



# VET Student Loans

## Complaints and Appeals Policy

### 1. Outline

The Complaints and Appeals Policy and Procedure is designed to ensure that Step into Training Services (SITS) responds effectively and efficiently to students' complaints and dissatisfaction during the course of study.

Complaints may arise from a student, a prospective student, an employer, a workplace supervisor, or others, in relation to the training services provided, including the conduct of training staff. A complaint may also be raised in relation to the conduct of an enrolled student. At times a student may seek to make a complaint or appeal a decision made in relation to academic matters involving their training experiences, such as assessment results or skills recognition. A student may also seek to make a complaint or appeal a decision made in relation to non-academic matters, such as fee payment related issues, staff members' or fellow students' behaviour.

This policy outlines a mechanism to ensure students and prospective students can have their dissatisfaction regarding any academic or non-academic matters addressed appropriately in a timely, fair and confidential manner.

### Related Standard

VET Student Loans rules section 88 and Standard 6 of RTO standards.

### Responsibility

SITS CEO, Administration Manager and Trainers will be responsible for the implementation and management of this policy and to ensure that the staff are aware of its application and procedures and students are made aware of its availability.

### Scope

This procedure applies to all students studying at Step into Training Services.

### Policy

SITS will ensure that:

- All grievances are managed fairly, equitably, efficiently and in a timely manner
- The complainant and the respondent will not be discriminated against or victimised
- The complainant and respondent will have the opportunity to present their case at each stage of the procedure
- The complainant and/or the respondent will have the right to have a representative or support person present during any negotiations with the institute or its appointed representatives
- At all stages of the process, discussions relating to complaints and appeals will be recorded in writing. Reasons and a full explanation for decisions and actions taken as part of this



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procedure will be provided to the complainant and/or respondent in writing

- Records of all grievances will be kept for a period of five years and treated in accordance with the institute's Privacy Policy and the Privacy Act 1988. These records will be kept strictly confidential and stored at SITS.
- There will be no cost to the complainant lodging a grievance or an appeal internally or for an external review, provided the procedures contained herein are adhered to
- All academic and non-academic staff will be communicated and trained to ensure that they understand this policy and procedures and its application
- a student is not victimized or discriminated against for:
  - a) seeking review or reconsideration of a decision; or
  - b) making an application for re-crediting of the student's FEE-HELP balance under Part 6 of the VET Student Loans Act 2016 ('the Act').

### **Procedure**

#### ***Stage 1: Informal process***

SITS seeks to foster communication and co-operation and to provide an environment in which all issues can be satisfactorily resolved. The preferred approach is the informal resolution of a grievance. In the first instance a student or prospective student (complainant) should discuss the matter with the staff member or responsible person concerned.

Where possible all non-formal attempts shall be made to resolve the grievance. This may include advice, discussions, and general mediation in relation to the issue and the student's grievance. Any staff can be involved in this informal process to resolve issues, if the complainant is satisfied with the outcome of the discussion, it would mean that the matter is resolved. Records of the outcome shall be maintained by the Administration Manager.

If the grievance could not be resolved informally and once a student has placed a formal complaint / appeal the following procedures must be followed.

#### ***Stage 2: Formal Process***

#### ***Principles***

General principles applying to all stages of this grievance procedure which will be adhered to by Step into Training Services are:

- The Complainant and respondent will have the opportunity to present their case at each stage of the procedure.
- The Complainant and the respondent have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor) if they so desire.
- The Complainant and the respondent will not be discriminated against or victimized for
  - a) seeking review or re-consideration of a decision; or



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- b) making an application for re-crediting of the student's FEE-HELP balance under Part 6 of the Act.
- At all stages of the process, discussions relating to complaints, grievances and appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions taken as part of this procedure will be provided to the Complainant and/or the respondent if requested.
- Records of all grievances will be kept for a period of five years. These records will be kept strictly confidential and stored in the secure facility at SITS. Access to grievance records can be provided to the parties involved on request.
- A Complainant shall have access to this grievance procedure at no cost.

### ***Formal Complaints Procedure ( Academic & Non Academic)***

- Any student, potential student, or third party may submit a formal complaint to SITS with the reasonable expectation that all complaints will be treated with integrity and privacy. There is no cost for the complaints process unless it is referred to a third party.
- A student wishing to submit a formal complaint or appeal can do so by completing the 'Complaints and Appeals Form' and state their case providing as many details as possible. This application form can be gained by contacting Student Administration at SITS or by contacting our staff by phone on 1300 467 487 or sending an email to [info@sits.edu.au](mailto:info@sits.edu.au) . The complainant is encouraged to provide detailed information and the outcome they are seeking
- Complaints must be lodged within 2 weeks of the issue arising. The formal complaint process will commence within 5 working days of the formal lodgement of the complaint or appeal and supporting information.
- All formally submitted complaints or appeals are submitted to the Administration Manager. It is their responsibility to deal with the complaint in the first instance. 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 the Administration Manager is to complete the 'Office Use Only' section on the submitted 'Complaints and Appeals form.' This includes the documentation of the date the Administration Manager received the complaint/ appeal, the date and the name of the manager that is notified of the complaint/appeal, and the date the 'Complaints and Appeals Register is updated'.
- The specific information regarding the complaint/ appeal is to be documented in the 'Complaints and Appeals Register' which is monitored by the Operations Manager regularly.



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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, and
  - Date of Resolution.
- Each party may be assisted or accompanied by a support person regardless of the nature of the grievance or complaint throughout the process at all times.
  - Once a complaint has been filed and logged in the 'Complaints and Appeals Register' the Administration Manager shall notify the supervisor of the complaint and provide any further documentation related to the matter.
  - Within 10 working days of the formal lodgement of the complaint/appeal the Operations Manager shall ensure the process of addressing the complaint/appeal commences. The Operations Manager may refer the matter to the appropriate staff to resolve or decide on the complaint ensuring that all reasonable measures are taken to finalise the process as soon as practicable. The Operations Manager is to keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.
  - If the student chooses to access SITS complaints and appeals process, SITS must maintain the students' enrolment while the complaint and appeals process is ongoing.
  - Once a decision has been reached the Operations Manager shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing and Administration Manager is required to:
    - a) 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
    - b) Arrange for the proposed resolution to be signed off by the student.
    - c) Monitor the implementation of the resolution to ensure that all parties adhere to the agreed resolution.
    - d) Copies of all documentation, outcomes and further action required will be placed into the 'complaints and appeals register' by the Administration Manager and on the students file. Outcome needs to be reported in continuous Improvement Management meetings for continuous improvement purposes.
    - e) Advise the student to take the complaint to appeal if a resolution cannot be agreed upon
  - To appeal a decision SITS must receive, in writing, grounds of the appeal. Students are referred to the appeals procedure. Appeals procedure does not incur any fees.



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- The Training Manager shall ensure that SITS will act immediately on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action that is required and advise the student of the outcome.

### ***Stage 3: Appealing a Decision (Internal)***

All students have the right to appeal decisions made by SITS where reasonable grounds can be established. Students who are not satisfied with the outcome of the formal complaint are encouraged to appeal the decision. The areas in which a student may appeal a decision made by SITS 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 SITS 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 student administration department.
  - The Operations Manager shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.
  - The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
  - The Operations Manager shall ensure that SITS acts on any substantiated appeal.
  - Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

#### **General appeals (Non-Academic)**

- Where a student has appealed a decision or outcome of a formal complaint, they are required to notify SITS in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
- The appeal resolution phase must commence within 5 working days of the internal appeal being lodged in writing



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- The appeal shall be lodged through student administration and the Administration Manager shall ensure the details of the appeal are added to the 'Complaints and Appeals Register'.
- The Operations Manager shall be notified and shall seek details regarding the initial documentation of the complaint and shall decide based on the grounds of the appeal.
- 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 the external appeals process if they are not satisfied with the outcome.
- The student is required to notify SITS if they wish to proceed with the external appeals process.

### **Assessment appeals (Academic)**

- Where a student wishes to appeal an assessment outcome, 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 a 'Complaints and Appeals Form' outlining their reasons for the appeal. They shall lodge this with student administration department and the appeal shall be entered into the 'Complaints and Appeals Register'.
- The Operations Manager shall be notified and shall seek details from the assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another assessor appointed by SITS.
- The student shall be notified in writing of the outcome with reasons for the decision, and the 'complaints and appeals register' updated. The student shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify SITS if they wish to proceed with the external appeals process.

### **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, in writing, a letter 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.



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- The appeal shall be lodged this with student administrations department and the appeal shall be entered into the 'Complaints and Appeals Register'.
- The Operations Manager shall be notified and shall seek details regarding the initial documentation of the decision and shall decide based on the grounds of the appeal.
- The student shall be notified in writing of the outcome with reasons for the decision, and the 'Complaints and Appeals Register' updated. The student shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify SITS if they wish to proceed with the external appeals process.
- The Operations Manager shall ensure that SITS will act immediately on any substantiated appeal. If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action that is required and advise the student of the outcome.

### **Stage 4: External Appeals**

- If a student is still dissatisfied with the decision of Step into Training Services, a student may wish to refer the matter to an external independent / third party mediator.
- If the student (complainant) is not satisfied with the outcome of the formal complaint, they can escalate the complaint to the Australian Skills Quality Authority (ASQA). ASQA can be contacted by calling ASQA info line on 1300 701 801 or Email [enquiries@asqa.gov.au](mailto:enquiries@asqa.gov.au), or
- Students can also contact following external mediators to have any decisions by SITS reviewed as a result of a student complaint or appeal. External mediators' details are as below:

Ombudsman Victoria  
Level 9, 459 Collins Street, Melbourne 3000  
Tel: (03) 9613 6222 or 1800 806 314  
Web: <http://www.ombudsman.vic.gov.au>

Dispute Assessment Officer  
Dispute Resolution Centre of Victoria  
Level 4, 456 Lonsdale Street, Melbourne 3000  
Tel: (03) 9603 8370  
Web: <http://www.disputes.vic.gov.au/>



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- The VET Student Loans Ombudsman is the nominated external dispute resolution scheme for students aggrieved by the provision of VET Student Loans.
- Where the student determines they wish to appeal SITS's decision in relation to their complaint or appeal they can contact the Ombudsman and submit an appeal application. The cost of this appeal process is free.
- Where there is any cost involved in external appeal, each party is liable to bear their own cost or if there any Independent Mediator involved, the cost of mediation is to be shared equally between the parties involved in mediation.
- Where a decision or outcome is in favour of the student SITS shall follow the required action and recommendation from Ombudsman to satisfy the student's complaints as soon as practicable.
- Operations Manager will provide a written response of external appeal outcome to all parties involved.
- The decision of this independent mediator is final and any further action the student wishes to take is outside SITS's policies and procedures. The student shall be referred to the appropriate government agencies and this information can be gained from the CEO.

### **2. Associated Procedure /Document:**

- Complaints and Appeal Form