Complaints and Appeals


1.0 Purpose

This policy provides the framework to give any learner the opportunity to put forward a complaint and/or appeal against any perceived unfair treatment or assessment. It is available on the QAT website.

QAT will ensure that students have a fair, inexpensive means of appealing decisions, procedural matters or any issues that directly relate to the successful completion of their course.

2.0 Background

The need for providing an effective complaints and appeals policy is referenced in SNR 16 – 16.7 from the Standards for National VET Regulator (NVR) Registered Training Organisations and National Code Standard 8, and in Subdivision 4-D & 5.3 from the VET Guidelines and HESA Act, respectively.

15.1 The RTO collects, analyses, and acts on relevant data for continuous improvement of training and assessment.

SNR16 The NVR RTO adheres to the principles of access and equity and maximises outcome for its clients, as follows:

16.2 The RTO continuously improves client services by collecting, analysing and acting on relevant data.

16.7 The NVR RTO provides appropriate mechanisms and services for learners to have complaints and appeals addressed efficiently and effectively.

National Code Standard 8: Registered Providers’ complaints and appeals processes are independent, easily and immediately accessible and inexpensive for the parties involved.

5.3 STUDENT GRIEVANCE AND REVIEW REQUIREMENTS

5.3.1 A VET provider must have a grievance procedure to deal with complaints about:

a) academic matters from the VET providers students;

b) non-academic matters from the VET providers students; and

c) non-academic matters from persons seeking to enrol with the VET provider in a VET course or unit of study.

5.3.2 Grievance procedures must include:

a) an arrangement for handling complaints, whether formal or informal, which is easily accessible to students without charge and which encourages timely resolution of complaints;

b) a process for lodging a formal complaint if the matter cannot be resolved informally;

c) a provision that each party may be accompanied and assisted by a third party at any relevant meeting;

d) an arrangement where the complainant is given a written statement of the outcome of the complaint, including full details of the reasons for the outcome;

e) a process for lodging an appeal with an independent senior officer of the VET provider who is nominated by the VET provider, or by a dedicated complaints committee or unit established by the VET provider;
an arrangement where the appellant is given a written statement of the outcome of the appeal, including full details of the reasons for the outcome;

arrangements for a person or body independent of and external to the VET provider, that is established or nominated by the VET provider, to hear unresolved appeals arising from the VET providers internal procedure;

specific and reasonable timelines for responses to each stage of the process;

the requirement to keep appropriate records of all grievances for at least five years, and allow parties to the complaint appropriate access to these records; and

a requirement that ensures that such records as required in subparagraph 5.3.2(i) are treated as confidential.

5.3.3 The VET provider must:

have a mechanism in place to implement the grievance procedure, including due consideration of any recommendations arising from external review;

ensure that the grievance procedure is complete, unambiguous, agreed to and ratified by the VET providers governing body;

not victimise or discriminate against any complainant or respondent;

have an arrangement for the internal review of complaints lodged under the grievance procedure outlined at paragraph 5.3.2;

have an arrangement where the internal review of unresolved complaint must be undertaken by an independent and impartial senior officer of the VET provider who is nominated by the VET provider, or by a dedicated complaints committee or unit established by the VET provider; and

communicate the grievance procedure in writing to staff and train staff in its application.

3.0 Definitions

Complaint - A cause or reason for complaining; a grievance.

Complainant – refers to students who have lodged a complaint with Queensland Academy of Technology.

Appeal – Where a student is not satisfied with the outcome of an assessment, or wishes to dispute a QAT decision, he/she may ‘appeal’ or question the decision. The assessment may be reviewed and possibly be changed if deemed necessary. In the case of more serious concerns, such as being reported to the Department of Immigration and Border Protection (DIBP), the appeal may be upheld or rejected.

DIBP - Department of Immigration and Border Protection

4.0 Policy

4.1 Context

It is in the interest of the college and the students to resolve any student grievances or disputes quickly and judiciously. In order to inform the students of the grievance processes, this policy will be made available on the QAT website, in the Terms & Conditions (if applicable), the QAT International Student Handbook & the QAT Domestic Student Handbook, and reiterated during Orientation.

Questions relating to refunds, money or visas which are not able to be dealt with by the Student Contact Officer will be passed on immediately to the Executive Director. However, if the grievance is related to class work, the student’s first stop will always be the classroom teacher or trainer. All student grievances will be dealt with in a timely and courteous manner. At all times, the student has the option of registering a formal complaint at reception.

All records related to the handling and resolution of complaints and appeals will be treated as confidential.
5.0 Procedures

5.1 Complaints & Grievances

1. Complaints and personal grievances may be made over the telephone or in person. QAT Staff will attempt to address these problems on the spot.

2. If this is not possible, the complainant will be asked to submit their complaint or personal grievance in writing using the QAT - Special Consideration form to the Executive Director. The Executive Director will assess the complaint or grievance, determine the outcome and advise the Complainant in writing of their decision. A copy of the letter of complaint or grievance is to be filed on the relevant learner’s file.

3. Alternatively, students have the right to formally present their case at no charge. At this meeting, students may elect to be accompanied and assisted by a support person of their own choosing.

4. Afterwards, a written summary of the student’s case will be drawn up and kept on his or her file for a length of time in accordance with the relevant legislation (see P025 Personal Information and Record Keeping Policy) allowing parties to the complaint or personal grievance appropriate access to these records.

5. All written complaints or summaries of formal presentations are to be logged in the Complaints Log, located on the Compliance Admin drive. The log will include the following information:

   i. Date received.
   ii. Brief description of complaint.
   iii. Staff member dealing with the complaint.
   iv. Date of response, solution or referral.
   v. Brief description of response, solution or referral (i.e. how the complaint was solved and or the action taken).
   vi. Evidence present in student admin file (note from telephone conversation, copy of letter of complaint etc)

Timelines:

- A response, solution or referral will be completed within 5 working days.

Outcomes:

- The complainant will be given a written statement of the outcomes, including the reasons for the decision.
- A summary of the complaints received and the actions taken is to be presented and discussed at relevant departmental team meetings by the Program Coordinator or Director of Studies.
- Any complaints which have led to a change in policy, procedure or other aspect of the college are to be recorded in the relevant department’s Continuous Improvement Log.
- The Complainant will be advised of their right to access our appeals if they are not satisfied with the outcome of the decision.

5.2 Appeals

Students have the right to appeal decisions in relation to academic or non-academic matters that may arise from an action or decision made by QAT. The student has access to the following appeals processes below.
5.2.1 Internal Appeals Process

Timeframes

a. **Assessment Results:** The QAT appeal period for results is 5 working days from the return of the assessment item to the student. Where a student is not satisfied with the treatment or assessment provided, they are required to put their complaint in writing to Queensland Academy of Technology (QAT) within 5 working days of the incident and to provide examples where possible. QAT will ensure that the re-assessment and determination occur within 1 month of receiving an appeals letter.

b. **Reporting to the Department of Immigration and Border Patrol (DIBP):** The QAT appeal timeframes for attendance and course progress matters are outlined in 5.4 below.

c. **Other Matters:** QAT appeal period is 5 working days from the return of an outcome in relation to an action or decision made by QAT.

Procedures

**Assessment Results:**

1. If there is a dispute about an assessment or grade, the teacher or trainer/assessor will meet with the student to explain the reasons for the outcome.

2. If the Complainant is not satisfied with the outcome of the decision made about an assessment or grade, the student can lodge an appeal in writing with the Program Co-Ordinator or Director of Studies at Queensland Academy of Technology, Level 4, 333 Adelaide Street, Brisbane, Queensland, 4000.

3. QAT will arrange for the assessment to be marked by a second teacher or assessor.

4. The Director (or their representative) will then review the two assessment results and make a determination.

5. If a VET student is still not satisfied, then QAT will, by request, set up an appeal panel, made up of a minimum of two people who are external to the organization from the following areas to review the assessment:
   i. VET facilitators, and;
   ii. Industry representatives

6. The learner will also be invited to attend Panel and to have a representative present. QAT will then advise the learner of the determination (including reasons for the conclusion) in writing, and maintain a log of all appeals received and the outcomes.

7. If the student still disagrees with QAT’s decision, they are advised on how to make an external appeal.

**Matters Resulting in a Student Being Reported to DIBP:**

1. If an international student does not agree with a decision made by QAT which results in the student being reported to DIBP, they are informed of the following procedure via an attachment to their final warning letter. This policy is also available on the QAT website.

2. The student contacts the QAT Appeals Officer, who will make an appointment to speak to the Attendance Administrator or Program Coordinator to discuss the appeal.
3. At the appointment, the student has the opportunity to discuss their reasons for failing to meet course requirements and raise any concerns or ask any questions they may have. In addition, the Attendance Administrator or Program Coordinator will explain any further stages in the appeals process.

4. The student is asked to submit a letter of appeal that outlines all of the reasons why they believe they should not be reported to DiBP. They are advised to attach any documentation to this letter that they believe will support their appeal.

5. The student is advised that the appeal deadline is within 20 working days of the reception of their final warning letter. The Attendance Administrator or Program Coordinator then reviews the appeal and makes a decision whether to accept or reject it as soon as practicable. A written decision will then be provided to the student in a timely manner.

6. If their internal appeal is rejected and the student still disagrees with QAT’s decision, they are advised on how to make an external appeal (see 5.5).

Other Matters:

1. If the Complainant is not satisfied with the outcome related to any other academic or non-academic decision coming from a complaint or personal grievance they may lodge an appeal in writing with the Student Contact Officer.

2. The Complainant’s appeal will be determined by the CEO or delegate who will conduct all necessary consultations with the Complainant and other relevant persons and make a determination of the appeal. The Complainant will be advised in writing of the outcome of their appeal, including the reasons for the decision within 5 working days.

3. The Complainant will be advised of their right to access the external appeal process if they consider the matter unresolved.

5.2.2 External Appeals Process

1. Any student who requires independent advice or mediation can contact the Brisbane Counselling Centre (BCC) or the Overseas Student Ombudsman (international students only).

   i. **BCC’s contact details are:**
      
      Address: Level 9, 135 Wickham Tce, Brisbane QLD 4000
      Phone: +61 7 3831 4452
      mail: admin@brisbanecounsellingcentre.com.au

   ii. **The Overseas Student Ombudsman’s contact details are:**
      
      Address: GPO Box 442, Canberra ACT 2601
      Phone: 1300 362 072

2. QAT will allow another 20 working days for any external appeal to be resolved. If the internal or external complaint or appeals process results in a decision that supports the student, QAT will immediately implement that decision and/or corrective and preventative action as required.
6.0 Forms

- Complaints Log
- Warning and Appeals Process Tracker
- Continuous Improvement Log
- QAT - Special Consideration Form

7.0 References

1. Standards for National VET Regulator (NVR) Registered Training Organisations
3. HIGHER EDUCATION SUPPORT ACT 2003 - SCHEDULE 1A

Version history

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