



## 1. Purpose

Everthought Education (ETE) and Everthought College of Construction (ECOC), also trading as Australian Institute of ICT (AIICT), are committed to transparency in the way the RTOs receive, and handle complaints made about the organisation/s, its partners including employers, and its employees, as well as how an applicant/student academic or administrative appeal may be received and will be handled.

The policy aims provide and maintain training services that are fair and reasonable to assist in resolving complaints and appeals in an efficient, effective and professional manner. The policy informs processes where issues or inadequacies can be resolved with adequate opportunity for complaints and appeals to be considered and resolved, with consideration to the needs and concerns of students, staff, partners, and all stakeholders.

All complaints and appeals will take into account the RTO's policies, the applicable conditions of enrolment (if a student) and all relevant legislation and regulation when determining the outcome of a complaint or appeal. The policy also assures complainants/appellants that their complaints/appeal can be submitted in a timely, confidential and sensitive manner, without fear of reprisal.

## 2. Scope

This Policy and Procedure covers all of ETE, ECOC, and AIICT's training and assessment services across all campuses and all training/academic, student services, and governance staff members.

## 3. Responsibilities

The General Manager is responsible for ensuring this Policy and Procedure is implemented. The Compliance Coordinator is responsible for ensuring this Policy and Procedure is maintained and up to date in line with scheduled revisions. Managerial staff are responsible for ensuring their teams are up to date with this Policy and Procedure, trained in its operations and students made aware of its availability.

## 4. Policy and Procedure

### A. ALL STUDENTS

ETE, ECOC, and AIICT strive to ensure that each student is satisfied with their learning experience and outcome. It is anticipated that issues of concern can be resolved by meaningful and respectful communication. In the unlikely event that this is not the case, all students have access to rigorous, fair and timely complaint and appeal processes which are outlined in this document. The same processes will be made available to any other stakeholder who is seeking to lodge a complaint, for example, an employer about an RTO employee.

This is based on the principles of natural justice and fairness that will ensure all complaints and appeals are addressed effectively and efficiently. This complaints and appeals policy ensures students and other stakeholders understand their rights as well as the responsibilities of the RTO.

This Policy and Procedure is available to all persons wishing to make a complaint, appeal or any other manner of objection in relation to the conduct of ETE, ECOC, and AIICT. This is through the website and the **Student Handbooks**.



Any complaints or appeals will be reviewed as part of the continuous improvement process and where corrective action has been highlighted, it will be implemented as a priority. This approach ensures that outcome of the complaints process provides a positive and constructive contribution to the operations of the RTO.

### Principles of Transparency and Natural Justice

ETE, ECOC, and AIICT will ensure that all complaints and appeals are dealt in accordance with the principles of natural justice and procedural fairness at every stage of the complaint and appeal process. The RTO will ensure that the decision maker is independent of the decision being reviewed and that anyone subject to a decision by any of the RTOs and/or anyone who has an allegation made against them, will also be provided with the opportunity to tell their side of the story before a decision is made.

Staff handling both informal and formal complaints and appeals will ensure that they treat the complaint and appeal as serious and are respectful of all parties. No complainant/appellant will be disadvantaged in any way, including students may continue with their studies. The complaint and appeals will be held in strictest confidence with only delegated officers (refer to the **RTO Delegations Register**) and those involved in the matter receiving information about the complaint and appeals and along the way of its resolution.

Where a complaint and appeal is likely to take more than 60 days to investigate, the RTO will inform the complainant/appellant in writing via an email and commits to the provision of regular written updates in the form of emails, at least fortnightly (refer below for further detail).

In summary, in all circumstances complaints and appeals will be handled according to the following principles of transparency and procedural fairness:

- all complainants/appellants have a right to be heard.
- All complaints and appeals will begin to be assessed within 10 working days of their lodgement, with a commitment to finalising the outcome as soon as practicable.
- ETE, ECOC, and AIICT recognises, protects and promotes the rights of any person including an employee to lodge a complaint.
- ETE, ECOC, and AIICT Complaints & Appeals Policy and Procedure is accessible on the relevant RTO's website with further reference in the Student and Staff Handbooks.
- this Complaints and Appeals Policy & Procedure is discussed during student and staff induction.
- a copy of the **Complaints and Appeal Lodgement Forms** may be accessed from the website, a trainer and assessor or via an email to [admin.bnes@everthought.com.au](mailto:admin.bnes@everthought.com.au) (for ETE complaints) and [admin.perth@everthought.com.au](mailto:admin.perth@everthought.com.au) (for ECOC and AIICT complaints)
- a complaint must be lodged on the **Complaints Lodgement Form** and sent to [admin.bnes@everthought.com.au](mailto:admin.bnes@everthought.com.au) (for ETE complaints).
- an appeal must be lodged on the **Appeals Lodgement Form** and sent to [admin.bnes@everthought.com.au](mailto:admin.bnes@everthought.com.au) (for ETE appeals) and [admin.perth@everthought.com.au](mailto:admin.perth@everthought.com.au) (for ECOC and AIICT appeals).
- a complainant/appellant has a right to be consulted during the resolution process and to participate in deliberations as appropriate.
- A complainant/appellant has the right to bring along a support person at any stage but must inform the RTO at least 2 days prior for Tier Two and Three resolutions.



- the RTO will collect sufficient information about the complaint and appeal to enable it to be properly investigated and respond to the issue. This will always include the provision of a right of reply from the person who the complaint was made as well as may include requesting information from witnesses.
- complainants/appellants will be informed of the reasons for decisions and avenues for further review to pursue should they remain dissatisfied. This will always be in a written statement, including the reasons for the outcome.
- A written record of the complaints or appeal will be held on the student's file.

ETE, ECOC, and AICT complaints and appeals will be reviewed at the monthly management meeting and, if appropriate, result in a continuous improvement process. In these cases, adjustments will be made to planning, policies and processes if it is found that systems are lacking. ETE, ECOC, and AICT also recognise that collecting and analysing information around complaints and appeals is one way for the RTO to improve its services. This in turn will enhance the level of satisfaction which employees and stakeholders have in the RTO's performance. When the initial causative factor of the complaint identifies a problem with current Everthought College of Construction policies and/or procedures, the continuous improvement procedure will ensure changes are made to prevent reoccurrence of the problem. A **Complaints and Appeals Register** documents the course of action and resolution of all complaints and appeals.

Where the matter may require individual and/or staff training, the Compliance Coordinator will organise this within one month of the complaint's resolution. Should the matter be deemed as high or medium risk to ETE, ECOC, and/or AICT, it will be included in the RTO's internal auditing schedule to ensure that the amended practices are embedded across the RTO. The General Manager is responsible for ensuring that the agreed actions are implemented and monitoring the likelihood of re-occurrence.

### **Complaints**

A complaint is an expression of dissatisfaction or concern regarding a decision or action that relates to any aspect of the RTO's services and activities, including:

- products & services
- policies, and/or
- conduct of staff and any third-party service provider.

A complainant is the person making the complaint. This may include:

- student and/or their parents/guardians and/or their families
- a member of the public
- an employee
- a stakeholder, and/or
- an employee of an engaged stakeholder or partnership body.

The complaints procedure will address both formal and informal complaints. A grievance (or an informal complaint) is one that is considered minor in nature and one, which is immediately correctable and will usually be the result of error rather than from a systemic problem. This is acted upon as a Tier One resolution. A formal complaint is one that is considered more serious and complex and will require investigation or consultation and will be acted about as a Tier Two and Tier Three resolution, as required.

A student may lodge a complaint regarding the RTO; third party; subcontractor; another student or trainer and assessor. There is also provision for any and all interested stakeholders to make a complaint if they feel aggrieved.



### Appeals

An appeal is where a student wishes to express dissatisfaction with a particular assessment result and/or another adverse RTO decision impacting the student, such as non-eligibility to enrol.

The ETE, ECOC, and AIICT appeals process is concerned with a student's right to request change to decisions or processes of an official nature, usually in relation to academic or procedural matters.

In the case of a student's appeal against specific assessment decisions, the student should first discuss the decision(s) with the relevant trainer and assessor and request re-evaluation (Tier One). The trainer and assessor will hear the student's appeal, make fair judgement to the best of their ability as to whether change(s) are required and then discuss their final decision with the student.

If the student is still dissatisfied with the decision, they have the right to take the appeal to the management team (Tier Two). The formal notice of appeal is required to comply with the following:

- the request for an appeal should be in writing, addressed to Everthought Education's Compliance Coordinator and submitted within five (5) days of notification of the outcome of the trainer or assessor's re-evaluation process and/or any other Tier One attempts at resolution.
- the request for an appeal must be submitted within the specified timeframe otherwise the original result will stand. If a student's appeal needs to be deferred due to emergency circumstances, such as in the case of serious illness or injury, a medical certificate supporting the case must be forward to The Compliance Coordinator. The notice of deferral must be submitted within three (3) working days of the conclusion date displayed on the medical certificate.

For Tier Two review of appeals, the Compliance Coordinator will organise and chairs an **Appeals Review Committee**, with representation from the student support team, the Training Managers (Perth and Brisbane) and Head of Admissions and International Student Relations, regardless of whether the appellant is a domestic or international student.

Where the complainant/appellant remains dissatisfied with the outcome of the complaints and appeals handling procedure, they are directed to the following external agencies as the Third Tier independent resolution point:

- the Resolution Institute's relevant state based charter – this will be organised by the RTO, which will ensure that this independent party has all the documentation and evidence to fully prepare for the session. All fees will be fully covered by the RTO. Should the appellant not agree to the resolution determined by the Resolution Institute, it may decide on an alternative resolution agency and will be expected to fully cover all expenses from this point. The Resolution Institute's details are as follows:

List of ADR Provider Database: <https://www.resolution.institute/>

Phone number: 1800 651 650

This Third Tier will be organised by the Compliance Coordinator with responsibility for:

- organising this independent resolution tier within 10 calendar days of written advice from the complainant/appellant and/or where it has been mutually agreed that an independent review is in the complainant/appellant's best interest.
- ensuring that both parties must agree to participate in this tier in good faith, with a willingness to find a resolution.
- advising both parties may bring additional persons, eg support person, to the resolution session, however, must provide details of these persons to the other party within 2 days prior to the session.
- Informing that the decision of the Third Tier independent review will be taken as final by both parties and reported to the RTO's management.



- the complainant/appellant will be informed in writing of the decision by the Resolution Institute and will require immediate implementation/action.
- Ensuring the complainant/appellant knows that there is no cost. However, should the complainant/appellant remain dissatisfied and does not accept the Resolution Institute's findings and wishes to take the complaint/appeal further and/or seek a review of the decision, it must be organised by the complainant/appellant and all expenses related to this further stage will be incurred by the complainant/appellant from this point in time.

### **Other Avenues for Lodging a Complaint/Appeal**

ETE, ECOC, and AIICT are committed to operating transparent business practices. Complainants/appellants are advised of their rights to complain to other appropriate parties. These include:

- ASQA: will be directed to: <https://www.asqa.gov.au/complaints/getting-started-making-complaint-about-training-provider>. There is no lodgement fee related with ASQA complaints.
- National Training Complaints Hotline: will be directed to call 133 873.
- The relevant administrative appeals tribunals (AAT) which operate in each state/territory which ETE, ECOC, and AIICT offers training services. Once again, a complainant/appellant may also elect to lodge an appeal through the relevant Administrative Tribunal and will be directed to: <https://www.aat.gov.au/about-the-aat>. An appeal lodgement fee may apply – current fee information should be requested by the complainant/appellant of the AAT as the RTO will not cover this expense.

### **Delayed processes**

In the unusual circumstances where a delay in the complaint or appeal process occurs, where longer than sixty (60) calendar days are required to process and finalise the complaint or appeal, the RTO will inform the complainant or appellant in writing. In line with the importance that ETE, ECOC, and AIICT places on open and transparent processes and communication, the first written communication will be made at least 10 days from the time of lodgement. From that point, the complainants or appellant will be regularly updated on the progress of the matter. Including reasons why more time is required, at least fortnightly.

## **B. INTERNATIONAL STUDENTS**

A further possible stakeholder which an international applicant/student may lodge a complaint or appeal is about an international education broker or agent. In turn, any international education broker or agent has the right to lodge a complaint or appeal about ECOC, its students, staff and any other stakeholder.

Where an international student has lodged a request for a transfer, ECOC will not finalise any refusal to release the student until the student has had an opportunity to access this complaints and appeals process. The student will be instructed to lodge its appeal within 20 working days so that the decision may be postponed until the appeal process has been actioned and an outcome achieved.

Where ECOC intends to report an international student, who is not meet course progression requirements, ECOC includes their right to access this internal complaints and appeals process within 20 working days as part of the written notice to the student. This also is actioned in all scenarios where ECOC intends to suspend or cancel a student's enrolment.

Any unsatisfactory course progress or attendance in PRISMS will only be reported:

- after the complaint has been heard and the breach is upheld



- the overseas student has chosen not to access the internal complaints and appeals process within the 20 working day period
- the overseas student has chosen not to access the external complaints and appeals process, or
- the overseas student withdraws from the internal or external appeals process, by notifying the ECOC's Compliance Coordinator in writing.

In the unusual circumstance that ETE, ECOC, and AICT cannot resolve an international student's complaint or appeal internally, there are other actions a student may take. These students are referred to the Overseas Students Ombudsman (OSO): <http://www.ombudsman.gov.au/How-we-can-help/overseas-students> or 1300 362 072.

### C. QLD FUNDED STUDENTS

In addition to the third parties outlined above, a QLD funded student may also lodge a complaint with the WA Ombudsman at Training Ombudsman at <http://trainingombudsman.qld.gov.au/contact> or by phoning: 1800 773 048 or emailing: [info@trainingombudsman.qld.gov.au](mailto:info@trainingombudsman.qld.gov.au)

### D. WA FUNDED STUDENTS

In addition to the third parties outlined above, a WA funded student may also lodge a complaint with the Ombudsman WA by downloading and completing their complaint form which can be accessed at <https://www.ombudsman.wa.gov.au/> or by phoning: (08) 9220 7555 or Freecall 1800 117 000 to request assistance.

## 5. Related Documents

- Complaints and Appeals Register
- RTO Delegations Register
- Complaints and Appeals Form