



## COMPLAINTS & APPEALS POLICY

**VERSION NUMBER:** 3.006OCT2020JRBS

**AUTHORISED:** James Rayne, Principal Executive Officer, 24<sup>th</sup> Sep 2020

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**SCOPE:** Global College Australasia

**AIM:** To ensure a fair and equitable experience of students and prospective students of GCA.  
To provide relevant information regarding complaints and appeals conditions and process.

**PURPOSE:** To ensure compliance of GCA as well as all its students where applicable with:

- A. Education Services for Overseas Students, ESOS Act
- B. Australian Skills Quality Authority, ASQA
- C. Australian Qualifications Framework, AQF
- D. Commonwealth Register of Institutions and Courses for Overseas Students, CRICOS
- E. Department of Home Affairs, DOHA (Migration Act 1958 (Cth) and Migration Regulations 1994 (Cth)
- F. National code
- G. Work Health and Safety Act 2020 (Western Australia WHS Act)

**EFFECTIVE DATE:** 12<sup>th</sup> Oct 2020

**AUDIENCE:** All Students of GCA

### POLICY STATEMENT

Global College Australasia acknowledges that students have the right to raise grievances and make complaint where they see fit.

Global College Australasia also acknowledges that students have the right to appeal an assessment decision, based on valid grounds for appeal.

- 1.1** Global College Australasia has provision for students to appeal against assessment decisions, including those made by staff members and/or by a 3<sup>rd</sup> party partner and will respond to any complaint or appeal made against any of these parties.
- 1.2** Global College Australasia ensures that students have access to a fair and equitable process for lodging an appeal against an assessment decision.
- 1.3** In doing so, Global College Australasia:
  - A. has written processes in place for collecting and dealing with appeals in a constructive and timely manner (see Complaints and Appeals Procedure);
  - B. ensures that these procedures are communicated to all relevant staff, third party partners and students;
  - C. ensures that each appeal and its outcome are recorded in writing;
  - D. ensures that each appeal is heard by an independent person or panel;
  - E. ensures that each complainant has the opportunity to formally present their case free of cost;



- F. ensures that each complainant is given a written statement of the appeal outcomes, including reasons for the decision;
  - G. retains written record and statement of the outcome of the appeal or complaint;
  - H. takes appropriate action upon the subject of any appeal that is found to be substantiated; and
  - I. utilizes outcomes of appeals to review current practices which may potentially lead to continuous improvement.
- 1.4** All unit outcome and/or proficiency progress outcome appeals must be lodged within 5 working days of the date of the assessment result notification to the student.
- 1.5** If the appeals process fails to resolve the appeal or the complainant is not satisfied with the outcome of the appeal, the matter will be referred to an independent third party for review, at the request of the complainant. All costs incurred for the 3<sup>rd</sup> party review will be advised to the complainant.
- 1.6** All appeals are acknowledged in writing and finalised as soon as practicable.
- 1.7** Global College Australasia may charge a fee for the appeals process where an external assessor is engaged. Should this be the case, all costs incurred will be advised to the complainant.
- 1.8** Global College Australasia strives to deal with appeal issues as soon as they emerge, in order to avoid further disruption or the need for a formal complaint process.
- 1.9** All appeals will be handled 'In-Confidence' and will not affect or bias the progress of the participant in any current or future training.

## COMPLAINTS & APPEALS

Students or potential students are encouraged, wherever possible, to resolve grievances directly with the person(s) concerned. For example: if the issue concerns an academic matter, the complainant should talk directly with their trainer. Similarly, any issues relating to fees should be discussed first with accounts.

If the student has attempted to resolve the issue directly but is not satisfied with the outcome or does not wish to approach the person(s) concerned directly, he/she may discuss the issue with student support services first. The student may be accompanied by a support person during this process.

Management will be involved where required and will consider the issue and may either suggest a course of action to resolve the issue or attempt to mediate between the student and the staff member(s) concerned.

If the matter is not resolved informally, the grievance may be put to a complaint, whereby the student can complete a Complaints & Appeals Form.

A student may wish to remain anonymous when lodging a complaint and in this case, outcome of the complaint will NOT be communicated to the student.



**2.0** Most common grounds for a complaint could include the following but are not limited to:

- A.** Misconduct from a peer and/or a GCA staff  
(Harassment, Bullying, Discrimination, Assault and any other breach in code of conduct policy)
- B.** Alleged bias of the VET Trainer and/or ELICOS Teacher
- C.** Alleged lack of competence of the VET Trainer and/or ELICOS Teacher
- D.** Alleged wrong information from the VET Trainer and/or ELICOS Teacher
- E.** Alleged inappropriate assessment process for the particular unit of competency
- F.** Lack of facilities and/or training resources

**2.1** Most common grounds for an appeal could include the following but are not limited to:

- A.** Assessment outcome for a particular unit of competency for a VET course and/or proficiency progress outcome for an ELICOS course.
- B.** A notice of intention to cancel COE has been issued to the student who wishes to challenge the decision.
- C.** Reassessment fees incurred in a study reassessment plan (SRP) is not as per the reassessment policy

### **COMPLAINTS & APPEALS PROCESS**

Where the complaint and/or appeal is upheld, Global College Australasia will implement the required corrective action within 20 working days and advise the student in writing of the outcome.

**2.2** If you are Under 18 years of age a copy of your Complaint Form will be sent to your Parent or Legal Guardian.

**2.3** A copy of all outcomes and correspondence raised during the process will also be forwarded to your Parent or Legal Guardian.

**2.4** All internal complaints / appeals should be committed to in writing at the earliest possible opportunity utilizing the Complaint & Appeal Form.

**2.5** A submitted Complaint & Appeal Form will constitute a formal complaint/appeal from the student.

**2.6** Management of Global College Australasia will be informed through receipt of all student complaints/appeals.

**2.7** Management of Global College Australasia may delegate responsibility for the resolution of the complaint/appeal as required.

**2.8** In the case of a complaint/appeal, management will initiate a transparent, participative process to deal with the issues at hand.

**2.9** Assessment appeals will be processed in accordance with the complaints & appeals Procedure

**3.0** Complaints or appeals wherever possible are to be resolved within 20 working days of the initial application. Length of time may vary depending on the complexity of the case



- 3.1** A copy of all outcomes and correspondence raised during the process will also be forwarded to your Parent or Legal Guardian
- 3.2** In all cases the final conclusion will be endorsed by management the student will be advised in writing of the outcome of their complaint/appeal.
- 3.3** If the outcome is not to the satisfaction of the Student, he/she may seek an appointment with the Principal Executive Officer of Global College Australasia.
- 3.4** Management decision will be final. The Student has the option to contact an external party such as Ombudsman to resolve the matter.
- 3.5** All grievances, complaints and appeals will be handled as Staff-In-Confidence.
- 3.6** All complaints/appeals will be discussed at Management Review meetings for continuous improvement of the processes.

Please note that, depending on nature of a complaint, Global College Australasia reserves the right to use a separate approach to review the complaint on a case by case scenario.

## OUTCOMES

An investigation into an Appeal may result in one of the following outcomes:

- 3.9** Appeal is upheld/successful; Post review by management, in this event the following options will be available:
  - A.** Any assessment subjective to the appeal, will be re-assessed, potentially by another assessor as soon as can be arranged.
  - B.** Any NOITC subjective to the appeal, will be revoked effective immediately.
- 4.0** Appeal is not successful/not upheld; Post review by management, the following options will be available:
  - A.** Student may appeal the decision again. (The student is encouraged to provide additional evidences to support their appeal. Student may wish to further the matter with an external party such as ombudsman.

All complaints outcome will be communicated to the student and/or all relevant parties, including of legal guardian/parents for students under 18 years old. However, student who wish to remain anonymous is not entitled to such privilege due to privacy act.

Students may wish to further a matter if they are not satisfied with the outcome of the complaint and/or appeal to:

### Overseas Students Ombudsman

Phone: 1300 362 072

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)

Website: <http://www.ombudsman.gov.au>



## ACCESS, EQUITY & RECORD MANAGEMENT

**4.1** Global College Australasia guarantees that all complaints and/or appeals will be dealt and reviewed with a fair, equitable and professional manner.

**4.2** Records of all appeals and their outcomes are maintained securely.

Records of appeals may include:

- A. How the appeal was dealt with
- B. The outcome of the appeal
- C. The timeframes for resolution of the appeal
- D. The potential causes of the appeal
- E. The steps taken to resolve the appeal.

## MANAGEMENT MEETING PANEL

**4.3** The management meeting panel will convene to review and appeal and/or procedure.

The panel may consist of:

- A. The Managing Director** (when required)
  - Ensures that the outcome of an appeal and/or complaint is fair, equitable and just.
  - Oversees, reviews and decides whether an appeal and/or complaint is successful or unsuccessful in the event where the appeal and/or complaint draws conflict of interest.
- B. The Principal Executive Officer**
  - Oversees the general process of the appeal and/or complaint.
  - Ensures that the outcome of an appeal and/or complaint is fair, equitable and just.
  - Reviews and decides based on evidence gathered whether the appeal/complaint is successful or unsuccessful.
  - Liaises with the Managing Director for continuous improvement based on an appeal and/or complaint.
- C. The Compliance and Administrative Coordinator**
  - Gathers evidences and/or investigates the matter on hand and presents to the Principal Executive Officer to support the review process
  - Records all data and notifies the student of the outcome

The Principal Executive Officer may involve any respective faculty coordinator, the marketing and Admissions manager and/or the Student Support Coordinator where required and where applicable.