



## Student complaints and appeals

### Purpose

This Complaints and Appeals Policy and related procedure are designed to ensure that ANIB responds effectively to individual cases of dissatisfaction. This policy outlines ANIB's approach to managing complaints and appeals and ensures that all clients, students, employers and other stakeholders are aware of the steps to take to have their dissatisfaction addressed appropriately. It is also to ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaint and/or appeal process.

### Definitions

*Complaint* – a person's expression of dissatisfaction with any service provided by ANIB.

*Formal complaint* – a written complaint

*Appeal* – a request to review a decision that has previously been made as a result of a formal complaint.

## 1. Complaints and appeals systems

- 1.1. Despite all efforts of ANIB to provide satisfactory services to its students, complaints may occasionally arise requiring formal resolution.
- 1.2. The CEO is responsible for ensuring that this Complaints and Appeals Policy is made available to all stakeholders via the website.
- 1.3. ANIB is committed to developing and maintaining an effective, timely, fair and equitable complaints and appeals system which is easily accessible and offered to complainants at no charge. ANIB aims to:
  - (a) develop a culture that views complaints and appeals as an opportunity to improve the organisation and how it works
  - (b) set in place a complaints and appeals handling system that is client focused and helps ANIB to prevent these events from recurring
  - (c) ensure that any complaints and appeals are resolved promptly, objectively and with sensitivity and in complete confidentiality
  - (d) ensure that the views of each complainant and respondent are respected and that any party to a complaint or appeal is not discriminated against nor victimised
  - (e) ensure that there is a consistent response to complaints and appeals.
  - (f) Both parties may be assisted by a support personal in any relevant meeting.
- 1.4 All formal complaints and appeals and their outcomes will be recorded on the Complaints and Appeals Register.

## 2 Nature of complaints

- 2.1 Complaints and appeals may be made be on any aspect of ANIB's services, activities and decisions such as:
  - a) the enrolment, induction/orientation process
  - b) the quality of education provided



- c) training and assessment matters, including student progress, assessment, curriculum and awards in a course of study
- d) access to personal records
- e) decisions made by ANIB
- f) the way someone has been treated.
- g) ANIB's Trainers, Assessors or other staff
- h) third Party providing services on behalf of ANIB

### **3 Resolving issues before they become a complaint**

- 3.1 Students are encouraged, wherever possible; to resolve concerns or difficulties directly with the person(s) concerned to deal with the issue before it becomes a formal complaint. ANIB's Student Support Officers and other staff members are available to assist students to resolve their issues at this level.
- 3.2 Students must be made aware of the criticality of exhausting the in-house process for complaints resolution, using the internal and external complaints procedure before taking the matter to ASQA.

### **4 Lodging a complaint**

- 4.1 Formal complaints and appeals are to be made in writing to the Student Support Officer.
- 4.2 All parties are encouraged to approach matters with an open view and to attempt to resolve problems through discussion and conciliation.
- 4.3 Where student complaints are discussed, records of the discussion and outcomes are to be recorded and placed on the student file.
- 4.4 Student complaints that cannot be resolved through discussions with the student support officer may be escalated to the CEO for resolution.
- 4.5 This escalation will require interaction with the complainant to achieve resolution.
- 4.6 Where the student is satisfied by the resolution, the matter is closed. Where the student remains dissatisfied with the outcome, then they may appeal the decision. Students have the right to make an appeal against the decisions made by ANIB.
- 4.7 Appeals against any decisions are to be made in writing following this Formal Complaints and Appeals procedure.
- 4.8 Appeals against assessment decisions and other academic matters must be made within twenty (20) working days of the original decision being made.

### **5 Resolution**

- 5.1 All formal complaints and appeals will be responded to as soon as possible but within twenty (20) days. Resolution may take a longer period of time, depending upon the complexity of the matter.
- 5.2 Where a student chooses to access this policy and procedure, ANIB will maintain the student's enrolment while the complaints handling process is ongoing.

### **6 Record keeping and confidentiality**



- 6.1 A written record of all complaints and appeals handled under this policy and procedure and their outcomes shall be maintained for a period of at least two (2) years to allow all parties to the complaint or appeal appropriate access to these records.
- 6.2 All records relating to complaints and appeals will be treated as confidential and will be covered by ANIB's Privacy and Personal Information Policy.

**7 Non-limitation of policy/External Appeals**

- 7.1 This policy and related procedure do not replace or modify those or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and related procedure limits the rights of individuals to take action under Australia's Consumer Protection laws.
- 7.2 Students have the right to access the external appeals process. Where this is the case, the matter shall be referred to the external independent mediator at no cost to the student.
- 7.3 The third party mediation organization is Commonwealth Ombudsman 1300 362 072. This policy does not circumscribe an individual's rights to pursue other legal remedies.

**Complaints and Appeals Procedure**

**Purpose**

This procedure outlines ANIB's approach to managing complaints and appeals and ensures that all learners and other stakeholders are aware of the steps to take to have their complaint or appeal addressed appropriately.

This policy provides an avenue for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

The word 'complaint' within the following refers to either a complaint or appeal.

**Procedure**

**1. Stage 1 – Formal complaint**

	Action	Details	Responsibility
1.1	Make complaint in writing.	a) Formal complaints should be made in writing and made attention to the Student Support Officer. b) When making a complaint, provide as much information as possible to enable ANIB to investigate appropriately and determine an appropriate solution.	Complainant
1.2	Acknowledge receipt of complaint and	a) Provide receipt of the complaint to the complainant within five working days.	Student Support Officer



	Action	Details	Responsibility
	commence process.	b) Commence the complaints and appeals process within ten working days of receipt of the written complaint. All reasonable measures must be taken to finalise the process as soon as practicable or within twenty (20) working days. If the matter is particularly complex and goes onto stage 2 of the complaints process or further, the matter may take longer to resolve.	
1.3	Investigate and review the complaint.	<p>a) Upon receiving the complaint, the Student Support Officer may request further details from the complainant. This may be sought by written or verbal request or by face-to-face interview with the complainant and/or respondent(s).</p> <p>b) When such clarification occurs in a face-to-face interview, the persons being interviewed may have another person accompany them.</p> <p>c) Investigation into the matter will take place to ensure ANIB has accurate, complete and relevant information.</p> <p>d) The Student Welfare Officer will review the information and decide on the appropriate actions to be taken.</p> <p>e) During the investigation process, Should ANIB consider longer than 60 calendar days to process and finalise the complaint or appeal, ANIB will inform the complainant or appellant in writing and include reasoning and regularly update the complainant or appellant on the progress of the matter</p>	Student Support Officer



	<b>Action</b>	<b>Details</b>	<b>Responsibility</b>
1.4	Recommend resolution and provide report to complainant.	<p>a) The Student Support Officer will endeavor to resolve the complaint. Within ten working days, the officer will provide a written report to the complainant on the steps taken to address the complaints and will include their recommendations and reasons for their decision.</p> <p>b) The report will further advise the complainant of their right to access the internal appeals process if they are not satisfied with the outcome of the formal complaint.</p>	Student Support Officer

**2. Stage 2 – Internal appeal**

	<b>Action</b>	<b>Details</b>	<b>Responsibility</b>
2.1	Escalate complaint – lodge appeal to Manager for review.	<p>a) If the complainant is dissatisfied with the outcome, they may lodge an appeal with the Compliance Manager (who is senior to the original decision maker).</p> <p>b) An appropriate person or committee will be appointed to consult with the complainant and other relevant parties within ten (10) working days.</p> <p>c) Where possible such consultations should take the form of face-to-face interviews. The complainant or the respondent may ask another person to accompany them to these interviews.</p> <p>d) Following the consultation, the Manager (or nominee) will provide a written report to the complainant within 20 working days, advising the further steps taken to address the complaint, including the reasons for the decision.</p> <p>e) The report will further advise the complainant of their right to access the external appeals process if they are not satisfied with the outcome of their internal appeal.</p>	Compliance Manager

**3. Stage 3 – External appeal**



	Action	Details	Responsibility
3.1	If required, escalate to external mediator for review.	If the complainant is dissatisfied with the outcome of their appeal, they may make a written request to ANIB that they wish the matter be dealt with through an external dispute resolution process. The external process is facilitated by the Commonwealth Ombudsman.	Complainant
3.2	Report to ANIB Manager	<p>a) The mediator will report to ANIB's Manager or nominee, the outcome of the mediation, including any recommendations, asap</p> <p>b) ANIB agrees to be bound by the independent mediator's recommendations and the Manager, or nominee, will ensure that any recommendations made are implemented within thirty days of receipt of the mediator's report.</p>	External mediator.
3.3	Respond to complainant.	After receiving the report, ANIB's Manager or nominee will respond to the complainant within ten working days, and provide a written summary of the actions recommended by the external parties to resolve the complaint.	Compliance Manager

#### 4. Records of complaints and their outcomes

	Action	Details	Responsibility
•	Record complaint and outcomes.	<p>a) Following the complaint, appropriate actions will be taken by ANIB to prevent the problem from recurring through its Continuous Improvement policy.</p> <p>b) The complaint details and outcomes will be added to ANIB's Complaints and Appeals Register for review by Management.</p>	Compliance Manager