



EMPIRE
INSTITUTE OF EDUCATION

National Code 2007
Standard 8
Policy & Procedure





Complaints and Appeals

Purpose

The purpose of this policy and procedure is to define the system available to students for dealing with complaints and appeals and to meet the standards that govern this policy and procedure and the SNR 16.7 National Code Standard 8.

Scope

The scope of this policy covers the complaints and appeals process and procedure by the management of Empire Institute of Education.

Definitions:

CRICOS:	Commonwealth Register of Institutions and Courses for Overseas Students
DIBP:	Department of Immigration and Border Protection
ESOS:	Education Services for Overseas Students Act 2000
International Student:	A person holding an Australian Student Visa, enrolled in a CRICOS registered, on shore course, at Empire Institute.
National Code:	National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007
PRISMS:	Provider Registration and International Student Management System
Course:	Program of Education or Training defined as a course in the ESOS Act

Policy

The Empire Institute of Education ensures that the complaints and appeals processes are independent, easily and immediately accessible, and inexpensive for the parties involved.

Procedure

Empire Institute of Education is committed to demonstrating the effective management and resolution of complaints and appeals that arise from academic or non-academic issues. EIE will collect the data about complaints and appeals and record the data in the Complaint Register. This data will include action taken to address the root cause of complaints, the follow-up and the outcome of the complaint/appeal.

Evidence of complaints and appeals will be saved digitally on Google Drive, in the Complaints and Appeals folder, as well as the minutes of staff meetings at which actions arising from complaints were agreed and other relevant documentation.



Complaints Procedure

1. Students may raise any matters of concern relating to the training delivery and assessment, the quality of the teaching, student support, student facilities, discrimination, sexual harassment and other issues that may arise.
2. Students are encouraged to raise the matter informally with their trainer/assessor, EIE staff, or the RTO manager. The outcome of any informal complaint will not be kept on the student file, unless requested to do so by the student.
3. If the complaint cannot be resolved informally, the student may lodge a formal complaint using the complaints and appeals form, available on the website or at reception.
4. All complaints will be handled professionally and confidentially, in order to achieve a satisfactory resolution. All Empire Institute of Education staff ensure that they comply with the privacy policy.
5. The RTO manager will handle all formal complaints. If the complaint is in respect to the RTO Manager, the CEO will handle the complaint.
6. The student should lodge all formal complaints in writing, and the resolution process will commence within 10 working days of the lodging of the formal complaint.

The complaint will be resolved fairly and equitably, and at the earliest possible time (no later than 20 working days). In case the RTO manager failed to draw a conclusion on a complaint within 45 days, they must provide the reason, in writing, to the student. The copy of the decision will be retained, in the student file.

7. Empire Institute will ensure that students have a clear understanding of the steps involved in the procedure by providing procedural information on EIE website and by explaining the process, in the orientation program.
8. At any stage in the complaints process, students are entitled to have a friend, classmate or parents as nominee to include in the resolution process.
9. Where a complaint cannot be resolved through the internal procedure, EIE will give appropriate information to proceed with the Training Ombudsman.
10. Nothing in this procedure inhibits student's rights to pursue other legal remedies. Students are entitled to resolve any dispute by exercising their rights to other external mediator. Students wishing to take this course of action are advised to contact the Training Ombudsman whose role is to investigate official concerns, complaints and disputes raised by interested parties and stakeholders regarding the actions of a registered education and training provider.

No extra cost is involved in internal or external complaint procedures.

11. If there is any matter arising from a student complaint that is a systemic issue, which requires improvement action, the complaint will be reported to the CEO as part of the continuous improvement process.
12. The outcome of the complaints will be provided in writing within 5 days to the student, documented in the Complaints and Appeals folder and an electronic register will be maintained on the intranet.

Appeals Procedure

1. Appeals may arise from a number of sources including appeals against assessment, appeals against discipline actions and appeals against decisions arising from complaints. The essential nature of an appeal is that it is a request by a student to reconsider a decision made by Empire Institute. All training and assessment related appeals are managed by the RTO manager, unless the appeal is against a decision of the RTO manager. In that case the CEO shall manage the appeal.



2. Empire Institute will attempt to resolve the appeal informally and, if this cannot be achieved, the formal appeals process will commence.
3. A student's enrolment must be maintained whilst an appeal is in progress and the outcome has not been determined.
4. A student initiates the appeals process, both informal and formal, by completing the student appeals form. The complaints and appeals form is available at Empire Institute website or on request from student administration department.
5. The resolution phase must commence within 10 working days of the appeal being lodged in writing.
6. A maximum time of 45 days from the appeal being lodged in writing will be allowed for the resolution unless all parties agree in writing to extend this time.
7. The formal appeal process will be conducted by a legal representative engaged by Empire Institute and at no cost to the student.
8. Students appealing an assessment, including RPL outcome; will be given the opportunity for reassessment by a different assessor selected by EIE. Empire Institute will meet costs of reassessment. The reassessment shall be regarded as the completion of the internal formal appeal.
9. For all internal formal appeals:
 - The student will have an opportunity to present his or her case in person, or, if the student elects, in writing.
 - A student may be accompanied and assisted by a support person at any relevant meetings.
 - The outcome of the formal internal appeal and reasons for the outcome will be recorded in writing and signed and dated by the student and Empire Institute and placed in the student file as well as Complaints and Appeals Register. The student will be provided with a copy of the signed written document.
10. The RTO manager ensures that the outcome of the appeal will be conveyed to the student through written communication within 5 working days from the date of final decision. In case, the RTO manager failed to draw a conclusion on an appeal within 45 days, they must provide the reason in writing to the student. The copy of decision will be retaining in the student folder.
11. If the student is not satisfied with the outcome of the formal internal appeal, the student support manager must advise the student to their rights to access external appeal process at no cost and make suggestions on how to contact the overseas Ombudsman.
12. Nothing in this procedure inhibits student's rights to pursue other legal remedies. Students are entitled to resolve any dispute by exercising their rights to other external mediators.
13. There are no further avenues within Empire Institute for appeals after an internal formal appeal phase has been completed.



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