

COMPLAINTS AND APPEALS REQUEST FORM			
Complaints no		Appeals no	
Section 1 – Personal details			
Name		Title	<input type="checkbox"/> Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Ms <input type="checkbox"/> Miss
Address		Post Code	
Email		Tel/ Mobile	
Section 2 – Course / Unit/ Module details			
Code/Title		Date	/ /
Assessor		Task	
Section 3 – Complainants Declaration			
<p>I have read and understood the RTO Complaints and Appeals Policy. I declare the other party to the complaint is contacted in an attempt to resolve the issue. I agree that Woodstock International College may conduct independent evaluation checks.</p> <p>I understand I may be requested to submit further information upon request or attend a meeting to discuss this matter further. I acknowledge that Woodstock International College will use an independent assessor to resolve this appeal and be allowed to present my case formally at an interview. Should the appeal progress to an external arbitrator, I agree to pay the arbitrator fee for this appeal; however, should my request be successful, I will receive a full refund of this fee.</p>			
Signature		Date	

Section 4 – Complaint details					
Please tick the area relating to your grounds for complaint:					
<input type="checkbox"/>	Training Materials	<input type="checkbox"/>	Assessment Materials	<input type="checkbox"/>	Services provided
<input type="checkbox"/>	Training Facilities	<input type="checkbox"/>	Assessment Facilities	<input type="checkbox"/>	Personal conflict/Behaviour
<input type="checkbox"/>	Training Content, information	<input type="checkbox"/>	Assessment Environment	<input type="checkbox"/>	Discrimination/ Victimisation
<input type="checkbox"/>	Training Environment	<input type="checkbox"/>	Assessment Location	<input type="checkbox"/>	Privacy Breach
<input type="checkbox"/>	General operations	<input type="checkbox"/>	Assessment outcome	<input type="checkbox"/>	Any outcome of any application for request
<input type="checkbox"/>	ESOS related complaint	<input type="checkbox"/>	Disciplinary action was taken against you.	<input type="checkbox"/>	Other (Please specify below)
Does your complaint involve another person (e.g. Trainer/Assessor/another student)?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
If yes, please provide their name:					
Have you complained about the issue before?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
If yes, please give the date, complaints lodged:					
Does your complaint involve witnesses?			<input type="checkbox"/> YES <input type="checkbox"/> NO		
If yes, please provide the name/s and contact details of witnesses who are willing to support your claim below:					
Name		Address		Tel/Mobile	
Name		Address		Tel/Mobile	
Name		Address		Tel/Mobile	

Complaint Lodgement form

Please outline the nature/circumstances of your complaint/appeal and attach any supporting evidence

--

What actions have you taken in an attempt to resolve this matter

--

What action/resolution would you like to see implemented

--

SECTION 5. APPEALS DETAILS					
Please tick the area relating to your grounds for appeal:					
<input type="checkbox"/> Incorrect assessment decision <input type="checkbox"/> The bias of the assessor <input type="checkbox"/> Lack of competence of the assessor <input type="checkbox"/> Incorrect information provided regarding assessment	<input type="checkbox"/> Inappropriate assessment task/process <input type="checkbox"/> Faulty, inappropriate or lack of equipment <input type="checkbox"/> Inappropriate assessment conditions				
Please outline the situation for your appeal:					
Appeal discussed with the assessor	<input type="checkbox"/> YES	<input type="checkbox"/> NO			
An appeal successfully resolved	<input type="checkbox"/> YES	<input type="checkbox"/> NO			
Complaints ADMIN Use only					
<input type="checkbox"/>	Complaint Form Received (Admin)	Initial		Date:	
<input type="checkbox"/>	Complaint Lodgement recorded (Register)	Initial		Date:	
<input type="checkbox"/>	Letter of Acknowledgement sent	Initial		Date:	
<input type="checkbox"/>	Complaint Forwarded to CEO	Initial		Date:	
Appeals ADMIN Use only					
<input type="checkbox"/>	Appeal Form Received (Admin)	Initial		Date:	
<input type="checkbox"/>	Appeal Lodgement recorded (Register)	Initial		Date:	
<input type="checkbox"/>	Appeal Forwarded to CEO	Initial		Date:	
<input type="checkbox"/>	Acknowledgement letter sent	Initial		Date:	
<i>Note: Use the "Complaints and Appeals Progress Form" to record further actions regarding this complaint.</i>					

Complaints and Appeals

Purpose:

We have an internal complaint handling and appeals process in place.

We acknowledge professional, timely, inexpensive and documented complaints handling and appeals processes to ensure that grievances between overseas students and our RTO representatives provide grievances are heard and addressed. We will:

- have and implement a documented internal complaint handling and appeals policy and process
- advise an overseas student within ten working days of their right to access an external appeals process and provide contact details, if the overseas student is not satisfied with the outcome of the internal complaints and appeals process and
- immediately implement any decision or recommendation in favour of the overseas student through the internal or external appeals process

Standard reference:

Standard 10: Complaints and appeals National Code of Practice for Providers of Education and Training to Overseas Students 2018

Who is responsible:

Appeals

The CEO is the Appeals Resolution Officer. The CEO may delegate responsibility for the resolution of the request if necessary.

Details concerning the scope of the Appeals Policy are to be displayed throughout the organisation and contained within the Staff Induction Process, Student Handbook and website.

Complaints

The CEO is the Complaints Resolution Officer. The CEO may delegate responsibility for the resolution of the complaint if necessary.

Details concerning the scope of the Complaints Policy are to be displayed throughout the organisation and contained within the Staff Induction Process, Client Handbook and website

The CEO is responsible for ensuring this policy and procedure is implemented and executed accurately and effectively.

The Management Team handles all complaints and appeals relevant to their area of responsibility.

Trainers and Assessors Operate per our Complaints and Appeals policy. They must refer to any formal complaints to the relevant management member

Administration Staff Maintain the complaints and appeals register, in conjunction with the management team

Review date:

Every 12 months

Definitions:

The following words and expressions have the following specific meaning: the Standards for Registered Training Organisations (RTOs) 2015 and the National code 2018.

Complaint – a statement that something is unsatisfactory or unacceptable, which requires a systematic or formal resolution

Complaints can include but not limited to the following;

- Enrolment process
- Processes
- The quality of the training delivery
- Assessment outcomes/including recognition of prior learning
- Issuing of results, certificates and statements of attainment

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- Any other activities associated with the delivery of training and assessment services
- Conduct of the RTO in regards to its recipients
- Conduct of other students
- Other issues such as discrimination, sexual harassment, victimisation, disability discrimination and bullying

Appeal – to apply to a higher authority or external body to review how a complaint process was handled or with an unfavourable decision made against them.

External Appeal

- A request for an independent, external review of a decision and handling of a particular scenario

Australian Skills Quality Authority (ASQA). Is the national regulator for Australia's vocational education and training sector? ASQA regulates courses and training providers to ensure nationally approved quality standards met.

ASQA can investigate complaints about:

- the quality of the training that you receive
- registered training organisations that you believe have breached the required standards
- training providers delivering English Language Intensive Courses for Overseas Students (ELICOS) that you believe have breached the required standards
- the marketing/advertising practices of organisations claiming to be registered training organisations or to offer nationally recognised training.
- Overseas Student Ombudsman (OSO)

The Overseas Students Ombudsman investigates complaints about overseas students' problems. Intending overseas students may have private education and training in Australia. The legal basis for the Ombudsman role is the Education Services for Overseas Students (ESOS) Legislation Amendment Act 2011, passed by the Australian Parliament on 21 March 2011.

The Ombudsman:

- provides a free service
- is independent and impartial and does not represent either overseas students or private education providers
- can make recommendations arising out of investigations
- is a function of the Commonwealth Ombudsman

The Ombudsman can only investigate a complaint if:

- it relates to a private education provider registered with the Australian Government on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS)
- The problem is an overseas student studying in Australia on a student visa or intends to come to Australia soon.

The Ombudsman cannot investigate a complaint if:

- It relates to a public or government education provider—these complaints directed to the Ombudsman for your state or territory.

The Ombudsman may also decide not to investigate complaints if:

- the objections not raised with the education provider (our RTO)
- another organisation is better able to help.

Assessment means the process of collecting evidence and making judgements relating to competency achieved to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET accredited course.

Third-party means any party that provides services on behalf of Woodstock International College but does not include a contract of employment between Woodstock International College and its employee.

Policy:

Internal complaints and appeals process

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We give overseas students information about our policy and process for the internal complaints handling and appeals process that is comprehensive, free, and easily accessible.

Our internal complaints and appeals policy and procedure outlines:

- a process for overseas students to lodge a formal complaint or appeal if matters not resolved informally
- how to respond to any complaint or appeal an overseas student makes about the registered provider or any agent or related party the registered provider engages
- where to begin assessing a complaint or appeal within ten working days of the overseas student lodging it, and finalise the outcome as soon as practicable
- how to conduct the assessment of the complaint or appeal in a professional, fair and transparent manner;
- how we ensure the overseas student has an opportunity to present their case at minimal or no cost, and accompanied and assisted by a support person if necessary; and
- When giving the overseas student a written statement of the appeal's outcome, including the reasons for the outcome, and keeping a written record of complaints or appeals on the overseas student's file.

Suppose the overseas student's appeal relates to a decision to cancel the student's enrolment. In that case, Woodstock International College will wait for the internal complaints process completed before we will proceed. However, we will not report the overseas student through the Registration and International Student Management System (PRISMS) for unsatisfactory course progress or attendance until the overseas student has accessed the internal and external complaints handling and appeals process. The decision or recommendation must support our claim (see Standard 8).

Suppose the overseas student is not successful in the internal complaints handling and appeals process. We will advise the overseas student of their right to access an external complaint handling and appeals process at minimal or no cost. This advice given to the overseas student will be within ten working days of completing the internal complaints handling and appeals process.

External complaints and appeals process

We give overseas students the contact details of the appropriate external complaints handling and appeals body. The most appropriate external complaints body will be the Overseas Student Ombudsman (OSO) for private providers (except for broader educational quality). We will make specific arrangements for an independent review of complaints about issues not covered by the Australian Competition and Consumer Commission (ACCC) or the OSO.

It is made clear to overseas students that in most cases, the purpose of the external appeals process is to consider whether we have followed its policies and procedures rather than make a decision in place of the institution. For example, if an overseas student appeals against his or her subject results and goes through our internal appeals process, the external appeals process would look at how the internal appeal conducted; it would not determine what the subject result should be.

We will only report an overseas student for unsatisfactory course progress or attendance in PRISMS after:

- the internal and external complaints processes completed and the breach upheld;
- the overseas student has chosen not to access the internal complaints and appeals process within the 20-working day period;
- the overseas student has chosen not to access the external complaints and appeals process; or
- the overseas student withdraws from the internal or external appeals process by notifying the registered provider in writing.

When an external appeals process completed, we will immediately implement the decision or recommendations and take the preventative or corrective action required by the outcomes of the external complaints handling or appeals process, and notify the overseas student of the outcome overseas.students@ombudsman.gov.au.

Further complaints and appeals

Suppose an overseas student is not satisfied with the outcome of either the registered provider's internal appeals process or the following external appeals process. In that case, they can access multiple external appeals. However, the registered provider does not have to assist the overseas student in finding appropriate appeals processes.

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Appeals

- We acknowledge that overseas students have the right to appeal an assessment decision based on valid grounds for appeal.
- We make provision for overseas students to appeal against assessment decisions, including those made by a third-party partner.
- We ensure that overseas students have access to a fair and equitable process for appealing against an assessment decision.

In doing so,

- We have written processes in place for collecting and dealing with appeals in a constructive and timely manner;
- We ensure that these procedures communicated to all staff, third party partners and overseas students;
- We ensure that each appeal and its outcome recorded in writing;
- We ensure that an independent person or panel hears each appeal;
- We ensure that each appellant has the opportunity to present his or her case formally;
- We ensure that each appellant gives a written statement of the appeal outcomes, including reasons for the decision;
- We take appropriate action upon the subject of any appeal found to be substantiated; and
- We utilise outcomes of appeals to review current practices, which may potentially lead to continuous improvement.

Complaints

We acknowledge the overseas students' right to complain when they are dissatisfied with the training and assessment services and experiences they have provided.

We will ensure that overseas students have access to a fair and equitable process for expressing complaints. That will manage the complaint with fairness and equity.

In doing so, we:

- have written procedures in place for collecting and managing complaints in a constructive and timely manner;
- ensure that these procedures communicated to all staff, third party partners and overseas students;
- ensure that all necessary documentation and resources are in place to enable clients to submit a complaint;
- ensure that each complaint and its outcome recorded in writing; and
- ensure that customer complaint and their products fed into continuous improvement initiatives.

Procedure:

The handling of a complaint or appeal is to commence within ten (10) working days of complaint or appeal lodgement.

- Complaints or appeals, where possible, are to be resolved within ten working days of the initial application and no later than 28 days of the written application
- Length of time may vary depending on the complexity of the case
- A copy of all outcomes and correspondence raised during the process forwarded to your Parent or Legal Guardian

Where we consider more than twenty-eight (28) calendar days are required to process and finalise the complaint or appeal, we will inform the complainant or person lodging a request in writing, including reasons why more than 28 calendar days are required; and regularly updates the complainant or person appealing the progress of the matter

Appeals Underpinning Principles

- Maintain written records of all complaints and appeals inclusive of all details, lodgement, response/s and resolution.
- Not charge for a formal complaint or appeal, so there will be zero cost to the complainant/appellant
- Advise the complainant/appellant they may be accompanied by a support person at any relevant meeting.
- Provide appropriate access to the complainant/appellant to access his/her records per our

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Records Management Policy.

- Ensure the complainant/appellant receives a written statement of the decision made, including details of the reasons behind the decision.
- Provide the complainant/appellant with the opportunity to access an independent body to review his/her complaint or appeal following our internal process been exhausted.
- Maintain the enrolment of the complainant/appellant during the Complaints and Appeals process.
- Ensure all decisions or outcomes in the favours of the complainant/appellant be implemented immediately.
- Handle or complaints and appeals in the strictest of confidence.
- Ensure complaints and appeals are considered based on procedural fairness and lead to improvement as a Continuous Improvement Report.

Informal Complaint Procedure

- The initial stage of any complaint or feedback will be when the client directly communicates with the relevant staff member and raises the issue/s at hand.
- Our staff member will attempt to provide a solution to the issue presented.
- If the overseas student is dissatisfied with the solution presented, they may initiate the formal complaint process.

Formal Complaint or Appeal Procedure

- Firstly explore the informal complaint/appeal procedure.
- When a formal Complaint or Appeal process initiated, get the student to complete a complaints and appeals form.

The form is made publicly available and can be found on our website or at reception.

Lodge the complaints or appeals form using any one of the following methods

- In-person to head office, to Reception or the relevant Management Member
- By email, as noted in the student handbook
- By Mail to head office campus, recommended by registered post

Note: Once the complaint or appeal is received, the CEO will convene an independent panel to hear the complaint (complaint and appeals committee).

The independent panel shall not have had any previous involvement with the complaint or appeal. This panel will include representatives of

- The CEO
- A member of the teaching staff
- A member of the administration team
- The overseas student contacted within Ten (10) working days of the complaint received and a time organised to attend a meeting with the complaint committee.
- The CEO will seek approval from the complainant/appellant and staff members to have both parties present at this meeting.
- If either party objects, both parties will be heard on the same day at different times to ensure the respect and comfort of all parties involved.
- Allow the overseas student to present their case to the committee and is welcome to bring a support person to this meeting.
- The relevant staff member shall be allowed to present their case to the committee and is welcome to bring a support person to this meeting.
- The complaints and appeals committee will review all evidence presented at the meeting and decide regarding the complaint or appeal.
- Communicate the decision to all parties involved within five (5) working days of deciding on the form of a letter.
- Should the complainant or appellant be dissatisfied with this process's outcome, external mediation and resolution are available—a request for an external mediation or dispute resolution process made in writing.

The following external people/organisations that are available to students include but are not limited to:

- Overseas Student Ombudsman

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- Online: A student can make a complaint online by visiting the Ombudsman’s website and completing the online complaint form at <http://www.oso.gov.au>.
- Telephone: Students can contact OSO by telephone, 9 am to 5 pm Monday to Friday, Australian Eastern Standard Time (AEST). In Australia, call 1300 362 072 (calls from mobile phones at mobile phone rates). Outside Australia, call +61 2 6276 0111
- Using an interpreter: If a student wants to make a complaint in his/her language, they can call the Translating and Interpreting Service (TIS) in Australia on 131 450, outside Australia call +61 3 9203 4027. OSO will pay for the interpreter.
- If you are deaf, hearing or sight impaired: Students can contact OSO via the National Relay Service. Teletypewriter (TTY) users phone 133 677 and then ask for 1300 362 072. Speak and Listen to users phone 1300 555 727 and then ask for 1300 362 072. Internet Relay users connect to the National Relay Service www.iprelay.com.au and then ask for 1300 362 072
- Fax: Students can send a fax to OSO (Within Australia: 02 6276 0123. Outside Australia: +61 2 6276 0123)
- Mail: Students can write a letter and post it to Overseas Students Ombudsman GPO Box 442 Canberra ACT 2601 AUSTRALIA
- Contact a solicitor Insert. <http://www.asqa.gov.au/complaints/make-a-complaint---overseas-students/make-a-complaint---overseas-students-1.html>

NOTE: Before submitting a complaint to the Australian Skills Authority (ASQA), the complainant needs to exhaust the complaint, Appeals Policy, and procedure. Confirm that ASQA can consider the complaint – That is, the complaint relates to Woodstock International College is in breach of the Standards for Registered Training Organisations 2015. In exceptional circumstances, ASQA may be able to consider a student complaint without this evidence. For more information, you can contact ASQA on 1300 701 801 for more information

Which complaints can ASQA address?

If you are an overseas student studying in Australia on an overseas student visa, ASQA can investigate complaints about:

- the quality of the training that you receive
- registered training organisations that you believe have breached the required standards
- training providers delivering English Language Intensive Courses for Overseas Students (ELICOS) that you believe have breached the required standards
- the marketing/advertising practices of organisations claiming to be registered training organisations or to offer nationally recognised training.

Which complaints can ASQA not address?

- ASQA’s legislation allows investigation for certain types of complaints about registered training organisations and providers offering ELICOS where those providers breach the required standards.
- However, you may have a severe or valid complaint about a training provider which does not involve the provider breaching the relevant standards. In this case, ASQA may consider the information you have reported and refer all or part of your complaint to another agency. ASQA may also recommend that you directly contact another agency or seek legal advice.
- If your complaint does not fall within ASQA’s jurisdiction, it resolved more quickly if you directly contact the relevant agency from the list below.

Examples of complaints that other agencies may address include the type of complaint – If you wish to report a problem with:

- Being refused admission to a course
- Fees and refunds
- The course of provider transfers
- Course progress or attendance
- Cancellation of enrolment
- Accommodation or work arranged by your provider
- An education agent gives incorrect advice

Relevant agency – Referral of complaints

Overseas students advised to contact the Overseas Students Ombudsman if the complaint is about us.

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To report fraud against the visa system concerning a student, refer the complaint to the Department of Home Affairs

If a student is seeking a refund, then the matters referred to the consumer protection agency in the appropriate state or territory. Find the consumer protection agency in your state or territory

You may also wish to find a legal representative to assist you with a consumer dispute.

ASQA cannot act on behalf of consumers to resolve disputes with providers over fees and refunds. If an overseas student has a contractual dispute and is seeking a refund, then they should be referred to the consumer protection agency in the state of training and assessment services

Suppose an overseas student is seeking a refund because of the quality of training and assessment. In that case, they should lodge this part of your complaint with ASQA.

If the overseas student is seeking to report criminal activity such as theft or assault, refer the complaint to the police in your state or territory

Suppose we stop providing services, or we do not start providing services. The complaint is referred to ASQA if the complaint relates to marketing and advertising that states or implies the organisation is an RTO or is offering nationally recognised training. Otherwise, ASQA has no jurisdiction concerning other organisations providing training.

If the overseas student complaint is about discrimination on sex, disability, race or age, then the complaint reported to the Australian Human Rights Commission.

If the overseas student complaint is about other discrimination, then the matters referred to a legal representative to assist with the dispute.

In summary complaints

- In all cases, the conclusions endorsed by the CEO
- The overseas student advised in writing of the outcome of their complaint/appeal.
- If the outcome is not to the satisfaction of the overseas student, he/she may seek an appointment with the CEO
- The CEO decision will be final. The client has the option to seek outside assistance to pursue the complaint, grievance, or appeal.
- All grievances, complaints and appeals handled as staff-In- Confidence
- All complaints/appeals discussed at Management Review meetings for continuous improvement of the processes.
- All complaints, grievance and appeals held on a file located in the administration
- Details concerning Complaints and Appeals Policy's scope are displayed throughout the organisation and within the Student Induction Process and Student Handbook.

Note: The root cause of any complaint or appeal included in our continuous improvement processes to ensure all quality processes are effective.

Appeals Underpinning Principles - In summary appeals

- Overseas students have the right to appeal against an assessment decision if they feel their unfairly treated during an assessment. They think the assessment decision is incorrect and have grounds for an appeal.
- The principles of natural justice and procedural fairness adopted at every stage of the appeal process.
- The appeals policy is publicly available via the website.
- The appellant can provide detail of their appeal either verbally and in writing.
- All appeals lodged within ten calendar days of the date of the assessment result notification to the client.
- If the appeals process fails to resolve the appeal or the appellant is not satisfied with the appeal's outcome, the matter will be referred to an independent third party for review at the appellant's request. All costs incurred for the third-party review advised to the appellant.
- Every appeal heard by a suitably qualified independent assessor or panel asked to make an independent assessment of the application.
- All appeals are acknowledged in writing and finalised as soon as practicable.
- We may charge a fee for the appeals process where an external assessor is engaged. Should this be the case, all costs incurred will be advised to the appellant.
- Suppose the appeal takes more than 28 calendar days to finalise. In that case, I will inform the appellant in writing, providing the reasons why more than 28 calendar days are required—the appellant offered regular updates on the appeal's progress.

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- We strive to deal with appeal issues as soon as they emerge, to avoid further disruption or the need for a formal complaint process.
- All appeals will be handled 'in confidence and will not affect or bias the progress of the participant in any current or future training

Grounds for Appeal

Valid grounds for an appeal against an assessment decision (where the client feels the assessment decision is incorrect) could include the following:

- The judgement is made incorrectly as to whether competency is achieved and demonstrated
- The judgement not made per the Assessment Plan;
- The alleged bias of the assessor;
- Alleged lack of competence of the assessor;
- Alleged wrong information from the assessor regarding the assessment process;
- The alleged inappropriate assessment process for the particular competency;
- Faulty or improper equipment; and
- Unacceptable conditions.

Appeals Process – refer to Annex A flow chart

All appeals shall follow the below process:

- Appeal to be made in writing within seven calendar days of notification of the assessment decision using the Appeals form.
- A submitted Appeals form will constitute a formal appeal from the appellant. Further detail may be provided by the appellant verbally.
- The CEO's informed of the receipt of any appeal.
- The CEO may delegate responsibility for the resolution of the appeal, as appropriate.
- Appeals processed per the Appeals flowchart – Appendix 1
- Appeals, where possible, are to be resolved within 28 days of the initial application.
- In all cases, the conclusion endorsed by the CEO.
- The appellant advised in writing the outcome of their appeal within seven (7) days of the resolution.
- If the outcome is not to the appellant's satisfaction, they may seek an appointment with the CEO.
- Suppose the appellant is not satisfied with the decision. In that case, they have the option to seek outside assistance to pursue the appeal.

Appeal Outcomes

- An investigation into an Appeal may result in one of the following outcomes:
- The appeal upheld; in this event, the following options will be available:
- The original assessment will be re-assessed, potentially by another assessor.
- Appropriate recognition granted.
- A new assessment conducted/arranged.

The appeal rejected/ not upheld; per assessment policy, the client required to:

- undertake further training or experience before further assessment; or
- re-submit other evidence; or
- submit/undertake a new evaluation.

Complaints Underpinning Principles

In managing, complaints will ensure that:

- The principles of natural justice and procedural fairness adopted at every stage of the complaint process.
- The complaints policy is publicly available.
- There is a procedure for making a complaint.
- Complaints are treated seriously and dealt with promptly, impartially, sensitively and confidentially.
- Complaints will be resolved on an individual case basis as they arise.
- All clients have the right to express a concern or problem and lodge a complaint if they are dissatisfied with the training and assessment services they have been provided (including through a third party) or another learner's behavioural conduct.
- All complaints are acknowledged in writing and finalised as soon as practicable.
- Base the complaint resolution procedure on the understanding that no actions taken without

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consulting the complainant and respondent, using a process of discussion, cooperation and conciliation.

- The complainant and respondent’s rights will be acknowledged and protected throughout the complaint resolution process, including the conduct of separate interviews initially.
- In the interest of confidentiality, the number of people involved in the resolution process will be kept minimal.
- The CEO or an independent party to the complaint makes the final decision.
- The complaint resolution procedure emphasises mediation and education while acknowledging that formal procedures and disciplinary action required in some instances.
- If the complaints process fails to resolve the complaint or the complainant is not satisfied with the complaint’s outcome, the matter referred to an independent third party for review at the complainant’s request. All costs incurred for the third-party review advised to the complainant.
- If the complaint takes more than 28 calendar days to finalise, will inform the complainant in writing, providing the reasons why more than 28 calendar days are required—the complainant offered regular updates on the progress of the complaint.
- Victimisation of complainants, respondents, or anyone else involved in the complaint resolution process will not be tolerated.
- All complaints will be handled as Staff-In-Confidence and will not affect or bias the client’s progress in any current or future training.

Types of Complaints

A complaint may include allegations involving the conduct of our RTO:

- its trainers, assessors, or other staff; or
- A third-party providing services on behalf of our RTO, its trainers, assessors, or other staff; or
- A learner of our RTO.

Process for complaints and appeals

Complaints

- If a client has a complaint, they are encouraged to speak immediately with the trainer/assessor to resolve the issue. If the complainant is not satisfied, the problems not fixed. A complaints form must be completed; lodge a formal complaint. We will then investigate the complaint and advise the complainant of the outcome.
- If the complainant is not satisfied with the outcome, they may write to the CEO, setting out the concern in detail. Details of the situation may lead to occasions where industry-training representatives invited to act as an objective party to negotiate a satisfactory resolution.

Complaints Process – Refer to Annex B flow chart

All complaints shall follow the below process:

- Make complaints in writing within ten calendar days of the incident using the Complaints Form.
- A submitted complaint form will constitute a formal complaint from the client. Further detail of the complaint can be provided by the client verbally.
- Inform the CEO of the receipt of all complaints immediately.
- The CEO may delegate responsibility for the resolution of the complaint.
- In the case of a complaint, the CEO will initiate a transparent, participative investigation to identify the issues.
- Complaints will be processed per the Complaints flowchart - Annex A.
- Where possible, complaints resolved within 10 (ten) calendar days of the initial application.
- In all cases, conclusions must be assessed by the CEO.
- The client advised in writing the outcome of their complaint within ten (10) days of resolution.
- If the outcome is not to the client’s satisfaction, they may seek an appointment with the CEO.
- If the client is not satisfied with the decision, they have the option to seek outside assistance to pursue the complaint.

Actioning the Outcomes

- Where the complaint or appeal upheld, We will implement the required corrective action within 28 days and advise the outcome student.

Further Actions

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- If the overseas student remains unhappy with the Internal and External outcome, they may refer the matter to the National Training Complaints Hotline on 13 38 73

Appeal procedure

Initial Review of Appeal

The Client

- If the client is unhappy with the assessment decision, they should first seek to discuss the decision and options with the assessor to determine and fully understand the reasons for the decision

The Assessor

- to resolve the matter, consult with the client: give specific feedback on their performance, identify areas of improvement, and provide options to the client such as further training and assessment.

The Assessor

- If the matter successfully gets resolved, complete the “Appeals Lodgement Form” and submit it to admin for processing.
- If the matter does not resolve, advise the client of their right to appeal the decision referring them to the Appeals Policy, and provide the client with access to the Appeals Lodgement Form.

The Administrator

- Enter details of Appeal into Student Management system (SMS)
- Enter details of Appeal into Appeals Register.
- Note actions on “Appeals Lodgement Form.”
- File “Appeals Lodgement Form” (if appeal resolved) onto Client file.

Lodgement of appeal:

The client

- Lodges an appeal in writing using the “Appeals Lodgement form.”
- Submits within ten (10) days of the date of assessment result notification
- The Appeals Lodgement form must clearly state the grounds for appeal and should include sufficient evidence to support the claim

The administrator

- Enter details of Appeal into Student Management system (SMS)
- Enter details of Appeal into Appeals Register.
- Note actions on “Appeals Lodgement Form.”
- Print and commence “Appeals Progress Form.”
- Provide all documentation to CEO for action

The CEO

- On receipt of the appeals application, acknowledges receipt of the claim, in writing, to the appellant within two working days; this may be via email, letter, or scan.
- Keep all documentation in the Appeals file, which will remain in place until the appeal resolves. After which time, all appeal documentation is placed on the Client file.

Processing the Appeal

The CEO

- Within five working days, Nominates an independent assessor or panel to review the appeal and decide.
- Advise the appellant in writing the name of the independent assessor or panel.

The CEO/Independent Assessor - Appeals claim reviewed and investigated, which includes:

- A review of the application form and supporting evidence
- A review of all assessment documentation and process
- An interview with the appellant to allow them the opportunity to state their claim formally.
- An interview with the assessor

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The CEO

- Determine the appeal outcome and explain to justify their decision.
- The independent assessor /panel will advise the CEO of the appeal's outcome, in writing, within five working days.
- Note actions on "Appeals Progress Form."
- If the outcome involves re-assessment, go to conduct re-assessments

Conduct re-assessments

The CEO must:

- Arrange for the appellant to be re-assessed and inform the appellant of the details regarding the re-assessment, in writing, per assessment processes.
- Place a copy of the re-assessment correspondence on the Client file.
- If the appellant is dissatisfied with the appeal process's result, the appellant may complain with External Arbitrator.
- If the appellant refuses to be re-assessed, the appeal's progress is sent to the External Arbitrator at the appellant's discretion.

The independent assessor must:

- Give the appellant has the option to nominate an independent observer to be present during the re-assessment.
- Conduct re-assessment.
- Determine the assessment outcome against the competencies.
- Complete all relevant assessment documentation (per the Assessment policy), notifying the appellant and the CEO of the outcome in writing

Finalising the appeal

The CEO must:

- Supply the appellant with the outcome of the appeal in writing within two working days
- If the appeal is upheld, and if we are satisfied with the outcome:
- Finalise the appeals documentation, place all documentation in the client's appeals file.
- Complete documentation for the issuance of a Statement of Attainment or qualifications (as appropriate)
- The appeals file is closed and provided to the admin.
- If the appeals upheld and if we are NOT satisfied with the outcome, progress with

Appeal with the External Arbitrator.

- Note actions on "Appeals Progress Form."
- If the appeals are rejected, notify the appellant in writing that the original decision/judgment is to stand.
- The client continues to progress through the usual assessment process.
- Note actions on "Appeals Progress Form."
- If the client is dissatisfied with the outcome, advise the client of their right to progress. The External Arbitrator's appeal further. (See to Step 6)
- Note actions on "Appeals Progress Form."

The administrator must:

- Enter details of Appeal outcome into the Student Management system (SMS)
- Enter details of Appeal outcome into Appeals Register.
- Note actions on and complete the "Appeals Progress Form."
- The client is provided with a refund of the appeals fee if the appeal is upheld.

Follow refund policy and procedures.

Place all documentation from the Appeals file onto the Client file.

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The CEO must:

- Ensure that the assessment tools, policy, and procedures relating to any substantiated Appeal are reviewed and progressed through continuous improvement processes, as appropriate

Referral to the external arbitrator

The CEO/Client

- Contact and engage the External Arbitrator for a review of the appeal, providing all relevant documentation.
- Cooperate with External Arbitrator for a review of the appeal

The external arbitrator:

- Review, investigate, and mediate the complaint with all relevant parties and make a ruling.
- We will abide by any resolutions as recommended by the External Arbitrator.

The CEO:

- If the Appeals upheld go to finalising the procedure
- If the appeal is rejected, notify the appellant in writing that the original decision/judgment is to stand.
- The client continues to progress through the usual assessment process.
- Go to finalising the procedure

Initial review of the complaint

The client:

- Raises the concern with our staff

The staff

- Attempt to resolve the complaint immediately.
- If the matter resolves successfully, complete the “Complaints Lodgement Form” and submit it to admin for processing.
- If the matter does not resolve, advise the client of their right to make a formal complaint referring them to the Complaints policy.
- Provide client with access to the “Complaints Lodgement Form.”

The administrator:

- Enter details of Complaint into Student Management system (SMS)
- Enter details of Complaint into Complaints Register.
- Note actions on “Complaints Lodgement Form.”
- Notify the CEO of the resolved Complaint.
- File “Complaints Lodgement Form” (if appeal resolved) onto Client file.

2 Lodgement of complaint

The client:

- Complains in writing using the “Complaints Lodgement form.”
- Submits within ten (10) days of the date of the issue

The administrator:

- Enter details of complaint into Student Management system (SMS)
- Enter details of complaint into Complaints Register.
- Note actions on “Complaints Lodgement Form.”
- Print and commence “Complaints Progress Form.”
- Provide all documentation to the CEO for action.

The CEO:

- On receipt of the complaint documentation, acknowledge receipt of the claim, in writing, to the complainant within two (2) working days; this may be via email, letter, or scan
- Review, investigate and mediate to resolve the complaint within ten (10) days.
- Keep all documentation in a Complaints file, which will remain in place until the complaints resolved. After which time, all complaints documentation will be placed on the Client file.

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3 Actions that may be taken include, but are not limited to:

- Discuss the facts of the complaint with the complainant.
- Where appropriate and applicable, discuss the complaint with the respondent giving details of the complaint and complainant, giving cause to procedural fairness.
- Where appropriate and applicable, encourage and facilitate the disputants to engage in mediation on an informal level.
- Interview all parties individually, including any witnesses.
- Conduct interviews privately and confidentially
- Where applicable, report the outcome of the meeting with the respondent to the complainant.
- Seek the preferred outcome from each of the parties.
- Determine a resolution to resolve the complaint within the RTO
- Advise all parties of the complaint's outcome in writing within five (5) working days.
- Confirm all parties are satisfied with the outcome of the complaint.
- If the client is dissatisfied with the outcome, advise the client of their right to progress. The External Arbitrator's appeal further. (See to Step 5)
- Note actions on "Complaints Progress Form".

4 Finalising the complaint

The CEO:

- Complete all necessary documentation, including the "Complaints Progress form," noting the complaint's resolution process's actions and outcomes.
- Place all documentation in the client's complaints file and provide it to admin for completion.
- Implement agreed on actions and administrative arrangements.
- Monitor the learning environment to ensure that the behaviour/incident does not re-occur.
- The administrator:
 - Enter details of complaint outcome into Student Management system (SMS)
 - Enter details of complaint outcome into Complaints Register.
 - Note actions on and complete the "Complaints Progress Form."
 - Place all documentation from the complaint file onto the Client file.

The CEO:

- Ensure that the issue, policy, and procedures relating to any substantiated complaint is reviewed and progressed through continuous improvement processes, as appropriate

5 Referral to the external arbitrator

The CEO/Client

- Contact and engage the External Arbitrator for a review of the complaint, providing all relevant documentation.
- Cooperate with External Arbitrator for a review of the complaint.

The external arbitrator

- Review, investigate, and mediate the complaint with all relevant parties and make a ruling.
- Prepare a formal written report on the investigation, providing a copy to both the CEO and complainant.
- We will abide by any resolutions as recommended by the External Arbitrator.

The CEO

- If the complaints upheld, go to finalising the complaint
- If the complaint is rejected, notify the complainant in writing that the original decision is to stand.
- Go to finalising the complaint

Records management:

For appeals

- Access & Equity Policy applies

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For complaints

- Access & Equity
- Records Management
- Records of all complaints and their outcomes are maintained securely.
- Records of complaints include:
 - How the complaints dealt with;
 - The outcome of the complaint;
 - The timeframes for resolution of the complaint;
 - The potential causes of the complaint; and
 - The steps taken to resolve the complaint
- All documentation relating to refund processes maintained per the Records Management Policy. (See Records Management Policy)

For appeals

Records Management

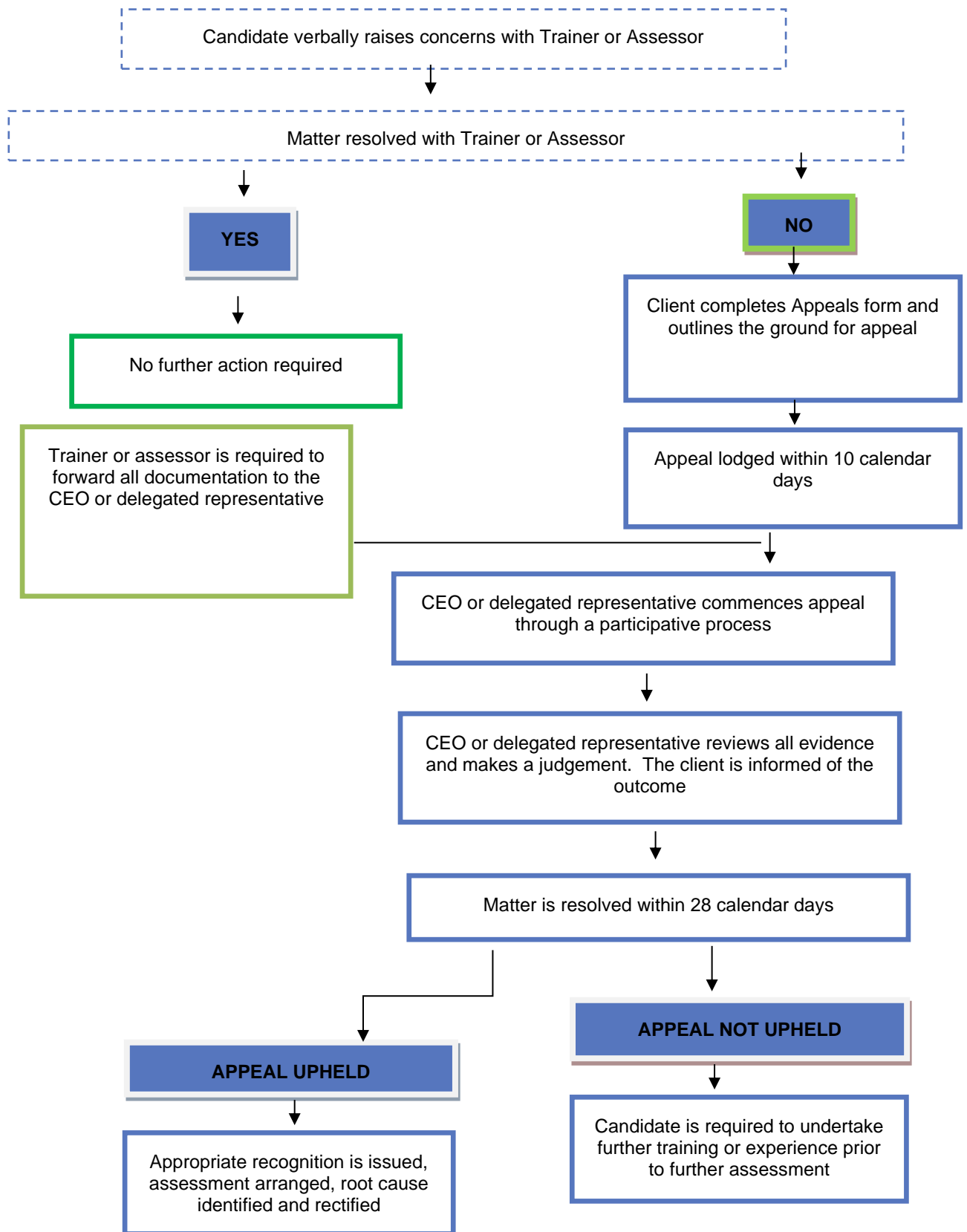
- Records of all appeals and their outcomes are maintained securely.
- Records of appeals will include:
 - How the appeals dealt with;
 - The outcome of the appeal;
 - The timeframes for resolution of the appeal;
 - The potential causes of the appeal; and
 - The steps taken to resolve the appeal
- All documentation relating to the Refund processes are maintained per Records Management Policy. (See Records Management Policy)

Monitoring and Improvement

The CEO monitored all appeals practices and discussed them at Management Review Meetings, with areas for improvement identified and actioned. (See Continuous Improvement Policy)

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ANNEX A: APPEALS PROCESS



ANNEX B: Complaints Process

