

COMPLAINTS & APPEALS POLICY (DOMESTIC STUDENTS)

PURPOSE

The purpose of this policy is to ensure that complaints and appeals are resolved appropriately and as quickly as possible.

SCOPE

This policy and procedure applies to all staff, contractors and volunteers of Protea College. Trainer/assessor staff and all staff working with students, in particular, should have a clear understanding of this policy and procedure so that they can ensure students are aware of this process.

PRINCIPLES

Protea College will ensure that:

- All students have access to the complaints policy and procedures and their rights as consumers.
- Protea College will maintain the student's enrolment during the complaint process.
- The complainant is provided with information about the complaint's procedure.
- Protea College will respond to any complaint or appeal the student makes regarding their dealings with Protea College, its education agents or any related party that Protea College has an arrangement with to deliver the student's course or related services.
- All complaints are assessed in a professional, fair and transparent manner.
- The complaint process is commenced within 10 working days from the date of complaint.
- Due to confidentiality reasons, the number of people involved in the resolution process will be limited.
- Officials involved in any aspect of the process will maintain absolute confidentiality at all times.
- The complaint resolution procedure promotes a conciliatory approach using mediation and open communication while acknowledging that in some instances this may be challenging.
- The rights of the complainant and respondent will be protected throughout the complaint resolution process.
- All parties have the right to representation during the complaint resolution process.
- Victimisation of complainants, respondents or anyone else involved in the complaint resolution process will not be tolerated.
- The complainant is provided with a written response including the outcome and reasons for the outcome within 20 calendar days.
- Complainants reserve the right to lodge a complaint with external agencies at any point during the complaint resolution process.
- A written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome, is retained for a period of five years after the student ceases to be an accepted student at Protea College.

DEFINITIONS

- Complaint – Dissatisfaction with a service offered by Protea College
- Appeal – Dissatisfaction with a decision made by Protea College
- Working days – Weekdays (Monday to Friday, inclusive), not including public holidays or weekends
- Mediation – a process in which a trained independent third party (mediator), assists the parties to identify and assess options in order to negotiate a mutually acceptable resolution.

RESPONSIBILITIES

The CEO / College Director is responsible for implementing and ensuring compliance with this policy.

TYPES OF COMPLAINTS

Complaints may be about academic or non-academic matters including, but not limited to:

- Application procedures
- Marketing information
- Training delivery or content
- Trainers, Assessors, Teachers or other staff
- Assessment methods or assessment content
- Student progress
- Issuing of Awards
- An agent recruiting students for Protea College
- A third-party delivering services on Protea College's behalf
- A student or group of students of Protea College
- Discrimination
- Harassment, bullying or victimisation
- Breach of privacy
- Individual conflict arising from perceived inappropriate behaviours
- Fees or other financial matters
- Fines and payments

PROCEDURES FOR ALL ACADEMIC AND NON-ACADEMIC MATTERS

INTERNAL COMPLAINTS AND APPEALS

The internal complaints and appeals processes are conciliatory and non-legal.

1.1. Complaints against other Students

Grievances brought by a student against another student will be dealt with under the College's Behaviour Policy/Code of Conduct.

1.2. Informal Complaints/Appeals Resolution

- In the first instance, Protea College requests there is an attempt to informally resolve the issue through mediation/informal resolution of the complaint.
- Students should contact their Trainer/Teacher in the first instance to attempt mediation/informal resolution of the complaint.
- Students should continue to attend classes (if applicable) while the complaint is being processed.
- If students are not satisfied with the outcome, they should contact the College Director who will attempt to resolve the matter.
- If the complaint is about the College Director, it can be directly brought to the CEO's attention.

- If the matter cannot be resolved through an informal mediation process, the matter will be referred to the CEO in writing and Protea College's Internal Formal Complaints Handling & Appeals Process (see 1.3. below) will be followed.

1.3. Formal Complaints Handling & Appeals Process

- The process of this grievance procedure is confidential, and any complaints or appeals are a matter between the parties concerned and those directly involved in the complaints handling process.
- The student must notify Protea College in writing of the nature and details of the complaint or appeal.
- Written complaints or appeals are to be lodged with the CEO.
- Complaints and appeals processes are available to students at no cost.
- Each complainant or appellant has the opportunity to present their case to the CEO.
- Students and/or the College may be accompanied and assisted by a support person at all relevant meetings.
- The formal grievance process will commence within 10 working days of the lodgment of the complaint or appeal with the CEO.
- Protea College undertakes to finalise all grievance procedures within 20 calendar days.
- However, should detailed investigation be required, the process may take more than 20 days. The complainant or appellant will be notified of the expected duration of the investigation process should the process take 21-60 days.
- If more than 60 days are required, Protea College will advise the complainant in writing, the reasons for why more than 60 days are required. Protea College will regularly update the complainant or appellant of the progress of the matter.
- For the duration of the appeals process, the student's enrolment and attendance must be maintained. If the student chooses to access Protea College's complaints and appeals process, Protea College will maintain the student's enrolment while the complaints and appeals process is ongoing.
- Once the CEO has come to a decision regarding the complaint or appeal, the student will be informed in writing of the outcome and the reasons for the outcome, and a copy will be retained securely on the student's file. A copy will also be retained securely in the internal 'Complaints and Appeals Register'.
 - a. If the grievance procedure finds in favour of the complainant, Protea College will immediately implement the decision and any corrective and preventative action required and advise the student of the outcome.
 - b. If the student is not successful in the Protea College internal complaints handling and appeals process, Protea College will advise the student, within 10 working days of concluding the internal review, of the student's right to access an external complaints handling and appeals process at minimal or no cost.

EXTERNAL COMPLAINTS AND APPEALS

1.4. External Complaints

- If you have a complaint about the quality of training and assessment being delivered by Protea College, you may be eligible to submit a complaint to Australian Skills Quality Authority (ASQA).
- You can also contact your local state & territory consumer protection agency (sometimes called 'consumer affairs' or 'fair trading') who can provide you with information about your rights and options.

1.5. External Appeals / Mediation

- If a student is not satisfied with the outcome of the internal appeal, they may request mediation or appeal to a suitable external body.

- Mediation is arranged through [LEADR](#) or another suitable and mutually agreeable organisation.
- Depending upon the nature of the matter, students can contact one of the following bodies, or another suitable external body¹ of their choice:
 - [Victoria Civil and Administrative Tribunal \(VCAT\)](#)
 - [Victoria Government Department of Justice Dispute Resolution Branch](#)
 - [Victoria Training Ombudsman](#)

RECORD KEEPING / OTHER INFORMATION

Protea College will identify the potential causes of complaints and appeals and take appropriate corrective action to eliminate or mitigate the likelihood of recurrence, for continuous improvement purposes.

Written records of all complaints and appeals and their outcomes will be maintained in the relevant person's file and a copy in the Protea College Complaints & Appeals Register for a period of five (5) years after the student ceases to be an accepted student at Protea College.

The Complaints & Appeals Register is to be managed and maintained by the CEO. Complaints/appeals must be updated within the register as soon as is possible, no later than two (2) working days after the complaint is received. The outcome of the complaint must be recorded in the Complaints & Appeals Register as soon as possible, no later than two (2) working days after the outcome is determined.

The Complaints & Appeals Register is to be saved electronically in Protea College's management file.

¹ The person or body which hears the external complaint or appeal must be independent of, and external to, the registered provider. In order to be considered independent and external, the person or body would generally:

- be separated in structure from both parties involved in the complaints and appeals process
- have no personal or professional interest in the outcome of the complaints or appeals process
- have no influence on the policy setting of the provider
- be financially and administratively independent of the provider; and
- not have the same directors or managers as the provider.