



## POLICY AND PROCEDURE

<b>Complaints and Appeals</b>		
<b>Version 2.4</b>	Issued on <b>05/09/2024</b>	Review by <b>05/09/2025</b>
<b>Contact Person</b>	Reece Thomas - <a href="mailto:reece.t@ait.vic.edu.au">reece.t@ait.vic.edu.au</a>	
<b>Approval and Endorsement</b>	Principal Executive Officer - <a href="mailto:khalid.h@ait.vic.edu.au">khalid.h@ait.vic.edu.au</a>	
Refer to the following Legislative Frameworks:		
<b>Standards for Registered Training Organisations 2015</b>	Clauses 1.7, Clause 1.8, Clause 5.4, and Clause 6.1 to Clause 6.6	
<b>National Code of Practice for Providers of Education and Training to Overseas Students 2018</b>	Standard 10	
<b>Other</b>	Australian Consumer Law (ACL) Education Services for Overseas Students Act 2000 (ESOS Act 2000) Education Services for Overseas Students Regulations 2001 Equal Opportunity Act 1995 (Vic) Discrimination Act 2004 Privacy Act 1988 National Privacy Principles (NPP)	
<b>Related Documents (Internal)</b>		
Australian International Institute of Technology Orientation Presentation and Materials Australian International Institute of Technology Employee Handbook Australian International Institute of Technology Student Handbook Australian International Institute of Technology Student Written Agreement Form: Complaints and Appeal Lodgement Form: Employee (Induction) Form: Letter of Offer Form: Orientation Materials (Checklist) Form: Student Contact Record Policy and Procedure: Assessment Policy and Procedure: Attendance Policy and Procedure: Deferment, Suspension, Withdrawal, or Cancellation of Enrolment Policy and Procedure: Education Agents Policy and Procedure: Equity and Diversity Policy and Procedure: Monitoring Course Progress Policy and Procedure: Overseas Student Transfers Policy and Procedure: Refund Policy and Procedure: Student Support Services Policy and Procedure: Tuition Fees and Charges Policy and Procedure: Sexual Harassment Register (Complaints and Appeals) Register (Deferment, Suspension, Withdrawal, or Cancellation of Enrolment) Register (Tuition Fees and Charges)		
<b>Related Documents (External)</b>		
National Privacy Principles (NPP)		

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Postal address: Ground Floor, 313 - 315 Flinders Lane, Melbourne, Victoria, 3000.

## 1. Purpose

Australian International Institute of Technology's Complaint's and Appeals policy and procedure describes the steps to be undertaken so that complaints and appeals from students can be resolved in a constructive and timely manner, and in compliance with the requirements of the accreditation authorities relevant to the program.

Australian International Institute of Technology's aims for prospective and current students to have access to a transparent, fair, and prompt process for resolving complaints and appeals.

Where possible and appropriate, the complaints and appeals shall be dealt with locally at the level at which the issue of the complaint or appeal occurs. If the complaint and appeal cannot be resolved at the local level, the student will have access to Australian International Institute of Technology's internal appeal process.

If the matter cannot be resolved through the internal appeal process, then the student will have access to a final hearing by an independent external person or third-party organization. Throughout these processes, no student will be disadvantaged for having made a complaint and/or an appeal.

## 2. Scope

This policy and procedure applies to all Australian International Institute of Technology stakeholders including prospective and current students and employees.

Complaints and Appeals may be related to the organisation, employees including Trainer and Assessors, education agents, and any other external stakeholders that engage with students during an enrolment at Australian International Institute of Technology.

## 3. Definitions

**Appeal** - a written request by a student for a change in decision made by Australian International Institute of Technology. Appeals can relate to assessment and other decisions including cancelation of Certificates of Enrolment (CoE), Course Progression Warning Letters and Refunds.

**Complaint** - a formal complaint is a complaint made by a student, representative of a student, or relative of a student who has provided their written signature for the complaint.

**Commonwealth Ombudsman** - investigates complaints that international students have with private education providers. A private education provider can be a school, college, or university in Australia

**Independent Person or Body** - The person or body that would generally:

- Be separated in structure from the student
- Have no personal or professional interest in the outcome of the complaints or appeals process
- Have no influence on the policy setting of Australian International Institute of Technology
- Be financially and administratively independent of Australian International Institute of Technology
- Not have the same directors or managers as Australian International Institute of Technology

**Personal Information** - Means information, data or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion.

**Privacy** - is a fundamental human right that underpins freedom of association, thought and expression, as well as freedom from discrimination.

**Student** - any prospective individual, currently enrolled or formerly enrolled as a fee-paying customer at Australian International Institute of Technology.

#### 4. General Introduction

4.1 Australian International Institute of Technology has specifically design this policy and procedure to provide enrolling International students with a documented internal complaint handling and appeals process and policy, in order to provide these students with comprehensive, free, and easily accessible information about the process and the policy and procedure.

In the first instance, the student should be advised to raise their complaint or appeal with the originating source.

If the student believes that, the matter cannot be resolved informally, and they wish to peruse the matter further they should raise their complaint or appeal with Australian International Institute of Technology's Chief Executive Officer (CEO).

4.2 Australian International Institute of Technology's Chief Executive Officer (CEO) will respond to any complaint or appeal an overseas student makes regarding their dealings with Australian International Institute of Technology or their Education Agents; or any other related party Australian International Institute of Technology has an arrangement with to deliver and assess an overseas student's course or related services.

4.3 Australian International Institute of Technology's Chief Executive Officer (CEO) will commence an appraisal of the complaint or appeal within "**ten (10) working days**" of it being made in accordance with Australian International Institute of Technology's complaints handling and appeals process and policy, and finalise the outcome as soon as practicable.

During this process Australian International Institute of Technology will ensure that the overseas student is given an opportunity to formally present their case at minimal or "**no cost**" and be accompanied and assisted by a support person at any relevant meetings.

During the appraisal of the complaint or appeal it will at all times be handled in a professional, fair, and transparent manner without prejudice or bias.

4.4 Australian International Institute of Technology will provide the student with a written statement of the outcome of the internal complaint or appeal, including detailed reasons for the outcome and will maintain a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome on the student's file.

If the student is not successful after utilising Australian International Institute of Technology's internal complaints or appeals handling process, Australian International Institute of Technology will advise the overseas student within "**ten (10) working days**" of concluding the internal review of the overseas student's right to access an external complaint or appeals process at minimal or no cost.

Australian International Institute of Technology will give the overseas student the contact details of an appropriate external appeals body.

If the internal complaints handling process or appeal results in a decision or recommendation in favour of the overseas student, Australian International Institute of Technology 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.

4.5 In addressing any "*Complaints or Appeals*" Australian International Institute of Technology has defined these as:

- **Internal or External Complaint** - is where a prospective student or enrolled student registers a formal complaint, in writing "**concerning the manner (or behaviour)**" in which Australian International Institute of Technology or its employee's (including Trainers and Assessors, Student Service Administration, Marketing and Recruitment Team or Educational Agents) deals with or provides educational or marketing services to a student.

This includes but is not limited to student facilities or amenities, or discrimination, sexual harassment, bullying or any other behavioural issue/s that may arise when enrolling or studying at Australian International Institute of Technology.

- **Internal or External Appeal** - is where prospective student, enrolled student registers a formal appeal against a decision, in writing "**relating to a decision**" made by Australian International Institute of Technology or its employees' (including but not limited to the Chief Executive Officer (CEO), Trainers and

Assessors, Student Service Administration, Marketing and Recruitment Team or Educational Agents) dealing with, but not limited to, any educational or enrolment services provided to a student. This includes an appeal to challenge an assessment decision or outcome.

4.6 In defining the two (2) issues that are covered by this policy, Australian International Institute of Technology believes that it can ensure that both are addressed in terms of clarity and efficiency:

- Where appropriate use the outcomes of these processes to continually improve, but not limited to, Australian International Institute of Technology's training and assessment strategies and practices and
- The provision of the educational services it provides to the Australian Education VET Sector as an approved registered training provider.

## 5. Natural Justice and Procedural Fairness

The principle of “*Natural Justice and Procedural Fairness*” underpins the duty to act fairly includes two (2) rules; “*the fair dealing rule*” and the “*no bias rule*”.

This means that all parties must be given the opportunity to present their case, be fully informed about allegations and decisions made and have the right to be represented by another person.

Australian International Institute of Technology applies the principles of natural justice and procedural fairness when resolving and sourcing outcomes for any complaints and/or appeals.

## 6. Internal Complaints and Appeals

6.1 Australian International Institute of Technology will manage each complaint or appeal in such a way as to:

- Ensure that the principles of natural justice and procedural fairness are adopted at every stage of their processes.
- Ensure that each complainant or appellant is entitled to fair, equal, and consistent treatment, and prompt consideration and resolution of their complaint or appeal.
- Ensure that they have the opportunity to formally present their complaint or appeal at no cost to themselves. In addition, at any stage during the processes, they will be entitled to have their own nominee accompany and support them.
- Ensure that each complaint or a request for an appeal is acknowledged in writing and finalised as soon as practicable
- Australian international institute of technology has established a benchmark of “**twenty (20) working days**” to finalise these processes.
- Provide for a review by an appropriate party independent of Australian International Institute of Technology and the complainant or appellant, at the request of the individual making the complaint or appeal, if the internal processes fail to resolve the complaint or appeal.
- Ensure that where Australian International Institute of Technology considers that it will take longer than the “**twenty (20) working days**” bench mark, to process and finalise the complaint or appeal, Australian International Institute of Technology will inform the complainant or appellant in writing, including reasons why more than “**twenty (20) working days**” are required, and will also regularly update the complainant or appellant on the progress of the matter.
- Ensure that all the records relating to and the outcomes of each complaint and appeal are securely maintained.
- Identify potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.
- Where Australian International Institute of Technology considers more than “**sixty (60) calendar days**” are required to process and finalize the complaint or appeal, Australian International Institute of Technology will:
  - Inform the complainant or appellant in writing, including reasons why more than “**sixty (60) calendar days**” are required: and
  - Regularly update the complainant or appellant on the progress of the matter.

6.2 A student's "**enrolment will be maintained**" whilst a complaint or appeal is in progress and the outcome has not been determined, except in cases where Australian International Institute of Technology is intending to defer or suspend a student's enrolment due to misbehaviour or to cancel the student's enrolment.

6.3 Australian International Institute of Technology will encourage all parties involved to approach a complaint and/or appeal with an open view towards resolving issues through discussion and conciliation.

Where a complaint or appeal cannot be resolved through discussion and conciliation, Australian International Institute of Technology acknowledges the need for an appropriate external and independent agent to review a decision or the process implemented by Australian International Institute of Technology

6.4 At the conclusion of the complaint or appeal process, Australian International Institute of Technology will provide the complainant or appellant with a written statement of the outcome within "**ten (10) working days**" of the conclusion of the process.

This written statement will include details of the reasons for the outcome as well as a copy of the record of the complaint or appeal and its outcome.

6.5 A copy of the written statement will be placed in each of the following locations:

- the student's individual file maintained by Australian International Institute of Technology Student Service and Administration Department.
- the details will be logged into the "*Complaints and Appeals Register*", which is maintained on Australian International Institute of Technology's corporate governance database.

6.6 Written records of outcomes, agreements, meeting minutes, and actions are to be kept at all stages of the complaints process and are subject to relevant legislation including privacy and confidentiality.

6.7 A student may withdraw a complaint or appeal at any time during the resolution process. The student must make the withdrawal in writing and submit it to the City Campus reception.

Alternatively, the student may send an email to [complaints@aiit.vic.edu.au](mailto:complaints@aiit.vic.edu.au) using their email address that is registered with Australian International Institute of Technology.

## 7. External Complaints and Appeals

Australian International Institute of Technology Students have a variety of available options if they wish to lodge an external complaint or appeal.

These options however are only recommended after completing Australian International Institute of Technology three (3) stages complaints and appeals process.

Finally, options include lodging a complaint through one of the below following organisations:

### 7.1 The National Regulator: Australian Skills Quality Authority (ASQA)

The national regulator, "*Australian Skills Quality Authority (ASQA)*", cannot resolve disputes between students and training providers.

The regulatory functions allow ASQA to collect, analyse, interpret, and disseminate information about vocational education and training. The National regulator "**do not have the legislative power**" to act as a student advocate.

Finally, refer to the following regulatory guidance information <https://www.asqa.gov.au/students/more-support>.

### 7.2 National Training Complaints Hotline

If a student has a complaint relating to their student experience, whilst undertaking training in the vocational education and training (VET) sector, they can contact the "*National Training Complaints Hotline*" and the complaint can be referred to the most appropriate authority.

Finally, to raise and have a complaint considered contact <https://www.dewr.gov.au/national-training-complaints-hotline>.



### 7.3 Commonwealth Ombudsman

If an International student is not satisfied with the result or conduct of the internal complaint handling and appeals process, Australian International Institute of Technology will advise the student of his or her right to access the external appeals process through the “*Commonwealth Ombudsman*”.

The “*Commonwealth Ombudsman*” offers a “**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.

For a comprehensive overview of the steps before you raise a complaint with the Commonwealth Ombudsman please refer to <https://www.ombudsman.gov.au/complaints/how-to-make-a-complaint/before-you-complain>.

Finally, students can contact the Commonwealth Ombudsman to make a complaint by telephone by calling **1300 362 072** in person, in writing or by fax, or by using the online complaint form <https://forms.ombudsman.gov.au/prod?entitytype=Approach&layoutcode=ApproachWebForm>.

### 7.4 Other Legal Remedies, Support, and Wellbeing Services

Nothing in this policy or corresponding procedures inhibits a student’s right to pursue other legal remedies or support and wellbeing services.

Australian International Institute of Technology recognises that a student is entitled to resolve any dispute they have with Australian International Institute of Technology (by exercising their right to other legal remedies, however if a student wishes to follow this path, then any expense incurred during this process will need to be borne by the student).

Students wishing to pursue this course of action can contact and engage with, but not limited to:

- a Solicitor; or,
- the Law Institute of Victoria (LIV) - <https://www.liv.asn.au/>; or,
- Legal Aid Victoria - <http://www.legalaid.vic.gov.au/>; or,
- Australian Mediation Association (AMA) - <https://ama.asn.au/>; or,
- the Victorian Equal Opportunity and Human Rights Commission - <https://www.humanrights.vic.gov.au/>; or,
- the Privacy Commissioner - <https://www.oaic.gov.au/privacy/privacy-complaints>.

Finally, if the external complaint handling or appeal process results in a decision that supports the student, Australian International Institute of Technology will immediately implement any decision and/or corrective and preventative action required and will advise the student of the outcome.

## 8. Complaints and Appeals Resolution Process Flow (Stage 1 - Stage 3)

### Stage 1

1. A student who wishes to make a complaint or appeal will complete the “*Complaint and Appeal Lodgement Form*” and submit the completed document to reception or [complaints@aiit.vic.edu.au](mailto:complaints@aiit.vic.edu.au).
2. Upon receiving the “*Complaint and Appeal Lodgement Form*”, generally, reception will immediately forward it to Student Services Manager.
3. The Student Service Manager will acknowledge the receipt of the complaint and appeal and direct the matter to the appropriate stakeholder e.g. Marketing Manager or Academic Manager.

Should the Marketing Manager or Academic Manager be perceived to have a conflict of interest in relation to the matter, the next Chief Executive Officer (CEO) must be approached.

4. The Marketing Manager or Academic Manager must commence the resolution phase within “**ten (10) working days**” of the complaint being lodged.

5. The Marketing Manager or Academic Manager take all reasonable measures to resolve the complaint or appeal as soon as practicable.
6. The Marketing Manager or Academic Manager must keep records of the following, where applicable:
  - Actions taken to address the root cause of complaints
  - Minutes of meetings at which actions arising from complaints were agreed on
  - Changes to systems and/or processes to address the inadequacy that led to the complaint or appeal or to improve operations.
7. The Marketing Manager or Academic Manager will provide the student with a “*written statement*” of the outcome, including details of the reasons for the outcome; and forward a copy to the Student Services Manager who will keep a record as evidence of the communication to the student.

## Stage 2

1. If the student is not satisfied with the result or conduct of the complaint or appeal handling process by the Academic Manager, he or she should inform the Student Services Manager writing within “**ten (10) working days**” of receiving the written statement of outcomes.
2. The Student Services Manager will convene a committee comprising at least “**three (3) independent**” employees who are not involved in the hearing at Stage 1 to investigate and resolve the matter. The committee will provide the Student Service’s Manager with the documentation as listed in Stage 1 Point 6 for record keeping and filing.

Examples of “*independent employees*” who can be engaged to form a committee can include, but is not limited to;

- Chief Executive Officer (CEO)
- General Manager (GM)
- Registrar
- Compliance Manager
- Academic Manger
- Marketing and Recruitment Manager
- Trainer and Assessor
- Student services Officer

Finally, any nominated committee member or decision maker must have no personal interest, beyond the scope of their role in this process and must be unbiased. If the decision maker cannot meet these requirements they must immediately withdraw from the process.

3. The Student Service Manager will inform the student of the outcome through a written communication.

## Stage 3

1. If the student is still not happy with the result of the decision by the internal committee, the student should lodge a written appeal with the Student Service’s Manager within “**ten (10) working days**” of receipt of the written notification of Stage 2 outcomes.
2. Australian International Institute of Technology will appoint a person or body independent of and external to Australian International Institute of Technology to hear the appeal and propose a final decision at “**no or minimal cost**” to the student.

The appeal procedures will be “**determined by the independent mediator.**”

3. The student will have access and receive the outcome of only one external appeals process (i.e. Stage 3) before Australian International Institute of Technology may report the student to the relevant authorities.

Hence Australian International Institute of Technology does not have to await the outcome of multiple external appeals processes which the student may wish to access. However, Australian International Institute of Technology will inform students that they could refer to the “*Commonwealth Ombudsman*”.

## 9. Accessing the Complaints and Appeals Policy and Procedure

9.1 All Australian International Institute of Technology’s prospective students will be provided with information about Australian International Institute of Technology’s complaints and appeals policy prior to the formalisation of enrolment through:

- Course Pre-Enrolment Information Fact Sheets (FAQs) via Australian International Institute of Technology’s corporate website, refer to <https://www.aiit.vic.edu.au/courses>.

This process will also be available to current and existing students through the following sources:

- Orientation and Induction Process.
- The Student Handbook.
- Each Individual Unit of Competency Student Guide and Assessment Workbook.
- At reception at Australian International Institute of Technology’s City Campus.

9.2 All Australian International Institute of Technology employees will be provided with Australian International Institute of Technology’s Complaints and Appeals policy in the “*Employee Handbook*” distributed to them at the commencement of their employment during the induction process, and further will be advised when any change or amendments occurs to this policy and policy and procedure.

9.3 Australian International Institute of Technology will encourage all parties involved to approach a complaint or appeal with an open view towards resolving issues through discussion and conciliation.

Where a complaint or appeal cannot be resolved through discussion and conciliation, Australian International Institute of Technology acknowledges the need for an appropriate external and independent agent to review the process implemented by Australian International Institute of Technology.

## 10. Complaints and Appeals Register

Details of each complaint which is lodged are recorded in the Australian International Institute of Technology “*Complaints and Appeals Register*” by the employee who accepted the complaint and lodgement form.

At this time, a copy will be made of the complaint or appeal lodgement form and it will be filed in the student’s file.

The original documents will be forwarded to the Student Services Manager who is responsible for ensuring that all of these actions are completed within “**one (1) working day**” of the lodgement of any complaint or appeal.

## 11. Responsibility

All students, employees, Education Agents, and individual clients engaged in business operations collecting personal information and providing products and services are responsible for following the policy and procedure.

The Chief Executive Officer (CEO) is responsible for the effective implementation and management of this policy as well as provision of information on how to resolve complaints of breaches of this policy.

Any complaints or breaches in relation to this policy should be reported to the Chief Executive Officer (CEO) in person or by email to [ceo@aiit.vic.edu.au](mailto:ceo@aiit.vic.edu.au).



## 12. References

Source	Document Title	Version - Date
	Australian Consumer Law (ACL) <a href="https://consumerlaw.gov.au/australian-consumer-law/legislation">https://consumerlaw.gov.au/australian-consumer-law/legislation</a>	(Accessed 05/09/2024)
	Australian Mediation Association (AMA) <a href="https://ama.asn.au/">https://ama.asn.au/</a>	(Accessed 05/09/2024)
	Australian Skills Quality Authority (ASQA) - Complaints about Training providers <a href="https://www.asqa.gov.au/about-us/how-asqa-uses-feedback/complaints-about-training-providers">https://www.asqa.gov.au/about-us/how-asqa-uses-feedback/complaints-about-training-providers</a>	(Accessed 05/09/2024)
	Australian Skills Quality Authority (ASQA) – Student Support Services <a href="https://www.asqa.gov.au/students/more-support">https://www.asqa.gov.au/students/more-support</a>	(Accessed 05/09/2024)
	Commonwealth Ombudsman <a href="https://www.ombudsman.gov.au/">https://www.ombudsman.gov.au/</a>	(Accessed 05/09/2024)
	Commonwealth Ombudsman <a href="https://www.ombudsman.gov.au/complaints/how-to-make-a-complaint/before-you-complain">https://www.ombudsman.gov.au/complaints/how-to-make-a-complaint/before-you-complain</a>	(Accessed 05/09/2024)
	Discrimination Act 2004 <a href="https://www.legislation.gov.au/Details/C2017C00341">https://www.legislation.gov.au/Details/C2017C00341</a>	2004
	Equal Opportunity Act 1995 (Vic) <a href="https://www.humanrightscommission.vic.gov.au/home/the-law/equal-opportunity-act">https://www.humanrightscommission.vic.gov.au/home/the-law/equal-opportunity-act</a>	1995
	Legal Aid <a href="https://www.legalaid.vic.gov.au/">https://www.legalaid.vic.gov.au/</a>	(Accessed 05/09/2024)
	the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)	2018
	National Training Complaints Hotline <a href="https://www.dewr.gov.au/national-training-complaints-hotline">https://www.dewr.gov.au/national-training-complaints-hotline</a>	(Accessed 05/09/2024)
	National Privacy Principles (NPP) <a href="https://www.oaic.gov.au/privacy/australian-privacy-principles/read-the-australian-privacy-principles/">https://www.oaic.gov.au/privacy/australian-privacy-principles/read-the-australian-privacy-principles/</a>	PDF
	NCVER Glossary of VET <a href="https://www.voced.edu.au/vet-knowledge-bank-glossary-vet-terms">https://www.voced.edu.au/vet-knowledge-bank-glossary-vet-terms</a>	(Accessed 05/09/2024)
	Office of the Australian Information Commissioner <a href="https://www.oaic.gov.au/privacy/privacy-complaints">https://www.oaic.gov.au/privacy/privacy-complaints</a> .	(Accessed 05/09/2024)
	Privacy Act 1988	1988
	Standards or Registered Training Organisations 2015	2015



Users' Guide to the Standards for RTOs 2015 <a href="https://www.asqa.gov.au/standards/support-progression/clauses-1.7-5.4-6.1-to-6.6">h https://www.asqa.gov.au/standards/support-progression/clauses-1.7-5.4-6.1-to-6.6</a>	(Accessed 05/09/2024)
Victorian Equal Opportunity and Human Rights Commission <a href="https://www.humanrights.vic.gov.au/">https://www.humanrights.vic.gov.au/</a>	(Accessed 05/09/2024)
VISA Conditions List <a href="https://immi.homeaffairs.gov.au/visas/already-have-a-visa/check-visa-details-and-conditions">https://immi.homeaffairs.gov.au/visas/already-have-a-visa/check-visa-details-and-conditions</a>	(Accessed 05/09/2024)

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