



Evolution Hospitality Institute

Evolution English Language Centre

GRIEVANCE, COMPLAINTS AND APPEALS POLICY

Standard 6 (Clause 6.1 - 6.6) and Standard 8 (The National Code for International Students) and Domestic Students (including Smart and Skilled)

Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

Purpose

The purpose of this policy is to support the Standards of Registered Training Organisations 2015 and the National Code for Overseas Students in providing a process for complaints (grievance) and appeals to be heard and actioned. All complaints and appeals received by Evolution Hospitality Institute (EHI) and Evolution English Language Centre (EELC) will be viewed as an opportunity for improvement.

Despite all efforts of EHI and EELC to provide satisfactory services to its students, complaints (grievance) may occasionally arise that require formal resolution. The following procedure provides students the opportunity to have any issues relating to a complaint (grievance) or appeal resolved and resolutions reached that attempt to satisfy all parties involved. This complaints and appeals process will be at no cost to the student.

Policy

Evolution Hospitality Institute/Evolution English language Centre are aware of the requirement to;

- Listen to the views of vocational education and training (VET) and ELICOS consumers
- Address any concerns VET and ELICOS consumers may have, and
- Consistently improve the quality of VET and ELICOS products and services and policies.

This procedure applies and outlines how complaints (grievance) are managed and responded that are in the conduct of:

- a) EHI, EELC their trainers, assessors, teachers or other staff
- b) A Third Party providing services on the behalf of EHI, its ELICOS teachers, VET trainers, assessors, or other staff or
- c) Learners of Evolution Hospitality Institute and Evolution English Language Centre

This procedure also outlines how appeals are managed and responded to involving;

Requests for a review of decisions, including assessment decisions made by Evolution Hospitality Institute or Evolution English Language Centre or a Third Party providing services on the RTO's behalf.

This policy ensures that for both complaints and appeals that:

- The principals of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process
- Are publicly available
- Set out the procedures for making a complaint or requesting an appeal
- Ensures that complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable and
- Provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal. (Clause 6.1 and 6.2)

Procedure

Informal process

Where possible all non-formal attempts shall be made to resolve the complaint (grievance). This may include advice, discussions, and general mediation in relation to the issue. Any staff can be involved in this informal process to resolve issues but once a student or stakeholder has placed a formal complaint / appeal the following procedures must be followed.

General Complaint /Appeal

- Any student, potential student, or third party may submit a formal complaint to the RTO with the reasonable expectation that all complaints will be treated with integrity and privacy. There is no cost for the complaints process unless it is referred to a third party.
- In accordance with natural justice/procedural fairness a student is given opportunity to put forward their case. A complaint or Appeal must be submitted within the term that the event has occurred. As an example: a student has been deemed not yet competent against a unit of competency and wishes to appeal this decision it is week four (4) of the term, the student will need to submit an appeal within the 10 week period academic and no later than 2 weeks during the re-assessment period of that term.
- The decision making made by EHI/EELC is supportive of the principals of natural justice and procedural fairness which allows all students to tell their side of the story before the decision is made.
- A student wishing to submit a formal complaint or appeal can do so by completing the 'Complaints and Appeals Form' and state their case providing as many details as possible. This application form can be gained by contacting Student Support Services.
- All formally submitted complaints or appeals are submitted to the General Manager of EHI/EELC. It is their responsibility to deal with the complaint in the first instance.
- Where a student has a Student Visa (sub class 500). A student is required to fulfill their

obligations under a student visa. The student will need to maintain attendance, academic progression and tuition fees during the appeal or complaint process. It is only until this process is completed that the student may be able to exit their study.

Complaints are to include the following information:

- Submission date of complaint
- Name of complainant;
- Nature of complaint ;
- Date of the event which lead to the complaint
- Attachments (if applicable)

Once a formal complaint is received it is to be entered into the 'Complaints and Appeals Register'/the Student Management system (SMS) against the student's enrolment file.

The information to be contained and updated within the register is as follows:

- Submission date of complaint/appeal
- Who took the client or appeal
- Name of complainant or appellant;
- Company complainant or appellant;
- Contact details of complainant or appellant;
- Description of complaint / appeal
- Determined Resolution;
- Date of Resolution.
- Apology Email sent to customer with next step
- Final Result
- A student/ nominated support person may be assisted by a support person regardless of the nature of the complaint throughout the process at all times.
- Student s/support person are able to present their case in person
- The General Manager/ or nominated Manager shall resolve or make a decision on the complaint or appeal within 10 working days and keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint/appeal.
- Note: Depending on the nature of the complaint the General Manager may their discretion nominate another department manager to mediate the process of the complaint, the final result will be made by the General Manager
- Should the General Manager consider more than 10 calendar days are required to process and finalise the complaint or appeal EHI or EELC will inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required and regularly update the complainant or appellant on the progress of the matter. (Clause 6.4)
- Once a decision has been reached the General Manager or nominated Manager shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing. Within the notification of the outcome of the formal complaint/appeal the student shall also be notified that they have the right of appeal. To appeal a decision EHI or EELC must receive, in writing, grounds of the appeal. Student s are referred to the appeals procedure.
- The General Manager shall ensure that the RTO will act immediately on any substantiated complaint. 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 that is required, and advise the student of the outcome.

- Copies of all documentation, outcomes and further action required will be placed into the 'complaints and appeals register' students file in Student Management system (SMS) by the General Manager or allocated Senior Student Support Officer and also placed into Student Management system (SMS). (Clause 6.5)
- Where there is opportunity for improvement the item of complaint should also be added to the Continuous Improvement register and allocated out to appropriate staff to be actioned.
- EHI/EELC will ensure that it follows the principles of fairness and natural justice in dealing with all complaints (Clause 6.2,6.3 and 6.4)

Assessment or Complaint Appeal

Assessment

Where a student wishes to appeal an assessment they are required to notify their assessor in the first instance. Where appropriate the assessor may decide to re-assess the student to ensure a fair and equitable decision is gained. The assessor shall complete a written report/form regarding the re- assessment outlining the reasons why assessment was granted or was not granted.

If this is still not to the student's satisfaction the student can formally lodge an appeal by submitting a written letter/email (attached is the outlining their reasons for the appeal and use of the associated form). They shall lodge this via the email address; studentsupport@evolution.com.au and the appeal shall be entered into the 'Complaints and Appeals Register' and actioned within 10 working days of receipt by the General Manager or allocated department manager within EHI or EELC.

Note: The student must appeal within 20 days from the date of the judgement.

The Academic Manager/General Manager shall be notified and shall seek details from the assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another assessor appointed by the EHI/EELC.

The student shall be notified in writing of the outcome with reasons for the decision, and the 'complaints and appeals register' updated. The student shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify Student Support Services if they wish to proceed with the external appeals process

Note: International Student must maintain all components of academic Attendance and course Progression and Academic Tuition

Appeals - where a student is not satisfied of the outcome

If a student is still dissatisfied with the decision of EHI or EELC a student may wish to escalate the matter. Appeals can relate to assessment decisions but they can also relate to other decisions, such as a decision to exclude a learner from a program. This policy should also be

read in conjunction with the ESOS Act relating to Complaints and Appeals for International Students and the Standards for Registered Training Organisations 2015.

Students/Stakeholders are encouraged to resolve complaints and appeals through EHI/EELC complaint mechanisms. If they are not satisfied with the outcomes of these processes they should contact Australian Skill Quality Authority (ASQA) by completing the online complaint form or for International Students by contacting the Ombudsman for Overseas Students.

Note: external complaints to the Overseas Ombudsman must be lodged with **10 days of the notification** released by EHI/EELC - post internal process completed.

Where a decision or outcome is in favour of the student EHI/EELC shall follow the required action and recommendation from the third party mediator such as [ASQA](#) to satisfy the student's appeal as as practicable.

The RTO Compliance Officer will also follow any other requirements stipulated by the registering body ASQA or as directed by the Ombudsman for Overseas Students.

Note: Where the Appeal occurs for Academic reason the matter will first be Managed by the Training Manager

Associated documents with this policy:

- Evolution Hospitality Institute Records Management Policy
- Third Party Agreement mentioned section assessment process and complaints and appeals
- Assessment Policy (Part A and Part B)
- Student Management system (SMS) / Register Complaints and Appeals
- Academic Appeals Registration Form
- Complaint Registration Form
- Complaint & Appeal Feedback Form
- Complaints (grievance) and Appeals Flow Chart
- Student Handbook
- Flow Chart Re-assessments
- Complaint and Appeal Administration _ Work Flow

Location of Forms:

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Related Condition of Registration – Standard 6 – Clause 6.1 – 6.6

Note: International Student must maintain all components of academic Attendance and course Progression and Academic Tuition

COMPLAINTS AND APPEALS PROCESS (ACADEMIC / NON ACADEMIC)

