COMPLAINT POLICY

POLICY & PROCEDURE

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DOCUMENTS :
- Appeal/Complaint Report Form
- Appeal/Complaint Register

REFERENCE :
- Student Handbook Book – Domestic
- Student Handbook - International
- Access, Equity & Fairness Policy
- Appeal Process Policy
- Student Support Policy
- Privacy Policy
- VET Quality Framework
- Standards for Registered Training Organisations (RTOs) 2015 Cwth.
- National Vocational Education and Training Regulator Act 2011
- Education Services for Overseas Students Act 2000
- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007

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MANAGING DIRECTOR
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PURPOSE

The purpose of this document is to give clear direction as to the responsibility and manner in which each employee and contractor is to conduct themselves if a complaint arises.

For the purpose of this document the term ‘stakeholders’ encompasses internal and external clients including but not limited to students, employees, contractors, industry representatives.

POLICY

It is the policy of 4Life to manage its process in a fair and equitable manner that ensures all stakeholders are provided with a timely and transparent framework to lodge appeals.

4Life provides a process for advocacy, internal mediation and external independent mediation to resolve disputes and appeals.

A stakeholder and/or 4Life may nominate:

- an advocate to accompany, represent and support them

or

- an external independent mediation process

at any stage of the appeal process.

GUIDING PRINCIPLES

4Life commits to an appeal process with the following guiding principles:

CONFIDENTIALITY

Only the people directly involved in making or investigating a complaint will have access to information about the complaint.

Discussion of the matter with other 4Life stakeholders, apart from the investigative discussion, may hamper the effectiveness of the process and will breach Privacy legislation and ethics.

IMPARTIALITY

All parties will be provided with equal opportunity for discussion. No assumptions will be made and no action will be taken until all relevant information has been collected and considered.

Stakeholders may be represented by an advocate or have a support person involved in the process.

It is the policy of the 4Life that all stakeholders will be treated in a fair and equitable manner at all times.

FREE FROM REPERCUSSIONS

No action will be taken against anyone for lodging a complaint or assisting someone to lodge or manage a complaint.

4Life will take all necessary steps to ensure that victimisation does not occur against anyone who lodges or is involved in a bona fide complaint.

4Life reserves the right to take appropriate action against an individual or entity that lodges a False or Malicious appeal, or knowingly lodges a false appeal.
TIMELY & TRANSPARENT

All complaints will be dealt with as quickly and transparently as possible.

An abbreviated description of the appeals process is included in the Students Information Booklet and Students will be verbally informed of the appeals procedure as part of their induction process.

SCOPE

This policy encompasses:

- current and past students;
- student candidates;
- employees;
- contractors;
- suppliers and providers;
- regulatory authorities.

This policy does not cover Appeals. Please refer Appeals Process. Please refer Appeals Policy

DEFINITIONS

4Life Representative - For the purposes of the Appeal Process this will normally be the Operations or Education Director or Accountable Officer or their delegate.

Advocate - Individual who accompanies a Complainant for the purposes of support throughout the process. An advocate for the purposes of this policy does not include Legal Representation.

Appeal - An appeal arises when a stakeholder is not satisfied with a decision taken by 4Life.

Complaint - A complaint arises when a stakeholder is dissatisfied with or aggrieved by an action or event or thing under the control of or within the environment or activities of 4Life.

Complaint Event - Actual instance that occurred for which the complaint is being lodged.

Complaint/Appeal Committee - A number of persons nominated by the Managing Director to review complaints.

Complainant - Person or entity that lodges a complaint.

Contractor - Individual or entity engaged by 4Life under contract to deliver specified work on its behalf e.g. Sessional trainer/assessor.

Employee - Person employed by 4Life on a full or part time or casual basis. Does not include Contractors.

False Complaint - Fictitious complaint or one made intentionally without foundation or to cause detriment or mischief. Knowingly lodging a false complaint (without truth or foundation).
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International Student Support Officer is the Operations Director in South Australia, General Manager in NSW and their role is to provide and/or facilitate appropriate support services for international students.

Legal Representation - A lawyer or similar who is engaged by the Complainant or 4Life to represent them in a formal and legal process which may be initiated if the complaint process including external mediation fails.

Malicious Complaint - Fictitious complaint or one made intentionally without foundation or to cause detriment or mischief. Knowingly lodging a false complaint (without truth or foundation).

Mediation Event - Meeting, intervention or other event specifically designed and arranged with the intention of negotiating a solution.

Non Employee Stakeholder - Individual or Entity who is not legally employed by 4Life e.g. Supplier, Contractor, Regulatory Authority.

Parties to the Complaint - All individuals and/or entities who are directly involved in lodging or investigating or mediating a complaint.

Stakeholder - General term inclusive of any individual or entity with whom 4Life has a relationship including but not limited to employees, students, contractors and suppliers.

Student Support Officer - The Student Support Officer for both domestic and international students is the Operations Director in South Australia, General Manager in NSW and their role is to provide and/or facilitate appropriate support services for international students.

Zero Tolerance - 4Life will not under any circumstances tolerate or condone behaviours that breach the fundamental principles of access, equity and fairness. 4Life will take action against any individual or group of individuals proven to have breached these principles and that action may be to the extent of termination of employment or contract or removal of students from hosting.

PROCEDURE

DOCUMENTATION

The process must:

- be documented at each step using the Complaint/Appeal Report Form;
- registered in the Complaint/Appeal Register;
- ensure that all parties sign and receive hardcopy of the record within 5 working days of the completion of each step;
- a copy is filed in line with Australian Privacy Principles.

NON EMPLOYEE STAKEHOLDER PROCESS (STUDENTS)

A complaint in relation to 4Life services requires the following the steps to be undertaken.

If for whatever reason the stakeholder is unable to undertake any of the following steps, they should speak with a senior member of personnel with whom they are most comfortable.
NB: The stakeholder is encouraged, at any stage of the process, to invite an advocate or support person to participate.

4Life will provide assistance throughout the process.

The process will be:

1. Within 20 working days of the complaint event advise 4Life verbally, by telephone, facsimile, email or by letter. Verbal advice (face to face or via telephone) will need to be lodged in writing as well within the specified time limit;

2. Within 5 working days of receipt of complaint and in conjunction with a 4Life representative complete the Complaint/Appeal Report Form. For Learning & Assessment Complaints this will be the Accountable Office/Education Director, for all service and other complaints this will be the Operations Director;

3. Then dependent upon the severity of the complaint:

   3.1. Dependent on the nature of the complaint, in the first instance attempt to discuss and negotiate resolution with the person(s) concerned.

   3.2.1. If the outcome of the initial discussion is not satisfactory the non-employee stakeholder should within 5 working days advise the 4Life representative or any 4Life employee that they trust requesting mediation/intervention by an alternate party;

   3.2.2. Within 5 days of receipt of the mediator (initially a 4Life representative) will meet with complainant and other relevant parties and document the complaint in the Complaint/Appeal Register and manage the Complaint/Appeal Report Form which will be updated and co-signed throughout the process. This will include setting of timeframes and provision of copies of all documents and agreements to all parties throughout the process;

4. If resolution is not reached and within 5 working days the complainant should request referral to the Managing Director for further action/determination;

5. Within 5 working days the Managing Director meets with all parties.

6. Within 5 working days the Managing Director is to provide their decision in writing to all parties.

7. If resolution is not reached the complainant should request referral to the Complaint/Appeal Committee for further action/determination. Referral to the Complaint/Appeal Committee must be in writing clearly stating the reasons why the Complainant is dissatisfied with the decision and lodged within 5 working days of receipt of the decision.

8. The Complaint/Appeal Committee will meet with both the 4Life representative and the Complainant within 5 working days of receiving the appeal notice. The meeting is to be documented.

9. Within 5 working days of the meeting the Complaint/Appeal Committee will inform the Complainant of their decision to either uphold or set aside the 4Life representative’s initial decision. The decision may be given verbally or in writing, however, written notification within the specified 5 working days of the decision must be provided to the Complainant supporting verbal advice.

10. If the Complainant is dissatisfied with the Complaint/Appeal Committee’s decision or they consider that the complaint process was unsatisfactory they may:
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a. Lodge an Appeal with 4Life (please refer Appeal Process)

b. request that an external mediator agreeable to all parties be engaged. 4Life utilises the services of:

   Access OCAR Australia.

   Australia free call number: 1300 66 77 00

c. contact:

   - Training Advocate 1800 006 488
   - The National Training Complaints Hotline on 13 38 73
   - Australian Skills Quality Authority
     http://asqa.gov.au/forms.html#complaintforms
   - SA Office of Consumer & Business Affairs (08) 8204 9777
   - Victoria Consumer Affairs Victoria 1300 558 181
   - WA Dept of Commerce 1300 304 054
   - NSW Fair Trading Tel 13 32 20
   - NT Consumer Affairs Tel: 08 8999 1999
   - Tasmania Office of Fair Trading – Consumer Affairs & Fair Trading Tel:
     03 6233 4567
   - QLand Office of Fair Trading Tel: 13 74 68
   - WorkSafe ACT
     Website: www.worksafe.act.gov.au
     Email: worksafe@act.gov.au
     Telephone: (02) 6207 3000
   - WorkCover NSW
     Website: www.workcover.nsw.gov.au
     Telephone: 13 10 50
   - NT WorkSafe
     Website: www.worksafe.nt.gov.au
     Email: ntworksafe@nt.gov.au
     Telephone: 1800 019 115
   - Workplace Health and Safety Queensland, Office of Fair and Safe Work
     Queensland, Department of Justice and Attorney-General
     Website: www.worksafe.qld.gov.au
     Telephone: 1300 369 915 or (07) 3225 2000
   - SafeWork SA
     Website: www.safework.sa.gov.au
     Telephone: 1300 365 255
   - Workplace Standards Tasmania
     Website: www.wst.tas.gov.au
     Telephone: 1300 366 322 (inside Tasmania) or (03) 6233 7657 (outside Tasmania)
   - WorkSafe Victoria
     Website: www.worksafe.vic.gov.au
     Email: info@worksafe.vic.gov.au
     Telephone: 1 800 136 089 or (03) 9641 1444
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- WorkSafe WA Part of the WA Department of Commerce
  Website:  www.worksafe.wa.gov.au
  Telephone:  1300 307 877
- Workplace Ombudsman Tel: 13 13 94 or www.fairwork.gov.au
- Union Representative – refer relevant Union
- Or other relevant regulatory body may be available related to the specific issue.

If all 4Life avenues of appeal process are not successful the 4Life Complaint/ Appeal Committee should advise in writing:
- the Complainant of their right to seek legal intervention;
- the Managing Director of the Complainant’s intention to seek legal action.

All issue, negotiation/mediation, outcome details and agreements;
- are recorded in writing;
- a copy is provided to all parties within seven (7) days of completion of each event;
- are signed by all parties;
- a copy is filed in line with Australian Privacy Principles.

EMPLOYEE PROCESS

In the event that an employee has a complaint the following process should be undertaken.

If the complainant finds, for whatever reason, that they are unable to undertake any of the following steps, they should speak with a senior member of staff with whom they are most comfortable.

If the complaint relates to the conduct of another employee:-

1. Dependent on the nature of the complaint in the first instance attempt to discuss and negotiate a solution with the person concerned;
2. Within 5 days employee to request mediation/intervention from the Operations or Education Director or other trusted senior member of staff;
3. The mediator will document the complaint in the Complaint/Appeal Register and manage the Complaint/Appeal Report Form which will be updated, co-signed and copies provided to all parties throughout the process;
4. If resolution is not reached the complaint should be referred to the Managing Director for action within 5 working days of receiving the complaint;
5. Within 5 working days Managing Director to provide decision in writing.
6. If a resolution is not reached with the intervention of the Managing Director an external facilitator agreeable to all parties should be engaged.
   a. 4Life will normally utilise the services of:
      Access OCAR Australia.
      Australia free call number: 1300 66 77 00
b. Other legislative authority as may be available in each state related to the specific issue.

7. If the external facilitator is unable to assist with an acceptable resolution the complainant should be advised of their right to seek legal intervention.

If the complaint relates to a policy/procedure or system issue, the complainant should initially avail themselves of the Quality Assurance and Continuous Improvement Process.

If the complainant is not satisfied with the outcome of the QA & CI process they should discuss directly with their Supervisor.

1. Advise the Director Operations of their concern;
2. Employee and Director Operations to meet and complete a Complaint/Appeal Report Form;
3. Should the Director Operations not be able to reach a resolution the complaint should be referred to the Managing Director within 5 working days;
4. Managing Director meets employee and Director Operations within 5 working days.
5. If a resolution is not reached with the intervention of the Managing Director and
   5.1 the issue relates to a possible breach of legislation, an external facilitator specialising in the relevant legislation and agreeable to all parties should be engaged.
      - the Managing Director should be advised by the complainant in writing of the intention to notify the relevant Legislative Body and/or The National Training Complaints Hotline on 1800 000 674, and/or of possible legal intervention;
      - the complainant should be advised by the Director Operations of their right to seek legal intervention and/or advise The National Training Complaints Hotline on 13 38 73.

or

5.2 If the issue relates to an internal policy or procedure which does not breach legislative, moral or ethical obligations, the Managing Director’s decision will be final.

The issue, negotiation details, outcome and signed agreement by all parties:

- are recorded in writing;
- a copy is provided to the employee within seven (7) days of completion of each event;
- a copy is filed in line with Australian Privacy Principles.

HANDLING A COMPLAINT

On receiving a complaint, the person who received the complaint must determine if they are the appropriate person to resolve the matter. Where they consider it would be inappropriate for them to handle the matter, or if the matter is outside the scope of their responsibility, they will discuss this with the complainant within 24 hours of receiving the complaint. The person receiving the complaint is responsible for assisting the complainant to a more appropriate person. This may require escalation to the next level of responsibility.
Where the person receiving the complaint believes that they are the appropriate person to deal with the matter, they should arrange to discuss the complaint with the complainant at a time convenient to both parties, but as soon as practical after the matter is first raised. Action to resolve the complaint should commence as soon as possible.

**IMPORTANT STEPS FOR INVESTIGATION AND RESOLUTION**

**COMPLAINTS**

Where possible, minor interpersonal issues and misunderstandings should be resolved quickly and with minimal formality. In such cases, the emphasis is on ensuring that individual needs and expectations are met without deterioration to the relationship.

**PROGRESS TO RESOLUTION**

All parties should be consulted throughout the investigation, and no action is to be taken toward resolving their complaint without their prior knowledge and agreement. At a minimum, the parties will be given regular reports on the progress towards resolution of their complaint. The timeframe should be agreed by all parties dependent upon the nature of the complaint.

The person investigating the complaint should establish with the parties the options for resolution they perceive as satisfactory. These are initial ideas and may change or be further developed after more detailed investigation.

If at any stage of the process it becomes apparent that the matter is more complex or serious than originally considered the matter should be referred to a more appropriate person.

**RESOLUTION**

If the parties are satisfied with the proposed resolution, all agreed actions should be documented, implemented as soon as is reasonably possible and the complaint considered resolved.

Where resolution is not achieved, the matter should be escalated to the next level of responsibility.

The complaint process does not intend to preclude recourse to other avenues of resolution including Industrial Relations Commission for conciliation or arbitration purposes, or State Authorities, but rather to facilitate an agreeable and speedy resolution.

**GUIDELINES FOR NEGOTIATING SOLUTION OF A COMPLAINT**

- Negotiation should focus on 'win – win' situation
- Outcome should aim for the preservation of long term relationship
- Process, activities and outcomes should provide benefits for all parties.

**STEP 1 - PREPARATION**

- Date & Time that is suitable to all parties
- Ensure that venue is private, neutral and comfortable
- Prepare meeting agenda commencing with a positive opening statement
- Clearly articulate the guidelines for negotiation of solution e.g. Demands are not acceptable, blame and justification will not contribute to a positive and outcome focussed discussion/negotiation, etc.
STEP 2 – CLARIFICATION OF ISSUE

- Identify what the issue is
- Focus discussion on the issue
- Listen carefully and empathise
- Identify shared/common needs

STEP 3 – IDENTIFY & DOCUMENT SOLUTION(S)

- What are the individual and shared needs for outcome
- Ensure solutions are achievable for both parties
- Discuss and prioritise identified solutions
- Negotiate final and most appropriate and satisfactory solution
- Develop action plan and timeframe for the implementation of the solution ensuring all tasks are achievable for all parties within nominated timeframe(s)

STEP 4 – FORMAL AGREEMENT

- Agreement should include:
  - Identification of all parties to the agreement
  - Goal/outcome(s) to be achieved
  - Non negotiable items
  - Expectation each parties input/action
  - Realistic timeframe(s)
  - Evaluation process
  - Communication process
  - Date and Sign off by all parties.

- Agreement and copy of the finalised Complaint/Appeal Report Form are to be:
  - are recorded in writing;
  - copied to all parties within seven (7) days of completion of each event;
  - a copy is filed in line with Australian Privacy Principles.

- Complaint/Appeal Register & Form

- The Complaint/Appeal Register is to be updated with Agreement details.

- The Complaint/Appeal Report Form is to be updated throughout the process and details of the Agreement to be recorded.
WITHDRAWING A COMPLAINT

An individual has the right to withdraw a complaint at any stage. However, where the complaint concerns:-

- proven misconduct and/or breach of law or regulatory compliance on the part of any individual or entity;
- or
- where the failure to resolve the complaint would adversely affect other individuals or 4Life,

4Life reserves the right to finalise the investigation of the original complaint and take the necessary recourse.

FALSE OR MALICIOUS COMPLAINTS

A ‘False or Malicious Complaint’ is a fictitious complaint or one made intentionally without foundation or to cause detriment or mischief.

Complainants found to have made a ‘False or Malicious Complaint’ will face disciplinary action as per the Disciplinary Process – Employees and/or Student Information Booklet.

CONTINUOUS IMPROVEMENT

All complaints (not including personal details) will be directed through the Quality Assurance & Continuous Improvement process for evaluation and actioning of opportunities.

RESPONSIBILITIES

MANAGING DIRECTOR

It is the overall responsibility of the Managing Director to:

- ensure that 4Life operations policy, process and standards mitigate opportunity for complaint;
- respond as a matter of priority to any issue identified as a potential ‘complaint’ and therefore an opportunity for improvement.

DIRECTORS OF EDUCATION AND OPERATIONS AND THE ACCOUNTABLE OFFICER

It is the responsibility of the Education and Operations Directors and the to:

- manage operations and compliance in a manner that mitigates the risk of complaint from any 4Life stakeholder;
- address and satisfactorily bring to conclusion any and all complaints;
- utilise the learning from complaints in the continuous improvement process as a key strategy to ensure that the complaint is repeated.

STAKEHOLDERS

It is the responsibility of, predominantly, all 4Life personnel but also all stakeholders to immediately report potential risks for complaint to the Managing Director.
APPLICABLE STANDARDS

STANDARDS FOR REGISTERED TRAINING ORGANISATIONS 2015 – DOMESTIC STUDENTS

Made under the National Vocational Education and Training Regulator Act 2011

STANDARD 6 - COMPLAINTS AND APPEALS ARE RECORDED, ACKNOWLEDGED AND DEALT WITH FAIRLY, EFFICIENTLY AND EFFECTIVELY.

Clause 6.2:

The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

Clause 6.3:

The RTO’s complaints policy and appeals policy:

a) ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;

b) are publicly available;

c) set out the procedure for making a complaint or requesting an appeal;

d) ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and

e) 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, if the processes fail to resolve the complaint or appeal.

Context:

RTOs must implement a transparent complaints and appeals policy that enables learners and clients to be informed of and to understand their rights and the RTO’s responsibilities under the Standards.

STANDARDS FOR REGISTERED TRAINING ORGANISATIONS 2015 – INTERNATIONAL STUDENTS

Made under the Education Services for Overseas Students Act 2000:

STANDARD 3 – FORMALISATION OF ENROLMENT

Written agreements between registered providers and students set out the services to be provided, fees payable and information in relation to refunds of course money.

Clause 3.2 (d)

The registered provider must include in the written agreement the following information, which is to be consistent with the requirements of the ESOS Act, in relation to refunds of course money in the case of student and provider default:

a. amounts that may or may not be repaid to the student (including any course money collected by education agents on behalf of the registered provider)

b. processes for claiming a refund
c. a plain English explanation of what happens in the event of a course not being delivered, and

d. a statement that “This agreement, and the availability of complaints and appeals processes, does not remove the right of the student to take action under Australia’s consumer protection laws”.

**STANDARD 6 – STUDENT SUPPORT SERVICES**

Registered providers support students to adjust to study and life in Australia, to achieve their learning goals and to achieve satisfactory progress towards meeting the learning outcomes of the course.

*Clause 6.1 (e)*

The registered provider must assist students to adjust to study and life in Australia, including through the provision of an age and culturally appropriate orientation programme that includes information about:

a. student support services available to students in the transition to life and study in a new environment

b. legal services

c. emergency and health services

d. facilities and resources

e. complaints and appeals processes, and

f. any student visa condition relating to course progress and/or attendance as appropriate.

**STANDARD 7 – TRANSFER BETWEEN REGISTERED PROVIDERS**

Registered providers assess requests from students for a transfer between registered providers prior to the student completing six months of the principal course of study in accordance with their documented procedures.

*Clause: 7.5*

Where the registered provider does not grant a letter of release, the student must be provided with written reasons for refusing the request and must be informed of his or her right to appeal the registered provider’s decision in accordance with Standard 8 (Complaints and appeals).

**STANDARD 8 – COMPLAINTS & APPEALS**

Registered providers’ complaints and appeals processes are independent, easily and immediately accessible and inexpensive for the parties involved.

*Clause: 8.1*

The registered provider must have an appropriate internal complaints handling and appeals process that satisfies the following requirements, or can use its existing internal complaints and appeals processes as long as it meets these requirements:

a. a process is in place for lodging a formal complaint or appeal if the matter cannot be resolved informally, which requires a written record of the complaint or appeal to be kept
b. each complainant or appellant has an opportunity to formally present his or her case at minimal or no cost to him or herself

c. each party may be accompanied and assisted by a support person at any relevant meetings

d. the complainant or appellant is given a written statement of the outcome, including details of the reasons for the outcome, and

e. the process commences within 10 working days of the formal lodgement of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.

Clause: 8.2

The registered provider must have arrangements in place for a person or body independent of and external to the registered provider to hear complaints or appeals arising from the registered provider’s internal complaints and appeals process or refer students to an existing body where that body is appropriate for the complaint or appeal.

Clause: 8.3

If the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, the registered provider must advise the student of his or her right to access the external appeals process at minimal or no cost.

Clause: 8.4

If the student chooses to access the registered provider’s complaints and appeals processes as per this standard, the registered provider must maintain the student’s enrolment while the complaints and appeals process is ongoing.

Clause: 8.5

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 required and advise the student of the outcome.

STANDARD 10 – MONITORING COURSE PROGRESS

Registered providers systematically monitor students’ course progress. Registered providers are proactive in notifying and counselling students who are at risk of failing to meet course progress requirements. Registered providers report students, under section 19 of the ESOS Act, who have breached the course progress requirements.

Clause 10.6

Where the registered provider has assessed the student as not achieving satisfactory course progress, the registered provider must notify the student in writing of its intention to report the student for not achieving satisfactory course progress. The written notice must inform the student that he or she is able to access the registered provider’s complaints and appeals process as per Standard 8 (Complaints and appeals) and that the student has 20 working days in which to do so.

Clause 10.7

Where the student has chosen not to access the complaints and appeals processes within the 20 working day period, withholds from the process, or the process is completed and results in a decision supporting the registered provider, the registered provider must notify the Secretary of DEEWR through PRISMS of the student not achieving satisfactory course progress as soon as practicable.
STANDARD 11 – MONITORING ATTENDANCE

Registered providers systematically monitor students’ compliance with student visa conditions relating to attendance. Registered providers are proactive in notifying and counselling students who are at risk of failing to meet attendance requirements. Registered providers report students, under section 19 of the ESOS Act, who have breached the attendance requirements.

Clause: 11.6

Where the registered provider has assessed the student as not achieving satisfactory attendance for the courses identified in 11.1, the registered provider must notify the student in writing of its intention to report the student for not achieving satisfactory attendance. The written notice must inform the student that he or she is able to access the registered provider’s complaints and appeals process as per Standard 8 (Complaints and appeals) and that the student has 20 working days in which to do so.

Clause: 11.7

Where the student has chosen not to access the complaints and appeals processes within the 20 working day period, withholds from the process, or the process is completed and results in a decision supporting the registered provider, the registered provider must notify the Secretary of DEEWR through PRISMS that the student is not achieving satisfactory attendance as soon as practicable.

STANDARD 13 – DEFERRING, SUSPENDING OR CANCELLING THE STUDENT’S ENROLMENT

Registered providers may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.

Clause: 13.4

The registered provider must inform the student of its intention to suspend or cancel the student’s enrolment where the suspension or cancellation is not initiated by the student and notify the student that he or she has 20 working days to access the registered provider’s internal complaints and appeals process as per Standard 8.1. If the student accesses the registered provider’s internal complaints and appeals process, the suspension or cancellation of the student’s enrolment under this standard cannot take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.