



Procedure Name:	Complaint Handling and Appeals
Document Number:	HR6.1.02
Approved by:	Director
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Review Date:	April 2022
Audience:	NIET Group (AAI) Staff, Students and Community
Contact Officer:	Director Compliance and Training Management
Related Documents:	Complaint Handling and Appeals Policy HYS Form HYS Completion Form HYS Register Complaint/Appeals Register Records Management Procedure
Legislation:	National Vocational Education and Training Regulator Act 2011 VSL Loan Act 2016 ; VSL Student Loan Rules 2016

1. Purpose and Objective

This procedure outlines the process for managing complaint and appeals received about the RTO, and about and from learners/student, teachers, staff or third parties.

2. Procedure Scope/Coverage

This complaint and appeals and appeals procedure will manage allegations involving the conduct of:

- NIET Group (AAI), its trainers, assessors and other staff
- Stakeholders and others
- a third party providing services on the RTO’s behalf, its trainers, assessors or other staff (where this may be relevant to its operations) a learner/student of the NIET Group (AAI)

3. Definitions

Appeal – is an application made by a learner/student to have a decision reviewed where that decision relates to a matter affecting his or her studies or life as a learner/student.

Complaint/Appeal - is any written expression of dissatisfaction with an action or service of the Registered Training Organisation (by the aggrieved or on behalf of the aggrieved person for the RTO to be able to acknowledge the complaint/appeal).

4. PROCEDURE

Step	Process	Actions
4.1	Prevention	NIET Group (AAI) seeks to prevent complaint and appeals by ensuring high levels of satisfaction with its training and assessment, its performance as an RTO and with its public image. If a complaint and appeal should arise, all staff are expected to be fair, courteous and helpful in all dealings with a complainant/appellant.
4.2	Make a complaint/appeal	The complainant/appellant is to put their complaint/appeal in writing to the Director Compliance and Training Management using the Have Your Say Form available through the administration office at NIET Group (AAI) or online via the website at www.niet.edu.au Assessment appeals must be lodged within 10 working days of receiving the result.
4.3	Review the complaint and appeal	<p>Compliance Manager will:</p> <ul style="list-style-type: none"> • Review the complaint and appeal within five (5) days of receiving the complaint/appeal • Acknowledge receipt of the complaint/appeal within 2 business days • Undertake a preliminary enquiry to determine nature of the complaint/appeal • Ensure appeals (including assessment appeals) are dealt with by a person/s independent of the original decision • Inform other relevant parties of any allegations. • Provide all parties with an opportunity to present their cases (with a support person and/or parent/guardian if a learner or with an independent adviser if a client or other stakeholder) • Discuss the NIET Group (AAI) proposed resolution and any arrangements with the parties • Record the negotiated outcome of the discussion on the Outcome of Complaint and Appeal Register • Determine suitable resolutions for the complaint and appeal • Make available an independent panel to review the complaint and appeal if requested by the appellant • Provide the outcome in writing to the appellant (and other parties if relevant) <p>*If the complaint/appeal is made by or relates to a current learner/student, there will be no action to the learner's/student enrolment during complaint/appeal resolution, unless there is a serious concern for the health and safety of the learner/student or any other learner/s/students</p>
4.4	Determination of outcomes	Within 14 business days, Director Compliance and Training Management will provide the complainant/appellant (and if relevant, parent/care giver) a written response identifying and explaining the actions taken to address the complaint/appeal.

		In the written response, the complainant/appellant (and if relevant, parent/care giver) will be invited to contact the Director Compliance and Training Management to discuss their satisfaction with the outcome to the complaint/appeal.
4.5	Timeframes	If a complaint and appeal and appeal cannot be processed and finalised within 60 calendar days, NIET Group (AAI) will: <ul style="list-style-type: none"> • Inform the complainant/appellant in writing, citing reasons for the delay, and; Regularly update the complainant/appellant on the progress of the matter
4.6	If the process remains unresolved	An independent panel process is available to review the complaint/appeal if requested by the complainant/appellant (at no cost to themselves).
4.10	Independent panel	The panel should consider the appeal within 10 business days of receiving the appeal. If the appellant is a student, the student may have a parent/guardian or support person with them during the proceedings of the panel review. The panel will comprise two representatives of NIET Group (AAI) Academic Committee, and a student/learner representative as mutually agreed by the student and NIET Group (AAI).
4.11	Independent panel procedure	The independent panel will: <ul style="list-style-type: none"> • Review the evidence submitted and circumstances regarding the appeal • Keep a record of the proceedings to ensure proceeding are conducted fairly • Inform the CEO and appellant, in writing, of its decision and cite the reasons for the decision • Provide the CEO and appellant with copies of the panel proceedings • The decision of the Independent Panel is final.
4.12	Panel Timeframes	The panel will report their findings within ten (10) business days. If the panel cannot process the findings within ten (10) business days, the panel will: <ul style="list-style-type: none"> • Inform the CEO and appellant in writing, citing reasons for the delay, and; Regularly update the CEO and appellant on the progress of the matter
4.13	External Review	If (having exhausted all internal processes) the complaint and appeal processes) the person is still not satisfied, they may take the matter externally to an appropriate third party. <ul style="list-style-type: none"> • If the matter pertains to training, assessment, education support and/or administrative services of the RTO or a potential breach of the NVR Act; the person should be referred to ASQA's



		<p>complaint and appeals information page https://www.asqa.gov.au/about/complaints</p> <ul style="list-style-type: none"> or the National Training Complaints Hotline https://www.employment.gov.au/national-training-complaints-hotline <p>Phone: 13 38 73, (option 4) Monday–Friday, 8am to 6pm nationally.</p> <ul style="list-style-type: none"> Dependent on the nature of other matters, NIET Group (AAI) will attempt to assist the person with possible referral points to independent advice; for example, Training Ombudsman, Fair Trading QLD.
4.14	Records	Written records including the outcomes will be securely retained in NIET Group (AAI)’s Complaint/Appeals Register.
4.15	Improvement	From any substantiated complaint and appeals or appeals, as well as the complaint and appeals and appeals policy, the causes will be reviewed as part of the continuous improvement process. Appropriate corrective action will be taken to prevent or reduce the likelihood of reoccurrence and the actions will be recorded on the Business Improvement Register .
4.16	Illegal activity	Any complaint/appeal that is related to illegal activity, such as theft, assault etc., will be referred to the appropriate authority.

5. Responsibilities

- All staff** are responsible for:
 - ensuring the documenting of complaint/appeal as per the scope of this procedure; and
 - sending the details of the complaint/appeal to the Director Compliance and Training Management.
 - assisting persons to make a complaint or lodge an appeal
- The Director Compliance and Training Management is responsible for processing complaint and appeals in accordance with this procedure
- The **CEO** (or delegated person) will ensure that complaint/appeals are managed in accordance with this procedure, and the policy statement is publicly available via the College website and Student Handbook.

Version History				
Review Period:		3 years from date of last approval		
Version Number:	Approved by:	Approval Date:	Effective Date:	Sections Modified:
D1				New Procedure developed
1.0	Academic Director	April 2022	April 2022	Approval of new procedure