

## Complaints and Appeals Policy and Procedure

### Purpose

The purpose of this Policy is to:

- Ensure all students are fully informed about VSA's complaints and appeals processes and external complaint processes.
- Ensure that all complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.
- Ensure that all students are fully informed about the outcome and reasons for the outcome.
- Ensure that VSA evaluates complaints and appeals and continually improve its training and assessment strategies and practices
- Ensure that the VSA overall working environment is harmonious and free from intimidation, harassment and other unfair treatment;
- Promote clear, honest and open communication;
- Provide a timely and effective mechanism for staff, students and others to express their concerns or make complaints when they occur so that options for a resolution can be identified as soon as possible;
- Define what complaints can be handled under this policy;
- Ensure concerns and complaints are handled impartially, justly, confidentially and with the appropriate sensitivity;
- Define the responsibilities of those involved in resolving concerns and complaints.

### Definition of a complaint

A complaint is an expression of concern, dissatisfaction or frustration with the quality or delivery of service, a policy or procedure, or the conduct of another person OR A complaint is an expression of dissatisfaction, made either verbally or in writing, about the standard of service, actions or lack of action by the organisation or its staff, affecting an individual customer or group of customers.

There is an underlying assumption that complaints are made in good faith (and with good will) and with an intention for resolution.

### Responsible person

The Managing Director is responsible for:

- providing leadership in demonstrating a commitment to the resolution of complaints made to VSA;
- ensuring there is an effective, timely, impartial, and just system for dealing with complaints;
- making final decisions relating to complaints within the VSA process.
- Review and monitor the complaints register to ensure all complaints are managed in a timely manner and to identify any patterns of complaints.

## Complaints handling process

Complaints will be handled fairly and justly and in a consistent manner, and with the understanding that complainants should not be disadvantaged by the complaint process. Complaints against staff will be directed to the Student Support Officer or the Managing Director and all correspondence will be confidential.

Relevant stakeholders will be kept informed of the progress of their complaint and of the final resolution. Complainants will be advised of avenues for further review of their complaint, if not satisfied with the resolution.

There is an underlying assumption that complaints are made in good faith (and with good will) and with an intention for resolution.

All students will be fully informed of the complaints handling process through the website, enrolment process and student handbook.

(For more information refer to the Procedures section which follows)

## Procedure

### Information provided to students

All staff have a responsibility to inform students about the complaints and appeals process. The complaints and appeals procedure for students is located on the VSA website and referred to in the Student Handbook. A copy of the information for students is contained below.

### Procedural fairness

VSA is committed to following the principles of natural justice and procedural fairness by allowing anyone subject a decision by VSA, or anyone who has made an allegation against them, to tell their side of the story before a decision is made.

VSA adopts the principle 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
- Operating in a fair and unbiased way

The Managing Director will act as the decision maker and is independent of the decision being reviewed. A Trainer will not be the decision maker of an appeal against an assessment decision they made, or a complaint made against them.

### Types of complaints

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

- a. VSA, its trainers, assessors or other staff
- b. a third-party providing services on the VSA's behalf (Agents)
- c. a learner of the VSA
- d. VSA's decisions or service (for example and not limited to enrolment, orientation, training and assessment, finances, marketing, student support, deferment, suspension and cancellation, course progress and intervention)

### Complaints against third party providing services on the RTO's behalf

VSA may be involved in third party arrangements where we oversee another individual or organisation in marketing. Students are welcome to provide feedback or lodge a complaint using the following procedures.

### Appeals against assessment decisions

Students may request for a review of decisions, including assessment decisions, made by VSA.

### Student Complaint / Appeal Process

**Step 1:** For training and assessment concerns, discuss your complaint directly with your Trainer and try to resolve and if you cannot resolve your concern with your

Trainer – go to step 2.

For all other complaints; if you are not comfortable to raise your concern with your Trainer - go to step 2.

**Step 2:** Complete the Complaints and Appeals form. Alternatively, students are welcome to make a verbal complaint by speaking with the Student Support Officer. The Student Support Officer will complete the form on your behalf.

All complaints are referred to the Managing Director within 48 hours of receipt.

**Step 3:** The Managing Director may refer the complaint to the appropriate person. All complaints and appeals received are documented on the 'Complaints and Appeal Register' which is managed by the Managing Director.

**Step 4:** The person designated to handle the complaint will contact the complainant within a further 3 working days to obtain further details, chronological flow of events, student assessment records or any other information required.

**Step 5:** The Managing Director or Delegated Officer makes a determination within 10 working days based upon all the information available.

**Step 6:** The complainant is notified of the determination. If the complainant is satisfied with the determination, the complaint is then closed. If the complainant is still dissatisfied, the complainant is able to ask for a further review. A further review will be conducted within 10 days of the original outcome. Subsequently, if the complainant is still dissatisfied the complaint can be referred to an independent third party. The student has an option to ask VSA to organise an appropriate independent third party to review the decision. This will be provided to students at no cost. The independent third party will be an organisation, body or person identified and agreed to by all parties at the time at no cost to the student.

**Step 7:** Close the complaint by:

- Implementing the agreed actions
- Updating the Complaints and Appeals Register
- File all documentation accordingly (e.g. student file; staff file; scanned to archive in relevant folder)
- If the complaint and appeal triggers a continuous improvement, the Continuous Improvement Register is also updated.

\* *If more than 60 calendar days are required to process and finalise the complaint and appeal, the student will be informed in writing as to the reasons why more than 60 calendar days are required, and the student will be regularly updated on the progress of the matter.*

**Note:** Students can be accompanied or assisted by a support person at any relevant meetings.

Any student who feels they have been unfairly dealt with in any aspect of their training should submit in writing the exact reasons for concern, making a note of instances and when they occurred. Such complaints, appeal and grievances from students will be directed initially to the Student Support Officer and forwarded to the Managing Director (or directed to the Managing Director). Written confirmation of their receipt and outcome must be made to relevant parties.

All reasonable measures will be taken to finalise the process as soon as practicable.

The enrolment of students will be maintained while the complaints and appeals process is ongoing.

### External appeal - International students:

#### Overseas Students Ombudsman

If an international student believes that their complaint has not been satisfactorily dealt with then they can contact the Overseas Students Ombudsman at [www.ombudsman.gov.au](http://www.ombudsman.gov.au) or telephone 1300 362 072.

The Overseas Students Ombudsman investigates complaints about problems that intending, current or former overseas student and these complaints may include:

- Refusing admission to a course
- Course fees and refunds
- Providing those involved an opportunity to present their side of the matter
- Operating in a fair and unbiased way
- Course or provide transfers
- Course progress
- Cancellation of enrolment
- Accommodation or work arranged by and education agent
- Education agents who have an agreement with VSA to represent them in Australia or overseas.

#### Office of the Training Advocate

<http://www.trainingadvocate.sa.gov.au/home/international-students>

Telephone 1800 006 488

The Office of the Training Advocate is also an independent complaints-handling authority for all matters relating to international education and training in South Australia.

The Training Advocate can help students deal with any questions or concerns they may have such as:

- study arrangements
- the content or quality of your course or program of study
- understanding your rights as an international student
- course fees
- accessing a training provider's internal complaints handling process

- visa arrangements that relate to your study obligations such as attendance at class and academic progress
- transferring to an alternative course of study
- employment rights and obligations
- accommodation
- support if your training provider closes and no longer offers your course of study
- access to other welfare services or complaints handling authorities
- access to community activities

As an independent complaints handling authority, the Office of the Training Advocate also conducts External Appeals. An External Appeal can be accessed if students are not satisfied with the result or conduct of their Training Provider's internal complaint handling and appeals processes. However, the Office of the Training Advocate does not have the authority to change or overturn academic decisions made by the training provider.

Please note that Office of the Training Advocate is not external appeal body

### Communication to the Complainant

Students will receive a "Complaints or Appeal Outcome form" notifying them of the outcome of their concern. VSA will communicate with the student about the complaint. If more than 60 calendar days are required to process and finalise the complaint or appeal, the student will be informed in writing as to the reasons why more than 60 calendars are required, and the student will be regularly updated on the progress of the matter.

### Monitoring complaints

All complaints and appeals are recorded on a register that includes relevant details to allow analysis of matters over time and identify any common factors that may need action. Complaints are monitored at management meetings on a monthly basis.

### Related document

- Complaints and Appeals form
- Complaint or Appeal outcome
- Complaints and Appeals Register