



# Complaints and Appeals Policy & Procedure

## 1. Policy

- 1.1 This policy and procedure applies to international students who are enrolled at Gippsland Institute of Technology.
- 1.2 If a student has a complaint that they wish to raise with Gippsland Institute of Technology, they are encouraged to do so through the Complaints and Appeals procedure. Students are also encouraged to appeal any Gippsland Institute of Technology decision if they feel they have valid grounds via the Appeals process as per this policy. This includes assessment and RPL decisions.
- 1.3 Students may lodge informal and formal complaints. Students can lodge a complaint against any decision made by a third-party providing services on Gippsland Institute of Technology behalf, its trainers, assessors, fellow students, or others. Students may also access Gippsland Institute of Technology internal and the external appeals process.
- 1.4 Gippsland Institute of Technology has a procedure for informal/ formal complaints and internal and external appeals processing/ handling.
- 1.5 All complaints and appeals lodged will be used for continuous improvement purposes.
- 1.6 The CEO is responsible for implementing this policy and reviewing its effectiveness in compliance with regulatory guidelines.
- 1.7 This policy will be implemented in compliance with the requirements of the Standards of Registered Training Organisations (RTOs) 2015 Standard 6 and the National code of practice 2018 Standard 10.
- 1.8 This policy and procedure applies to all Gippsland Institute of Technology international students and staff.
- 1.9 Students right to access Australian consumer protection law and other legal remedies is not affected by this policy and procedure.
- 1.10 All students are provided information on Gippsland Institute of Technology Complaints and appeals policy and procedure pre and post enrolment.
- 1.11 Students may be accompanied and assisted by a representative at any time.
- 1.12 Students' enrolments are maintained whilst an internal complaint or appeal is in progress and the outcome has not been determined.
- 1.13 If there is any matter arising from a student complaint or appeal that is a systemic issue which requires improvement action this will be reported to Gippsland Institute of Technology management meeting as part of the continuous improvement process.
- 1.14 The student will incur no cost during the complaints and appeals process unless they seek external representation.
- 1.15 Complaints and appeals are taken seriously by Gippsland Institute of Technology and action is commenced within 5 days of receipt of a complaint or appeal. Gippsland Institute of Technology act upon the outcome of any complaint found to be substantiated. Appeals must be lodged within 20 working days of the decision of a complaint process or assessment result.
- 1.16 Students are provided the opportunity to lodge their complaint or appeal in writing.
- 1.17 The principles of natural justice and procedural fairness are consistently applied when Gippsland Institute of Technology is implementing this policy and procedure.
- 1.18 Gippsland Institute of Technology encourages all parties to approach a complaint or appeal with an open view and to attempt to resolve problems in a fair, unbiased and equitable manner through discussion and conciliation.

- 1.19 All complaints and appeals will be handled professionally and confidentially in order to achieve a satisfactory resolution that is fair, unbiased and equitable to all parties.
- 1.20 Where a complaint or appeal cannot be resolved through discussion and conciliation, we acknowledge the need for an appropriate external and independent agent to review the process implemented by the Institute.
- 1.21 The following procedure outlines how students will have their complaints and appeals processed.

## Procedure

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### 2. Informal Complaint Process – General Complaints

- 2.1 Students are encouraged to approach any member of Gippsland Institute of Technology staff and make an informal complaint about any issue relating to their training. Students can lodge a complaint against any decision made by a third-party providing services on Gippsland Institute of Technology's behalf, its trainers, assessors, fellow students, or others.
- 2.2 Where possible staff members utilise advice, discussions, and general mediation in relation to the issue/ complaint. Staff members try and resolve the issue informally. All parties are encouraged to approach a complaint or appeal with an open view and attempt to resolve problems in a fair, unbiased and equitable manner through discussion and conciliation.
- 2.3 Any staff member can be involved in this informal process to resolve issues. Complainants will be forwarded a letter (by email or post) acknowledging the receipt of their informal complaint and a copy of this policy and procedure within 5 working days of Gippsland Institute of Technology receiving the informal complaint.
- 2.4 Parties identified in the complaint will be notified in writing about the complaint (including details) and invited to respond in writing to present their side of the matter. Gippsland Institute of Technology gives all parties every opportunity to present their point of view/ position during this process and try to resolve the issue to the satisfaction of the complainant where possible.
- 2.5 Staff members refer students to the Training Manager if they feel they cannot, or it is not appropriate for them to try and resolve the complaint/ issue. The Training Manager may seek advice from or delegate the handling of the complaint to the Administration Manager.
- 2.6 Staff may arrange a future meeting with the student if further investigation is required.
- 2.7 If the complaint is against the Training Manager the Administration Manager should be approached and deal with the complaint.
- 2.8 The outcome of the informal complaint should be communicated to the student within 10 working days of lodgment.
- 2.9 Students who are not satisfied with the outcome of the informal process are encouraged to lodge a formal complaint.
- 2.10 All staff members should log informal complaints and outcomes in the complaints & appeals register for continuous improvement purposes.

### 3. Formal process - General Complaints

- 3.1 Students are encouraged to approach any member of Gippsland Institute of Technology staff and make a formal complaint about any issue relating to their training. Students can lodge a complaint against any decision made by a third-party providing services on Gippsland Institute of Technology's behalf, its trainers, assessors, fellow students, or others.

- 3.2 If dissatisfied with the outcome of the informal complaints process, students should complete the Complaints & Appeals form (with assistance from the Training Manager if required).
- 3.3 Students should lodge formal complaints using the Complaints & Appeals form located in the international student handbook and Gippsland Institute of Technology website.
- 3.4 Complaints & Appeals forms are to be submitted to: Training Manager Gippsland Institute of Technology at 4/70 Main Street, Pakenham Melbourne Victoria 3810 or by e-mail to [info@git.org.au](mailto:info@git.org.au).
- 3.5 If the complaint is against the Training Manager the Administration Manager will deal with the complaint. In this instance submit the complaint form to the Administration Manager Gippsland Institute of Technology at 4/70 Main Street, Pakenham Melbourne Victoria 3810 or by e-mail to [info@git.org.au](mailto:info@git.org.au).
- 3.6 Complainants will be forwarded a letter (by email or post) acknowledging the receipt of their formal complaint and a copy of this policy and procedure within 5 working days of Gippsland Institute of Technology receiving the formal complaint form. Gippsland Institute of Technology processes the complaint/ appeal within 10 working days of lodgement.
- 3.7 Parties involved in the complaint will be notified in writing about the complaint (including details) and invited to respond in writing to the complaint. Gippsland Institute of Technology gives all parties every opportunity to present their point of view/ position during this process and try to resolve the issue to the satisfaction of the complainant where possible.
- 3.8 The Training Manager (or Administration Manager) will investigate the complaint and liaise with appropriate staff (if/ when appropriate) to ensure all the facts are considered prior to making any decision. All parties are encouraged to approach a complaint or appeal with an open view and attempt to resolve problems in a fair, unbiased and equitable manner through discussion and conciliation.
- 3.9 If appropriate the Training Manager may seek advice from internal/ external Welfare Support services and/ or involve welfare support personnel in the handling of the complaint. Students may request assistance from the student support officer during any part of the complaints process including during meetings.
- 3.10 If appropriate the Training Manager may seek advice from Administration Manager in the handling of the complaint.
- 3.11 If appropriate the Training Manager may implement Gippsland Institute of Technology's Critical Incident policy if they believe the issue meets the criteria to be deemed so.
- 3.12 The Training Manager may delegate the handling of the complaint to the Administration Manager if appropriate.
- 3.13 The Training Manager may arrange a meeting with the student during the investigation process if appropriate. Other parties identified in the complaint/ allegations may attend the meeting.
- 3.14 If a meeting is initiated the Training Manager and will attend the meeting and provide the complainant an opportunity to present their side of the matter.
- 3.15 Meeting minutes will be taken and made available to all parties.
- 3.16 Students' have the right to seek advice from and be represented by external parties at any time during the complaints and appeals process. The cost of this will be borne by the student.
- 3.17 At any meeting the student has the opportunity to submit and discuss any evidence in support of their complaint.
- 3.18 The Training Manager will consider all evidence from the student, and/ or other parties and/ or The Gippsland Institute of Technology prior to coming to any decision.
- 3.19 The Training Manager will clarify evidence/ information to ensure they fully understand all aspects of the issue.

- 3.20 On reviewing the evidence the Training Manager will attempt to negotiate a resolution to the issue/ complaint. The Training Manager will approach the resolution with an open view and to attempt to resolve problems in a fair, unbiased and equitable manner through discussion and conciliation.
- 3.21 The Training Manager notifies the student in writing of Gippsland Institute of Technology's decision within 3 working days of the decision being made. This will include reasons for the decision.
- 3.22 Students are notified of their right to appeal any decision within 20 working days of receiving notification if they are not satisfied with the outcome of the process. They are also notified how to access the process.
- 3.23 All formal complaints and outcomes are recorded in the Complaints and Appeals Register. If appropriate the continuous improvement register will be updated.
- 3.24 If a student's complaint is substantiated through this process the Training Manager will take immediate corrective action.
- 3.25 All relevant documentation relating to the complaint is stored in the student's file.
- 3.26 If the complainant is unsatisfied with the outcome of the formal complaint process, they may access the Gippsland Institute of Technology internal appeals processes. The internal appeals procedure is outlined below.

#### 4. Internal appeals process – General appeals

- 4.1 If students are not satisfied with a Gippsland Institute of Technology decision, they may appeal by accessing the appeals process. All parties are encouraged to approach the appeal with an open view and attempt to resolve problems in a fair, unbiased, and equitable manner through discussion and conciliation.
- 4.2 The student will not incur costs when accessing the internal appeals process unless they seek representation.
- 4.3 General appeals may be made in relation to the situations identified in clauses 4.4 and 4.5 of this procedure.
- 4.4 The outcome of a formal complaint.
- 4.5 The outcome of action being brought against the student for breaching the code of conduct or a decision made by Gippsland Institute of Technology that impacts the student.
- 4.6 Students must have reasonable grounds for an appeal and include all supporting evidence with the Complaints & Appeals form.
- 4.7 The Training Manager can assist students with completing the Complaints and Appeal form (or the Administration Manager if the complaint is against the Training Manager).
- 4.8 The Training Manager is not able to assist students in establishing if they have reasonable grounds for an appeal.
- 4.9 Students' have the right to seek advice from and be represented by external parties at any time during the appeals process. The cost of this will be borne by the student. Students may request assistance from the student support officer during any part of the appeals process including during meetings.
- 4.10 If the appeal is in relation to the Training Manager and/ or his decisions another member of staff will deal with the process. This will be the Administration Manager.
- 4.11 If the appeal is lodged as a result of the outcome of a complaint, the staff member who dealt with the complaint will not handle the appeal.
- 4.12 Students must lodge an appeal within 20 working days of being notified by Gippsland Institute of Technology of any decision they wish to appeal.
- 4.13 Students must lodge appeals using the Complaints & Appeals form located in the international student handbook via e-mail to [info@git.org.au](mailto:info@git.org.au). Students will be forwarded a letter (by email or post)



acknowledging the receipt of their appeal and a copy of this policy and procedure within 5 working days of Gippsland Institute of Technology receiving the Complaints and appeals form.

- 4.14 Complaints & Appeals forms are to be submitted to: Training Manager Gippsland Institute of Technology at 4/70 Main Street, Pakenham Melbourne Victoria 3810 or by e-mail to [info@git.org.au](mailto:info@git.org.au). If the appeal is against a decision undertaken by the Training Manager, the appeals form is to be forwarded to the Administration Manager.
- 4.15 The appeals process will commence within 5 working days of lodgement and the outcome communicated to the student within 20 working days of lodgement. On receiving an appeal Gippsland Institute of Technology will arrange a meeting to take place and inform the student in writing.  
  
Other parties involved in the appeal will be notified in writing about the appeal (including details) and invited to respond in writing. Gippsland Institute of Technology gives all parties every opportunity to present their point of view/ position during this process and try to resolve the issue to the satisfaction of the appellant where possible.
- 4.16 The student and representative (if requested), Training Manager (or Administration Manager if the appeal is against a Training Manager decision) will attend the meeting.
- 4.17 Staff handling the appeal provide all parties every opportunity to present their case during this process and try to resolve the issue to the satisfaction of the student where possible.
- 4.18 Gippsland Institute of Technology considers all the evidence and liaise with appropriate staff if necessary, to ensure all the facts are considered prior to making any decision.
- 4.19 If appropriate Gippsland Institute of Technology staff may seek advice from external welfare support services and/ or academic staff.
- 4.20 If appropriate staff may implement the Gippsland Institute of Technology Critical Incident policy if they believe the issue meets the criteria to be deemed so.
- 4.21 Gippsland Institute of Technology representatives will clarify evidence/ information to ensure they fully understand all aspects of the issue.
- 4.22 All evidence will be reviewed in a fair, unbiased, equitable and impartial manner in coming to a decision.
- 4.23 Minutes of the meeting will be taken including the outcome of the appeal. This will also include the reasons for the decision. The minutes will be signed by all present.
- 4.24 Gippsland Institute of Technology staff discuss the reasons for the decision with the appellant.
- 4.25 If the outcome is in favour of the student, Gippsland Institute of Technology will immediately commence corrective/ improvement action.
- 4.26 Students are forwarded written confirmation of the outcome the next business day. The letter details the reasons for the decision and informs the student of their right to access the external appeals process within 20 working days of receipt of the letter (if appropriate). Information on how to access this process is also provided.
- 4.27 The complaints and appeals register is updated. The continuous improvement register may also be updated.
- 4.28 All evidence will be placed in the student's file.
- 4.29 There are no further avenues within Gippsland Institute of Technology for complaints or appeals after the internal appeals process has been completed, however an external appeals process is available to students.
- 4.30 Details of the external appeals process and how students may access it are outlined below.
- 4.31 Students may also seek to pursue a legal route if they feel unsatisfied with the outcome. Costs of any legal action incurred by the student are to be met by the student.

## 5 Internal appeals process – Assessments

- 5.1 The student will not incur costs when accessing the internal appeals process unless they seek representation.
- 5.2 If a student feels they have been unfairly assessed or there are circumstances that impacted their performance they may appeal an assessment decision.
- 5.3 Students should approach their assessor in this case outlining the reasons for their appeal. Students may request assistance from the student support officer during any part of the appeals process including during meetings.
- 5.4 If the assessor feels there are reasonable grounds for the appeal, he/ she will decide to re-assess the student.
- 5.5 The assessor should document this process along with the outcome in the complaints and appeals register. All supporting documentation should also be placed in the students file.
- 5.6 If the assessor decides to refuse the student an opportunity for re-assessment, the student may lodge a formal appeal by submitting a complaints and appeal form. The student must provide reasons for the appeal along with any supporting evidence.
- 5.7 Complaints & Appeals forms are to be submitted to: Training Manager Gippsland Institute of Technology at 4/70 Main Street, Pakenham Melbourne Victoria 3810 or by e-mail to [info@git.org.au](mailto:info@git.org.au).
- 5.8 The Training Manager will deal with this process. Students will be forwarded a letter (by email or post) acknowledging the receipt of their appeal and a copy of this policy and procedure within 5 working days of Gippsland Institute of Technology receiving the Complaints and appeals form.
- 5.9 The Training Manager reviews all the supporting documentation and discusses the situation with the assessor and student. A decision will be made after all the evidence has been considered. Other parties involved in the appeal will be notified in writing about the appeal (including details) and invited to respond in writing. Gippsland Institute of Technology gives all parties every opportunity to present their point of view/ position during this process and try to resolve the issue to the satisfaction of the appellant where possible.
- 5.10 The Training Manager will invite the student and other party/ ies to attend a meeting and present their evidence (if appropriate). All parties are encouraged to approach the appeal with an open view and attempt to resolve problems in a fair, unbiased, and equitable manner through discussion and conciliation. The Administration Manager will also review all evidence in an impartial manner. If the Administration Manager decides that the students appeal be upheld the following will apply.
- 5.11 The assessment submission in question will be marked again by the assessor or an additional opportunity to demonstrate competency provided to the student or another assessor will mark the submission, or another assessor will provide an additional opportunity for the student to demonstrate competency (the relevant factors impacting the appeal and circumstances will be considered in deciding on the most appropriate course of action).
- 5.12 Gippsland Institute of Technology will document this process along with the outcome in the complaints and appeals register. All supporting documentation should also be placed in the student's file.
- 5.13 The student will be awarded the grade that gives them the most favourable outcome between the two submissions.
- 5.14 If the students appeal is refused, he/she will be sent written notification of the outcome within five working days of the decision being made. This will also include reasons and details for the decision. The letter will also inform the student of their right to access the external appeals process and how to do so.
- 5.15 Students can only appeal an assessment decision once.
  
- 5.16 If students are dissatisfied with the outcome of the internal appeals process, they may access the external appeals process. Details of this procedure and how to access it are outlined below.

- 5.17 Students may also seek to pursue a legal route if they feel unsatisfied with the outcome. Costs of any legal action incurred by the student are to be met by the student.

## 6. External appeals process

- 6.1 External appeals may only be lodged if a student thinks Gippsland Institute of Technology has not followed this Complaints and Appeals policy and procedure. Students can lodge an external appeal against any decision made by a third party providing services on Gippsland Institute of Technology behalf, its trainers, assessors or others.
- 6.2 Students may access the external appeals process with the Overseas Student Ombudsman <http://www.ombudsman.gov.au/How-we-can-help/overseas-students>. Students may request assistance from the Student support officer during any part of the external appeals process including during meetings.
- 6.3 Students must lodge external appeals using the Complaints & Appeals form located in the and International student handbook or available from [info@git.org.au](mailto:info@git.org.au).
- 6.4 Complaints & Appeals forms are to be submitted to: Training Manager Gippsland Institute of Technology at 4/70 Main Street, Pakenham Melbourne Victoria 3810 or by e-mail to [info@git.org.au](mailto:info@git.org.au). Students will be forwarded a letter (by email or post) acknowledging the receipt of their appeal and a copy of this policy and procedure within 5 working days of Gippsland Institute of Technology receiving the Complaints and appeals form. Other parties involved in the appeal will be notified in writing about the appeal (including details) and invited to respond in writing.
- 6.5 Gippsland Institute of Technology will forward all external appeals to the Overseas Student Ombudsman within two working days of lodgment.
- 6.6 The Overseas Student Ombudsman will advise the student that in general, the purpose of the external appeals process is to determine whether Gippsland Institute of Technology has followed its internal complaints and appeals policy and procedure.
- 6.7 The Overseas Student Ombudsman will not review the evidence or make a decision in place of the one made by Gippsland Institute of Technology.
- 6.8 Students will not incur costs in accessing the external appeals process unless they seek external representation.
- 6.9 All documentation is placed in the students file.
- 6.10 The Overseas Student Ombudsman will provide a written statement of the outcome including reasons and details for the decision to the appellant and Gippsland Institute of Technology at the completion of the external appeals process.
- 6.11 If the outcome of the external appeals process results in a decision favoring the student, Gippsland Institute of Technology will immediately implement any corrective action, decision or measures required as indicated in the written response provided by the external appeals body. The student will be advised as to the course of action taken by Gippsland Institute of Technology as per the Overseas Student Ombudsman advice.
- 6.12 The student will be contacted within 1 working day of receiving notification from the Overseas Student Ombudsman of the decision.
- 6.13 The student may access and receive the outcome of only one external appeals process.

## 7 Extending the duration of the Complaints and/ or appeals process

- 7.1 If Gippsland Institute of Technology considers that due to the nature of the complaint or appeal that more than 60 days are required to process the complaint or appeal the following will apply:

- Gippsland Institute of Technology will inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required.
- During the period of processing the complaint of appeal Gippsland Institute of Technology will regularly update the complainant or appellant in writing on the progress of the matter.

## 8. International students appealing Gippsland Institute of Technology intention to report for unsatisfactory course progress, or appealing a decision to suspend or cancel their enrolment

- 8.1 If an international student receives notification from Gippsland Institute of Technology informing them that Gippsland Institute of Technology intends to report them for failing to maintain satisfactory course progress (as per student visa requirements and Gippsland Institute of Technology Course progress policy and procedure), students have to the right to appeal the decision.
- 8.2 If an international student receives notification from Gippsland Institute of Technology informing them that Gippsland Institute of Technology intends to suspend or cancel their enrolment for misconduct/ misbehavior or in accordance with the Defer, suspend, or cancel enrolment policy and procedure, students have to the right to appeal the decision.
- 8.3 Appeals must be lodged in writing on the Complaints and appeals form and include verifiable supporting documentation/ evidence.
- 8.4 Complaints and appeals forms are found in the international student handbook, available from the Gippsland Institute of Technology reception at or on request from [info@git.org.au](mailto:info@git.org.au). Complaints and appeals forms are to be submitted to the Training Manager Gippsland Institute of Technology at 4/70 Main Street, Pakenham Melbourne Victoria 3810 or by e-mail to [info@git.org.au](mailto:info@git.org.au).
- 8.5 Students have 20 working days to lodge an appeal against a Gippsland Institute of Technology decision.
- 8.6 Students must attend all scheduled classes during the complaints and appeals process and complete all related course work and assessments.
- 8.7 If a student chooses to access the Complaints and appeals processes to appeal the intention to report the student to the DHA/ DoE or suspend or cancel their enrolment, Gippsland Institute of Technology will maintain the student's enrolment while the internal and external appeals processes are ongoing. \*\* unless in the circumstances identified in clause 8.8.
- 8.8 Gippsland Institute of Technology may decide to suspend or cancel a student's enrolment before the internal or external appeals process elapsed or before the conclusion of the appeal process is known if there are extenuating circumstances. e.g., serious risk being posed to the student, other students and/ or Gippsland Institute of Technology staff by maintaining the student's enrolment.

## 9. Suspending and cancelling international student enrolments

- 9.1 Gippsland Institute of Technology waits until 22 working days after notifying the student of the Gippsland Institute of Technology's intention has elapsed, or the outcome of any appeal is known or the student withdraws from the appeal process before suspending or cancelling an enrolment.
- 9.2 Enrolments are suspended or cancelled via PRISMS with reasons noted and all documentary evidence placed in the students file.
- 9.3 Students are notified of the impact of suspending and/ or cancelling their enrolment on their student visa at all stages during the relevant process in person and in formal communication from the Gippsland Institute of Technology.
- 9.4 All documentation relating to cancelling an enrolment is stored in the students' file.

## 10. Continuous Improvement



- 10.1 Information collected during the complaints and appeals process will be securely stored and used for continuous improvement purposes.
- 10.2 All records and information collected will be stored in a locked office. Hardcopy records in a locked filing cabinet, and soft copy records on a PC which is password protected.
- 10.3 Soft copy data is backed up on and off site
- 10.4 As part of the continuous improvement process, information gained during the processes will be analysed, and appropriate action will be taken to eliminate or mitigate the likelihood of the issues reoccurring.

### Further information

Gippsland Institute of Technology's Complaints and Appeals policy and procedure in no way effects the students right to access consumer affairs legislation and legal representation.

Students also have the right to contact the VET regulator if they are dissatisfied with the complaints and appeals process and lodge a complaint against Gippsland Institute of Technology.

### National VET Regulator

Australian Skills Quality Authority

Web: [www.asqa.gov.au](http://www.asqa.gov.au)

Email: [enquiries@asqa.gov.au](mailto:enquiries@asqa.gov.au)

Phone: 1300 701 801

### Documents to be employed when implementing this policy and procedure:

- International student handbook
- Complaints and appeals form
- Complaints and appeals register
- Continuous improvement policy and procedure
- Continuous improvement register
- Defer, suspend, or cancel enrolment policy and procedure
- Course progress policies and procedures
- SMS
- Student files

### Revision history

Revision Date	Comment	Revised by
1/11/20	Policy and procedure created	CEO