



# COMPLAINTS AND APPEAL POLICY AND PROCEDURE



**ALPHA TRAINING COLLEGE**

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# 1. Purpose

Alpha International College (AICA) has implemented a documented complaints handling and appeals process and policy to provide overseas student with comprehensive, free and easily accessible information about that process and policy.

The purpose of this policy is to ensure that learners at Alpha International College (AICA) have a fair, inexpensive complaints and appeals process that includes access to an independent external body, if necessary, AICA will make sure Complaints and Appeals processes are independent, easily accessible and inexpensive for the parties involved.

This Complaints and Appeals Policy, and Procedure is designed to ensure that AICA responds effectively and efficiently to individual cases of dissatisfaction in accordance with the requirements of:

- Standards for RTO 2015
  - Clause 6.1, 6.2, 6.3, 6.4, 6.5, 6.6
- The National Code 2018
  - Standard 10

This policy has been documented for the overseas student to lodge a formal complaint or appeal if a matter cannot be resolved informally.

# 2. Scope

This policy applies to all enrolled and prospective overseas students of AICA, staff members of AICA, education agents of AICA and any other related party who wish to make or lodge complaints about matters which falls within the responsibility of AICA.

# 3. Responsibility

The Chief/Principal Executive officer (CEO) is responsible for the implementation of this policy and procedure and ensuring that staff and students are made aware of its application.

AICA will manage and respond to any complaint or appeal the overseas student makes regarding his or her dealings with AICA, AICA's assessors or other staff, AICA's education agents or any related party that AICA has an arrangement with to deliver the overseas student's course or related services.

AICA has made arrangements in place for a person or body independent of internal and external to AICA to hear complaints or appeals arising from the AICA's internal complaints and appeals process or refer students to an existing body where that body is appropriate for the complaint or appeal.



AICA will commence assessment of the complaint or appeal within 10 working days of it being made in accordance with the AICA's complaint handling and appeals process and policy, and finalise the outcome as soon as practicable.

AICA will take all complaints and appeals seriously and will resolve Complaints and Appeals quickly and equitably, using the principles of natural justice. The procedures for complaints and appeals will be fair, objective and accessible.

AICA will identify potential causes of complaints, appeals, and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

## 4. Definitions

**Complainant** refers to a person who has lodged a complaint with AICA.

**Complaint** means a person's expression of dissatisfaction with any service provided by AICA, AICA's education agents or any related party that AICA has an arrangement with to deliver the overseas student's course or related services.

**Appeal** refers to the process where a student requests for the case to be reviewed if dissatisfied with a decision made by AICA.

## 5. Procedures

### Information about the complaints and appeals process

Applicants for enrolments are provided with information about the complaints and appeals process in the pre-enrolment information like AICA's Student Handbook. Detailed information on complaints and appeals policy and procedures is available online at AICA's website <https://www.alphatrainingcollege.edu.au/>

Students are also provided with information about the complaints and appeals process at orientation.

The CEO is responsible for ensuring that all management staff, student services staff, marketing staff, trainers and assessors and students at AICA are aware of the policies and procedures for complaints and appeals. Provision of information about the AICA's complaints and appeals process is an important aspect of the induction process for new members of staff.

### Complaint Procedure

The College will maintain a Complaints/Grievance Register, and a Complaint Form, which will allow identification and detail of the following:

- Submission date of complaint
- Nature of complaint
- Date/s when cause of complaint occurred



- Attachments (if applicable)
- Determined Resolution
- Date of Resolution.
- Independent Dispute Resolution (Overseas Student Ombudsman)

### **1. Fill in Complaints and Appeals form**

### **2. Informal Complaints Process-engage in informal discussion**

### **3. Formal Complaint Process**

Resolution Phase-Determine whether the subject matter falls within the definitions of a complaint.

**If yes**-Formal complaints is carried out with further procedures

**If no**-complaint is discussed and dismissed on discussion with person who raised the complaint.

### **4. Internal Appeal Process**

### **5. External Appeals process**

Written record of complaints and appeals including statement and reasons of outcome.

## **5.1. Informal Complaint Process**

Students who wish to make a complaint are encouraged to initially engage in informal discussion about the matter with the staff member or staff members involved. Any student with a complaint may first raise the issue informally with Administration Officer or Trainer and attempt an informal resolution of the complaint.

Complaints dealt in this way do not become part of the formal complaint process and will not be documented, recorded or reported on unless AICA staff involved determines that the issue in question or complaint is relevant to the wider operation of AICA.

All staff involved in the discussion of an informal complaint or appeal are required to do their best to resolve the matter effectively and quickly in this way.

Students who are not satisfied with the outcome of the complaint will be advised to register a formal complaint.

## What can a complaint be about?

A complaint can be about:

- any aspect of the service provided, or not provided by AICA
- any aspect of the training and assessment
- the behavior or decisions of staff, or
- policies and/or procedures of AICA
- any action by any relevant 3<sup>rd</sup> party

## 5.2. Formal Complaint Process

Students who are not satisfied with the outcome of the informal process can register a formal complaint in writing to Complaints and Appeals Officer. Students can also send an email alternatively to <https://www.alphatrainingcollege.edu.au/>

### Lodging a complaint

To register a formal complaint, a student must complete and lodge a Student Complaints Form to the CEO or Compliance Manager providing:

- a clear and detailed statement of the complaint, including the parties involved
- a suggested solution that the student believes would settle the complaint (E.g. an appropriate solution will focus on achieving a productive study environment or relationship, rather than apportioning blame).
- Complaint will be lodged in a complaint register.

**The resolution phase:** The Compliance Manager will determine whether the subject matter falls within the definition of a complaint. This period is called the resolution phase.

The resolution phase will commence within **10 working days** of the complaint being lodged in writing, i.e., assessment of complaints or appeal will commence within 10 working days of it being made and the outcome will be finalised as soon as possible.

Where it is determined that the subject matter falls within the definition:

- **Acknowledging the lodging of a complaint**

Each formal complaint lodged by a student will be acknowledged in writing. The acknowledgement will be provided to the student in person and/or sent through the email in writing by student support staff.

The Student support staff will forward the complaint for action to relevant department as soon as practicable and should not take more than 10 days. Parties to complaint will not be part of the investigation team.

- **Recording the complaint**

Details of the complaints will be recorded in AICA's complaints and appeals register and a copy will be filed in student's file. The original will be forwarded to the Compliance Manager.

The Complaints and Appeals Officer will be responsible for ensuring that all of these actions are completed within five working day of the lodgment of the complaint.

- **Acting on Complaint**

All concerned parties will be contacted for investigation. Students will be given opportunity to respond and present their case with supporting evidence.

Complaints and Appeals Officer will set an agenda for the meeting and discuss what steps should be taken.

**The right to be accompanied by a support person during the complaints/appeals**

**process:** Parties making complaint will be invited for meeting and each involved party may be accompanied and assisted by a support person, according to the principles of natural justice. There will be an attempt to resolve the complaint by using the process outlined by the student for settlement (if appropriate) or through meeting, mediation and/or conciliation.

All the information will be gathered as required to assist with the settlement of the complaint, including providing the respondent with the statement of the complaint and all relevant documents.

Complaints will be investigated thoroughly in spirit of natural justice and principal fairness. Best possible resolution will be achieved keeping student centered approach based on facts and documents.

- **Time frame**

Person making complaint will be informed of outcome in writing and all complaints will be finalized as soon as practicable understanding student requirements and other matters but *maximum within 60 days of receipt of complaint*.

Where AICA considers more than 60 calendar days are required to process and finalize the complaint or appeal, the college will inform the complainant or appellant in writing, including reasons on why more than 60 calendar days are required, and will regularly update the complainant or appellant on the progress of the matter.

**If complaint falls outside the definition of complaints:** the Complaints and Appeals Officer will advise the student accordingly. Complaints and Appeals Officer may dismiss a complaint if, in their view the complaint is ill advised, misguided, frivolous, malicious or vexatious.



***Note:** it is to be noted that AICA will respond to any complaint or appeal the overseas student makes regarding his or her dealings with AICA, AICA's education agents or any related party the AICA has an arrangement with to deliver the overseas student's course or related services.*

**At the conclusion of the resolution phase,** the Complaints and Appeals Officer will write to both the student and respondent indicating the outcome of the process and specifying any action that has been agreed upon by the parties as part of that process. Students will be informed about their Right to appeal within 20 days of complaints if dissatisfied with the outcome.

**Record the decision:** College's decision and reasons for the decision will be recorded by the Complaints and Appeals Officer or student support staff, and placed in the student's file.

**If a student is dissatisfied with the outcome of the formal complaint process,** students may initiate an internal appeal process by completing a Complaints and Appeal Form (Appendix 1) from website <https://www.alphatrainingcollege.edu.au/> or student administration.

### 5.3. Internal Appeals Process

Internal appeals may arise from a number of sources including appeals against refund decisions, assessment outcomes, appeals against disciplinary actions and appeals against decisions arising from complaints. The essential nature of an appeal is that it is a request by student who is dissatisfied with the outcome to reconsider a decision made by AICA.

An Internal Appeal Process is initiated by a student lodging an Appeal by filling up complaints and appeals Form (Appendix 1) with Student Services.

- **Acknowledging the Lodging of a complaint**

Appeals are acknowledged by sending written confirmation to complaint that is done by Student Support officer.

- **Consideration of Appeal by Complaints and appeals officer**

Where an appeal relates to the following matters, the Student Appeals Form must be lodged within 20 working days (International Students):

- a. Notification of an intention to report the student to the Department of Home Affairs (DHA) or due to unsatisfactory Course Progress.
- b. Notification of an intention to suspend or cancel a student's enrolment due to misbehaviour, or other extenuating circumstances (ref. Student Code of Behaviour and Discipline Procedures for details).

- **Time Frame and Acting on an Appeal**

Within 10 working days of receiving the Complaints and Appeal Form, the Principal Executive Officer (PEO) will appoint an Investigator or convene to hear the appeals and propose a final resolution. This Investigator will not include any person who has heard the original complaint. The Investigator will:

- a. Meet with the student (and support person, if present) and provide the student with an opportunity to present their case and with any supporting evidence they bring to the meeting at minimal or no cost. At any given meeting to discuss an appeal, students will be given the opportunity **to be accompanied and assisted by a support person.**
2. At the conclusion of the meeting, students will be informed about the timeframe within which the college will provide a written outcome of the appeal. The timeframe will generally be 10 working days. After the meeting, the Investigator or Committee will, impartially, consider all the evidence and make a decision.

*\*AICA will ensure that assessment of the complaint or appeal is conducted in a professional, fair and transparent manner.*

The outcome will be documented and will include the reasons for the decision. If the decision goes against the student, the outcome will include information for the student of **his or her right to an external appeal.** Details of suitable external appeal bodies will be made available to the student with information at no cost associated with that.

**If more than 60 days:** Where it is apparent that appeals will take more than 60 calendar days, appellants are informed in writing, including reasons why more than 60 calendar days are required and the students will be regularly updated on the progress of the matter.

**Recording the appeal:** AICA will keep a written record of the complaint or appeal, including statement of the outcome and the reasons for the outcome with signature and date of student and Student Support officer.

*A written statement of the outcome of the internal appeal, including detailed reasons for the outcome will be sent to the student.*

**If matter remains unresolved or student is unsuccessful or dissatisfied with the outcome.**

There might be cases where matter is still unresolved after the implementation of above procedures and the internal appeals process exhausted, or if the student is not successful in the AICA's internal complaints and appeals process. In such cases, college will advise the overseas student within 10 working days of concluding the internal review of the overseas student's right to access an external complaints handling and appeals process without any cost charged by AICA.

***Note: Students' enrolment will be kept active until both internal and external appeal is concluded.***

## 5.4. External Appeals Process

After the student has been advised of the external complaint handling process and procedure, AICA will provide students with contact details of the appropriate complaints handling and external appeals body.

AICA will refer the student to an **Overseas Students Ombudsman** to lodge an external appeal or complain about the decision.

*The Overseas Students Ombudsman offers free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider.*

In most cases, the purpose of the external appeals process is to consider whether the registered provider, i.e. AICA in this case, has followed its policies and procedures, rather than make a decision in place of the College. External appeal authority will be provided with sufficient information within due to timelines requested.

**For example**, if an overseas student appeals against his or her subject results and goes through the internal appeals process of the college, the external appeals process would look at the way in which the internal appeal was conducted; it would not make a determination as to what the subject result should be.

Complaints outcome will be entered in complaints register after external appeals has given a decision and copy of all relevant documents will be attached in that register.

### **Outcome**

If the internal or any external complaints handling or appeal process results in a decision or recommendation in favor of the overseas student, AICA will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision, and advise the overseas student of that action or outcome.



Written record of the complaints or Appeal and statement of the outcome will be kept and maintained by AICA.

Examples of an external or independent body or person may include:

- private conciliators or dispute resolution counselors
- a complaints and appeals body established by a peak industry body
- representatives of Commonwealth and state or territory government departments including the Office of the Training Advocate; or
- Commonwealth and state or territory offices of the Ombudsman may be the appropriate body for a public provider.
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**IMP NOTE:** The Overseas Students Ombudsman is a free and independent service

**The Overseas Students Ombudsman contact details are:**

- **Website:** <http://www.ombudsman.gov.au/>
- **Email:** [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)
- **Contact Number:** 1300 362 072

The Overseas Students Ombudsman investigates complaints about problems that overseas students have with private education and training in Australia.

The Ombudsman (OSO) also:

- a. Provides information about best practice complaints handling to help private education providers manage internal complaints effectively.
- b. Publishes reports on problems and broader issues in international education that OSO identify through investigations.

For further information, please visit [www.oso.gov.au](http://www.oso.gov.au) or contact overseas student ombudsman by telephone, 9am to 5pm Monday to Friday, Australian Eastern Standard Time (AEST). In Australia, call: 1300 362 072 (calls from mobile phones at mobile phone rates). Outside Australia, call +61 2 6276 011.

### **Appeals related to Deferment, Suspension or Cancellation of Enrolment**

Where a student has decided to access the appeals process in relation to deferment, suspension or cancellation of their enrolment, AICA will not update the student's status or report to Department of Home Affairs (DHA) via PRISMS until the appeal process is completed.

AICA is required to maintain all relevant responsibilities until:

- the internal and external complaints processes have been completed and the breach has been upheld;

- the overseas student has chosen not to access the internal complaints and appeals process within the 20-working day period;
- the overseas student has chosen not to access the external complaints and appeals process;
- The overseas student withdraws from the internal or external appeals process, by notifying the college in writing.

**Note:** \*Please note that the following procedures do not remove your right to seek other dispute resolution services, or to seek other legal remedies, provided by external bodies, such as, the Dispute Settlement Commission of Victoria, Consumer and Business Affairs Victoria, or the Equal Opportunity Commission Victoria.

### **Students Rights as Consumer**

Complaints and Appeals Policy, and Procedure do not remove the right of students to take action under Australia's consumer protection laws.

Students are requested to call or meet CEO, Student support officer, or Compliance Manager at AICA to seek any support at 03 8390 1019 or at campus. AICA will provide full assistance to students.

## Appendix 1

# Complaints and Appeals Form

Personal Details:	
Full Name:	
Position of Complainant/Appellant:	
USI no:	
Phone No:	
Email:	
Address:	
If the complainant is a student, please provide the following details	
Student ID:	
Course Name:	
Course Code:	
Complaint/Appeal Details	
<p><b>Complaint Details</b></p> <p>Date the cause of complaint occurred: _____</p> <p><b>Reason for the complaint:</b></p> <p><input type="checkbox"/> General Operations  <input type="checkbox"/> Assessment  <input type="checkbox"/> ESOS related complaint  <input type="checkbox"/> Others, Please specify</p> <p><b>Have you complained about the issue before?</b>  <input type="checkbox"/> yes    <input type="checkbox"/> No</p> <p>If yes, please give the date, the complaint was lodged: _____</p>	<p><b>Appeal Details</b></p> <p>Date to which this appeal refers to: _____</p> <p><b>Reason for the appeal:</b></p> <p><input type="checkbox"/> Assessment outcome  <input type="checkbox"/> Discipline/misconduct  <input type="checkbox"/> Any outcome of any application for request  <input type="checkbox"/> Any disciplinary action taken against you.  <input type="checkbox"/> others (please specify below)</p>



**Complaint/Appeal Summary**

(Please give detailed explanation of complaint/appeal and attach any supporting evidence)

**Please give a detailed explanation on what you think will resolve this issue.**

**Declaration**

- All the information provided in this form is correct and accurate to the best of my knowledge.
- I am happy to attend any meeting with relevant persons required to resolve the issue.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_



Office use Only:	
Receiving staff member:	
Date:	
Method of lodgment	<input type="checkbox"/> Email <input type="checkbox"/> Mail
Name of the members empaneled to resolve the issue	
Actions proposed by panel	
Implementation of Proposed action by:	<input type="checkbox"/> Continuous improvement Request. <input type="checkbox"/> Counseling by the relevant persons. <input type="checkbox"/> Change of any service or member. <input type="checkbox"/> External Counseling agency <input type="checkbox"/> Referred to: <input type="checkbox"/> Other (Please specify)
Outcome	<input type="checkbox"/> Successful <input type="checkbox"/> Unsuccessful
Method to communicate the outcome with the complainant/appellant	<input type="checkbox"/> Email <input type="checkbox"/> Mail
Response of complainant/appellant	<input type="checkbox"/> Agrees and accepts the decision done panel (The student signs the acceptance and the record is placed in student's admin file)  <input type="checkbox"/> Disagrees and unhappy (Student Support Officer will contact student to help student to access services of Overseas Student Ombudsman)



**Declaration by complainant/Appellant (Please tick before you sign it):**

- I acknowledge that I have been communicated the outcome of the complaint/appeal lodged by me.
- I agree to the decision made by the panel and happy to accept it.
- I disagree to the decision made by the panel and would like to escalate it to an external body and I have been advised of all the required information in this regard.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name of AICA's representative:

Signature of AICA's representative:

Date:



**ALPHA  
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