

GRIEVANCES, COMPLAINTS, APPEALS POLICY AND PROCEDURE

PURPOSE

To ensure students have appropriate mechanisms for communicating any grievances, complaints and appeals; and to resolve them in a consistent, respectful, fair and confidential manner.

SCOPE

This policy applies to all students and clients of the Eightfold Institute of Australia (hereafter known as Eightfold Institute or the Institute).

Complaints and grievances arise when a student or client is dissatisfied with any aspect of the Institute and require action to be taken to resolve the matter.

Appeals arise when a student is not satisfied with a decision or complaint outcome made by the Institute, such as enrolment, training and assessment or refund decisions.

Applies to all staff members who receive and facilitate grievances and complaints processes of the Institute.

POLICY

1. STUDENT GRIEVANCES AND COMPLAINTS

- Grievances/Complaints may be in relation to academic, administrative or other matters.
- Prior to submitting a complaint, students and clients are encouraged to seek a resolution informally, via a conversation with the staff member or Department concerned.

GRIEVANCES

- There is no fee to lodge a grievance.
- Grievances will be responded to as soon as practicable; if expected to exceed 30 calendar days the student will be advised of the delay and reasons. If the grievance is received in writing, it will be responded to in writing. Where the grievance is verbal, the Institute will document the details in the Student Management System.

COMPLAINTS

- Should a student be dissatisfied with the response to their grievance, they may escalate it to a written complaint. A Feedback Complaint Form is available on the Institute website.
- There is no fee to lodge a complaint.
- Each party to the complaint may if they wish, be accompanied by another person throughout the process, at their own cost.
- Complaints will be finalised as soon as practicable. If a decision is expected to take longer than 60 days, the student will be advised in writing of the expected timeframe and the reasons for the delay.
- The complaint outcome will include reasons for the decision and provide information on how to appeal.

- Students are asked to advise the Institute of their intention to accept the decision or lodge an appeal within 10 business days of receiving their complaint outcome, (refer to [7. Appeals](#)).
- Students will forfeit their right to access the Institute's grievances, complaints and appeals processes where a clear breach of the Student Code of Conduct has occurred.

2. REGULATORY BODIES

A **regulatory body**, for the purposes of this policy may include the National Regulator, Commonwealth Department of Education and Training, Commonwealth and/or Victorian Training Ombudsman.

COMPLAINTS RAISED TO/FROM A REGULATORY BODY

- Should any party be dissatisfied with any aspect of the Institute and the outcome of the Institute internal complaints resolution process, they can lodge a complaint to a regulatory body.
- The regulatory body may contact the Institute in response to any complaints received. The Institute will thereafter liaise directly with the regulatory body until the matter is closed.

3. CORPORATE CLIENT COMPLAINTS

- Corporate clients may lodge a complaint if they are dissatisfied with the service provided to their team members by the Institute.

4. THIRD PARTY COMPLAINTS

The Institute has written agreements with persons/organisations classified as 'third parties' under the Standards for Registered Training Organisations (RTOs) 2015. These agreements, along with subsequent training provided by the Institute, outline the responsibilities of third parties.

- Under the Standards; the Institute is responsible for actions/operations undertaken by its third parties.
- Third parties are made aware that in the event of a complaint, they may be called upon to provide evidence and may be contacted directly by the National Regulator.
- Third parties typically have their own process for documenting and dealing with grievances, complaints and appeals.
- Third parties conducting training and assessment services on behalf of the Institute are required to follow Institute processes and to act in accordance with all relevant regulations.

5. PRIVACY COMPLAINTS

- Refer to the Privacy Policy.

6. ACCESS AND EQUITY COMPLAINTS

- Refer to the Access and Equity Policy.

7. APPEALS

- The appeal process has three steps which must be followed sequentially. If a student skips Step 2 and proceeds straight to Step 3, they will lose the opportunity for the Step 2 third party review.
 - (1) The student lodges an appeal to the Institute for internal review.
 - (2) Third party resolution is instigated if a student is not satisfied with the appeal outcome. The external party reviews the appeal and provides a response to the student and Institute.
 - (3) The student lodges a complaint to a regulatory body if they are dissatisfied with the outcome from the appeal and third-party resolution.
- An Appeal Form is available on the Institute website. Appeal against an assessment/competency decision by an Assessor. This may arise where a student is deemed not competent after two submissions.

INTERNAL APPEAL

- Formal appeals must be completed in the Appeal Form and submitted to info@eightfold.edu.au who will document it on the Quality Notification Register.
- If the student submits the form to the incorrect Institute representative, the representative will forward it to Quality.
 - There is no cost to a student to lodge an internal appeal.
 - Each party to the appeal may if they wish, be accompanied by another person throughout the process, at their own cost.
 - Quality is to forward on a copy of the appeal to Student Support for their records.
 - Assessment appeals will be reviewed by an appropriately qualified Assessor(s). Should the issue not be resolved to the student's satisfaction after an internal review, the Institute will arrange for an independent external person to resolve the issue where the student has requested escalation of their appeal. Assessment appeals will be internally reviewed, and a decision communicated in writing within 30 calendar days.
- Students are asked to notify the Institute within 10 business days of receiving their appeal outcome, of their intention to accept the decision or escalate the appeal process.

THIRD PARTY/EXTERNAL REVIEW RESOLUTION

- In the event an external review is undertaken by a third party; the 60 calendar day time period may not apply.
- Once a decision has been made by the third party, the outcome and reasons will be provided in writing. A copy of this decision will be provided to the student by the Institute unless already provided directly by the third party.
- Should the issue still not be resolved to the student's satisfaction, they will be required to make a complaint to the relevant regulatory authority.

ESCALATION TO A REGULATORY BODY

- The final stage of the appeal process is for the student to raise a complaint to a regulatory body.
- The Institute will cooperate with the process undertaken by the relevant regulatory body.

8. CONTINUOUS IMPROVEMENT AND DUE CONSIDERATION OF RECOMMENDATIONS

- The Institute is committed to continuous improvement of every aspect of its operation.
- The Institute uses outcomes and recommendations from internally and externally reviewed feedback, grievances, complaints and appeals to continually improve its processes and practices.
- Outcomes from the assessment appeal process will be reviewed as a part of the validation process.

9. RECORDKEEPING

QUALITY NOTIFICATION REGISTER

- Quality will update the Quality Notification Register with any updates/communications of all parties to the complaints process as well as the outcome of a complaint, grievance or appeal.
- Complaints and appeals details are recorded for five years. Access and ability to update this register is restricted.

STUDENT MANAGEMENT SYSTEM

- Records of complaint, grievance and appeal communications are entered into the student's record in the Student Management System.
- The Complainant may request and be granted access to these records. (Refer to Privacy Policy.)

10. ACCESS TO COMPLAINT/APPEAL INFORMATION

- The Institute, on request, will provide access to records to all parties involved with the complaint, grievance and/or appeal process being undertaken.
- The Institute will not distribute complaint, grievance and/or appeal records to those who are not a part of the process unless written consent is obtained from the appellant/complainant.
- Institute recordkeeping systems used to record grievances, complaints and appeals have restricted access.

PROCEDURE

GRIEVANCE PROCEDURE

- 1.1** Staff members that receive or deal with a grievance are to record notes in the SMS. A written response may be required where the grievance or feedback was received in writing. Correspondence is to be uploaded into the SMS.
- 1.2** If the student is dissatisfied with the outcome of their grievance, they may escalate their issue to a complaint. Provide the student with access to this Policy on the Institute website along with the appropriate form.

COMPLAINTS AND APPEALS PROCEDURE

Submitting and receiving a complaint/appeal

- 2.1** Using the Feedback and Complaint Form, or Appeal Form on the website, students are to submit information on their complaint/appeal, including; a description of the complaint/appeal, the steps taken to address the issue and the outcome(s) they would like to achieve through the process.

- 2.2** For appeals against an assessment decision, students are to include information such as; units involved, assessor name and dates involved, full details of the appeal and any relevant documentation. N.B. The appellant is not to submit additional evidence to support their competence. The assessment decision will be reviewed against only the original evidence submitted.
- 2.3** Quality facilitates the receiving, storage and communicating of complaints and appeals, and their outcomes. Should a complaint or appeal be received by another operational area, they are to forward them to Quality.

Allocating a person to review the complaint/appeal

- 2.4** Complaints and appeals will be internally reviewed, and the decision and reasons communicated in writing within 60 calendar days of receiving the relevant completed form.
- 2.5** Assessment appeals will be reviewed and responded to as soon as practicable up to 30 calendar days.
- 2.6** Quality will allocate an appropriate person to review. (Quality may also elect to review it themselves).
- 2.7** For appeals, the Institute will ensure it is reviewed by an independent senior staff member or internal committee with appropriate expertise.

Investigating complaints and appeals

- 2.8** The person allocated to investigate the complaint/appeal will gather evidence from:
- Internal systems such as the SMS. All notes within their student record should be reviewed to see if there is a history with the student.
 - All relevant Eightfold Institute's policies and procedures to the complaint. This also includes other relevant documents such as but not limited to the Student Handbook, Code of Conduct (student and staff), and Course Declaration.
 - Where the student has a registered training contract; access to, or information from the relevant state training authority website may be required.
 - All person(s) outlined in the complaint and any other person(s) that may have witnessed/contributed to the situation. This may be internal employees or external third parties.
 - Any documents outlined in the complaint.
 - Relevant legislation, rules and regulations.
- 2.9** The investigating person may elect to use the Complaint or Appeal Outcome Form for guidance.
- 2.10** All allegations/concerns made by the complainant/appellant must be investigated.
- 2.11** If interviews are required, the investigator should construct a list of relevant questions to ask. Appropriate times and types of meetings are to be conducted accordingly (e.g. face-to-face or over the phone). Note that the complainant/appellant may wish to be accompanied in the interview.
- 2.12** All documentation used and/or correspondence sent is to be consolidated as evidence to support the outcome of the complaint/appeal.
- 2.13** The evidence must be factual, and judgements made must be made free of bias.

- 2.14** As investigating a complaints/appeals is based on the evidence collected; where evidence cannot be sourced which confirms or denies allegations, it is to be noted in the findings.

Complaint and appeal outcomes

- 2.15** It is recommended the Review Officer nominates Quality or a suitable staff member to review the response and evidence before being sent.
- 2.16** A copy of all correspondence and documentation will be provided to Quality to upload onto the QNR. Copies are also uploaded into the SMS by the Review Officer, or Student Services/Support if appropriate.
- 2.17** The response must inform the complainant there is an appeals process, and to inform the Institute within ten business days of receiving the Complaint Outcome of their intent to escalate their complaint.
- 2.18** All allegations made by the complainant must be responded to; and an outcome provided.
- 2.19** All outcome(s) reached by the Institute must have written reasons explaining how they were determined.
- 2.20** Where an action is required to close out a complaint; a timeframe must be set which is realistic and achievable. It may be appropriate to negotiate the timeframe with the complainant.

RESPONSIBILITIES

CEO

- The CEO or the authorised nominee will review, and action all appeals that have previously been through our complaint's procedure.
- The CEO is responsible for reviewing and approving complaints received from federal and state regulatory bodies.

Quality/Operations Manager

- Updates the Quality Notification Register (QNR) with all received grievances, complaints and appeals, including all evidence and correspondence.
- Coordinates the investigation process including referring the complaint to the appropriate operational area with supporting evidence, responding to the complainant/appellant to acknowledge receipt of complaint and advising when to expect an outcome.

Faculties, Student Services, Student Support

- Participate in reviewing, monitoring and evaluating processes as a part of continuous improvement practices.
- Investigates and manages complaints received about their respective operational areas and/or staff members where they are assigned as the Review Officer.
- Refers all received and acted upon complaints and appeals to Quality to add to/close out on the QNR in a timely manner or within communicated deadlines.
- Communicates any grievances that they have dealt with, where they believe that there is a likelihood of the grievance progressing to a complaint to Quality.

- Data enters information about grievances into the Student Management System (SMS).
- To identify any areas of improvement to this procedure and to communicate this to Quality.

Eightfold Institute's Team Members

- Identify and deal with grievances, issues or concerns in the first instance.
- To refer students to the Eightfold Institute's website for information on this Policy and associated forms.
- To escalate any grievances, complaints and appeals if they do not feel confident in handling the situation.
- Record accurate notes of grievances, complaints and appeals taking into consideration the Institute's Privacy Policy and the sensitive nature of information provided.

SUPPORTING DOCUMENTS AND INFORMATION

- A list of applicable legislation is detailed within the legislation tab in the Quality Management Register.
- VET – Vocational Education and Training.
- QNR – Quality Notification Register.
- SMS – Student Management System.
- Environment, Health and Safety – refer to the Health and Safety Policy.
- Internal recordkeeping, communication and training – refer to the Communication, Training and Recordkeeping Procedure.
- **Grievance** – a constructive conversation or communication between the Institute and a student/client/third party where resolution may be reached without escalating the issue. A grievance may or may not have been received in writing.
- **Complaint** – is a written complaint outlining the history of the dissatisfaction with a service or process provided by Eightfold Institute seeking to be resolved.
- **Appeal** – dissatisfaction with a decision made by Eightfold Institute
- **Assessment Appeal** – an appeal against a competency decision determined by an Assessor of the Institute.
- **Third party** – means any party that provides services on behalf of the RTO but does not include a contract of employment between an RTO and its employee.
- Quality Notification Register.
- Quality Notification Register Procedure.
- Access and Equity Policy.
- Privacy Policy.
- Continuous Improvement Policy.
- Feedback and Complaint Form.
- Appeal Form.
- Student Code of Conduct Policy and Procedure.
- Withdrawal, Cancellation and Variation Policy and Procedure.
- Training and Assessment Policy.