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## Purpose

The purpose of this policy and procedure is to outline Choice Academic College's approach to managing dissatisfaction, complaints and appeals of students, clients, staff, contractors and other members of the community. It provides a transparent approach for all complaints and appeals to be addressed in a fair, efficient, and confidential manner.

This policy and procedure ensure compliance with **Standard 2.7 & 2.8 of Division 5 – Feedback, complaints and appeals as defined in National Vocational Education and Training Regulator (Outcome Standards for NVR Registered Training Organisations) Instrument 2025** as well as compliance with the of the National Code of Practice for Providers of Education and Training to Overseas Students 2018, Standard 10.

## Definitions

**ASQA** means Australian Skills Quality Authority, the national VET regulator and the RTO's registering body.

**Appeal** means a request for a decision made by Choice Academic College to be reviewed.

**DET** means Department of Education and Training

**Complaint** means a person's formal expression of dissatisfaction with any product or service provided by Choice Academic College.

**PRISMS** means Provider Registration and International Students Management System

**Overseas Student** means someone who is studying in Australia on a student visa. An overseas student is also called an international student.

**Services** means training, assessment, related educational and support services and/or activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation, or ICT support.

**Standards** means the Revised Standards for Registered Training Organisations (RTOs) 2025 from the VET Quality Framework

## Background

The standard for RTO 2025 specifies the following requirements in relation to complaints and appeals.

**Standard 2.7**

*Outcome Standard*

(1) Feedback and complaints management addresses concerns and informs continuous improvement of the NVR registered training organisation.

*Performance Indicators*

(2) An NVR registered training organisation demonstrates:

(a) it operates a complaints management system that:

(i) allows feedback and complaints about the organisation, any third parties, and any person employed or contracted by the organisation;
(ii) ensures all parties are afforded procedural fairness;
(iii) identifies reasonable timeframes for responding to and resolving complaints; and
(iv) provides avenues for further action where complaints are not resolved;

(b) information about how to provide feedback and make complaints through the complaints management system is publicly available and easily accessible by VET students;
(c) VET students are supported to provide feedback and make complaints;
(d) outcomes of complaints are documented by the organisation and communicated to all parties to the complaint; and
(e) feedback and complaints are used by the organisation to inform continuous improvement.

**Standard 2.8**

*Outcome Standard*

(1) Effective appeal processes are available to VET students where decisions of the NVR registered training organisation or a third party adversely affect the student.

*Performance Indicators*

(2) An NVR registered training organisation demonstrates:

(a) it operates an appeals management system that:
(i) allows VET students to appeal decisions of the organisation, any third parties, and any person employed or contracted by the organisation, where those decisions adversely affect the student;
(ii) ensures all parties to the appeal are afforded procedural fairness;
(iii) specifies reasonable timeframes for actioning appeals; and
(iv) provides avenues for review by an independent party if requested by the appellant (at no or low cost to the appellant);
(b) information about how to appeal an adverse decision through the appeals management system is publicly available and easily accessible by VET students;
(c) outcomes of appeals are documented by the organisation and communicated to the appellant; and
(d) the outcomes of appeals are used by the organisation to inform continuous improvement.

## Policy

### 1. Nature of complaints and appeals

- Choice Academic College responds to all allegations involving the conduct of:
  - The RTO, its trainers and assessors and other staff.
  - Any third party providing Services on behalf of Choice Academic College and including education agents, contractors.
  - Any student or client of Choice Academic College.
- Complaints may be made in relation to any of Choice Academic College's services and activities such as:
  - the application and enrolment process
  - marketing information

- the quality of training and assessment provided
- training and assessment matters, including student progress, student support and assessment requirements
- the way someone has been treated
- the actions of another student
- The service provided by any third party or contractor on behalf of Choice Academic College

- An appeal is a request for a decision made by Choice Academic College to be reviewed. Decisions may have been about:
  - course admissions
  - refund assessments
  - response to a complaint
  - assessment outcomes / results
  - other general decisions made by Choice Academic College

## 2. Principles of resolution

- Choice Academic College is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice. Through this policy and procedure, Choice Academic College ensures that complaints and appeals:
  - Are responded to in a professional, consistent, and transparent manner.
  - Are responded to promptly, fairly, objectively, with sensitivity and confidentiality.
  - Are able to be made at no cost to the individual.
  - Are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.
- Choice Academic College will inform all persons or parties involved in any allegations made as well as providing them with an opportunity to present their side of the matter**.**
- There are no charges for students to submit a complaint or appeal to Choice Academic College, or to seek information or advice about doing so.
- Nothing in this policy and procedure limits the rights of an individual to act under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.

## 3. Making a complaint of appeal

- Complaints about a particular incident should be made as soon as possible after the incident occurs and appeals must be made within thirty (30) calendar days of the original decision being made.
- Complaints and appeals should be made in writing using the *Complaints and Appeals Form*, or other format (email , self-written note), and sent to Choice Academic College at Level 3, 633 Princes Hwy, Rockdale NSW 2216, for the attention of the Chief Executive Officer or can be dropped in the complaint box at the reception desk.

  When making a complaint or appeal, provide as much information as possible to enable Choice Academic College to investigate and determine an appropriate solution. This should include:
  - The issue you are complaining about or the decision you are appealing – describe what happened and how it affected you.
  - Any evidence you have to support your complaint or appeal.
  - Details about the steps you have already taken to resolve the issue.
  - Suggestions about how the matter might be resolved.

## 4. Timeframes for resolution

- The complaints and appeals process will commence within 10 business days of receipt of the application. Complaints and appeals will be finalised as soon as practicable or at least within 30 calendar days unless there is a

significant reason for the matter to take longer.

- In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time that the matter is resolved.

**5. Resolution of complaints and appeals**

- Some members of the management team of Choice Academic College will be involved in resolving complaints and appeals as outlined in the procedures.
- Where a complaint or appeal involves another individual or organisation, they will be given the opportunity to respond to any allegations made.
- Where a third party is involved in delivering Services on behalf of the RTO, they will also be included in the process of resolving the complaint or appeal.
- Each party involved in the complaint or appeal may have a support person of their choice present at meetings scheduled to resolve the issue.
- In the case of an assessment appeal, an assessor who is independent from the original decision will assess the original task again. The outcome of this assessment will be the result granted for the assessment task. The complainant or appellant will be advised in writing of the outcome of the process and the reasons for the findings made.
- The enrolment status of student will be handled as follows:
    - For domestic students that choose to access this policy and procedure, Choice Academic College will maintain the student's enrolment while the complaints and appeals process is ongoing.
    - For international students, Choice Academic College will maintain a student's enrolment throughout the internal appeals processes without notifying DET via PRISMS of a change in enrolment status. In the case of an external appeals process it will depend on the type of appeal as to whether Choice Academic College maintains the student's enrolment as follows:
    - If the appeal is against Choice Academic College's decision to report the student for unsatisfactory course progress or attendance, the student's enrolment will be maintained until the external process is completed and has supported or not supported Choice Academic College's decision to report.
    - If the appeal is against Choice Academic College's decision to defer, suspend or cancel a student's enrolment due to misbehaviour, Choice Academic College will notify DET via PRISMS of a change to the student's enrolment after the outcome of the internal appeals process.

**6. Independent Parties**

- Choice Academic College acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter. Costs associated with independent parties to review a matter must be covered by the complainant/appellant unless the decision to include an independent party was made by Choice Academic College.
    - For domestic students, complainants and appellants can use their own external party at their own cost. Domestic students may also access the external complaint avenues indicated below free of charge.
    - For international students, the independent party is the Overseas Students Ombudsman. This service is free of charge. Where an international student is not satisfied with the outcome or conduct of the internal process, they are referred to the Overseas Students Ombudsman (OSO). See information under external complaint avenues.
    - Choice Academic College will provide complete cooperation with the external mediator investigating the complaint/appeal and will be bound by the recommendations arising out of this

process.

- The CEO will ensure that any recommendations made are implemented within twenty (20) days of being notified of the recommendations. The complainant or appellant will also be formally notified in writing of the outcome of the mediation, and any recommendations being actioned by Choice Academic College.

**7. External complaint avenues**

- Complaints can also be made via the following avenues:
  - National Training Complaints Hotline:

    The National Training Complaints Hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint. Consumers can register a complaint with the National Training Complaints Hotline by:

    - Phone**:** 13 38 73, Monday–Friday, 8am to 6pm nationally.
    - Online: Department of Employment and Workplace relations online complaints form (dese.gov.au)
    - Email: ntch@dewr.gov.au

  - Australian Skills Quality Authority (ASQA):

    Complainants may also complain to Choice Academic College's registering body, Australian Skills Quality Authority (ASQA).

    ASQA can investigate complaints about Choice Academic College in relation to:

    - the quality of our training and assessment
    - our marketing and advertising practices

    For students:

    - ASQA may not be able to investigate the complaint if you do not include evidence that you have already exhausted our formal internal complaints process as above.
    - If your complaint does not fall within ASQA's jurisdiction, it may be resolved more quickly if you directly contact the agency responsible as listed on the relevant webpage below.
    - Please refer to the relevant webpage below before making a complaint to ASQA:

      How ASQA uses feedback | Australian Skills Quality Authority (ASQA)

  - The Overseas Student Ombudsman (OSO)

    International students may complain to the OSO if their complaint is in relation to Choice Academic College:

    - refusing admission to a course
    - course fees and refunds
    - course or provider transfers
    - course progress or attendance
    - cancellation of enrolment
    - accommodation or work arranged by your provider
    - incorrect advice given by an education agent.
    - if you believe we have failed to act or are taking too long to act, this might include (for example), failing to

provide your results in the normal timeframe, or failing to provide services included in your written agreement with Choice Academic College.

The OSO may not be able to investigate your complaint if you have not already exhausted our formal internal complaints process as mentioned above.

Please refer to the following website if you are considering making a complaint:

Complaints | Commonwealth Ombudsman

**8. Records of complaints and appeals**

Choice Academic College will maintain a record of all complaints and appeals and their outcomes and reasons for the outcomes on the *Complaints and Appeals Register*, which will be securely stored according to the Privacy Policy and Procedures. The complaints and appeals will be used for the continuous improvement of the systems and processes of the College.

**9. Publication**

This policy and procedure will be published on Choice Academic College's website.

## Procedures

**1. Complaints management**

| Procedure | Responsibility |
|---|---|
| **A. Receive and acknowledge complaint**<br>• As per policy, complaints are to be made in writing by the complainant, attention to the CEO.<br>• The CEO should review all complaints upon receipt.<br>• Commence process of investigation within 10 days of receiving the complaint. | CEO / Administration Team |
| **B. Investigate the complaint**<br>• Upon receiving the complaint, the matter is to be investigated to ensure all relevant information is available and accurate and complete.<br>• Further details from the complainant, respondent, or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face. Where the meeting is face to face, the complainant may be accompanied by a support person.<br>• The investigation will also identify corrective and preventative action which will be immediately implemented as per the next section of this procedure.<br>• The CEO will review the information and decide on an appropriate response. Where deemed necessary by the CEO, the matter may be reviewed by other members of the management team to arrive at an appropriate resolution.<br>• Note: The complaint must be completely resolved within 30 calendar days of receipt of the original complaint. If the matter is particularly complex and it is going to take longer to resolve, the complainant is to be advised in writing along with reasons for the extra time. | CEO /Administration Team |

| | |
|---|---|
| **C. Advise of the outcome and update records**<br>• Provide a written response to the complainant outlining:<br>– The RTO's understanding of the complaint<br>– The steps taken to investigate and resolve the complaint<br>– Decisions made about resolution, with reasons for the decisions made<br>– Areas that have been identified as possible causes of the complaint and improvements to be recommended<br>– Their right to access the appeals process if they are not satisfied with the outcome of the complaints process.<br>• Keep a copy of the complaint and supporting documents in the Complaints file and in the student or staff file (where relevant).<br>• Immediately implement actions related to decisions that supports the student and/or corrective or preventative actions required. | CEO/Administration Team |

## 2. Appeals management

| Procedure | Responsibility |
|---|---|
| **A. Receive and acknowledge appeal**<br>Upon receipt of a request for an appeal, acknowledge receipt of the appeal in writing. | CEO |
| **B. Respond to assessment appeals**<br>• In the case of appeals against assessment decisions, the original assessment decision will be reviewed by having an assessor independent of the original decision maker mark the assessment task again.<br>• The assessment decision made during the appeals process will be considered the actual assessment outcome for the task.<br>• Advise the student of the outcome of the appeal. | CEO |
| **C. Respond to appeals against non-academic decisions**<br>• Upon receiving the appeal, the matter is to be investigated to identify the original decision made and the reasons for the decision.<br>• Further details from the appellant, respondent, the person who made the original decision, or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face.<br>• If the matter is in relation to a third party delivering Services on behalf of the RTO, the third party should be involved in the resolution of the appeal.<br>• The appellant may request for an independent party (mediator) to be involved in the process. Where this is requested by the appellant, they will bear the costs associated. Additionally, Choice Academic College may decide to call upon an independent mediator to assist to resolve the issue where a decision cannot be reached internally. This will be at Choice Academic College's cost.<br>• Choice Academic College's Management team will review all relevant information and decide on an appropriate response.<br>• The investigation will also identify corrective and preventative action, which will be immediately implemented as per the next section of this procedure.<br>• Note: The appeal must be resolved within 30 calendar days of receipt of the original appeal. If the matter is particularly complex and it is going to take longer to resolve, the appellant must be advised in writing along with reasons for the extra time. They must be provided with progress updates on a weekly basis thereafter until the matter is resolved. | Administration team |

| Procedure | Responsibility |
|---|---|
| **D. Advise appellant of the outcome and update records**<br>• Provide a written response to the appellant outlining:<br>– The RTO's understanding of the reasons for the appeal<br>– The steps taken to investigate and resolve the appeal<br>– Decisions made about resolution and reasons for the decisions<br>– If relevant, areas that have been identified as possible causes of the appeal and improvements to be recommended<br>– Their right to, and information on, the external appeals process<br>– For international students, the effect on their enrolment status<br>– Keep a copy of the complaint and supporting documents in the Complaints file and in the student or staff file (where relevant)<br>• Immediately implement actions related to decisions that supports the student and/or corrective or preventative actions required | CEO /Administration Team |

**3. External complaint or appeal**

| Procedure | Responsibility |
|---|---|
| **A. External complaint or appeal**<br>• If dissatisfied with the internal processes, the complainant/appellant may initiate an external complaint or appeal.<br>• Additionally, a complainant or appellant who has been through the internal processes may request Choice Academic College to appoint an independent party to review the matter.<br>• For domestic students, complainants and appellants can seek their own external parties at their own cost. Domestic students may access the external services listed in the policy free of charge.<br>• For international students, the independent party advised is the Overseas Students Ombudsman, which is free of charge.<br>• Co-operate fully in the process of the external party to investigate and review the matter. This will include and not be limited to providing full access to the relevant student file/s and the internal complaints records where permitted to do so by law. All staff will be instructed to cooperate in such instances and to give an accurate account of the events as they understand them.<br>• Where the decision of the external party supports Choice Academic College, Choice Academic College will notify DET via PRISMS of the change in enrolment status. | Staff as required |

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|---|---|
| **B. Review external complaints or appeals**<br>• If the external party finds in favour of the student, immediately organise a management meeting to discuss the external process and its outcome.<br>• At the meeting. discuss the decision made and actions to be taken to implement the decision, including both corrective/preventative actions.<br>• Following the meeting immediately implement actions.<br>• Advise the student of the outcome of the complaint or appeal and the actions taken. | |

**Document Control**

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