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| Policy and Procedure Name | Complaints and Appeals Policy and Procedure Inc VSL |
| Version | 2.2 |
| Approved By | Chief Operating Officer |
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1. Purpose and Scope

The following policy and procedure outlines BSI Learning approach to providing its consumers with an accessible, transparent, fair and efficient complaints/appeals management process.

The Complaints and Appeals Policy and Procedure applies to all consumers and stakeholders and relates to all aspects of academic and Non-academic, service delivery including the delivery of VET Student Loans. (e.g. student recruitment/enrolment, delivery of training and assessment, fees and refunds, privacy, advertising and marketing practices).

Allegations involving the conduct of staff, trainers and assessors, students or where applicable any third party providing services on the RTOs behalf are managed responded to using this policy and procedure. The *'Consumer Protection Policy and Procedure'* and the *'Continuous Improvement Policy and Procedure'* provide additional information to support the complaint and appeals management system.

2. Abbreviations / Definitions

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| Appeal | A formal application to have an academic/ Non-academic decision or finding reviewed. |
| Appellant | The person who is asking to have an academic/non-academic decision or finding reviewed. |
| ASQA | Australian Skills Quality Authority. |
| Complaint | A grievance that requires a formal resolution process. |
| Complainant | The person or organisation who has raised the complaint. |
| RTO | Registered Training Organisation |
| Ombudsmen | External resolution body in relation to VET Student Loans within the ACT. |

3. Policy

BSI Learning understands that from time to time consumers may wish to make a formal complaint about an aspect of service delivery or may choose to appeal an assessment decision or process that they feel is unfair. BSI Learning welcomes such feedback as it provides valuable information that can be used to meet the needs of its consumers and improve the delivery of its service. The principles of the organisations complaints and appeals process are as follows;

- The Complaints and Appeals policy and procedure is free and publicly available to all consumers/stakeholders.
- Information on how to make a complaint/ appeal is available in the '*Complaints Policy and Procedure*', '*Consumer Protection Policy and Procedure*', student handbook and on the organisations website.
- So that consumers are aware of their rights and options for making a complaint or providing feedback about NSW Smart and Skilled subsidised training a link to the Smart and Skilled website and details of the 1300 number are printed on all public information, application forms and student induction material. Students who avail themselves of the VET Student Loan can also refer to the [VET Student Loan Manual for Students](#).
- Complaints and appeals are investigated and resolved as quickly as possible. Where practicable complaints are resolved at the time that they are raised.
- All complaints and appeals are acknowledged in writing and finalised after a comprehensive investigation has occurred.
- BSI Learning aims to form a response to the complainant/appellant within 10 days of the complaint/appeal being received.
- Where the organisation considers more than 60 calendar days are required to process and finalise the complaint/appeal they will inform the complainant/appellant in writing as to why this is required and will provide the complainant/appellant regular progress updates on the progress of this matter.
- Procedural fairness and the principles of natural justice are adopted at each stage of the complaint/appeal process.
- The decision maker is always independent of the decision being reviewed.
- Confidentiality of information is maintained at all stages of the complaint / appeal process.
- Where complaints and appeals are unable to be resolved internally the complainant may request a review by an appropriate independent party with expert knowledge. In Relation To VET Student Loans this will be the Ombudsman appointed by the government.
- To mitigate the likelihood of a similar complaint/appeal reoccurring opportunities for improvement identified through the complaints and appeals process are actioned through the organisations continuous improvement process.
- BSI Learning securely maintains records of all complaints and appeals and their outcomes for a period of 30 years.

4. Procedure

The following procedure outlines the framework and process of and has been summarised in **Diagram 1** – Complaints and Appeals Procedure.

4.1 Lodging a complaint or appeal

Consumers can lodge their complaint/appeal by completing the Complaints form, writing an email or a letter outlining the type and the cause of their grievance to;

Consumer Protection

mailto: consumerprotection@bsilearning.com.au

T: 1300 137 504

To ensure all complaints academic or non-academic are dealt with fairly and efficiently, students or their guardians are asked to lodge a complaint or appeal within 28 days of the subject of the complaint taking place.

4.2 Acknowledgement of Complaint/ Appeal

Within 48 hours of receiving the complaint/appeal the Consumer Protection Officer will acknowledge in writing that they have received the complaint/appeal and will outline the next steps in the resolution process.

4.3 Investigation/Moderation

A comprehensive and objective investigation that respects the rights and privacy of all involved, subsequently occurs. The principles of procedural fairness and natural justice are adopted at each stage of the complaint process.

In the case of an appeal, the student's complaint is reviewed by a suitably qualified independent panel a requirement for written notice of the decision on appeal to be given to the appellant, with the notice to include:

- The reasons for the decision
- Advice about how to have the decision reviewed
- Provision enabling each party to this stage of the procedure to be accompanied or assisted by another person, at that party's cost [VSL Rules s 88(3)].4.4

Continuous Improvement

Where an investigation or moderation activity identifies opportunities for improvement these are actioned through the organisations continuous improvement process. See Continuous Improvement Policy and Procedure for more information.

4.5 Outcome Notification

To ensure a fair and objective process the decision maker is always independent of the decision being reviewed.

In the case of an academic complaint appellants will, following the moderation activity have their result reviewed. If the moderation activity concurs with the initial assessment decision

the student will be offered a reassessment opportunity however if the moderation activity disagrees with the initial outcome the student's assessment result will be changed.

The complainant/appellant is notified in writing of the outcome of their complaint (outcome notification) within 10 days from the date the complaint was initially received.

Where the organisation considers more than 60 calendar days are required to process and finalise the complaint/appeal they will inform the complainant/appellant in writing as to why this is required and will provide the complainant/appellant regular progress updates on the progress of this matters.

4.6 Independent Review

If the complainant/appellant is dissatisfied with the outcome of their complaint/appeal they can ask for their case to be reviewed by an independent party. This review will occur within 14 working days of the date of outcome notification. In these instances, BSI Learning will organise for an independent party to review the complaint and where required mediate resolution. There will be no additional cost to the complainant for the review of the complaint/appeal by an independent party.

If after the independent review the complainant/appellant is still dissatisfied with the outcome of their complaint/appeal they can complain to the Australian Skills Quality Authority. Further information can be found on asqa.gov.au.

In the case of a VET student Loan student, they can also seek a review from the independent ombudsman. Information can be found here <http://www.ombudsman.gov.au/about/vet-student-loans-ombudsman>

If the cause of the complaint is around the collection, use, disclosure or storage of personal information the consumer can complain to the Office of the Australian Information Commissioner. Further information can be found on www.oaic.gov.au.

4.7 Documentation and Record Keeping

All complaints and appeals (informal and formal) are recorded in BSI Learning Complaints and Appeals Register. The register and all other associated documentation is securely stored (electronically) for a period of 30 years.

4.8 Monitoring

The Continuous Improvement Committee monitors the complaints and appeals process to ensure that required timeframes are met, opportunities for improvement are actioned and the process is fair, transparent and conducted in a way that protects the rights of its consumers.

The Chief Executive Officer is made aware of all complaints and appeals and the outcomes of those complaints/appeals.

5. References.

- Australian Skills Quality Authority (2015) "*User's Guide Standards for Registered Training Organisations (RTOs) 2015*".

6. Related Policies and Procedures.

- 6.1 BSI Student Selection and Enrolment Policy and Procedure BSIL Complaints & Appeals Policy and Procedure
- 6.2 BSIL Privacy Policy and Procedures
- 6.3 VSL Statement of VET Tuition Assurance
- 6.4 VSL Tuition Assurance Procedures
- 6.5 VSL Student Entry Procedure
- 6.6 VSL Student Review and Re-Crediting Procedures
- 6.7 VSL VET Fee Payment Policy
- 6.8 VSL Tuition Fee Refund Policy

Diagram 1: Complaints and Appeals Procedure

