



## COMPLIANTS AND APPEALS POLICY



## 1. Purpose

This policy ensures that Albright's students have access to a fair, professional, timely, inexpensive and documented complaints and appeals process for the resolution of any type of dispute that includes access to an independent external body if necessary should they need to make a complaint or appeal about Albright Institute, Albright Institute's agents or any third parties involved in student education or related services.

Albright Institute must make prompt decisions as a student's visa may restrict his or her length of stay in Australia.

## 2. Scope

This policy applies to all students enrolled in the Albright Institute of Business and Language.

## 3. Owner

CEO and/or delegate

## 4. Policy

This policy has internal complaints and appeals process that:

- requires a written record if the complaint or appeal cannot be resolved informally;
- provides a student with the opportunity to formally present his or her case at minimal or no cost;
- allows the student to be assisted or accompanied by a support person;
- provides a written statement of the outcome, including details and reasons for the decision; and
- requires that processes begin within 10 working days of Albright receiving the formal written lodgement of the complaint or appeal.
- Conducts the assessment of the complaint or appeal in a professional, fair and transparent manner

The student will be granted immediate access to Albright Institute's complaints and appeals process. The process must begin within 10 working days of the formal lodgement of the complaint or appeal. The process must be completed within a reasonable timeframe which takes into consideration the length of a student's visa and the student's enrolment in future subjects and/or courses. Any complaints or appeals process must be finalised within 30 days from the start date of the process.

Standard 10 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 does not require providers to continue to offer learning opportunities throughout the complaints or appeals process. Albright Institute will



maintain the student's enrolment while the complaints and appeals process is ongoing. This does not necessarily mean that a student will remain in class. A decision will be made in this regard, considering the nature of the complaint.

Albright considers that to deny students learning opportunities throughout the appeals process may disadvantage the students in their subsequent studies should the appeals process find in their favour. If students have missed a few weeks of studies, it may be difficult for them to catch up on this work.

Albright Institute will have arrangements in place for an independent external person or organisation to hear the complaints or appeals where Albright Institute's internal process has been completed and the student remains dissatisfied.

Albright Institute's documented internal complaints and appeals process must include provision of a written statement of the outcome including details and reasons for the decision.

If the outcome of a student's appeal through a provider's internal or external complaints and appeals handling process is favourable to the student, Albright Institute must immediately advise the student of this and implement any decision and/or corrective and preventive action required.

The complaints and appeal process must give the student the opportunity to:

- formally present his or her case; and
- be accompanied or assisted by a support person.

It is important for Albright Institute to make the objective of the process clear in its policies and procedures.

*For example, is the objective to reach a mediated resolution or is it for the internal complaints and appeals processes to reach a determination? Generally, a mediated solution will be inappropriate when the issue is whether or not the institution followed its own policies and procedures.*

While Albright Institute has arrangements in place for complaints or appeals, it may use different processes for different types of complaints. When considering which processes are suitable, Albright Institute will bear in mind the appropriateness of the process for the particular kind of complaint as well as accessibility, timeliness, cost and procedural fairness.

Albright Institute has arrangements in place for external complaints or appeals. It does not prescribe the process of the external appeal. Albright Institute may use different processes for different types of complaints.



In most cases, the purpose of the external appeals process is to consider whether Albright Institute has followed its policies and procedures – it is not to make a decision in place of Albright Institute.

*For example, if a student appeals against his or her subject results and goes through Albright Institute's internal appeals process, the external appeals process (if accessed) would look at the way in which the internal appeal was conducted; it would not make a determination as to what the subject result should be.*

If the student is not satisfied with the outcome or conduct of the internal complaint handling and appeals process, Albright Institute must be able to supply information to the student on how to pursue the appeal through the external appeals process. There will be no charge for advising students of their rights to access an external appeals process.

Until the complaints and appeals process is completed, Albright Institute must maintain the enrolment of the student. To 'maintain the student's enrolment' means Albright Institute does not notify DET of any change to the student's enrolment status through the Provider Registration and International Student Management System (PRISMS).

Albright Institute must maintain the student's enrolment throughout the internal appeals process for all types of complaints or appeals. However, whether Albright Institute must maintain the enrolment throughout an external appeals process depends on the type of appeal.

Albright Institute will not report the student through PRISMS for unsatisfactory course progress or attendance until the student has accessed the internal and external complaints handling and appeals processes and the decision or recommendation supports the registered provider.

Once DET has been notified of a deferment, suspension or cancellation of a student's enrolment, the student has 28 days in which to:

- leave Australia
- show the Department of Home Affairs a new Confirmation of Enrolment (CoE)
- provide DIBP with evidence that he or she has accessed an external appeals process.

If a student takes the complaint or appeal to the external process, the student must be informed promptly of the decision reached by the external body.



Albright Institute should update the student's file to record the outcome, and any subsequent actions.

### **Further complaints and appeals**

If a student is not satisfied with the outcome of Albright's internal complaints and appeals process or the following external appeal process, they can access multiple appeals. Albright Institute is not obliged to assist the students with these further processes.

## **5. Procedure**

Albright Institute aims to resolve all complaints received in an informal manner to avoid unnecessary stress and disruption to the student and the RTO. However, if a complaint is unable to be resolved on an informal level the student is required to present to Albright a written complaint within **5 business days** of the incident by submitting the STD-FORM10 Complaints and Appeals form to a student support/administration officer.

The written complaint will then be acknowledged by Albright within **5 business days** with an outline of the process to be followed and an estimated timeframe for resolving the complaint. Any expected delay is required to be explained. Should a delay be encountered once the complaint handling process has been commenced, this is required to be advised in writing with a revised period. Review of the complaint will begin within **10 business days** of Albright receiving the formal written lodgment of the complaint.

Complainants can represent themselves, and there are no fees for accessing the grievances and complaints procedures. Complainants may be assisted and supported by another person at any meetings.

A written statement of the outcome, including details and reasons for the decision will be provided to the student. Albright will immediately advise the student and implement any decision in the event of any favorable outcome to the student.

Albright will maintain the student's enrolment while the internal and external complaints and appeals process is ongoing if there is a threat that the student will be deported. However, if there is no threat that the student will be deported enrolment may only be maintained during the internal process (enrolment during the external process will be at Albright's discretion).

This policy advises that students are able to access Albright's Appeals process within 20 working days of the outcome of the complaint. If after the internal appeals process



has been conducted, the student is still unsatisfied with the result they may appeal to the Australian Council for Private Education and Training (ACPET). As per Standard 8.2 there is no cost for accessing this process. The outcome of the external appeals process will be final and accepted by both parties.

Alternatively, the student may access the Independent mediation service which is available through the Dispute Resolution Branch, Department of Justice and Attorney-General.

### **Informal Complaint Procedure**

1. Student has a complaint
2. Approaches Trainer/Student administration officer/ CEO or any other Albright staff member with complaint
3. The staff member involves relevant staff to help resolve the complaint internally on an informal basis
4. Student's feedback is sought to ensure the issue is resolved

### **Formal Complaint Procedure**

1. Student has a complaint
2. Student lodges the complaint in writing to the PEO within 5 business days of the incident occurring using the STD-FORM10 Complaints and Appeals form
3. The written complaint will be acknowledged by Albright Institute in writing, along with an outline of the processes to be followed and an estimated time frame.
4. Review of the complaint to begin within 10 working days of the written complaint being received. The student's enrolment will be maintained during the review process (if there is a threat the student will be deported)
5. CEO and/or delegate will decide which staff members to involve in investigation of the matter
6. A written statement detailing the outcome of the complaint review will be given to the student
7. In the event of a favorable outcome for the student, Albright will immediately advise and implement any decision
8. If the student is not satisfied with the outcome of the process, s/he is able to initiate an internal appeals process using the STD-FORM10 Complaints and Appeals form
9. Student is able to pursue external appeal if they are unhappy with the outcome of the complaint review/internal appeal. Albright will advise the student of their right to access an external complaints handling and appeals process at minimal or no cost within 10 working days of the completion of the internal complaints and appeals process.
10. For external appeals students can contact:



- Dispute Settlement of Center of Victoria via the inquiry line: 1300 372 888 or to access regional service refer to <https://www.disputes.vic.gov.au/contact-us>
- Commonwealth Ombudsmen: Level 9, 459 Collins Street (North Tower) Melbourne Victoria 3000, Telephone: 03 9613 6222, [www.ombudsman.vic.gov.au](http://www.ombudsman.vic.gov.au)
- Consumer Affairs Victoria: 1300 55 81 81, or +61 3 8684 0735 or visit: <https://www.consumer.vic.gov.au/>
- Any solicitor

### Academic result Appeals

1. Student is not satisfied with the results of a certain assessment/ unit
2. The student accesses the STD-FORM11 Assessment Appeal Form and submits the form to the student administration within 5 days of receiving the result.
3. Albright Institute will investigate the matter and inform the student of the outcome.
4. If the outcome is in favor of the student, the outcome will immediately reflect in the academic status of the students with hardcopy and softcopy student file and SMS systems updated.
5. If the outcome is not in favor of the student, student is able to pursue external appeal if not satisfied with the outcome of the appeal review.

### Actions and timeframes guide

Action	Time frame	Related document	Responsible person
Written complaint submission to Albright	Within <b>5 business days</b> from the incident occurring	STD-FORM10 Complaints and Appeals form	The student
written complaint will then be acknowledged by the RTO	Within <b>5 business days</b> from the lodgment	Complaint/Appeal acknowledgement email via RTOM	Albright Institute
Review of the complaint	within <b>10 business days</b> of Albright receiving the formal written lodgment of the complaint.	N/A	Albright Institute
Finalising the internal review of the complaint	<b>20 working days</b> from the start date of the review process	N/A	Albright Institute
written statement of the complaint outcome	Immediately after the process if completed and the outcome finalised	STD-LET03 Unsubstantiated Complaint Response STD-LET04 Substantiated Complaint Response	Albright Institute
access Albright's Appeals process	within <b>20 working days</b> of the outcome of the complaint	STD-FORM10 Complaints and Appeals form STD-FORM11 Assessment Appeal Form	The student



written statement of the Appeal outcome		STD-LET05 Unsuccessful Appeals Outcome  STD-LET06 Successful Appeals Outcome  FORM-012 Assessment Appeal Outcome and Action Report	
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#### Related Documents

- STD-FORM10 Complaints and Appeals form
- STD-LET03 Unsubstantiated Complaint Response
- STD-LET04 Substantiated Complaint Response
- STD-LET05 Unsuccessful Appeals Outcome
- STD-LET06 Successful Appeals Outcome
- STD-FORM11 Assessment Appeal Form
- FORM-012 Assessment Appeal Outcome and Action Report