



RTO 41228 | CRICOS Provider No. 03640K

Complaints and Appeals Policy and Procedure

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Version Control

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Nov 2018	V1.0	Released for comment	Compliance Officer
May 2019	V1.1	Updated policy and procedures in line with the National Code 2018	Compliance Officer
Jan 2020	V1.2	Updated procedure	Compliance Officer
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1. Purpose

The purpose of this policy is to manage and respond to complaints and appeals for all academic and non-academic matters in efficient, transparent and timely manner.

2. Scope

This policy covers allegations involving the conduct of the RTO, its trainers, assessors and other staff members including the education agents and third party. Both students (domestic and international) and staff studying and working in different states in Australia can access this policy.

3. Responsibility

Responsibility to implement this policy is distributed amongst different personnel at Axis Institute. The Director of Operations is responsible for the presence of the policy while the Campus/Compliance Manager is responsible for review, update and maintaining the Complaint and Appeal Register. The Student Services and Head of Marketing ensure that the policy is easily accessed by the students through website and range of other documents.

4. Compliance/legislation

reference	requirement
Standard 6 of the SRTOs 2015	Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively
The National Code 2018 Standard 8	The registered provider must have and implement a documented internal complaint handling and appeals process and policy, and provide overseas student with comprehensive, free and easily accessible information about that process and policy

5. Definition

Academic Matters: student progress, attendance, assessment, curriculum and awards

Appeal: A review of the outcome of a formal complaint by Axis Institute

Appellant: person lodging an appeal

Complaint A complaint is a problem or concern raised by a student who considers they have been treated unfairly or disadvantaged because of an action or decision by the Institute

Complainant: Anyone making a complaint or raising a grievance with Axis Institute and accessing the complaints and appeals process

External Review: Organization external to and independent of Axis Institute who can review and consider a decision Axis Institute has made regarding a formal complaint or appeal

Formal Complaint: A written statement from a complainant lodged with Axis Institute

Grievance: A complaint of a behavior or action which has or is likely to have an unreasonable negative impact on the student in relation to their studies

Informal Complaint: informal discussion between a complainant and a member of the Institute.

Non-Academic Matters including but not limited to those related to personal information, financial matters, behavior of Axis Institute staff and/or agents, and enrolment matters

Natural Justice means general procedural fairness in the handling of complaints and appeals that involves all of the following elements:

- The right to a fair hearing,
- The right to attend hearings with a friend or support person, if required,
- The opportunity for all parties involved to be heard,
- The respondent having full knowledge of the nature and substance of the complaint,
- The Complainant not determining the outcome, but may be a party to it
- The right to independent, unbiased decision-making,
- A final decision that is based solely on the relevant evidence.

Student/s refers to every individual enrolled or seeking to enroll in a unit of study/course offered by the AEA.

6. Policy

6.1 As part of this policy, Axis Institute will ensure that:

- It has necessary structure, process and system in place to effectively deal with complaints/feedback, grievances and appeals.
- All prospective and enrolled students will have access to Complaints and Appeals Policy and Procedure prior and during the enrolment.

- Students will be informed of complaint/feedback providing mechanism, internal and external appeal process and authorities they may approach when required.
- All complaints and appeals will be handled professionally fairly, equitably, efficiently and in a timely manner and confidentially. For internal Appeal process:
 - the student will have an opportunity to formally present their case, in writing or in person and at no cost to the student,
 - the student may be accompanied and assisted by a support person at any relevant meetings,
 - at the conclusion of the appeal meeting, the student will be given a written statement of the outcome, including details of the reasons for the outcome

6.2 Where a complaint or internal appeal cannot be resolved through conciliation, the student may contact an appropriate external and independent agent to review the decision implemented by the Institute.

6.3 The complainant will have the right to have a representative present during any negotiations with Institute or its appointed representatives.

6.4 Institute will not cancel the enrolment when the student is accessing an appeal process.

6.5 Discussions relating to complaints and appeals will be recorded in writing. A detailed explanation for decisions and actions taken as part of the process will be provided to the complainant in writing.

6.6 Nothing in this policy restricts the student's right to pursue other legal remedies, nor does the availability of dispute resolution processes remove the right of the student to take action under Australia's consumer protection laws.

6.7 The complainant will not be discriminated against or victimized.

6.8 Academic and non-academic staff will be communicated and trained to ensure that they understand this policy and procedure and its application.

6.9 The Compliance Manager will maintain records of all complaints and appeals and their outcomes in Complaints and Appeals Register. The Compliance Manager will present complaints and appeals in Axis Institute Management meetings, identifying potential causes of complaints and appeals, the action/s taken to eliminate or mitigate the likelihood of reoccurrence.

7. Procedure

The following procedure outlines the complaints and appeals management process:

Submit your complaints/feedback/grievances

Any individuals intend to provide feedback/share grievances or complaints with identity or anonymous can do so by different ways such as:

- drop a copy of Complaints and Appeals Form in the Complaints Box available at the Institute reception, **OR**
- Send email using a dedicated email line to complaints@axisinstitute.edu.au; **OR**
- speak to any Institute staff including trainers, administrative staff, or a member of the management team.

Informal method of addressing complaint/grievance

- Upon the receipt of any complaints or feedback, Student Support Officer will acknowledge the receipt in writing.
- Student Support Officer will organize a meeting with a complainant to further discuss the complaint/feedback/grievances and propose a resolution. The Support Officer may invite other staff from relevant department as needed.
- If the complainant satisfies with the resolution the complaint will be closed informally and not recorded.
- Should the complainant feel that their grievance is not satisfactorily resolved, they may submit their complaint formally in writing to Formal Complaint procedure below.
- All anonymous complaints will be discussed in a management meeting to improve the system and services of the Institute.

Formal Complaint/Appeal

- A complainant not satisfied with the results of an informal method can escalate the issue to be considered by the RTO Manager formally. The complainant can use Complaints and Appeals Form from the Institute reception or from the website.
- The staff member who receives the request a formal complaint or appeal request will acknowledge in writing the receipt of complaint **as soon as practicable** and forward a copy of complaint to the RTO Manager.
- The RTO/Campus Manager will commence the assessment of complaint/appeal within **10 working days** from the day of receipt by forming a Complaints and Appeals Committee by nominating members from relevant department. The committee will try to conclude as soon as practicable.
- The committee may organize meeting (s) with the complainant to discuss the complaints/appeal in detail and collate the evidence. The Institute will allow the complainant to be accompanied by their supporters.
- Upon the completion of assessment of complaints and appeal process, The RTO/Campus Manager will respond to the complainant in writing with all the details, reasons and evidence that led to the outcome as soon as the assessment completed.

- f) Whether the Institute considers more than 60 calendar days are required to process and finalize the complaint, the Complainant (student) will be informed in writing of the reasons why more than 60 calendar days are required and will keep the complainant updated on the progress of the matter.
- g) The Institute will also advise the student of their right to have the appeals decision reviewed by an external appeals body if they are still not satisfied with the outcome. List of external review bodies are mentioned below.

External review

If the Applicant is dissatisfied with the outcome of the Internal Appeal, they may refer the decision for a review by an external appeals body within **10 working days** of the decision being made by the Institute.

Such external bodies include:

National Training Complaints Hotline <https://www.employment.gov.au/national-training-complaints-hotline>

Overseas Students Ombudsman <http://www.oso.gov.au/>

Office of the Training Advocate South Australia- www.trainingadvocate.sa.gov.au

Australian Skills Quality Authority – www.asqa.com.au

Anti-Discrimination New South Wales
<https://www.antidiscrimination.justice.nsw.gov.au/>

Commonwealth Ombudsman - www.ombudsman.gov.au/

Queensland Training Ombudsman <https://trainingombudsman.qld.gov.au/about/>

- If external appeals body finds the results in favour of the student, Institute will comply with all recommendations made or instructions given by the body.
- If external appeals body upholds the decision made by the Institute then Axis Institute will ensure that a written copy of the decision is made available to the student, including full details of the reason for the decision.

8. Associated documents

- Axis Institute website information
- Complaints and Appeal Form
- Complaints and Appeals Register
- Student Handbook