

PROCEDURE: S2.7-P2.2

COMPLAINTS AND APPEALS

1.0 INTRODUCTION

1.1 Related Policy

Complaints and Appeals

1.2 Purpose

This procedure outlines the processes by which AIM ensures it manages student /client complaints and appeals in a fair, efficient and effective manner.

1.3 Scope

This procedure applies to all AIM staff involved in the provision of AIM services and products. It also applies to all prospective AIM students, and all current AIM students enrolled in courses and other stakeholders who may interact with AIM in conducting its business.

1.4 Scope Exceptions

None.

2.0 RESPONSIBILITIES

1. The Executive Director AIM is responsible for ensuring that AIM:
 - a. meets the Standards for Registered Training Organisations (RTOs) 2015 (Standards for RTOs) and its obligation to support and inform students which includes managing any complaints or appeals arising from AIM services or products. (Standards for RTOs 2015, Clauses 1,7, 5.4, 6.1-6.6)
 - b. complies with all relevant Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations including (but not limited to) Privacy, Consumer Affairs and Fair Trading and the VET Student Loan Act 2016 and VET Student Loan Rules 2016.
2. The Head of Academic Delivery VET is responsible for ensuring management of complaints and appeals in a fair, appropriate and timely manner.
3. All AIM academic and administrative staff are responsible for implementing the procedure.
4. All AIM staff are responsible for the resolution of Informal Complaints.

3.0 PROCEDURE

3.1 Managing Complaints

3.1.1 Informal Notification

1. All Academic and non-academic staff are to make every effort to resolve a student or customer issue directly and in a professional and timely manner.
2. If this issue is not within the AIM staff member's jurisdiction, the staff member should refer it to the most relevant person, ensuring the Complainant is aware of this.
2. If the matter is able to be resolved through open dialogue and the Complainant is satisfied that the proposed steps will rectify the issue, then the proposed steps should be taken as soon as possible.
3. Where the matter cannot be resolved at this stage, then it should be escalated, and the Complainant encouraged to put their issue in writing.

3.1.2 Formal Notification

1. The Complainant puts their issue in writing to studentsupport@aim.com.au .
2. On receipt of the complaint, the Head of Academic Delivery VET will commence the resolution process by seeking an immediate response from the appropriate manager or staff member and advise all staff involved that all information must be handled sensitively and treated in confidence.
3. The relevant staff member will acknowledge receipt of the Complaint within two (2) business days and commence an investigation into the matter.
4. The staff member will identify, as a result of the investigation, the expected outcome of the complaint and a recommended course of action that specifically addresses the complaint within twenty-one (21) working days of receipt of the complaint. Where appropriate AIM will keep the Complainant informed of progress of the complaint resolution.
5. Where a complaint is made about or involves allegations about another person, AIM is obliged to inform this person about this complaint or allegation and provide them with the opportunity to respond and present information in response to the issues raised. This may be achieved through direct meetings or meeting via an electronic means. AIM must maintain a detailed record of these meetings in the form of a record of conversation.
6. All persons involved in a dispute or complaint should be reminded to treat each other with respect and conduct themselves in a professional and courteous manner.
7. If the Complainant is satisfied with the proposed outcome, appropriate steps need to be taken to implement that outcome. Depending on the type of action to be taken, the outcome will be completed within five (5) working days of the resolution being determined or as agreed to between both parties.
8. The relevant staff member will write a statement documenting the outcome of the complaint including the details of the reasons for the outcome which once approved by

the relevant manager or Executive Director AIM will be provided to the Complainant and kept on record for a minimum of five (5) years for continuous improvement processes.

3.1.3 Managing Complaint Appeals

1. If the Complainant is dissatisfied with the proposed outcome, they have the right, in the first instance, to appeal the original decision. This appeal should contain further supporting information or outline information not previously considered in the initial complaint. The appeal should be emailed to studentsupport@aim.com.au and be clearly indicated as an appeal.
2. Complainants seeking to lodge an appeal must do within thirty (30) calendar days of receiving their written outcome from AIM.
3. The Head of Academic Delivery VET will review the evidence, assess the appeal and provide the outcome of the reviewed decision. This will be completed within fourteen (14) working days of the appeal being received and the response will be emailed to the student.

3.1.4 External Dispute Resolution

1. If the matter remains unresolved after being addressed by both the appropriate Manager, the Complainant may request that the matter be dealt with through an external dispute resolution process. This stage of the process will be dealt with in a reasonable period of time depending on all parties, normally twenty-one business days (21). The cost of an external review is normally determined by the external/ third party.
2. The Executive Director AIM will provide the Complainant with information about the referral of the matter to an external agency for resolution.
3. Upon resolution, appropriate steps need to be taken to implement the decided and agreed outcome. Depending on the type of action to be taken, the outcome will be completed within five (5) working days of the resolution being determined or as agreed to between both parties.
4. A written statement documenting the outcome of the complaint, including the details of the reasons for the outcome will be provided to the Complainant and kept on record for continuous improvement. Documented records are maintained for a minimum period of five (5) years.
5. Students who have used the VSL program may also apply externally to the VET Student Loans Ombudsman at www.vet.ombudsman.gov.au. Students with a complaint or enquiry about any service to do with Smart and Skilled can email enquiries@smartandskilled.nsw.gov.au or telephone 1300 772 104.

3.2 Managing Assessment Appeals

Section 3.2 is not applicable to students enrolled in short courses that have no assessments or assessment outcomes leading to the issuance of a AQF Certificate or transcript.

3.2.1 Initial Assessment appeal

1. If a student, enrolled in a VET course, has been granted several opportunities to resubmit an assessment and disagrees with the assessment outcome, the Assessor should review the student's situation to confirm that:
 - a. the student has been assessed as Not Yet Competent in an assessment against specific competency standards, and
 - b. the student feels they have sufficient grounds and evidence entitling them to be assessed as competent or granted RPL (if applicable).
2. If the student has a case for appeal, the Assessor should advise the student to commence the Assessment Appeals process by submitting the request to the Head of Academic Delivery VET via email at studentsupport@aim.com.au.
3. The Assessor should also advise the student that Assessment Appeals must be made within ten (10) business days of the date of the final assessment judgement. (Each assessment outcome will have a date on which the assessment judgement was made, and this will be used as the one from which the official appeal time is calculated.)
4. The Head of Academic Delivery VET will ensure that the relevant assessment is submitted for review of the assessment judgement, and that:
 - a. care is taken to ensure that this review is undertaken by a different Assessor to the original assessor;
 - b. the review is completed in the absence of the student; and
 - c. the second Assessor is not to sight the original marking notations or marking sheet used by the first Assessor.
5. On completion of the review, the Assessor will submit the outcome to the Head of Academic Delivery VET who will retrieve the first marking sheet and undertake a comparison of the outcomes.
6. The Head of Academic Delivery VET will:
 - a. compile a brief written report, addressed to the student, which will identify any changes made as a result of the re-mark.
 - b. discuss this report with the student, including the reasons for the finding.
 - c. follow-up to ensure that the student is satisfied with the outcome of the Assessment Appeal. If the student is not satisfied, the Head of Academic Delivery VET will provide information on the Internal Case Review option.

3.2.3 Internal Case Review

1. If the student is dissatisfied with the outcome of the Assessment Appeal or the way in which it was conducted, the student has twenty (20) business days from the date on the written notification to lodge an Internal Appeal to have the case reviewed. They can do this via the studentsupport@aim.com.au
2. AIM is unlikely to consider an Assessment Appeal which is lodged after the expiry of the twenty (20) working days of the Assessment Appeals period.

3. The student's files will be updated to record the outcome and any subsequent actions.
4. A copy of all related documentation, including a statement of findings demonstrating the reasons behind the decisions made at each stage of the appeal(s), will be retained on the student's file and provided to the student.
5. If the student remains dissatisfied with the outcome of the Internal Case Review, they can be advised to lodge a Formal Complaint.

4.0 DEFINITIONS

- **Assessment Appeal** is a request by a learner enrolled in a nationally accredited VET qualification for reconsideration of an unfavourable assessment outcome. An appeal must be made in writing and specify the particulars of the decision or finding in dispute.
- **Complaint** - Is an expression of dissatisfaction made in relation to AIM's Services or products where a response or resolution is explicitly or implicitly expected or legally required.
- **Complainant** is a student or third party who has submitted a formal complaint using the Complaint Form after exhausting the informal complaint process
- **Complaint Appeal** refers to when a Complainant is unsatisfied with the resolution of the complaint and makes a request to have the decision reviewed by lodging a Complaint Appeal in writing to AIM.
- **Complaints Register** is the register of all formal complaints and appeals.
- **Formal Complaint** is a complaint that is recorded in the Complaint and Appeals form
- **Independent review** is when a Complainant has exhausted the internal complaint process and is not satisfied with the outcome of the complaint appeal. In this case, the Complainant may apply for an external review (by an independent third party) to resolve the dispute.
- **Informal Complaint** is an informal discussion between a Complainant and AIM staff.
- **Re-assessment** refers to the opportunity provided to candidates for a second assessment attempt after a 'Not Yet Competent' result was received from the first assessment attempt or where the student has failed to submit an assessment task within the specified time-frames.

5.0 REFERENCES AND ASSOCIATED INFORMATION

- Assessment Policy and Procedure
- Complaints and Appeals Procedure
- [Student Feedback Form](#)
- [Standards for Registered Training Organisations \(RTOs\) 2015](#)
- Training Product Lifecycle Policy and Procedure
- Transition and Teach Out Policy and Procedure and Templates
- [VET Student Loans Act 2016](#)

- [VET Student Loans Rules 2016](#)
- Withdrawal, Deferral, Extension, Transfer and Refund Policy and Procedure

6.0 POLICY OWNERSHIP

Policy Owner	Executive Director AIM
Status	Reviewed on July 2022
Approval Authority	Chief Executive Officer
Date of Approval	13 September 2022
Effective Date	26 September 2022
Implementation Owner	Executive Director AIM
Maintenance Owner	VET Compliance and Operations Manager
Review Due	11 August 2025
Content Enquiries	Head of Academic Delivery VET sandy.jagdev@aim.com.au

7.0 AMENDMENTS

Version	Amendment Approval (Date)	Amendment Made By (Position)	Amendment Details
S2.5 - P2.0	13 September 2022	VET Compliance and Operations Manager	Update of policy as per Scentia governance review and templates; change of policy/procedure name to Complaints and Appeals and includes assessment appeals.
S2.6 - P2.1	23 March 2023	VET Compliance and Operations Manager	Updated to include students enrolled in short courses. See also update to clause 3.2
S2.7 - P2.2	4 October 2023	VET Compliance and Operations Manager	Addition of information related to VET student loans (VSL) and government funds for approved courses.