appeals will be handled professionally and confidentially in order to achieve a satisfactory resolution that is fair and equitable to all parties.
- I. Students will be provided with details of external authorities they may approach, if required
- J. At any stage in the internal complaint or appeal process students are entitled to have their own nominee included to accompany and support them.
- K. Students may raise any matters of concern relating to training delivery and assessment, the quality of the teaching, student amenities, discrimination, sexual harassment and other issues that may arise. A complaint may be in relation to another student, RTO staff, RTO management or any matter in relation to studying at Princeton International College or a third-party delivering services on Princeton International College's behalf (if relevant). An appeal may be in relation to any decision made by Princeton International College that impacts the student.
- L. For internal complaints and appeals:
  - The student will have an opportunity to formally present their case, in writing or in person at no cost to the student
  - The student may be accompanied and assisted by a support person at any relevant meetings.
  - At the conclusion of the complaint or appeal the student will be given a written statement of the outcome, including details of the reasons for the outcome and the record of the complaint and outcome will be placed in the student file.
- M. The following matters must be lodged as a formal internal appeals within 20 working days of notification of an intention to report the student to DESE in order to be considered by the college.
  - Deferral of commencement, suspension or cancelling a student enrolment

## Complaints & Appeals Policy & Procedure

- Non achievement of satisfactory course progress
- N. A student's enrolment must be maintained whilst a complaint, internal appeal and external appeal are in progress and the outcome has not been determined except in cases where the provider is intending to defer or suspend a student's enrolment due to misbehavior or to cancel the student's enrolment. (See the next requirement)
- O. In cases where the provider is intending to defer or suspend a student's enrolment due to misbehavior or to cancel the student's enrolment the provider only needs to await the outcome of the internal appeals process (supporting the provider) before notifying DESE through PRISMS (<https://prisms.education.gov.au/Logon/Logon.aspx>) of the change to the student's enrolment unless extenuating circumstances relating to a student's welfare apply.
- P. Students may have extenuating circumstances that prevent them from attending scheduled course dates that may include but are not limited to illness, family, or personal matters, moving back to the home country (with confirmed one-way tickets only) or other reasons that are out of the ordinary. Where evidence can be successfully provided to support the student's circumstances, course fees may either be transferred to the next available course where applicable, or a refund of unused course fees can be issued. This decision to assess the extenuating circumstances is on the discretion the CEO and shall be assessed on a case-by-case situation.
- Q. The college will encourage the parties to approach a complaint or appeal with an open view and to attempt to resolve problems through discussion and conciliation. Where a complaint or appeal cannot be resolved through discussion and conciliation, we acknowledge the need for an appropriate external and independent agent to review the process implemented by the Institute by involving Mediation agency which is **Resolution Institute's Student Mediation Scheme**.
- R. For all external reviews, Princeton International College will refer the students to Resolution Institute for external dispute resolution. Resolution Institute offers a referral service to a mediator, whereby.
- Resolution Institute will facilitate mediation and manage the process. Students will not incur costs in accessing the Student Mediation Scheme. Princeton International College will incur the costs in this process.
- S. Princeton International College is a member of Resolution Institute as a Student Mediation Scheme member availing the following services from Resolution Institute:
- Appointment of a mediator.
  - Arranging a mutually convenient date and location for any preliminary conference and the mediation;

## Complaints & Appeals Policy & Procedure

- Arranging the mediation venue and any teleconference for the preliminary conference, if applicable;
- Notifying the parties and the mediator of the arrangements;
- Providing each of the parties and the mediator with the documentation necessary to conduct the mediation.

Please note, Resolution Institute's mediation services under the Resolution Institute Student Mediation Scheme can only be utilised when the provider's internal appeals processes have been exhausted as per requirements under Standard 10 of the National Code 2018.

For more information, please refer to: <http://www.resolution.institute/membership-information/student-mediation-scheme>

T. Nothing in this procedure inhibits student's rights to pursue other legal remedies. Students are entitled to resolve any dispute by exercising their rights to other legal remedies. Students wishing to take this course of action are advised to:

- Contact a solicitor; or- Contact the Law Institute of Victoria, Level 13/140 William St, Melbourne VIC 3000, telephone 03 9607 9311
- for a referral to a solicitor.

### 2.0 Procedure

The complaints and appeals policy and procedure and applicable form are made available to all students and potential students by directly contacting Princeton Education Group Pty Ltd T/A Princeton International College, through the Princeton International College website, and within the pre-enrolment resources.

#### 2.1 Informal Complaints

- Any student with an issue, question or complaint may raise the matter with staff of PIC and attempt an informal resolution of the question or complaint.
- Students with an issue, question or complaint can arrange a meeting to discuss the matter with one of the following Institute staff members who are responsible to try and resolve the issue, question, or complaint with the student:
  - Trainer
  - Training Manager/ Course Coordinator
  - Admin Manager
  - Student Support Officer
- If there is any matter arising from a student informal complaint that is a systemic issue which requires improvement action this will be reported by the staff member, in writing (via email) to the CEO to the college Management Group meeting so the

## Complaints & Appeals Policy & Procedure

matter can be recorded in the PIC Complaints Register and be used as part of the continuous improvement activities of the college.

- The Student Support Officer will try and resolve the complaint at the meeting or if required investigate the matter and then arrange another meeting with the student to discuss the outcome of the investigation and offer a solution if appropriate.
- Students who are not satisfied with the outcome of their discussion of the issue, question or complaint are encouraged to register a formal complaint.

### 2.2 Formal Complaint

Students who are not satisfied with the outcome of the informal process, or, who want to register a formal complaint may do so at any time by.

- Obtaining a copy of the student complaint form, which can be requested from the reception desk or the Student Support Officer.
- Completing the Student complaint form
- Lodging the Student complaint form with the Student Support Officer
- Students having difficulty completing the student complaint form should ask a trainer/assessor to assist them.
- Once the Student complaint form is lodged with the Student Support Officer it will be dealt with as described in the formal complaint process below.

Once completed, the complaint form is to be lodged with the Student Support Officer who will arrange for the complaint to be entered in the PIC complaint register and meet with the student to discuss the complaint with the student. Complainants will be forwarded a letter (by email or post) acknowledging the receipt of their formal complaint and a copy of this policy and procedure within 3 working days of Princeton International College receiving the formal complaint form.

During the formal complaint process:

- Students will have an opportunity to formally present their case to the Student Support Officer, in writing or in person at no cost to the student
- Students may be accompanied and assisted by a support person at any meetings involving the complaint.

## Complaints & Appeals Policy & Procedure

### Formal Complaint Process

- The formal complaint process will commence within 5 working days of the formal lodgment of the complaint or appeal and supporting information.
- 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, PIC 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.
- Formal complaints must be lodged using the student complaint form which can be found on the website or be requested from the reception desk, the Student Support Officer.
- Formal complaints must be recorded in the PIC Complaints Register.

Complaints can only be dealt with by the Student Support Officer or the Admin/Training Manager. Whoever does hear the complaint must not be the subject of the complaint and cannot be involved in a subsequent appeal hearing. The role of the Student Support Officer or the Admin/Training Manager is to:

- The formal complaint process will commence within 5 working days of the formal lodgment of the complaint or appeal and supporting information.
- 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, PIC 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.
- Provide the student, or the students representative, with an opportunity to present their complaint
- Ensure they fully understand the student's complaint
- Work with the student to identify how the complaint can be resolved to the satisfaction of the student
- Consult and negotiate with all parties involved with the complaint in order to obtain their commitment and agreement to the proposed solution
- Formally document the resolution to the complaint including reasons for the method of resolution and provide the student with a written copy of the document

## Complaints & Appeals Policy & Procedure

- Arrange for the proposed resolution to be signed off by the student.
- Monitor the implementation of the resolution to ensure that all parties adhere to the agreed resolution.
- Ensure that the details of the complaint are recorded in the Institute Complaints Register and reported (via the Student Support Officers report) to the Institute Monthly Management Group meetings for continuous improvement purposes.
- Advise the student to take the complaint to appeal if a resolution cannot be agreed upon

Any complaint raised by a student that the Student Support Officer or Admin/Training Manager considers may be a traumatic event, or the threat of such (within or outside Australia), which causes extreme stress, fear or injury must be reported to the PIC's CEO, or the most senior person available, and will trigger implementation of the critical incident procedure.

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)
- Once a formal complaint is received it is to be entered into the 'Complaints and Appeals Register' which is monitored by the Admin Manager regularly. 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
- A student may be assisted or accompanied by a support person regardless of the nature of the issue or complaint throughout the process at all times.
- Once a decision has been reached the Admin Manager shall be required to 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 students shall also be notified that they have the right of appeal. To appeal a decision, Princeton International College must receive, in writing, grounds of the appeal. Students are referred to the appeals procedure.
- Copies of all documentation, outcomes and further action required will be placed into the 'Complaints and Appeals Register' by the Admin Manager and on the student's file.

## Complaints & Appeals Policy & Procedure

### Formal Complaint Process – finalisation

At the end of the resolution phase the Student Support Officer or the Admin/ Training Manager will report the Institute decision to the student. The Institute decision and reasons for the decision will be documented by the Student Support Officer and placed in the students file. A copy of this document will be provided to the student

Following the resolution phase the Institute will implement the decision as conveyed to the student and undertakes any improvement actions arising from the complaint.

If there is any matter arising from a student formal complaint that is a systemic issue which requires improvement action this will be reported in writing (via email to the CEO) to the Institute Management Group meeting so the matter can be recorded in the Institute Complaints Register and be used as part of the continuous improvement activities of the Institute.

Students who are not satisfied with the outcome of the formal complaint are encouraged to appeal against the Institute decision.

Once the Student appeal form is lodged with the Student Support Officer it will be dealt with as described in the Internal Appeal Process below.

### 2.3 Appealing a Decision

All students have the right to appeal decisions made by Princeton International College where reasonable grounds can be established, within 20 working days of the conclusion/ decision made by the college. The areas in which a student may appeal a decision made by Princeton International College 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 Princeton International College in the first instance.
- To activate the appeals process, the student is to complete a 'Complaints and Appeals Form' which is to include a summary of the grounds the appeal is based upon. The reason the student feels the decision is unfair is to be clearly explained and help and support with this process can be gained from the Student to Student Support Officer.
- Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:



## Complaints & Appeals Policy & Procedure

- The student shall be notified in writing of the outcome with reasons for the decisions, and the 'Complaints and Appeals Register' updated. The student shall also be provided the option of activating

### Internal Appeal Process - purpose

Internal appeals may arise from a number of sources including appeals against assessment, appeals against discipline actions, appeals against notification of an intention to report a student to DESE via PRISMS and appeals against decisions arising from complaints. The essential nature of an appeal is that it is a request by a student for the Institute to reconsider a decision made by the Institute.

Students who are not satisfied with the outcome of a formal complaint or wish to appeal a decision made by the Institute are encouraged to appeal against the Institute decision by:

- Obtaining a copy of the Student appeal form which can be found or be requested from the reception desk, the Student Support Officer
- Completing the Student appeal form
- Lodging the Student appeal form with the Student Support Officer

A student's enrolment will be maintained whilst an appeal is in progress and the outcome has not been determined.

The procedure will commence within 5 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. The complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome.

A maximum time of 10 working days from the commencement of the appeal resolution phase will be allowed for the appeal resolution unless all parties agree in writing to extend this time.

### Internal Appeal Process - general

Internal appeals (except assessment appeals) will be heard by a 3-person panel-CEO, the Admin/Training Manager, and the Student Support Officer

Students will be forwarded a letter (by email or post) acknowledging the receipt of their appeal and a copy of this policy and procedure within 3 working days of Princeton International College receiving the Complaints and appeals form.

## Complaints & Appeals Policy & Procedure

No member of the Appeals Panel is to have been directly involved in the complaint leading up to the appeal.

The role of the Appeal Panel is to:

- Provide the student, or the students representative, with an opportunity to present their appeal to the Appeal Panel
- Ensure they fully understand the student's appeal
- Review the evidence and information provided by the student, or the students representative, and the Institute
- Make an **independent** decision, based on the evidence to either support the students appeal, and reverse the decision by the Institute that lead to the appeal or to support the Institute case and proceed with the original decision by the Institute.
- Arrange for the decision to be signed off by the student and the **CEO** (this is not an agreement by the student but to record that the decision has been transmitted to the student)
- Within 24 hours of making its decision the Appeal Panel must have formally documented the decision of the panel including reasons for the decision and convey the written decision and reasons for the decision to the student

### Internal Appeal Process – assessment

The student will not incur costs when accessing the internal appeals process unless they seek representation.

If a student feels they have been unfairly assessed or there are circumstances that impacted their performance, they may appeal an assessment decision.

Students should approach their assessor in this case outlining the reasons for their appeal.

If the assessor/trainer feels there are reasonable grounds for the appeal he/ she may decide to re-assess the student.

The assessor should document this process along with the outcome in the complaints and appeals register. All supporting documentation should also be placed in the students file.

If the assessor decides to refuse the student an opportunity for re-assessment, the student may lodge a formal appeal by submitting a complaints and appeal form. The student must provide reasons for the appeal along with any supporting evidence.

Complaints & Appeals forms are to be submitted to: The Student Support Officer or via e-mail to college email address

## Complaints & Appeals Policy & Procedure

- If the appeal is in relation to the Admin Manager's decision another member of staff will deal with the process.
- The staff member reviews all the supporting documentation and discusses the situation with the assessor and student. A decision will be made after all the evidence has been considered.
- Students will be forwarded a letter (by email or post) acknowledging the receipt of their appeal and a copy of this policy and procedure within 3 working days of Princeton International College receiving the Complaints and appeals form. If the Admin Manager or other staff member handling the process decides that the students appeal be upheld the following will apply.
- The assessment in question will be marked by a different assessor and the outcome communicated to the student.
- The assessor should document this process along with the outcome in the complaints and appeals register. All supporting documentation should also be placed in the students file.
- The student will be awarded the grade that gives them the most favourable outcome between the two submissions.
- If the students appeal is refused they will be sent written notification of the outcome within two working days of the decision being made. This will also include reasons and details for the decision. The letter will also inform the student of their right to access the external appeals process and how to do so.
- Students can only appeal an assessment decision once.
- If students are dissatisfied with the outcome of the internal appeals process, they may access the external appeals process. Details of this procedure and how to access it are outlined below.
- Students may also seek to pursue a legal route if they feel unsatisfied with the outcome. Costs of any legal action incurred by the student are to be covered by the student.

### Internal Appeal Process – finalisation

The outcome of an internal appeal and reasons for the outcome will be recorded in writing and signed and dated by the student and the Institute and placed in the student file. A copy of this document will be provided to the student.

Following the internal appeals phase the Institute will implement the decision as conveyed to the student and undertake any improvement actions arising from the complaint through the Institute continuous improvement process

If there is any matter arising from a student informal complaint, formal complaint or appeal that is a systemic issue which requires improvement action this will be reported in writing (via email to the **CEO**) to the Institute Management Group meeting so the matter can be

## Complaints & Appeals Policy & Procedure

recorded in the Institute Complaints Register and be used as part of the continuous improvement activities of the Institute.

There are no further avenues within the Institute for complaints or appeals after the internal appeals process has been completed, however an external appeals process is available

Students who are not satisfied with the process undertaken for an internal appeal are encouraged to make an external appeal by:

- Obtaining a copy of the Student appeal form which can be found in or be requested from the reception desk, the Student Support Officer
- Completing the Student appeal form and selecting the External appeal option on the form.
- Lodging the Student appeal form with or the Student Support Officer

Once the Student Appeal Form is lodged with the Student Support Officer it will be dealt with as described in the External Appeal Process below.

### 2.4 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 PIC that made the decision to appoint the independent party.

The independent party recommended by PIC 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, PIC 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.

### 2.5 Information about external bodies to whom complaints can be made:

Complaints can also be made to the organisations indicated below:

## Complaints & Appeals Policy & Procedure

### 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](mailto:ntch@education.gov.au)

### Australian Skills Quality Authority (ASQA):

Complainants may also complain to the RTO'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 the RTO;
- 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: <https://www.ombudsman.gov.au/How-we-can-help/overseas-students>

Relevant Documents:



## Complaints & Appeals Policy & Procedure

- Complaints and appeals application form
- Complaints and appeal register.
- Continuous improvement register