

<b>InTech Institute of Technology</b>		
<b>Policy:</b> <i>Customer Complaints and Appeals</i>		
<b>Creation Date:</b> 29 Sept 2006	<b>Version:</b> August 2009	<b>Created By:</b> Robin Jaggessar
<b>Justification:</b> Change to AQTF 2007, Yearly revision of the Policy, CRICOS Compliance		

**InTech documents and implements procedures for dealing with customer complaints, grievances and appeals in a constructive and timely manner.**

Students must feel free to discuss any problems with the trainers, administration or CEO for any matter relating to any matter of their studies.

There are two types of complaint: Informal and Formal. Students, Industry and Staff may choose either process. Specific procedures for Staff, Industry and Student complaints resolution should be referred to as each circumstance indicates

*The policies and procedures ensure that:*

- i. each complaint, appeal and its outcome is recorded in writing;
- ii. each appeal is heard by an independent person or panel; and
- iii. each appellant:
  - a. has an opportunity to formally present his or her case; and
  - b. is given a written statement of the appeal outcomes, including reasons for the decision.
- iv. the RTO should act upon the subject of any complaint found to be substantiated.

In the event that a student has a grievance concerning any matter in relation to the training or the organisation, the student will:

#### **Student Enrolment Status During Appeal Process**

Intech will maintain the student's enrolment status during the appeal process. Students are required to attend at least 80% of all scheduled classes as well as achieve academic performance as per their ESOS obligation during the appeals process and until an outcome has been reached.

## **Complaints and Appeals Policy**

A summary of these procedures are as following:

### **1. Code of Conduct, Attendance and Discipline.**

Students are expected to abide by the terms and conditions of enrolment and the published rules and code of conduct of the College. Disciplinary procedures will be applied in the event of a breach of these rules. All staff are expected to apply the College's policy and rules fairly and without favor, but if a student considers that this has not occurred, the student may refer the matter to the Principal.

### **2. Service and Academic Programs.**

In the event of a student complaint concerning the quality of the service or teaching provided by the College, the student will report the matter to a person in a position of authority within the College. The complaint may either be dealt with by that person, or referred to the Principal for resolution. The decision will be conveyed in writing to the parties.

### **3. Contractual and financial issues.**

Matters relating to the interpretation of the contract, or the payment or refund of fees, are stated clearly in the Application for Admission. Any queries relating to course fees and other charges payable to the College will initially be dealt with by the College Finance and Administration staff. If the student is dissatisfied with the decision; matter will be referred to the Principal.

This Agreement does not remove the right to take further action under Australia's consumer protection laws. Any default by the College will be covered by the provisions of the ESOS Act 2000 and the ESOS Regulations 2001. Additionally, students can access independent dispute resolution services through the Australian State Education Authority responsible for approving providers to offer courses to overseas students.

An Overseas student may contact the chief executive if the student is concerned about the conduct of the registered provider. The Chief Executive of Queensland Education could be found at Education House 30 Mary Street, Brisbane, Qld. The chief executive may under part 2, division 2 of the Act, suspend or cancel the registration of a provider or course. The dispute resolution process described in the policy does not prevent an overseas student from exercising the student's rights to other legal remedies.

All disputes will be resolved in a reasonable time frame to allow for students on limited time because of visa requirements.

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## Complaints and Appeals Procedure: - Person Responsible – Robin Jaggessar

### Complaint Procedure

- A student with a complaint can speak directly with the person concerned to resolve any complaint within 10 working days
- Student to Advise the college in writing of the nature of the complaint
- If the student can not speak to the person concerned they should direct the matter in writing to the chief executive/owner within 21 days
- Robin Jaggessar and Amy Jaggessar will meet with the student to try and resolve the complaint.
- If the complaint is still unresolved, the student will be advised of external organizations, e.g. Police, Counseling organizations, Consumer Affairs, ACPET that may be able to assist. The relevant external organizations will be engaged for their expertise in handling such complaints.
- The Student will be notified in writing of the outcome as well as the reason for the outcome.
- The initial complaint and the outcome will be **documented in writing** in the complaint register.
- All written records of any complaints will be kept on file. Students will be notified in writing of the outcome.

## Appeals Procedure

InTech seeks to prevent appeals by ensuring that students are satisfied with their training product and its outcomes.

Personnel are expected to be fair, courteous and helpful in all dealings with students.

Any complaint about any Assessment will be treated seriously, investigated thoroughly, and dealt with according to the merit of the complaint.

The circumstances and results of any appeal are analyzed by the Legal Representative.

**InTech has advanced arrangements in place with ACPET to act as independent appeal panel for the resolution of grievances that cannot be resolved internally.**

1. All complaints and outcomes are documented in a complaints and appeals register.
2. Students are to notify the college within 7 working days in writing of the nature of the appeal.
3. Trainer and/or manager provide a written statement to the student within 21 days of the complaint.
4. If the appeal is still unresolved, the student will be advised of external organizations, e.g. Consumer Affairs or ACPET for professional advice.
5. The Student will be **notified in writing** of the outcome as well as the reason for the outcome.
6. All records will be **updated and recorded** in the appeal register.
7. If the internal or external compliant handling or appeal process results in a decision that supports the student, process results in a decision that supports the student, Intech will immediately implement any decision or action and advise the student.
8. All corrective actions to be taken will be circulated to staff in writing, explained in a staff meeting and a copy filed for future reference.
9. All necessary documents are updated and version numbers are included to reflect the latest version.

## **Appeals process**

If a complainant is dissatisfied with the outcome of their formal complaint or academic appeal they may lodge an appeal. InTech provides the right of appeal against decisions made following the resolution or completed investigation of a complaint or academic appeal, whether informal or formal or a breach of Institute Policy. At all times, parties to the appeal may be accompanied by an advocate of their choosing, except where that advocate is a legal practitioner. Each party will have opportunity to formally present their case should they wish to do so.

An appeal must be lodged in writing within twenty (20) working days of the date of notification of the original decision. Any appeal must set out the grounds for the appeal. The General Manager or nominee may convene an Appeals Panel to assess the appeal, and act as Chairperson. In addition to the Chair, an Appeals Panel will consist of at least 2 academic staff of InTech and not less than 1 student counsellor. The appellant will not normally have the right to be present when the Appeals Committee convenes.

An appellant will be notified in writing of the outcome of the appeal within twenty working days of the date of lodgment of the appeal.

Non-academic appeals do not ordinarily require the convening of an Appeals Panel; however the General Manager may seek the input of suitably qualified College staff who are independent of the grounds of the appeal. Where the grounds of an appeal involves statutory issues such as harassment or discrimination the College's General Manager, Quality and Systems will participate in the appeals process.

The appellant will be notified in writing of the outcome of the appeal outlining the reasons for the decision within twenty working days of the date of lodgment of the appeal. The report will further advise the appellant of their right to access the external mediation process if they are not satisfied with the outcome of their appeal.

## **External mediation services**

Should a complaint or appeal not be resolved using InTech's complaints, academic appeals and appeals process, then impartial mediation by an external mediator is available. A mediation service recommended by InTech is the Australian Council for Private Education and Training (ACPET). Contact with the mediator should be initiated by the student in all cases.

## **Costs for External Appeals**

The total cost per external mediation is \$400 which is shared equally between the student and InTech. Students are required to pay the \$200 fee upon lodgment.

## **External Appeal Contact**

The contact for External Appeals with ACPET is via [Student.appeals@acpet.edu.au](mailto:Student.appeals@acpet.edu.au).

Students must lodge appeals via this email address by completing the external appeals form which includes payment details. Appeals will not be processed until funds have been cleared.

The appeals form is available from the ACPET website - [www.acpet.edu.au](http://www.acpet.edu.au). The form should be lodged at [Student.appeals@acpet.edu.au](mailto:Student.appeals@acpet.edu.au). Any further enquiries should be directed to this email address. ACPET  
**(Address: Lennon's Commercial Tower, Level 26, 76 Queen Street, Brisbane Qld 4000 Ph: (07) 3210 1628 Fax: (07) 3210 6347)**

Turnaround time for appeals managed by ACPET will be within 1 month of lodgment. The police may be contacted in cases of possible criminal behaviour.

Each complaint, grievance, appeal and its outcome is recorded in writing and each party to the complaint is given a written statement of the appeal outcomes, including reasons for the decision.

If after the services of an external mediator have been accessed and no resolution can be found, either party may contact the Quality Branch on (07) 5561 3333.

If the problem resolution fits within equal opportunity guidelines, it will be managed under those guidelines.

**Internal Appeals Cost**

All internal appeals will incur a fee of \$100.00. This is a non refundable fee.

### **Victimisation**

All complaints will be handled with fairness in accordance with the principles of natural justice. InTech is committed to ensuring that students do not experience any victimisation as a result of making either an informal or formal complaint.

Whether a complaint is formal or informal, steps will be taken to ensure that neither party is victimised or disadvantaged as a result of a complaint being made. The Nominee appointed to manage a formal complaint will be responsible for ensuring that no victimisation occurs.

### **Defamation**

Defamation may be defined as the publication or making of false statements about another, which damage that person's reputation. The defamatory statement must be untrue and also intended to be taken seriously. Its effect must be damaging to the reputation of the plaintiff.

A defamatory statement may be in one of two forms – libel or slander. Libel is a defamatory statement in written words, pictures or other visual form, or broadcast over radio or television with an element of permanence about it. Slander is a defamatory statement in spoken or written words or other transitory form.

All parties to a problem resolution process should ensure that they limit their discussions to details of the complaint and that they act within their role in pursuing InTech's Complaints, Grievance and Appeals policy.

### **Natural justice**

The duty to act fairly includes two rules: the fair dealing rule and the no bias rule.

This means that all parties must be given the opportunity to present their case, be fully informed about allegations and decisions made and have the right to be represented by another person.

In addition, a decision maker must have no personal interest, beyond the scope of their role in this process and must be unbiased. If the decision maker cannot meet these requirements they must immediately withdraw from the process. The procedure shall have regard to the duration of an overseas student's stay in Australia. In order to expedite the process, students shall also have regard for this and not unduly interfere with the mediation agent or the procedure. Should interference by the student affect the normal process of events, InTech shall not be held responsible for the consequences.

## **Dispute Resolution**

When all internal InTech resources for dispute resolution have been exhausted the student has the right to take further action under consumer protection laws and does not prevent an overseas student from exercising the student's rights to other legal remedies.

A student may contact the Chief Executive or Director General of the government department in the relevant state if the student is concerned about the conduct of InTech, and the Chief Executive/Director General may, under part 2, division 2 of the ESOS Act, suspend or cancel the registration of a provider or course.

<b>Australian State</b>	<b>Department Name</b>	<b>Phone Number</b>
Queensland	Dept of Education, Training and the Arts (DETA)	1800 017 288.

## **5 Additional Information**

Enrolment information will be provided to Commonwealth and State agencies or the Assurance Fund manager for the purposes of the ESOS Act and this code, or promoting compliance with visa conditions and migration control. InTech is required under Australian law to advise DEEWR (who will advise DIAC) of changes to a student's enrolment or breach of visa conditions.

### **Complaints and appeals can also be lodged with:**

- National Training Complaints Hotline on 1800 000 674
- Each Appellant has an opportunity to formally present his or her case.
- Each student is given a written statement of the appeal outcomes, including reasons for the decision.

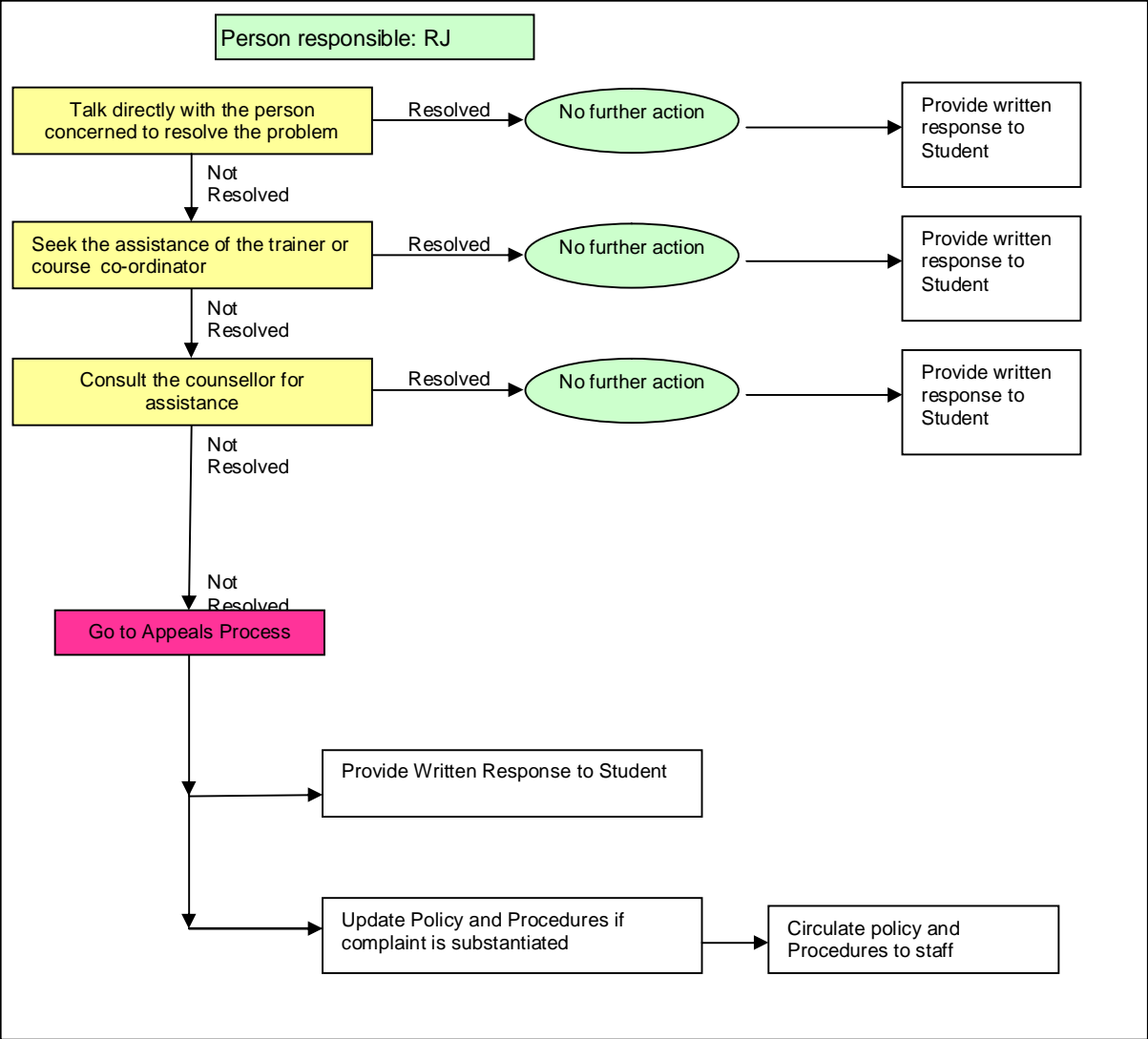
### **Special note for overseas students**

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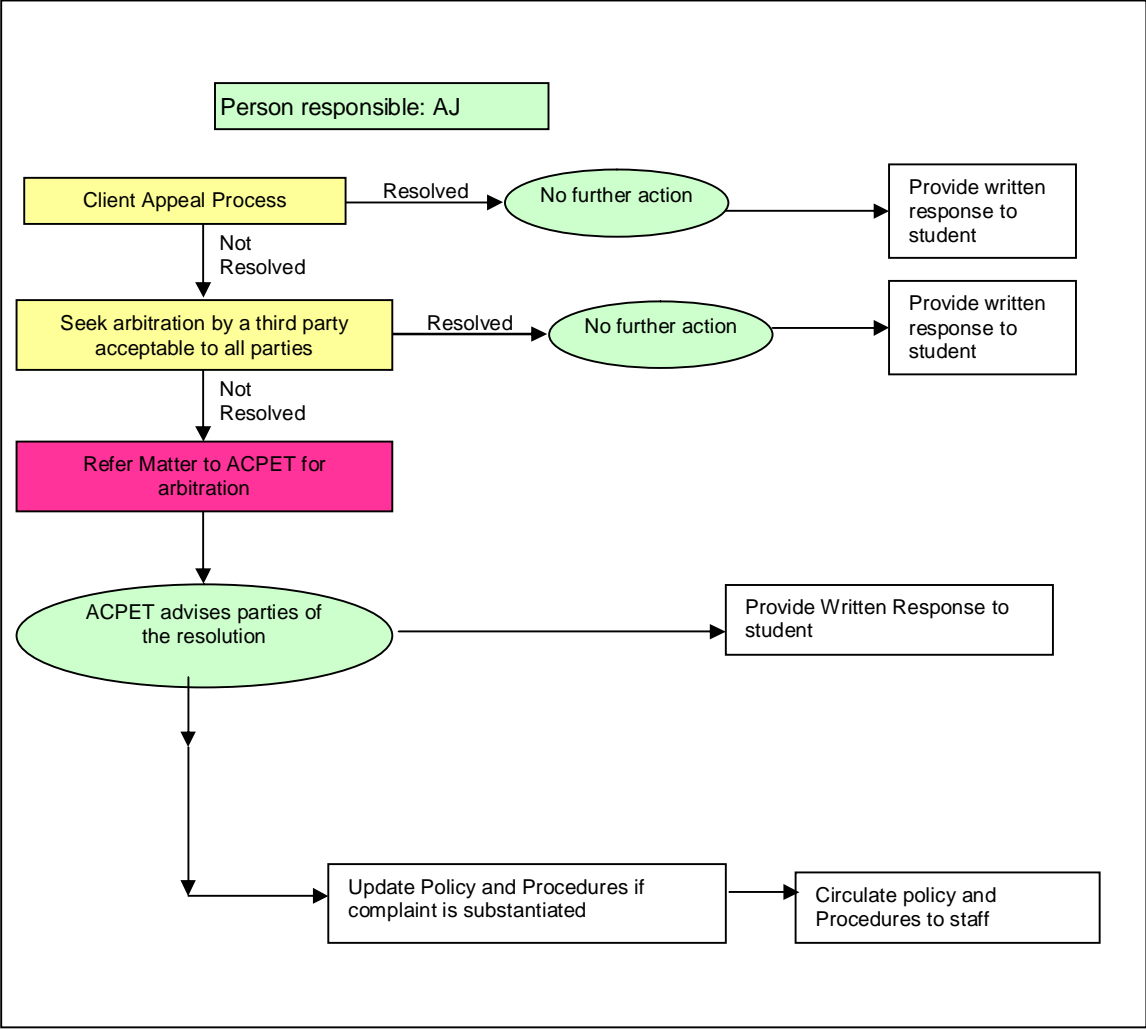
### **Policy Changes in the Event of Substantiated Complaints**

- I. InTech will implement new policies and procedures that affect grievances of any complaint that is found to be substantiated.
- II. These new changes will be communicated to all staff and students.
- III. Policy and procedure manuals will be updated. Website information will be updated.

# Client Complaints and Appeals Process Flowchart



# Client Appeal Process Flowchart



## **Customer complaint**

Matters of complaint outside of grievance and appeal will be dealt with according to its merit. The written complaint will be formally viewed by the chief executive/owner within 20 days of receipt. A response in writing will be forwarded to the complainant within a further 20 days notifying of result and/or any further action.

### **Customer Complaint Procedure:**

- i. Notify manager within 20 days in writing of customer complaints.
- ii. Manager responds within further 20 days.
- iii. If the complaint is unresolved, all parties will be advised of external organizations that may assist eg. ACPET or Relevant Organizations.
- iv. The Student will be **notified in writing of the outcome** as well as the reason for the outcome.
- v. All records will be updated in the complaint register
- vi. All corrective actions to be taken will be circulated to staff in writing, explained in a staff meeting and a copy filed for future reference.
- vii. All necessary documents are updated and version numbers are included to reflect the latest version.

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