

Complaints and Appeals Policy and Procedure

This policy / procedure has been approved for release by the CEO April 2022

Introduction

Having an effective complaints and appeals process assists Fit Education to comply with the conditions of registration as well as giving students and students faith in the RTO and the quality of its operations.

Purpose

To ensure complaints and appeals are addressed efficiently and effectively.

Scope

The Complaints and Appeals Policy and Procedure is available to all students of Fit Education, including those who are being serviced by a third party. Staff should refer to the Employee Grievance Policy and Procedure if they have a complaint to make.

Responsibilities

The Complaints and Appeals Policy and Procedure is the responsibility of the Chief Executive Officer.

Definitions

Academic matters: matters relating to student progress, assessment, curriculum and awards for an approved course

Non-Academic matters: matters relating to enrolment in a course and personal information held by a provider

Policy Statement

Fit Education has an appropriate internal complaint handling and appeals process that satisfies the following requirements, or can use its existing internal complaints and appeals processes as long as it meets these requirements:

- A process is in place for lodging a formal complaint or appeal if the matter cannot be resolved informally, which requires a written record of the complaint or appeal to be kept
- Each complainant or appellant has an opportunity to formally present their case at minimal or no cost to the complainant
- Each party may be accompanied or assisted by a support person at any relevant meetings and at each stage of the procedure
- The complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome and
- The process commences within 10 working days of the formal lodgement of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.

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

If the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, the registered provider must advise the student of their right to access the external appeals process at minimal or no cost.

If the student chooses to access the registered provider's complaints and appeals processes as per this standard, the registered provider must maintain the student's enrolment while the complaints and appeals process is ongoing.

If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

Principles

This policy and procedure is available to all staff in the Staff Handbook, and all staff are trained in the application of the policy and procedures. This policy and procedure will also be made available to all prospective and enrolled students in the Fit Education website, contractual documentation and addressed during any orientation program.

- Fit Education provides a commitment to students that throughout any application for a course withdrawal, refund application, re-credit application, or any appeal of any Fit Education decision, students will not be victimised or discriminated against for submitting the application, making an appeal or seeking a review.
- Any complaint will be handled fairly, recognising the rights of the person making the complaint, Fit Education and the person against whom the complaint is being made. All parties concerned will be treated with courtesy and appropriate confidentiality will be maintained.
- Fit Education will be transparent and accountable in relation to student complaints by ensuring information about the procedure is widely available and by informing stakeholders about feedback received and actions taken to improve services resulting from analysis of feedback.
- At any point, a complaint may be withdrawn by the complainant.
- Fit Education will ensure appropriate training for staff involved in the complaints management process. This will be provided during staff orientation, as part of the company's professional development strategy for its staff and at least during an annual refresher session.
- Fit Education will collect data and maintain records of complaints received and their outcomes. These will be analysed by Management as a standard agenda item at Management Review Meetings and also assessed annually as part of the Fit Education's continuous improvement strategy.
- A high-level summary of issues and actions will be presented to Fit Education's Industry Advisory Board meetings as a standard agenda item
- All documentation relating to student complaints will be forwarded to the Chief Executive Officer to be registered within Fit Education's Complaints Register and filed appropriately.

Procedure

Staff and Client Information

Management must inform all staff of complaint and appeal procedures. This takes place at the staff induction and as improvements are made to the complaints and appeals procedure.

All staff must inform students of complaint and appeal procedures. This takes place during pre-enrolment (contractual documentation) and during the orientation program.

Complaints and Appeals System

The complaints and appeals system is designed to ensure that students are able to present their complaint free of charge and in a fair and equitable manner.

The complaints & appeals procedure ensures that students have access to an independent arbiter if necessary.

The complaints & appeals procedure ensures complaints and appeals are resolved within the specified time frame.

Management must, as part of the complaints and appeals procedure, inform students clearly of the complaint or appeal outcomes in writing.

The complaints and appeals process will be available to all students of Fit Education, including where services are being provided on behalf of Fit Education by a third party.

Complaint Process

To initiate the complaint process:

- The student speaks directly with the person concerned to resolve the problem within 7 days, or writes to the Chief Executive Officer within 21 days if unable to speak directly to the person concerned and
- While not mandatory, it is strongly recommended that the student lodges the complaint in writing and, where possible, using the appropriate form.

To investigate the complaint:

- Acknowledge receipt of the complaint in writing and investigate the matter with all concerned parties
- For complaints regarding assessment, organise remarking or reassessment as necessary (academic matters)
- For non-assessment complaints, ensure that the investigation is appropriate to the nature and seriousness of the complaint, calling on external investigators if necessary (non-academic matters) and
- In all cases, the investigation is to be conducted, fairly, openly, and impartially.

To resolve the complaint:

- Respond to the student in writing within 21 days of receiving the complaint detailing the outcome of the investigation, the reasons for the decision and advice about how to have the decision reviewed
- If the complaint requires more than 60 calendar days to resolve, then the student will be notified in writing, including being provided a reason why, and will be notified in writing of the progress of the complaint every week thereafter until the complaint is resolved
- Ensure that results of the investigation include any corrective action necessary to prevent similar complaints and ensure that the changes are implemented and
- Advise all parties of the Appeal Process and/or any external organisations that may assist, for example, police, counselling organisations, Consumer Affairs etc. if the complaint is unresolved.

To finalise the complaint:

- Update records including the Complaints & Appeals Register.

Appeal Process

To initiate the appeal process:

- The student lodges an appeal directly to the Chief Executive Officer within 21 days of being advised of the outcome of a complaint or assessment and
- While not mandatory, it is strongly recommended that the student lodges the appeal in writing or audio recording where possible.
- If a complaint is provided verbally, the details of the complaints will be captured in formal FIT Education documentation

To resolve the appeal:

- Acknowledge the appeal in writing and alert all concerned parties that an appeal has been lodged within 7 days of receiving the appeal
- For appeals regarding academic matters such as assessment, organise remarking or reassessment acceptable to all parties to the appeal. Either the Chief Executive Officer or the student may seek reassessment or arbitration by a third party/panel acceptable to all parties
- For non-academic appeals, first meet all parties to seek conciliation. If unsuccessful, refer the matter to the Chair of the Industry Advisory Board (or equivalent) for consideration and recommendation to the CEO
- If the appeal requires more than 60 calendar days to resolve, then the student will be notified in writing, including being provided a reason why, and will be notified in writing of the progress of the complaint every week thereafter until the complaint is resolved and
- In all cases the appeal is to be conducted fairly, openly and impartially.

To notify all parties of the appeal decision:

- The independent appeals body and Fit Education must report the results of the appeal and any corrective action to be taken to all concerned parties in writing, including the reasons for the decision, and advice on how to have the decision reviewed and
- The independent appeals body and Fit Education must advise all parties of any external organisations that may assist, for example, police, counselling organisations, Consumer Affairs etc. if the appeal is unresolved.

To finalise the appeal process:

- Update all records including the *Complaints & Appeals Register*.

VSL students

An external stage of appeal is available to VSL students through the VET Student Loans Ombudsman. VSL students may be accompanied or assisted by another person at the external review, at their own cost.

Refer to VSL Guide for additional information.

Corrective Action

Management must monitor the area of complaint or appeal to ensure that corrective action is taken and the problem resolved. Management must also monitor any required changes are implemented and that there is no recurrence of the problem.

Preventive Action

Management must implement preventive or corrective action as appropriate to the problem identified through the complaints & appeals process and monitor the implementation for effectiveness, to ensure that it:

- Prevents the identified problem and
- Does not have any unforeseen side effects.

Management must review complaints and appeals to determine causes and take action to prevent reoccurrence of these causes.

Improvements to Complaints and Appeals System

Complaints and appeals are subject to the Monitoring & Review Procedure, Continuous Improvement of Client Services Procedure and Continuous Improvement of Training & Assessment Procedure.

All improvements must document:

- Complaint and appeal process and resolution
- Preventive measures and
- Client / Student feedback data.

Related Documents

Complaints & Appeals Register.