

## 1. Policy

The Complaints and Appeals Policy and Procedure is designed to ensure that the Ultimate Institute of Australia responds effectively and efficiently to students' complaints and dissatisfaction during the course of study.

This policy outlines a mechanism to ensure students and prospective students can have their dissatisfaction regarding any academic or non-academic matters addressed appropriately in a timely, fair and confidential manner.

## 2. Related Standard

Standard 8 (The National Code 2007)

## 3. Responsibility

Ultimate Institute's CEO, the Training Manager and the Administration Manager will be responsible for the implementation and management of this policy and to ensure that the staff are aware of its application and procedures.

## 4. Scope

This procedure applies to all international students studying at Ultimate Institute.

## 5. Policy

Ultimate Institute will ensure that:

- All grievances are managed fairly, equitably, efficiently and in a timely manner
- The complainant and the respondent will not be discriminated against or victimised
- The complainant and respondent will have the opportunity to present their case at each stage of the procedure
- The complainant and/or the respondent will have the right to have a representative or support person present during any negotiations with the institute or its appointed representatives
- At all stages of the process, discussions relating to complaints and appeals will be recorded in writing. Reasons and a full explanation for decisions and actions taken as part of this procedure will be provided to the complainant and/or respondent in writing
- Records of all grievances will be kept for a period of five years and treated in accordance with the institute's Privacy Policy and the Privacy Act 1988. These records will be kept strictly confidential and stored at Ultimate Institute.
- There will be no cost to the complainant lodging a grievance or an appeal internally or for an external review, provided the procedures contained herein are adhered to
- All academic and non-academic staff will be communicated and trained to ensure that they understand this policy and procedures and its application

## 6. Procedure

### 6.1 Informal process

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

### 6.2 Formal Complaints

- Any student, potential student, or third party may submit a formal complaint to Ultimate Institute 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.
- 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 Administration at Ultimate Institute.
- All formally submitted complaints or appeals are submitted to the Administration Manager. It is their responsibility to deal with the complaint in the first instance. 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 the Administration Manager is to complete the 'Office Use Only' section on the submitted 'Complaints and Appeals form.' This includes the documentation of the date the Administration Manager received the complaint/ appeal, the date and the name of the manager that is notified of the complaint/appeal, and the date the 'Complaints and Appeals Register is updated'.
- The specific information regarding the complaint/ appeal is to be documented in the 'Complaints and Appeals Register' which is monitored by the Training Manager regularly. The information to be contained and updated within the register is as follows:
  - Submission date of complaint
  - Name of complainant;
  - Description of complaint / appeal
  - Determined Resolution; and
  - Date of Resolution.

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- Each party may be assisted or accompanied by a support person regardless of the nature of the grievance or complaint throughout the process at all times.
- Once a complaint has been filed and logged in the 'Complaints and Appeals Register' the Administration Manager shall notify the Training Manager of the complaint and provide any further documentation related to the matter.
- Within 10 working days of the formal lodgement of the complaint/appeal the Training Manager shall ensure the process of addressing the complaint/appeal commences. The Training Manager may refer the matter to the appropriate staff to resolve, or make a decision on the complaint ensuing that all reasonable measures are taken to finalise the process as soon as practicable. The Training Manager is to keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.
- If the student chooses to access Ultimate Institute's complaints and appeals process, Ultimate Institute must maintain the students' enrolment while the complaint and appeals process is ongoing.
- Once a decision has been reached the Training 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 the students shall also be notified that they have the right of appeal. To appeal a decision Ultimate Institute must receive, in writing, grounds of the appeal. Students are referred to the appeals procedure.
- The Training Manager shall ensure that Ultimate Institute 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' by the Administration Manager and on the students file.

## 6.3 *Appealing a Decision*

All students have the right to appeal decisions made by Ultimate Institute where reasonable grounds can be established. The areas in which a student may appeal a decision made by Ultimate Institute may include:

- Assessments conducted
- Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
- Or any other conclusion / decision that is made after a complaint has been dealt with by Ultimate Institute in the first instance

- To activate the appeals, process the student is to complete a 'Complaints and Appeals Form' which is to include a summary of the grounds the appeal is based upon. The reason the student feels the decision is unfair is to be clearly explained and help and support with this process can be gained from student administration department.
- The Training Manager shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.
- The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
- The Training Manager shall ensure that Ultimate Institute acts on any substantiated appeal.
- Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

### **General appeals (Non-Academic)**

- Where a student has appealed a decision or outcome of a formal complaint they are required to notify Ultimate Institute in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
- The appeal shall be lodged through student administration and the Administration Manager shall ensure the details of the appeal are added to the 'Complaints and Appeals Register'.
- The Training Manager shall be notified and shall seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.
- The student shall be notified in writing of the outcome with reasons for the decisions, 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 Ultimate Institute if they wish to proceed with the external appeals process.

### **Assessment appeals (Academic)**

- 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 regarding the re-assessment outlining the reasons why assessment was or was not granted.
- If this is still not to the student's satisfaction, the student shall formally lodge an appeal by submitting a 'Complaints and Appeals Form' outlining their reasons for the appeal. They

shall lodge this with student administration department and the appeal shall be entered into the 'Complaints and Appeals Register'.

- The Training 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 Ultimate Institute.
- 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 Ultimate Institute if they wish to proceed with the external appeals process.

## Appealing deferrals, suspension or cancellation of enrolment decisions

- Where a student wishes to appeal a decision relating to deferment, suspension, or cancellation of their enrolment they are required to lodge, in writing, a letter outlining the details of their appeal. The student should have extenuating circumstances as to why the decision should be reviewed and any supporting documentation supporting their appeal.
- The appeal shall be lodged this with student administrations department and the appeal shall be entered into the 'Complaints and Appeals Register'.
- The Training Manager shall be notified and shall seek details regarding the initial documentation of the decision and shall make a decision based on the grounds of the appeal.
- 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 Ultimate Institute if they wish to proceed with the external appeals process.
- The Training Manager shall ensure that Ultimate Institute will act immediately on any substantiated appeal. 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.

## 6.4 External Appeals

- If a student is still dissatisfied with the decision of Ultimate Institute of Australia, a student may wish to refer the matter to an external independent / third party mediator.

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- If the student (complainant) is not satisfied with the outcome of the formal complaint, they can escalate the complaint to the Australian Skills Quality Authority (ASQA). ASQA can be contacted by calling ASQA info line on 1300 701 801 or  
Email [asqanet@asqa.gov.au](mailto:asqanet@asqa.gov.au), or  
Lodge an online complaint via ASQA website:  
<https://rms.asqa.gov.au/registration/newcomplaint.aspx>

- Alternatively, overseas students can contact Overseas Students Ombudsman to have any decisions by Ultimate Institute reviewed as a result of a student complaint or appeal. Overseas Students Ombudsman details are as below:

Overseas students Ombudsman  
Web: [www.oso.gov.au](http://www.oso.gov.au)  
Email: [overseas.students@ombudsman.gov.au](mailto:overseas.students@ombudsman.gov.au)  
Call 1300 362 072 (Local call charge)  
Enquiries 9 am–5 pm Monday to Friday

If you want to make a complaint in your language you can call the Translating and Interpreting Service (TIS) on 131 450. Ombudsman will pay for the interpreter.

- Students can also contact following external mediators to have any decisions by Ultimate Institute reviewed as a result of a student complaint or appeal. External mediators' details are as below:

Ombudsman Victoria  
Level 9, 459 Collins Street, Melbourne 3000  
Tel: (03) 9613 6222 or 1800 806 314  
Web: <http://www.ombudsman.vic.gov.au>

Dispute Assessment Officer  
Dispute Resolution Centre of Victoria  
Level 4, 456 Lonsdale Street, Melbourne 3000  
Tel: (03) 9603 8370  
Web: <http://www.disputes.vic.gov.au/>

- Where the student determines they wish to appeal Ultimate Institute's decision in relation to their complaint or appeal they are able to contact the Ombudsman and submit an appeal application. The cost of this appeal process is free.
- Where a decision or outcome is in favour of the student Ultimate Institute shall follow the required action and recommendation from Ombudsman to satisfy the student's complaints as soon as practicable.
- The decision of this independent mediator is final and any further action the student wishes to take is outside Ultimate Institute's policies and procedures. The student shall be referred to the appropriate government agencies and this information can be gained from the CEO.

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## 7. Associated Procedure /Document:

- Complaints and Appeal Form

## 8. Review History:

Revision	Date	Description of modifications
1 1.0	June 2015	Policy created and approved
2 1.1	August 2016	Updated and approved
3		