



COMPLAINTS AND APPEALS POLICY- INTERNATIONAL STUDENTS

Document Name and Number:	Version and Date:	Responsible Person:	Purpose and Comments:
Complaints and appeals policy	October 2022 /V1	CEO	Ensure compliance with National Code of Practice for Providers of Education and Training to Overseas Students 2018 and Education Services for Overseas Students Act 2000 (ESOS Act)
Complaints and appeals policy and procedures	July 2024 / Version 2	CEO	Ensure compliance with National Code of Practice for Providers of Education and Training to Overseas Students 2018 and Education Services for Overseas Students Act 2000 (ESOS Act)

Policy scope	The scope of this policy is all complaints and appeals received from students.
Policy purpose	The Complaints and Appeals Policy applies to all participants training at the organisation. For example, this includes complaints of harassment/discrimination and unfair treatment regarding conditions of training situations by the trainers, assessors, other staff, assessment outcome and/or work situations.
Definitions	<ul style="list-style-type: none"> • Appeal: A request to review an adverse decision or an unfavourable outcome that may have arisen from any administrative, academic or disciplinary processes. An Appeal may be an Internal Appeal or an External Appeal. • Internal Appeal: An appeal against a decision where the appeal is brought under Solis College’s policies and code of conducts. • External Appeal: An appeal to an external agency against a final decision of Solis College. Agencies may include the Overseas Students Ombudsman or Department of Education (In relation to ESOS Act). • Final Decision: A decision made by the member of staff authorised by the CEO and communicated to the Complainant in writing when all Internal Appeal avenues within Solis College’s policy, procedures and codes have been exhausted. • Complainant: A person lodging a complaint or an appeal. Respondent: A person responding to a complaint or an appeal. • 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 Solis College, which the student brings to the attention of Solis College in an informal way, i.e. it is discussed and not written down.
Policy statement	<ul style="list-style-type: none"> • The organisation will adopt the principles of natural justice and procedural fairness by informing those involved of the allegations; provide those involved with an opportunity to present their side of the matter and operate in a fair and unbiased way. • All individuals have equal access to Complaints and Appeals processes and are entitled to fair and consistent treatment and confidentiality will be respected, • Complaints and appeals are received in a positive manner, and the individual raising the grievance can expect to be taken seriously • The organisation has a responsibility to protect an individual who raises a grievance in good faith including victimisation or unfair treatment • Staff members handling complaints and appeals; report any conflict of interest, such as a relationship with the student or other personal interest. • In relation to student complaints involving a staff member, Solis

ensures a different staff member investigates the complaint to ensure independence.

- Students are encouraged to raise informal complaints to their trainer, or with Student Support Staff. Solis College will act to prevent the matter escalating to a formal complaint. Improvement suggestions will be reviewed by the relevant business area and addressed through the continuous improvement processes.
- While the informal resolution of a grievance is the preferred option, it may not always be successful or practical.
- If the informal complaint and appeal raises a matter of importance for Solis College; then, the complaint and outcome will be documented, but, if possible, the name of the student will not be included in any documentation to maintain privacy.
- If the complaint and appeal cannot be resolved informally; then, the student is advised to lodge a formal complaint.
- Student will be given the opportunity to formally present their case and may have an appropriate support person present
- All complaints and appeals will be responded to efficiently to ensure an effective resolution within a reasonable timeframe. Solis College will investigate and respond to all complaints lodged by a student in a fair, transparent and professional manner. The process will commence within (10) working days upon receipt of the of the formal lodgement of the complaint and supporting information and all reasonable measures will be taken to finalise the process in the shortest possible time. If the nature of the complaint requires immediate action, that staff member receiving the complaint will forward the matter directly to the CEO.
- Solis will endeavour to resolve formal complaints and appeals within 10 working days upon receipt of the appeal as soon as practical. However, in some cases, particularly if the matter is complex, the resolution may take longer, but not more than 20 working days, in which case students will be advised of an extended timeframe and the reason for the extension
- Solis College shall maintain a Complaints and Appeals Register to record all instances of complaints and appeals and use this data for quality and continuous improvement purpose.
- If the process results in a decision or recommendation in favour of the student, the RTO will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision and advise student of that action.
- Students are entitled to resolve any dispute by exercising their rights to other legal remedies. Students wishing to take this course of action are advised to contact: Overseas Ombudsman

Procedures

When a complaint or Appeal is made, the following occurs

- The individual is asked to complete the Complaints and Appeals Form

outlining the issue and advised they will receive formal acknowledgement of their complaint

- Administration Officer acknowledges in writing the complaints/appeal received within seven (7) days
- The CEO and/or nominee consider the complaint
- The complainant/appellant will be regularly updated, in writing, of the status on the complaint/appeal
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- The outcome is decided by management and the outcome and/or actions are documented on the Complaints and Appeals Form.
- The individual is informed of the decision and If the overseas student is not satisfied in the Solis College internal complaints handling and appeals process , they are advised of their right to access an external complaints handling and appeals process at minimal or no cost. This advice is given to the overseas student within 10 working days of the completion of the internal complaints handling and appeals process.
- Students wishing to take the External appeal course of action are advised to contact: [Commonwealth Ombudsman](#) . you may use this link to access their page:
<https://www.ombudsman.gov.au/complaints/international-student-complaints>

The organisation will:

- Maintain all complaints/appeals documentation on Complaints Register. For Formal Complaints and appeals File notes with the outcome of the complaint to be recorded on Student profile under the student management system.
- Provide corrective action to eliminate or mitigate the likelihood of reoccurrence of all complaints/appeals after investigated and identification of causes.

The right to make complaints and seek appeals of decisions does not affect the rights of a student to take any other allowable action under the Australian Consumer Law

Legislative/statutory requirements

- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- VET Quality Framework
- Fair Work
- ACCC

ASQA may impose a range of sanctions, conditions and penalties on registered training providers who do not comply with the national standards.

Associated documents

- Continuous Improvement Procedure
 - Validation Policy and Procedure
 - Meeting minutes template
 - File note template
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Measure of policy effectiveness

The effectiveness of this Policy will be measured by:

- Effective implementation of the Policy and related Procedures represented by provable focus on improvement by following the events placed in the calendar, related policy and procedure and whenever system errors are identified by other means.
 - Notations of improvement are to be recorded in the RTO management meeting minutes.
 - Outcomes from any internal or external audits, particularly any external audits conducted by ASQA.
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Induction

Refer to organisational and induction processes to confirm specific induction requirements related to this Policy.

Definitions/acronyms

ASQA

The Australian Skills Quality Authority (ASQA) is the national regulator for Australia’s vocational education and training sector.

Stakeholders

Means individuals or organisations affected by, or who may influence, the RTOs services but who are not directly involved in purchasing or using the RTOs services.

Standards for Registered Training Organisations (RTOs) 2015

The standards that apply to all NVR registered training organisations and which must be complied with at all times.

VET Quality Framework (VQF)

The framework aimed at achieving greater national consistency in the way providers are registered and monitored and in how standards in the vocational education and training (VET) sector are enforced.
