

Complaints and Appeals Policy and Procedure

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| Developer | Austin Tan |
| Approver | Austin Tan |
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Version History

| Version Number | Author | Purpose/Change | Date of implementation |
|----------------|------------|---|------------------------|
| 1.0 | Austin Tan | Transfer from old version to new template | 21/10/2022 |
| 2.0 | Austin Tan | Annual Review | 21/10/2023 |
| 3.0 | Austin Tan | Annual Review | 21/10/2024 |
| 4.0 | Austin Tan | New Standards Implementation and rewrite | 01/07/2025 |

Supporting Resources

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| Complaints and Appeals Form Complaints and Appeals Register |
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1. Introduction

This policy is based on the Standard 2.7 and 2.8 of the National Vocational Education Training Regulator (Outcome Standards for NVR RTOs) Instrument 2025, as well as Standard 10 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

2. Compliance

1. This is a compliance requirement under the:
 - a. Standard 2.7 and 2.8 of the National Vocational Education Training Regulator (Outcome Standards for NVR RTOs) Instrument 2025; and
 - b. National Code of Practice for Providers of Education and Training to Overseas Students 2018 (<https://www.legislation.gov.au/Details/F2017L01182>).

3. Intent

ACCHS will in the first instance always endeavour to resolve complaints/disputes informally. All stakeholders (for example, students, staff, employers, general public) are encouraged to firstly talk to a member of ACCHS staff as soon as a problem arises.

4. Procedure

All students will be briefed prior to commencement of course and during orientation pertaining to the ACCHS's Complaints and Appeals procedures and their rights. The student can access the complaints and appeal form via ACCHS website, retrieved a copy from the Student Support Officer or/and any ACCHS team. To avoid any confusion and to facilitate a proper investigation, the student must fill in the Complaints and Appeal Form. Once the form is submitted, the CEO or/and Compliance Manager will put the information into ACCHS Complaints and Appeals Register.

Written records of all complaints and appeals will be kept in detail on student files and provided to the student. All Complaints and Appeals will be handled fairly, professionally, equitably, confidentially, and in a timely manner, with a view to achieving a satisfactory resolution as soon as practicable.

This procedures are also applicable to the staff, employers, or/and general public that may have concerns/feedbacks on ACCHS.

ACCHS is committed to dealing with complaints/disputes in a fair and timely manner.

- Where possible the complaint will be dealt with immediately by the CEO or/and Compliance Manager.
- Students and / or ACCHS staff may be accompanied and assisted by a support person at any relevant meeting.
- The formal complaints process will commence within 10 working days of ACCHS's receipt of a written complaint or appeal and supporting information.
- ACCHS will take all reasonable steps to finalise the process within 21 days from commencement or as soon as practicable. A written response, advising of the outcome will be provided.
- The complainant will be provided with a written statement of the outcome of each stage of the complaint/appeal, including details of the reasons of the outcome.
- If a student chooses to access ACCHS's complaints and appeals processes, ACCHS must maintain the student's enrolment while the complaints and appeals process is ongoing.

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- If the internal or external complaint handling or appeal process results in a decision that supports the student, ACCHS must immediately implement any decision and/or corrective and preventative action and advise the student of the outcome.
 - If the student is not satisfied with the result or conduct of ACCHS 's internal complaints handling and appeals process, ACCHS will assist the student to access independent mediation at minimal or no cost to resolve the dispute.
 - Nothing in the College's Complaints and Appeals policy negates the rights of any overseas student to pursue other legal remedies.
 - If a student is not satisfied with the result or conduct of our internal complaints and appeals process, the college must advise the student of his or her right to access the external appeals process at minimal or no cost.
 - Students can contact the Overseas Student Ombudsman directly.
 - The college is not required to continue to offer learning opportunities throughout the complaints or appeals process. The college can decide whether it will continue to offer learning opportunities throughout any appeals process. The college may decide to exclude a student from attending classes, but continue to provide work to complete outside of the classroom environment.
 - The college acknowledges that to deny students learning opportunities throughout the appeals process may disadvantage the student should the appeals process find in their favour.
 - Any substantiated complaint will be acted upon. All complaints and appeals will be recorded in detail including the outcome of each stage.
 - A complaint can be forwarded directly to the CEO or/and Compliance Manager.
 - ACCHS will not report a student for unsatisfactory progress or attendance until the student has been allowed to access our internal and ONE external complaints and appeals process.
 - ACCHS will await the outcome of this process (and if, in favour of the provider) before reporting the student through PRISMS.

ACADEMIC COMPLAINTS / APPEALS

- Complaints/appeals against academic decisions will be accepted up to fourteen (14) days from the date an assessment result was received.
- Assessment will be reviewed having due regard to submissions made by the participant.
- An independent facilitator/trainer will be assigned to assess the complaint.

DEFERMENT/SUSPENSION/CANCELLATION OF ENROLMENT

- For appeals on ACCHS 's decision to defer, suspend or cancel a student's enrolment, the college only needs to wait until the internal complaints/appeals process is completed (if in favour of the college) to notify DET/DHA via PRISMS.
- Where the appeal relates to the college's decision to defer/suspend or cancel a student's enrolment for misbehaviour /breach of college rules and policies, the college will only await the outcome of the internal appeals process if it supports the college before notifying DET and DHA through PRISMS of the change to the student's enrolment.
- If the outcome of the internal or external appeals process results in a decision favouring the student the college will immediately implement any corrective action, decision or measures required and advise the student of the outcome.

EXTERNAL COMPLAINTS AND APPEALS

- ACCHS will advise the student has the right to access an external complaint handling and

appeals process. Please note that charges may apply. This advice must be given to the student within 10 working days of the completion of the internal review.

- The college will only await the outcome of one external appeal process before reporting/taking action against the student for course progress or attendance.
- Where the appeal relates to the college's decision to defer/suspend or cancel a student's enrolment for misbehaviour /breach of college rules, the college will only await the outcome of the internal appeals process if it supports the college before notifying DET and DHA through PRISMS of the change to the student's enrolment.
- If mediation is sought, the mediator is required to report the outcome of the mediation, including any recommendations arising, within 20 working days of the completion of the review. Once the college receives the report of the outcomes from independent mediation, they will provide a written report to the complainant within 10 working days on the recommended actions to resolve the grievance.

OVERSEAS STUDENTS OMBUDSMAN

The Ombudsman provides an external complaint and appeals process for overseas students of private education providers.

If you wish to lodge an external appeal or complain about a decision made by ACCHS, you can contact the Overseas Students Ombudsman. The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider.

If the student is concerned about the actions of the provider they may approach the Australian Skills Quality Authority (ASQA), the Registration Authority for CRICOS RTOs. ASQA has the power to suspend or cancel the provider's registration or a course if a breach of the requirements of registration provision is proved.

To lodge a complaint with ASQA visit <http://www.asqa.gov.au/complaints/make-a-complaint---overseas-students/make-a-complaint---overseas-students-1.html>

COMMONWEALTH ESOS REGULATOR

Department of Education and Training (DET) through the ESOS helpline PHONE: 1300 615 262
<https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/Pages/ESOSEnquiry.aspx>

The student may send through a complaint at any point, including after he or she has exhausted the provider's internal appeals process and the external appeals process. DET will only intervene where ACCHS 's appeals process was not conducted correctly or if ACCHS did not make the appeals process available to the student. DET will only look at whether the appeals process met the requirements of the National Code. The DET role is not to judge whether the outcome was right or wrong.