

Purpose:

Despite all the efforts of ANC to provide satisfactory services to its students and other clients, complaints & appeals may occasionally arise, requiring informal or formal resolution. This policy aims to provide an accessible mechanism for students to have their complaints and appeals attended; and to ensure that resolutions are reached within timely manner.

ANC's complaints policy and appeals policy ensures the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process

Scope:

This policy applies to:

- Students enrolled at ANC
- ANC Marketing, Admissions, Academic, Student Services and Administrative staff.

All staff are made aware of the requirements of this policy through regular meetings, staff updates and continuous improvement practices. Students are made aware of this policy through Student Handbook, during the enrolment and orientation processes and also throughout the course.

Key Requirements

- ANC provides each complainant or appellant an opportunity to formally present his or her case at minimal or no cost to him or herself
- Students are encouraged to discuss their issues with any member of the ANC's student support team. ANC staff will endeavour to address the complaint or appeal raised in appropriate manner informally
- Students / clients unsatisfied with the informal process are encouraged to lodge the complaint or appeal formally using ANC's complaints and Appeals Form. This form can be accessed from the student notice / display board or from the reception at the campus, and from the ANC's website (www.anc.vic.edu.au) at any time.
- Once the completed Complaints and appeals form is received, the resolution process will begin within 10 working days
- Student's enrolment will be maintained until the completion of internal complaints and appeals process, and Department of Immigration and Border Protection(DIBP) and Department of Education will not be notified about any change to the student's enrolment status via PRISMS
- The complainant or appellant will be given a written statement of the outcome, including details of the reasons for the outcome
- The complete record of formal complaints and appeals process will be maintained in individual's file where formal approach is instituted
- Students are welcomed to bring along a support person (e.g. family member, friend, counsellor etc.) at any phase of entire complaints and appeals process

- ANC will ensure that the complainant or appellant is not discriminated against or victimised.
- Where ANC considers more than 60 calendar days are required to process and finalise the complaint or appeal, ANC:
 - informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and
 - regularly updates the complainant or appellant on the progress of the matter.
- ANC:
 - securely maintains records of all complaints and appeals and their outcomes, and
 - identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

PROCEDURES:

1. Informal Process

Where possible all non-formal attempts shall be made to resolve the complaints. This may include advice, discussions, and general mediation in relation to the issue and the student's complaint. Any staff can be involved in this informal process to resolve issues but student support team is the preferred contact for students.

Matters dealt informally will not be documented unless ANC's staff determines that the matter is relevant to wider operation.

2. Formal Process

Students who are not satisfied with the outcome of informal handling of their complaints may use the formal approach by using the ANC's complaints and Appeals form. This form can be accessed from the student display/ notice board, reception or via ANC's website (www.anc.vic.edu.au).

2.1 General Complaints

- All complaints or appeals should be submitted at the reception. Reception staff will deal with the complaints in the first instance and will ensure that all the fields of the Complaint and Appeals Form are properly filled by the complainant. This include the following information:
 - Submission date
 - Name of complainant / Appellant
 - Details description of complaint / appeal
 - Attachments (if applicable);
- Once the Director of Studies receives a complaints/appeals form, written acknowledgement will be sent to the complainant within 7 days of receipt.
- Details of the complaint will be entered into the 'Complaints and Appeals log book' by the reception / administration staffs which is monitored by the 'Director of Studies' regularly. The information to be contained and updated within the register is as follows:

- Submission date of complaint
 - Name of complainant / Appellant
 - Description of complaint / appeal
 - Determined Resolution; and
 - Date of Resolution.
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- The 'Director of Studies' shall then refer the matter to the appropriate staff to resolve and ensure that the resolution process begins within 10 working days from the date of receipt of the complaints and appeals form. ANC will endeavour to conclude the process within the reasonable timeframe.
 - Once the process is completed, the 'Director of Studies' shall then inform the appellant of any decisions or outcomes concluded in writing and the reasons for the outcome at its earliest.
 - Copies of all documentation, outcomes and further action required will be placed into the 'complaints and appeals logbook' and a copy is kept in student's file.
 - The notification letter of the outcome shall also state that students have the right to access ANC's appeal procedure if they are not satisfied with the outcome of their complaint
 - If a student is dissatisfied with ANC's decision, he or she can use ANC's appeals process using the Complaints and Appeals form

3. Appeals Process

3.1 Internal Appeals

All students have the right to appeal decisions made by the ANC staff members. Appeals may arise of many sources including decisions made on:

- Assessments
 - Reported breaches of academic performance
 - Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
 - Or any other conclusion that is made after a complaint has been dealt by the ANC in the first instance.
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- To activate the appeals process the student is required to complete the Complaints and Appeals form and forward it to the reception in person or via email
 - Students are required to clearly explain the reason for appealing a decision in the form and attach any relevant supporting documents. Assistance with this process can be gained from student support team at all times
 - Once the completed form is received, reception staff will forward the form to the 'Director of Studies' who shall organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate
 - The process for all appeals will begin within 10 working days of the appeal being lodged

- Where an appeal has been lodged, it will be defined into one of the following categories and the appropriate procedures followed:

3.1.1 General appeals

- Where a student has appealed a decision or outcome of a formal complaint, they are required to notify the ANC in writing using the Complaints and Appeals form within 20 working days from the ANC's decision notification date. Any supporting documentation should also be submitted with the form
- The complaints and appeals form shall be lodged at the reception / student administrations department. Receptionist will forward the documentation to the 'Director of Studies' who will ensure the details of the appeal are added to the 'complaints and appeals logbook'.
- The student shall be notified in writing of the outcome and the 'complaints and appeals logbook' updated.

3.1.2 Assessment appeals

- Where a student wishes to appeal an assessment they are required to notify their assessor in the first instance. Where appropriate the assessor may decide to re-assess the student to ensure a fair and equitable decision is gained. The assessor shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.
- If this is still not to the student's satisfaction the student shall formally lodge an appeal by submitting the Complaints and Appeals form outlining their reasons for the appeal. They shall lodge this with reception / student administrations department.
- The 'Director of Studies' shall be notified and shall seek details from the assessor involved and any other relevant parties and make appropriate notes in Complaints and Appeals logbook. A decision shall be made regarding the appeal either indicating the original assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another assessor appointed by the ANC.
- The student shall be notified in writing of the outcome and the 'complaints and appeals logbook' updated.

3.1.3 Appealing ANC's decisions of reporting breach of academic or attendance requirements to Department of Education and DIBP

- Where a student wishes to appeal against the ANC's decision of reporting the student to Department of Education and DIBP via PRISMS for a breach of academic or attendance requirements, the student shall lodge his / her appeal by submitting the Complaints and Appeals form outlining the details / reasons supporting their appeal at the reception / student administration department
- The student should have extenuating circumstances as to why they have breached their requirements and must be able to provide evidence of these circumstances
- The 'Director of Studies' shall be notified and shall seek details regarding the initial documentation of the breach and shall make a decision based on the grounds of the appeal.

All details pertaining to the appeal process should be updated into the 'Complaints and appeals logbook'

- The decision is then conveyed to the student in writing and all relevant documents are kept in student's file
- Where a student has decided to access the appeals process in relation to the reportable breach, the ANC will not report the breach and enrolment will be maintained until the appeals process has been completed

3.1.4 Appealing deferrals, suspension or cancellation of enrolment decisions

- Where a student wishes to appeal a decision relating to deferment, suspension, or cancellation of their enrolment they are required to lodge the Complaints and Appeals form outlining the details of their appeal. The student should have extenuating circumstances as to why the decision should be reviewed and any supporting documentation supporting their appeal
- The appeal shall be lodged this with the reception / student administrations department and the appeal shall be entered into the 'Complaints and Appeals logbook'.
- The 'Director of Studies' shall be notified and shall seek details regarding the initial documentation of the decision and shall make a decision based on the grounds of the appeal.
- The student shall be notified in writing of the outcome and the 'complaints and appeals logbook' updated.
- Where a student has decided to access the appeals process in relation to deferment, suspension or cancellation of their enrolment, the ANC will not update the student's status via PRISMS and will maintain the enrolment until the appeals process is completed.

3.2 External Appeals

- If the matter is still unresolved after the above procedures have been implemented and the internal appeals process exhausted, student may wish to access an external independent mediator. Where this is the case, the matter shall be referred to the following person / organisation at no cost to the student:

Dispute Settlement Centre Victoria

4/456 Lonsdale St, Melbourne VIC 3000

Tel: 03 9603 8370, 1800 658 528 (toll free for regional callers)

Email: dscv@justice.vic.gov.au

National Training Complaints Hotline

The National Training Complaints Hotline is a joint initiative between the Commonwealth, state and territory governments. Anyone with a complaint or query about the training sector now has one number to call, so they can report a complaint and have it referred to the right authority for consideration.



How to make a complaint

Consumers can register a complaint with the National Training Complaints Hotline by: Phone: 13 38 73 (please select option 4), Monday–Friday, 8am to 6pm nationally.

OR

Overseas Students Ombudsman (For international students only)

If students wish to lodge an external appeal or complain about this decision, they 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.

See the Overseas Students Ombudsman website www.oso.gov.au or phone **1300 362 072** for more information.

Email: overseas.students@ombudsman.gov.au

Call: 1300 362 072* within Australia. Outside Australia call +61 2 6276 0111.

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

Fax: 02 6276 0123 within Australia. Outside Australia +61 2 6276 0123.

Postal: GPO Box 442 Canberra ACT 2601.

- Student may request ANC to assist with the external appeal lodgement. ANC will ensure that the appeal is lodged within 3 working days of receiving the written request from the student
- The decision of this independent mediator is final and any further action the student wishes to take is outside the ANC's policies and procedures. The student shall be referred to the government agencies such as Department of Education and Department of Immigration and Border Protection (DIBP) and this information can be gained from the 'ANC Director of Studies'.

4. Implementation

- Where a decision or outcome is in favour of the student, the ANC will **immediately** implement the decision.

Note:

- The student can contact Department of Education through the ESOS mailbox esosmailbox@deewr.gov.au or through the ESOS helpline **(02) 6240 5069** at any point, including after he or she has exhausted the provider's internal appeals process and the external appeals process
- ANC's complaints and appeals policy does not inhibit student's rights to pursue other legal remedies at any point during or after the implementation of procedure.
- Student can also contact International Student Care Service (ISCS). ISCS provides vital support to international students experiencing difficulties during their studies in Victoria. It



provides friendly and professional advice, information, support and referral to local services and community resources.

International Student Care Service

Level 1, 19-21 Argyle Place South Carlton
Victoria 3053
info@iscs.vic.gov.au
multicultural.vic.gov.au/iscs
Free Call: 1800 056 449

Reference:

This policy/procedure supports 'Standard 8' of the 'National Code of Practice for Registration Authorities & Providers of Education & Training to Overseas Students 2007', and 'Standard 6' of 'Standards for Registered Training Organisations (RTOs) 2015'.

Documents/Forms:

1. Complaints/Appeal Form
2. Complaints and Appeals Logbook

Revision History:

Version	Date	Revision Description
5.0	12 February 2015	Original

APPENDIX:**Complaints and Appeals Logbook**

Date of complaint, grievance or appeal	Complainant / Appellant's name	Complainant/ Appellant relationship with RTO	Description of complaint / appeal	Staff member managing complaint / appeal	Outcome and Date complaint / appeals resolved