



**Australian Institute
of Education and Training**

APPEALS POLICY AND PROCEDURE

POLICY

The Australian Institute of Education and Training (AIET) RTO Number 121314 will address all Student Appeals in a constructive and timely manner, providing a fair and transparent means of making formal Appeals as an integral part of all Training an Assessment provided to Students.

This Policy is to provide clear and practical guidelines to ensure that all Appeals lodged with Australian Institute of Education and Training can be resolved equitably and efficiently, and in accordance with the principles of natural justice.

This Policy will manage and respond to all Appeals (including Assessment Appeals) submitted by Students undertaking training for all Qualifications on the Australian Institute of Education and Training's Scope of Registration, that impact on the organisation's management systems; quality of Training and Assessment; quality of client service; and compliance with the VET Quality Framework, inclusive of Appealing decisions made by:

- the RTO and its Trainers, Assessors and other staff;
- an RTO's third party/ies, its Trainers, Assessors and other staff;
- a Student of the RTO.

All Appeals will be handled professionally in order to achieve a satisfactory resolution.

The Australian Institute of Education and Training acknowledges and respects the Privacy of Students and adheres to the Australian Privacy Principals (APPs) as outlined in the Privacy Amendment (Enhancing Privacy Protection) Act 2012, which amends Privacy Act 1988. The APPs cover the collection, use, disclosure and storage of personal information.

Confidentiality will be maintained throughout the Appeal process. The Australian Institute of Education and Training seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment.

STANDARDS FOR RTO'S 2015 ADDRESSED BY THIS POLICY

STANDARD 6 - (CLAUSES 6.1 TO 6.5)

Complaints and Appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

- 6.1. The RTO has a Complaints Policy to manage and respond to allegations involving the conduct of:
 - a) the RTO, its Trainers, Assessors or other Staff;
 - b) a third party providing services on the RTO's behalf, its Trainers, Assessors or other staff; or
 - c) a Learner of the RTO.
- 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.
- 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.
- 6.4. Where the RTO considers more than 60 calendar days are required to process and finalise the Complaint or Appeal, the RTO:
 - a) informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and
 - b) regularly updates the complainant or appellant on the progress of the matter.
- 6.5. The RTO:
 - a) securely maintains records of all Complaints and Appeals and their outcomes; and
 - b) identifies potential causes of Complaints and Appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

PROCEDURE

1. Introduction

1.1 All Appeals will follow the principles of natural justice and procedural fairness.

1.2 This Policy is publicly available on the Australian Institute of Education and Training's web site at www.aiet.edu.au.

2. Dealing with Appeals

2.1 All Appeals will be dealt with in a constructive and timely manner, adhering to the principles of privacy and confidentiality.

3. Nature of the Appeal and Initial Action Taken

3.1 Where a Student wishes to Appeal an Assessment decision made by the Trainer, a third party such as another Trainer or Staff providing services on behalf of the Australian Institute of Education and Training, the Australian Institute of Education and Training, they should first approach the Trainer at the School that they are enrolled at. If the student does not feel comfortable approaching the Trainer, they can approach the VET Coordinator.

3.2 If after approaching the VET Coordinator or the Trainer of the Qualification they are enrolled into, and the Assessment Appeal is resolved to the satisfaction of the Student, a record of the Appeal and the resolution of the matter will then be recorded on the **Appeals Form**.

3.3 A copy of the Appeals Forms can be found at the end of this Policy and is publicly available on the available on the Australian Institute of Education and Training's web site at www.aiet.edu.au).

4. Follow Up Action

4.1 If the initial Appeal made to the Trainer has not been resolved to the satisfaction of the Student, the Student should fill in an Appeals Form and submit it to the VET Coordinator of the School that they are enrolled at.

4.2 If the initial Appeal or subsequent Appeals made to the VET Coordinator has not been resolved to the satisfaction of the Student, the Student should fill in a Appeals Form and email it to the Director of the Australian Institute of Education and Training at info@aiet.edu.au.

4.3 Acknowledgement of an Appeal received by a Student will be emailed to the Students' nominated email address by the Director of the Australian Institute of Education and Training within 2 business days of receipt.

4.4 All Appeals will be dealt with as soon as practical and the result of the Appeal will be communicated to the Student and the School VET Coordinator.

4.5 If the Director of the Australian Institute of Education and Training does not think that the Appeal can be resolved within 60 days, the Director will write to the Student and VET Coordinator to provide a reason as to why more than 60 days are required to resolve the Appeal, and the Director will regularly update the Student and VET Coordinator with progress made.

- 4.6 Once the Director has completed a review of the Appeal and has come to a decision regarding the resolution of the Appeal, recommendations for resolution of the Appeal and any further follow-up action which needs to be taken will be emailed to the Student and VET Coordinator and or Trainer of the School that the student is enrolled into.
- 4.7 The Australian Institute of Education and Training will securely store and maintain all information relevant to the Appeal and its resolution.

5. Unresolved Appeals

5.1 Student's unsatisfied with the result or conduct of the Australian Institute of Education and Training's internal Appeals processes may access an external appeal process which is independent, impartial and provided at no or minimal cost to the Student.

5.2 Students will be referred to:

5.2.1 Victorian Ombudsman

Phone: 0396136222

Web: www.ombudsman.vic.gov.au/Complaints/Make-a-Complaint

Address: Victorian Ombudsman, Level 1 North Tower, 459 Collins Street, Melbourne VIC 3000

5.2.2 Western Australian Ombudsman

Phone: 1800 117 000

Web: www.ombudsman.wa.gov.au

Address: 489/469 Wellington St, Perth WA 6000

5.2.3 South Australian Ombudsman

Phone: 08 8226 8699

Web: www.ombudsman.sa.gov.au

Address: 55 Currie St, Adelaide SA 5000

5.2.5 The National Training Complaints Hotline

Phone: 13 38 73 – Please select Option 4.

Web: <https://www.education.gov.au/NTCH> for more information.

5.2.6 A Mediation Adviser as approved by the Law Institute of Victoria

Web: <https://www.liv.asn.au/Mediators> for more information.

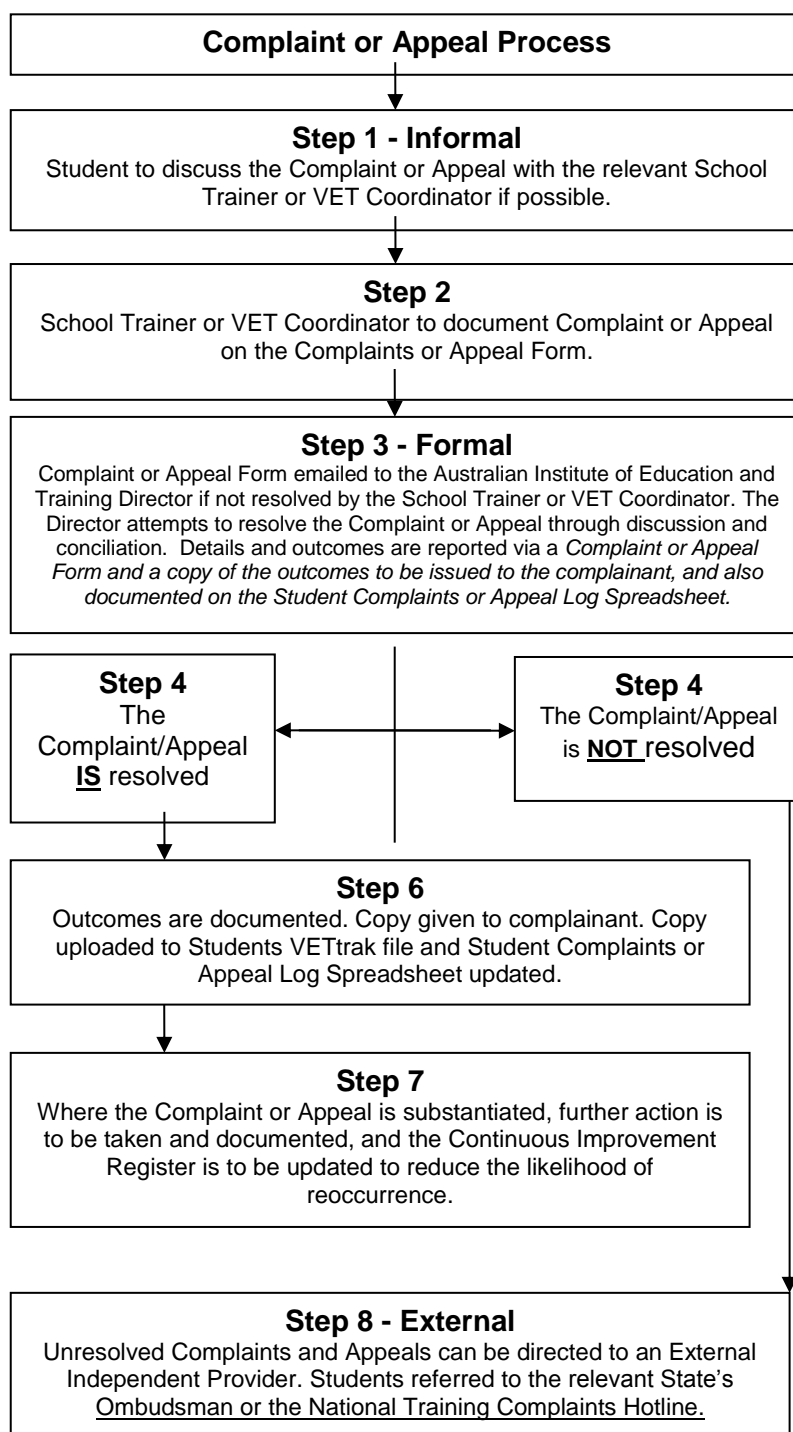
Note: The Australian Skills Quality Authority (ASQA) is not able to act as the Independent third party for reviewing Complaints/Appeals. ASQA will only consider a Complaint/Appeal which relates to a breach of Legislative or Regulatory Requirements.

This process does not remove a Student's right to take further action under Australia's Consumer Protection Laws.

6. Student Appeal Log Spreadsheet

6.1 The Student Appeal Log Spreadsheet is to be completed by the Director of the Australian Institute of Education and Training when an Appeal is received, and a resolution achieved and communicated to the Student and VET Coordinator and or Trainer of the School that the student is enrolled into.

7. Student Complaint or Appeal Flow Chart



Note: The Australian Skills Quality Authority (ASQA) is not able to act as the Independent third party for reviewing Complaints/Appeals. ASQA will only consider a Complaint/Appeal which relates to a breach of Legislative or Regulatory Requirements.

Student Appeal Form

Instructions to the Student:

- (1) Complete this Appeal Form and give it to your School VET Coordinator.
- (2) Clearly state what your Appeal is and provide any evidence that you have to support your claim.
- (3) All Appeals will be taken seriously and will be treating privately and confidentially.
- (4) If your Appeal is not resolved to your satisfaction, please email this Student Appeal Form to info@aiet.edu.au, and the Director of the Australian Institute of Education and Training will respond to your Appeal.
- (5) You will be notified in writing of the outcome of your Appeal.

By filing in this Appeal Form you will be lodging a formal Appeal.

We thank you for taking the time to notify us of your concern. We value your feedback and hope to be able to resolve your Appeal as soon as possible.

Last Name:		First Name:	
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School:	
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Email Address:	
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Describe the Nature of your Appeal:

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What action have you taken to try to resolve the Appeal?

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How would you like the Appeal resolved?

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I (the Student) declare that the information provided on this form is true and correct. I understand that consequences will occur if it is found that I have made a false Appeal claim.

Student Signature:	
Date:	
VET Coordinator Signature:	
Date:	

Student Appeal Response Form – AIET Response

<u>Instructions to the Director of the Australian Institute of Education and Training (RTO):</u>		
<p>(1) If you receive an Appeal from a Student or Trainer/Vet Coordinator on behalf of a Student, you must complete this Student Appeal Response Form , even if the Appeal has been resolved in the first instance.</p> <p>(2) Complete all sections of this Student Appeal Response Form .</p> <p>(3) Keep a log of all communications made with regards to the Appeal.</p> <p>(4) Outline the resolution of the Appeal.</p> <p>(5) Make sure both you and the Student signs and dates the Student Appeal Response Form .</p> <p>(6) Provide the Student with a copy of the signed and dated Student Appeal Response Form</p> <p>(7) Store the Form electronically on VETtrak under the Student Name and complete the Student Appeal Log Spreadsheet.</p>		
Date of Appeal:		
Brief details of your understanding of the Appeal:		
Contact Log:		
Date	Type	Details
	Choose an item.	
	Choose an item.	
Outcome: Choose an item.		

Details of Resolution:			
Follow Up Action (if any) to be taken:			
Director Signature:		Date:	
Student Signature:		Date:	