



Complaints and Appeals Policy and Procedure

Purpose

The purpose of this policy and procedure is to outline Shafston's approach to managing dissatisfaction, formal complaints and appeals of students, parent(s)/legal guardian, clients, staff, and other members of the community. It provides a transparent approach for all complaints and appeals to be addressed in a fair, efficient and confidential manner. This policy and procedure ensure compliance with Standard 6 of the Standards, as well as compliance with the of the National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standard 10.

Responsibility

This policy is the responsibility of all Shafston staff dealing with students or prospective persons. It is the responsibility of Shafston to make this policy public and advise person/s that have a grievance, complaint, or appeal of any nature of its existence.

Definitions

ASQA means Australian Skills Quality Authority, the national VET regulator and the RTO's registering body

Academic Decisions – matters relating to the provision of training, assessment, and results within an ELICOS or VET course of study, including assessment matter, insufficient training, credit transfer and or RPL application results, etc.

Appeal means a request for a decision made by Shafston College to be reviewed.

Complaint – a formal complaint takes place if a grievance cannot be resolved informally (for example, the affected parties discussing the matter), and the appropriate form is submitted for official processing.

Complainant – student or potential student lodging the grievance or complaint.

DET means Department of Education and Training

Grievance - a grievance is a concern about academic matters, perceived discrimination, a situation, a process, a person or people, a facility or a support service provided by Shafston which the student brings to the attention of Shafston in an informal way, i.e., it is spoken about to a Staff member, not submitted in writing.

PRISMS means Provider Registration and International Students Management System

Overseas Student means someone who is studying in Australia on a student visa. An overseas student is also called an international student.

Shafston is committed to maintaining an effective, timely, fair, and equitable complaint handling system which is easily accessible and offered to complainants at no charge



for internal review of a complaint or appeal, and if not satisfied with the Internal outcome or procedure an independent external review of an appeal at a reasonable cost to the student. This system can be utilised by eligible students, including potential students enrolled or seeking to enrol in a course of study with Shafston, to submit a complaint of an academic or non-academic nature.

Purpose

Shafston is committed to providing students with an education of the highest possible quality. However, from time to time, students may raise concerns or complaints about matters or issues relating to their experiences at Shafston. This policy sets out the conditions that apply within Shafston for addressing student complaints. This policy is designed to ensure that a transparent process for ensuring student complaints are dealt with fairly, consistently, and promptly.

A complaint can be defined as a person's written expression of dissatisfaction with any aspect of Shafston's services and activities. Without limiting the circumstances which may give rise to a complaint, a student has valid grounds for making a complaint or lodging an appeal against a decision made in relation to a complaint, where the student considers he or she has been adversely affected by one or more of the following situations:

- A complaint or appeal about a student's academic performance.
- improper, irregular, or negligent conduct by a Shafston staff member.
- failure by a Shafston staff member to act fairly.
- A decision that has been made without sufficient consideration to facts, evidence, or circumstances of
 - specific relevance to the student
 - failure by Shafston to decide within a timely manner, (14 days).
 - complaint about the provision of Shafston facilities and services.
 - complaint in relation to Shafston's policies and procedures.
- Grievances brought by a student against another student will be dealt with under the School's School
- Rules and Code of Conduct.

Complaints and Appeals Procedure

All students or potential students can access the process to resolve their grievance, complaint, or appeal with Shafston. During each stage Shafston will take all possible steps to ensure that:



1. The complainant and the respondent will not be victimised or discriminated against.
2. The complainant has an opportunity to formally present his/her case and each party to the complaint may be accompanied and assisted by a support person at any internal meetings, including an Internal Case Review.
3. Detailed written explanations are provided of decisions and actions taken as part of the process.
4. Where the internal or external complaint handling or appeal process result in a decision that supports the complainant, Shafston immediately implements any decision and/or corrective and preventive action required and advises the complainant of the outcome in writing.
5. Where an internal complaint or appeal has been submitted, the complainant will be notified in writing of the outcome of the complaint or appeal.
6. There is no cost to the complainant for utilising the internal complaints and appeals process; however, there is a specified cost for utilising the external part of the process.
7. We recommend that complaints about a particular incident should be made as soon as possible after the incident occurring and appeals must be made within thirty (30) calendar days of the original decision being made.

Step 1 - Resolving Grievances

Students or potential students are encouraged, wherever possible, to resolve grievances directly with the person(s) concerned. For example: if the issue concerns an academic matter, the complainant should talk honestly to the teacher or trainer about his/her concerns. If the student or potential student has attempted to resolve the issue directly but is not satisfied with the outcome or does not wish to approach the person(s) concerned directly, then he/she may discuss the issue with any of the following, depending on the nature of the complaint, i.e., academic or non-academic: (a) Student Services Officer; or (b) relevant Academic Manager. He/she may be accompanied or assisted by a support person during this process.

Step 2 - Lodging a Formal Internal Complaint or Appeal

To commence the formal complaint or appeal process, the complainant must complete a student appeals and complaints form (available from the Shafston website). If the student's complaint or appeal is of an academic nature, they must complete the 'Student Appeals and Complaints for Academic Decisions Form' and submit this to the Student Services Officer. If the student's complaint or appeal is of a non-academic nature, they must complete the 'Student Appeals and Complaints Form' and submit this to the Student Services Officer.

The following information needs to be provided in writing on or accompanying the form:

1. Details of the complaint or appeal;



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2. Supporting information and documentation that the complainant wishes to have considered;
3. An explanation of the steps already taken to try to resolve the complaint informally and why the responses received are not considered satisfactory; and
4. What the complainant thinks needs to be done to address his/her concerns.

Shafston will commence the process of considering the complaint or appeal within fourteen (14) days of receiving the written Appeals and Complaint Form and will advise the outcome of the appeal or complaint in writing to the complainant.

If the complaint is **upheld**, the complainant will be provided with a written outcome of the steps taken to address the complaint within twenty (20) working days of the commencement of the complaint process.

If the complaint is **not upheld**, the complainant will be given a written outcome detailing the reasons for that decision. The complainant will also be advised of his/her right to access the external appeals process if not satisfied with the outcome of the formal Internal written complaint.

Step 3 - External Appeal

If, after completing the complaints and grievance appeal process, you still remain dissatisfied with the outcome, the complaint/grievance can be raised with an appropriate external body, such as Overseas Student Ombudsman (OSO) by phone 1300 362 072 or please refer to the following website if you are considering making an online complaint:

<https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=oco-complaint-form>. The external appeal must occur within twenty (20) working days from the dated written outcome of the Internal Appeal unless special circumstances apply.

The student must advise Shafston in writing of their intention to initiate an external complaint or appeal within (5) working days of receiving notification of the internal appeal decision or outcome. The student must provide evidence in writing that the external process to investigate and review the matter, has been initiated commenced in writing within ten working days of the letter advising the Internal appeal decision or outcome.

If the external appeal process supports the complainant, then Shafston will immediately implement any recommendations, and advise him/her in writing. When appropriate, these recommendations will be incorporated into the Shafston's policies and procedures for implementation ensuring the continuous improvement of service and quality education to students.



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If the complaint is not upheld, the complainant will be given a detailed written explanation by the external reviewer. It will include the reasons for that decision and then, if necessary, notify DET via PRISMS of the change in enrolment status immediately.

This written agreement and the right to make complaints and seek appeals of decisions and action under various processes, does not affect the rights of the student to take action under the Australian Consumer Law if the Australian Consumer Law applies.

Other External Complaint Avenues

- Australian Skills Quality Authority (ASQA):
Complainants may also complain to Shafston's registering body, Australian Skills Quality Authority (ASQA).

ASQA can investigate complaints about Shafston in relation to:

- the quality of our training and assessment
- our marketing and advertising practices
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For students:

- ASQA may not be able to investigate complaint if you do not include evidence that you have already exhausted our formal internal complaints process as above.
- If your complaint does not fall within ASQA's jurisdiction, it may be resolved more quickly if you directly contact the agency responsible as listed on the relevant webpage below.
- Please refer to the relevant webpage below before making a complaint to ASQA: <https://www.asqa.gov.au/students/complaints>

Complaints and Appeals Academic Decisions

Complainants have the right to appeal decisions which they consider to be unfavorable and/or unreasonable in relation to:

- Academic misconduct
- Academic progress
- Eligibility to receive an award
- Assessment and grades
- RPL, Credit and Credit Transfer application outcomes



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Other External Complaint Avenues

Complaints and appeals that are not related to the above outlined academic decisions must be submitted on the 'Student Complaint and Appeal Form'. All complaints and appeals will be handled as outlined in the below procedure and relevant staff and panels will be from departments relating to the nature of the complaint or appeal.

All Shafston has Policies and Procedures can be accessed on the Shafston Website <https://shafston.edu/forms-policies-and-procedures/>

