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## Purpose

The purpose of this policy and procedure is to outline ZOI Education’s approach to managing dissatisfaction, formal complaints and appeals of students, clients, staff 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 6 of the Standards, as well as compliance with the of the National Code of Practice for Registration Authorities and 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 ZOI Education 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 ZOI Education.

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

**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 Standards for Registered Training Organisations (RTOs) 2015 from the VET Quality Framework

## Policy

1. ZOI Education 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 ZOI Education.
  - Any student or client of ZOI Education.
2. Complaints may be made in relation to any of ZOI Education’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
3. Appeals should be made to request that a decision made by ZOI Education is reviewed. Decisions may have been about:
- course admissions
  - refund assessments
  - response to a complaint
  - assessment outcomes / results
  - other general decisions made by ZOI Education
4. ZOI Education 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, ZOI Education ensures that complaints and appeals:
- Are responded to in a consistent and transparent manner.
  - Are responded to promptly, 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.
5. ZOI Education will maintain a record of all complaints and appeals and their outcomes on the *Complaints and Appeals Register*.
6. Nothing in this policy and procedure limits the rights of an individual to take action under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.

### **Making a complaint of appeal**

7. Complaints about a particular incident should be made within ninety (90) calendar days of the incident occurring and appeals must be made within twenty (20) working days of the original decision being made.
8. Complaints and appeals should be made in writing using the *Complaints and Appeals Form*, or other written format and sent to ZOI Education's head office at 48 Flemington Road, Parkville VIC 3052 attention to the Chief Executive Officer.

Your complaint or appeal will be acknowledged in writing.

When making a complaint or appeal, provide as much information as possible to enable ZOI Education 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.

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9. Some or all members of the management team of ZOI Education will be involved in resolving complaints and appeals as outlined in the procedures.
10. Complaints and appeals will be finalised within thirty (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 as the matter is resolved.
11. The enrolment status of student will be handled as follows:
  - For domestic students that choose to access this policy and procedure, ZOI Education will maintain the student's enrolment while the complaints and appeals process is ongoing.
  - For international students, ZOI Education 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 ZOI Education maintains the student's enrolment as follows:
    - If the appeal is against ZOI Education'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 ZOI Education's decision to report.
    - If the appeal is against ZOI Education's decision to defer, suspend or cancel a student's enrolment due to misbehaviour, ZOI Education will notify DET via PRISMS of a change to the student's enrolment after the outcome of the internal appeals process

### Independent Parties

12. ZOI Education 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 ZOI Education.
  - For domestic students, the independent party recommended by ZOI Education is Melbourne Commercial Arbitration and Mediation Centre who have a cost of \$950.00 per matter, however complainants and appellants are able to use their own external party at their own cost.
  - For international students, the independent party is the Overseas Students Ombudsman. 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). This service is free of charge.
  - ZOI Education 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.

### External complaint avenues

13. Complaints can also be made via the following avenues:

- National 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

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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.
- Email: [skilling@education.gov.au](mailto:skilling@education.gov.au)

For more information about the National Complaints Hotline, refer to the following webpage: <http://www.industry.gov.au/skills/nationaltrainingcomplaintshotline/Pages/FrequentlyAskedQuestions.aspx#>

- **Australian Skills Quality Authority (ASQA):**

Complainants may also complain to ZOI Education’s RTO’s registering body: Australian Skills Quality Authority (ASQA).

However, ASQA’s will only use the information you provide to inform its regulatory approach and will not contact us on your behalf or act as your advocate. For more information, refer to the following webpage:

<http://www.asqa.gov.au/complaints/make-a-complaint---domestic-students/make-a-complaint---domestic-students1.html>

## Procedure

### 1. Complaints

Procedure	Responsibility
<p><b>A. Receive and acknowledge complaint</b></p> <ul style="list-style-type: none"> <li>• As per policy, complaints are to be made in writing by the complainant, attention to the CEO.</li> <li>• The CEO should review all complaints upon receipt.</li> <li>• Acknowledge receipt of complaint in writing by sending a letter to complainant within 3 working days of receipt. Use <i>Complaint/ Appeal Acknowledgement Letter</i>.</li> <li>• Record details of the complaint on the <i>Complaints and Appeals Register</i>.</li> <li>• Commence process of investigation within <b>10 days of receiving the complaint.</b></li> </ul>	<p>CEO</p> <p>Student Support Coordinator</p> <p>Administration Officer</p>
<p><b>B. Investigate the complaint</b></p> <ul style="list-style-type: none"> <li>• Upon receiving the complaint, the matter is to be investigated to ensure all relevant information is available and it is accurate and complete.</li> <li>• 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.</li> <li>• 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 complaint.</li> <li>• The CEO will review the information and decide on an appropriate response. Where deemed necessary by the CEO, the matter may be</li> </ul>	<p>CEO</p>

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Procedure	Responsibility
<p>reviewed by other members of the management team to arrive at an appropriate resolution.</p> <ul style="list-style-type: none"> <li>Note: The complaint must be completely resolved within <b>60 calendar days</b> 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. They must be provided with updates on progress on a weekly basis thereafter until the matter is resolved.</li> </ul>	
<p><b>C. Advise of the outcome and update records</b></p> <ul style="list-style-type: none"> <li>Provide a written response to the complainant outlining: <ul style="list-style-type: none"> <li>The RTO's understanding of the complaint</li> <li>The steps taken to investigate and resolve the complaint</li> <li>Decisions made about resolution, with reasons for the decisions made</li> <li>Areas that have been identified as possible causes of the complaint and improvements to be recommended</li> <li>Their right to access the appeals process if they are not satisfied with the outcome of the complaints process.</li> </ul> </li> <li>Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the complaint.</li> <li>Update the <i>Continuous Improvement Register</i> if applicable for any improvements to be made as an outcome.</li> <li>Keep a copy of the complaint and supporting documents in the Complaints file and in the student or staff file (where relevant).</li> <li>Discuss the complaint and its outcome at the next management meeting.</li> </ul>	CEO or their delegate

## 2. Appeals

Procedure	Responsibility
<p><b>D. Receive and acknowledge appeal</b></p> <ul style="list-style-type: none"> <li>As per policy, appeals are to be made in writing by the appellant, attention to the CEO.</li> <li>The CEO should review all appeals upon receipt.</li> <li>Acknowledge receipt of appeal in writing by sending a letter to appellant within 3 working days of receipt. Use <i>Complaint/Appeal Acknowledgement Letter</i>.</li> <li>Record details of appeal on the <i>Complaints and Appeals Register</i>.</li> </ul>	CEO or their delegate
<p><b>E. Respond to assessment appeals</b></p> <ul style="list-style-type: none"> <li>In the case of appeals against assessment decisions, the original</li> </ul>	CEO Training and

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Procedure	Responsibility
<p>assessment decision will be reviewed by having an assessor independent of the original decision, mark the assessment task again.</p> <ul style="list-style-type: none"> <li>The assessment decision made during the appeals process will be considered the actual assessment outcome for the task.</li> <li>Advise the student of the outcome of the appeal as per point G below.</li> </ul>	Assessment Manager
<p><b>F. Respond to appeals against non-academic decisions</b></p> <ul style="list-style-type: none"> <li>Upon receiving the appeal, the matter is to be investigated to identify the original decision made and the reasons for the decision.</li> <li>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.</li> <li>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.</li> <li>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, ZOI Education 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 ZOI Education's cost.</li> <li>ZOI Education's Management team will review all relevant information and decide on an appropriate response.</li> <li>Note: The appeal must be resolved within <b>60 calendar days of receipt of the original appeal</b>. 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.</li> </ul>	Management team
<p><b>G. Advise appellant of the outcome and update records</b></p> <ul style="list-style-type: none"> <li>Provide a written response to the appellant outlining: <ul style="list-style-type: none"> <li>The RTO's understanding of the reasons for the appeal</li> <li>The steps taken to investigate and resolve the appeal</li> <li>Decisions made about resolution and reasons for the decisions</li> <li>If relevant, areas that have been identified as possible causes of the appeal and improvements to be recommended</li> <li>Their right to, and information on, the external appeals process.</li> <li>For international students, the effect on their enrolment status (see enrolment status in policy – 10)</li> </ul> </li> <li>Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the appeal.</li> <li>Update the <i>Continuous Improvement Register</i> if applicable for any</li> </ul>	<p>CEO</p> <p>Student Support Coordinator Administration Officer</p>

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Procedure	Responsibility
<p>improvements to be made as an outcome.</p> <ul style="list-style-type: none"> <li>Keep a copy of the appeal and supporting documents in the Complaints file and in the student or staff file (where relevant).</li> <li>Discuss the appeal and its outcome at the next management meeting.</li> </ul>	

### 3. Independent Reviews by External Party

Procedure	Responsibility
<p><b>H. External complaint or appeal</b></p> <ul style="list-style-type: none"> <li>If dissatisfied with the internal processes, the complainant/appellant may initiate an external complaint or appeal.</li> <li>Additionally, a complainant or appellant who has been through the internal processes may request ZOI Education to appoint an independent party to review the matter.</li> <li>For domestic students, the independent party used is Melbourne Commercial Arbitration and Mediation Centre who have a cost of \$950.00 per matter, however complainants and appellants are able to seek their own external parties at their own cost.</li> <li>For international students, the independent party is the Overseas Students Ombudsman.</li> <li>ZOI Education will 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.</li> <li>Where the decision of the external party supports ZOI Education, ZOI Education will notify DET via PRISMS of the change in enrolment status.</li> </ul>	Management Team

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