



# IIB Complaint and Appeal Policy and Procedure

## Purpose and Scope

Institute of Intellect Blending (IIB) has and implements when required a documented and fair internal complaint handling and appeals process and policy for the resolution of any type of dispute involving a student that includes access to an independent external body. In addition, IIB provides the overseas student with comprehensive, free, and easily accessible information about that process and policy via website: [www.iib.edu.au](http://www.iib.edu.au).

This policy applies to:

- students enrolled at IIB
- all IIB stakeholders.

This policy satisfies the requirements of:

- Standard 10 of the National Code of Practice for Providers of Education and Training to Overseas Students (2018).
- Standard 6 of the Standards for Registered Training Organisations (RTOs) 2015.

## Definitions

- **Complaint** refers to an expression of dissatisfaction with academic or non-academic services. A complaint can be raised by a student who believes there are sufficient facts and reasons to support a claim against another party or parties or against a decision made.
- **Appeal** is a process for requesting a review of an official decision made.
- **Formal Complaint or Appeal** refers to an official complaint or appeal. To be considered a formal complaint or appeal, it must be submitted in writing on the Complaints and Appeals Form.
- **Informal Complaint or Appeal** refers to an unofficial complaint that has not been formalised in writing on the Complaints and Appeals Form.
- **Complainant** refers to the person who formally lodge a complaint or appeal
- **Academic Complaint and Appeal** refers to a complaint or an appeal against a decision made about an assessment outcome, failure to meet a satisfactory academic progress, and/or the quality of the course delivery.
- **Non-Academic Complaint and Appeal** refers to a complaint or appeal in relation to a service provided by IIB, directly or indirectly via a third party that is non-academic in nature.
- **Parties** refers to a complainant and a respondent.
- **Respondent** refers to the person, department or organization or service against whom the



complaint or appeal is lodged.

- **International Student** refers to a student of IIB who is not an Australian Citizen or Permanent Resident.
- **Commonwealth Ombudsman** is a role created under the Education Services for Overseas Students (ESOS) Legislation Amendment Act 2011 to resolve complaints and help private Education Providers improve policies and practices to enhance the quality of International Education in Australia.

## Policy

The intent of this policy is to ensure fairness applies to complaints and appeals management within IIB. It aims to ensure that:

- all parties have the right to be heard and all evidence will be considered
- matters that are not relevant to the complaint or appeal will not be taken into account
- the decision maker will not be biased.

IIB will respond to any complaint or appeal the overseas student makes regarding his or her dealings with the College, the College's education agents or any related party the College has an arrangement with to deliver the overseas student's course or related services.

IIB's internal complaints handling, appeals process and policy are fair and documented.

IIB provides the overseas student with comprehensive, free, and easily accessible information about the *Complaints and Appeals Policy and Procedure* on IIB website ([iib.edu.au](http://iib.edu.au)), student orientation and the *Student Handbook*.

IIB will maintain the student's enrolment while the complaints and appeals process is ongoing. Student should continue to study as usual, attend the classes and comply with all assessment, administrative and enrolment deadlines.

The complaints and appeals handling process will ensure that:

- students have access to a process for resolving complaints formally
- complaints are dealt with in a constructive and timely manner at no cost to the complainant
- the principles of natural justice and procedural fairness are adopted at every stage of the complaint
- appeal process and that complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable
- all formal complaints must be recorded on the *Complaints and Appeals Register*
- complainants shall not be victimised as a result of making a complaint or appealing a decision



- complaints and appeals will be dealt with in a timely manner and within the timeframes required by legislative instruments and as outlined in procedure
- all parties will be informed of the progress of a complaint or appeal
- complainants shall have the right to access external complaints and appeals processes in circumstances where internal complaints or appeals were not dealt with satisfactorily
- complaints and appeals will be dealt with in accordance with the procedures attached to this policy.

IIB classifies complaints and appeals into two categories:

1. Informal Complaints and Appeals
2. Formal Complaints and Appeals

IIB will not notify the Department of Education and Training of any change to the student's enrolment status through the Provider Registration and International Student Management System "PRISMS" until the internal process is completed.

## Process for the overseas student to lodge a complaint or appeal

Procedures are in place within IIB to assist with the implementation of this policy and to provide guidance for all parties on their roles and responsibilities throughout the complaints and appeals process. Complaints and appeals shall be dealt with in accordance with the processes and principles outlined in these procedures. The complaint shall be considered formal or informal depending on the nature of the complaint or appeal itself and the format in which the complaint was communicated to IIB.

### 1. Informal Complaint Procedure (Academic or non-Academic matters)

Informal complaints are those not logged on the *Complaints and Appeals Form*. Refer to definitions section. The intent of informal complaints and appeals is to provide a platform for all parties to try to resolve any matters informally and is the process all parties can take as the first mechanism to seek resolution of whether the complaint or appeal relates to academic or non-academic matters.

The parties involved in an informal resolution of a complaint or appeal will attempt to resolve the matter via discussion, negotiation and agreements in the first instance. Informal complaints are not a compulsory step.

Parties may involve:

- Complainant
- Student Services Officer (SSO) or Student Services Manager
- Trainer / Teacher
- Academic Manager.



All parties follow the below procedure to resolve an informal complaint:

1. Student possesses a complaint
2. Approaches Trainer/Student Services Manager or its delegate with complaint
3. Trainer/ Student Services Manager or its delegate resolves complaint internally on an informal basis

Please refer to the IIB *Informal Complaints and Appeals Process Map* in Appendix 2 in this document for guidelines.

## 2. Formal Complaint Procedure (Academic or non-Academic matters)

The Formal Complaints Process takes place when an informal complaint has not been resolved via verbal discussion and negotiation and progresses to a formal stage via written submission.

Complainants are to formalise their complaint by completing the *Complaint Form* and submitting it to [studentservice@iib.edu.au](mailto:studentservice@iib.edu.au) and to student services. The Formal Complaints Process overrides the Informal Complaints Process in any and all instances.

Parties Involved:

- complainant
- Education Manager
- Student Services Officer (SSO) or Student Services Manager
- Quality Management Team (QMT) member: Student Services Manager, Academic Manager, Director, Campus Manager, Admissions Manager and other managers
- Commonwealth Ombudsman (for international students).

All parties follow the below procedure to resolve a formal complaint:

1. Student possesses a complaint.
2. Student lodges the complaint in writing to the Student Services Officer within **5** working days of the incident occurring.
3. The written complaint will be acknowledged by IIB in writing, along with an outline of the processes to be followed and an estimated time frame.
4. The SSO will inform Quality Management Team (QMT) member (Student Services Manager, Academic Manager, Director, Campus Manager, Admissions Manager and other managers) daily of the receipt of any complaints.
5. QMT will attempt to resolve the complaint within **10** working days of the written complaint being received. The outcome of the discussion will be recorded in the *Complaints and Appeals Register*.
6. Where appropriate, other persons may be interviewed to verify the issues complained of, and/or further evidence may be requested.
7. Where no further information is required, the QMT member will resolve the issue and inform the Complainants of the outcome within **10** working days.



8. Where further information is required, the QMT will inform the Complainants the details of additional information within **10** days. When the additional information is received, the QMT will resolve the issue and inform the Complainants of the outcome within **10** working days of receipt of the additional information.
9. If the investigation is going to take further than 10 working days, or there is no satisfactory resolution, the QMT will refer the complaint to an external agency – either the Overseas Student Ombudsman or other independent person(s).
10. Students must be informed of their ability to appeal internally any decision made when communicating the outcome to the student.
11. Students who are unsatisfied at the outcome are invited to take up their issue with the Overseas Student Ombudsman ([www.ombudsman.gov.au](http://www.ombudsman.gov.au) or 1300 362 072).
12. In instances where it may take longer than 60 days to resolve such an issue – for instance where a student is overseas or otherwise unavailable – all parties involved in the issue will be informed in writing of the reason why this much time is required and an update will be sent fortnightly until the issue is resolved.
13. The assessment will be conducted in a professional, fair and transparent manner.
14. Student's enrolment will be maintained during the assessment is processing.
15. A written statement of the outcome of the complaint assessment, including detailed reasons, will be given to the student as soon as practicable, with detailed reasons for the outcome.
16. A written record of the complaint will be kept by IIB, including a statement of the outcome and detailed reasons for the outcome.

In the event of a favourable outcome for the student, IIB will immediately advise and implement any decision.

**Note:** Anonymous complaints may be issued, however it is not possible to provide further information as to the outcome of these complaints and where the situation is not straight forward it will not be possible to gain further insights and/or evidence, leaving the complaint in the area of anonymous feedback.

Please refer to the IIB *Formal Complaints and Appeals Process Map* in Appendix 3 in this document for guidelines.

### 3. Internal Appeal

If a student is unhappy with a decision made by the College, they will be able to lodge an internal Appeal. This appeal is a separate process to the procedure outlined above and will be carried out by a minimum of two senior staff of IIB, including the PEO/Campus Manager. All time periods and rules related to the initial procedure outlined above also relate to the appeals process.

Students may lodge an Internal Appeal on the following issues:

- Decisions about a complaint outcome
- Decision to not approve the Deferment, Suspension of Studies or Cancellation request
- Decision to not approve the Request to Transfer Providers



- Intention to report the student to DHA for Unsatisfactory Attendance
- Intention to report the to DHA for Unsatisfactory Course Progress
- Intention to report the student to DHA for Misconduct
- Intention to report the student to DHA for Non-payment of Fees
- Decision relating to an Academic Result

### Academic Result Appeals (Academic)

Students have the right to appeal assessment outcomes or an academic result. Students have the right of appeal to apply in writing to the Academic Manager within two weeks (**10** working days) of assessment if the assessment has not been fair. In the event that the student is not satisfied with an assessment decision or process, the following procedure applies:

1. Discuss the matter with the trainer/assessor;
2. If the matter is unresolved, complete and submit the *Internal Appeal Form* at the reception desk or downloaded from IIB website.
3. The Internal Appeal Form is submitted to Academic Manager within two weeks (**10** working days) of assessment.
4. The appeal will be examined by the Academic Manager within **10** days of the Internal Appeal Form is received.
5. If the matter remains unresolved, then the Academic Manager and the student will nominate an independent arbitrator to examine the matter;
6. If the matter is unresolved, then the student would be advised to take the matter to the Overseas Student Ombudsman (OSO).

Check the *Flowchart of Assessment Appeals Procedure* in Appendix 4 in this document for details.

### Other Appeals (Non-Academic)

IIB will commence assessment of the appeal within **10** working days of it being made in accordance with the College's complaints handling and appeals process and policy, and finalize the outcome as soon as practicable.

All parties follow the below procedure to resolve a formal complaint:

1. Student possesses an Appeal by lodging the *Internal Appeal Form* in writing to the Student Services Officer within **10** working days of the incident occurring.
2. The SSO will inform Quality Management Team (QMT) member (Student Services Manager, Academic Manager, Director, Campus Manager, Admissions Manager and other managers) daily of the receipt of any Appeals.
3. The investigation will be carried out by a minimum of two senior staff of IIB, including the PEO/Campus Manager.
4. QMT will attempt to resolve the complaint within **10** working days of the written appeal being received. The outcome of the discussion will be recorded in the *Complaints and Appeals Register*.



5. If the investigation is going to take further than **10** working days, or there is no satisfactory resolution, the QMT will refer the complaint to an external agency – either the Overseas Student Ombudsman or other independent person(s).
6. Students must be informed of their ability to appeal externally any decision made when communicating the outcome to the student.
7. Students who are unsatisfied at the outcome are invited to take up their issue with the Overseas Student Ombudsman ([www.ombudsman.gov.au](http://www.ombudsman.gov.au) or 1300 362 072).
8. A written statement of the outcome of the appeal assessment, including detailed reasons, will be given to the student as soon as practicable, with detailed reasons for the outcome.
9. A written record of the complaint will be kept by IIB, including a statement of the outcome and detailed reasons for the outcome.
10. Student's enrolment will be maintained during the assessment is processing.

See the *Monitoring Overseas Student Attendance Policy* and *Monitoring and Reporting Course Progress Policy*, *Deferring, Suspending or Cancelling the Overseas Student's Enrolment Policy*, *Overseas Student Transfers Policy*, and *Student Fees, Charges and Refund Policy and Procedure* for details.

## 7. Guidelines for a Formal Internal Complaint or Appeal

For all Internal Formal Complaints or Appeals, Complainants must submit their written complaint or appeal to [studentservice@iib.edu.au](mailto:studentservice@iib.edu.au) with the *Complaint Form* or *Appeal Form* available at [www.iib.edu.au](http://www.iib.edu.au).

Upon receipt of the complaint, all complaints and appeals will be dealt with in accordance with the Complaints and Appeals Process. IIB records all formal complaints and appeals received from complainants on the *Complaints and Appeals Register*.

## 8. External Independent Appeals

If the overseas student is not successful in the registered provider's internal complaints handling and appeals process, IIB will advise the overseas student within **10** working days of concluding the internal review of the overseas student's right to access an external complaint handling and appeals process at minimal or no cost.

IIB will give the overseas student the contact details of the appropriate complaints handling and external appeals body.

### Commonwealth Ombudsman

- <https://www.ombudsman.gov.au/>
- **Online:** You can make a complaint online by using our [online complaint form](#).
- **Phone:** You can contact Ombudsman by telephone, 9am to 5pm Monday to Friday. In Australia, call: **1300 362 072** (calls from mobile phones at mobile phone rates). Outside Australia, call **+61 2 6276 0111**.



- Check this link for more details: <https://www.ombudsman.gov.au/How-we-can-help/overseas-students>
- Language support: You can make a complaint in your language. Call the Translating and Interpreting Service (TIS) in Australia on 131 450. Outside Australia call +61 3 9268 8332. Ombudsman will pay for the interpreter.

#### ASQA

- [www.asqa.gov.au](http://www.asqa.gov.au)
- ASQA accepts complaints and feedback about training providers from all members of the community.
- To submit feedback about a training provider, visit our community space <https://asgaconnect.asqa.gov.au/>
- **NB:** ASQA will only use the information the complainant provides to inform its regulatory approach and will not contact the RTO on the complainant's behalf or act as the complainant's advocate.

#### Community Justice Centre (CJC)

- [www.cjc.nsw.gov.au](http://www.cjc.nsw.gov.au)
- Call 1800 990 777

The mediator will arrange following:

1. Arrange a round table discussion as the final step in the grievance procedure;
2. Provide an interview-sized room to accommodate 3 to 5 people for the round table discussion;
3. Be willing to negotiate in good faith, and
4. Consider a range of options for solution of the dispute and if no agreement is reached then the OSO or CJC will initiate a referral process to the appropriate body or personnel;
5. A written statement of the grievance &/or appeal outcome including reasons for the decision shall be supplied to all parties involved.

All mediation outcomes will be reported to the next scheduled QMT meeting and documented within the minutes and filed for future reference.

All mediation outcomes will be communicated to the complainant in a timely and prompt manner.

## 6. A decision in favour of the overseas student

If the internal or any external complaints handling or appeal process results in a decision or recommendation in your favour, we will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision and advise you of that action.

## 7. Record Keeping and Confidentiality





IIB adheres to the National Privacy Principles which refers to the principles from the Privacy Amendment (Private Sector) Act 2000. The Privacy Policy governs how information collected is handled and stored.

Records of Complaint and Appeals for external review of decisions are kept and accessible only to authorised parties for a period of 5 years.

## Related Documents

- Monitoring Overseas Student Attendance Policy
- Monitoring and Reporting Course Progress Policy
- Deferring, Suspending or Cancelling the Overseas Student's Enrolment Policy
- Overseas Student Transfers Policy
- Student Fees, Charges and Refund Policy and Procedure
- Skills Recognition Policy and Procedure
- Complaints and Appeals Register
- Complaint Form
- Internal Appeal Form
- External Appeal
- Review of Formal Complaints and Appeal Form
- Student Appeal Outcome Form



## Appendix 1: Reference

### RTO Standards 2015 – Clauses 6.1 to 6.6

Standard 6: Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

#### Clause 6.1

The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

- a. the RTO, its trainers, assessors or other staff
- b. a third party providing services on the RTO's behalf, its trainers, assessors or other staff
- c. a learner of the RTO.

#### Clause 6.2

The RTO has an appeals policy to manage requests for a review of decisions, including assessment

decisions, made by the RTO or a third party providing services on the RTO's behalf.

#### Clause 6.3

The RTO's complaints policy and appeals policy:

- a. ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process
- b. are publicly available
- c. set out the procedure for making a complaint or requesting an appeal
- d. ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable
- e. provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.

#### Clause 6.4

Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:

- a. informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required
- b. regularly updates the complainant or appellant on the progress of the matter.

#### Clause 6.5

The RTO:

- a. securely maintains records of all complaints and appeals and their outcomes
- b. identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.



## Clause 6.6

Where the RTO is an employer or a volunteer organisation whose learners solely consist of its employees or members, does not charge fees for the training or assessment, and does not have in place a specific complaints and appeals policy in accordance with clauses 6.1 and 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO.

## National Code Standard 10 Complaints and appeals

(National Code of Practice for Providers of Education and Training to Overseas Students 2018)

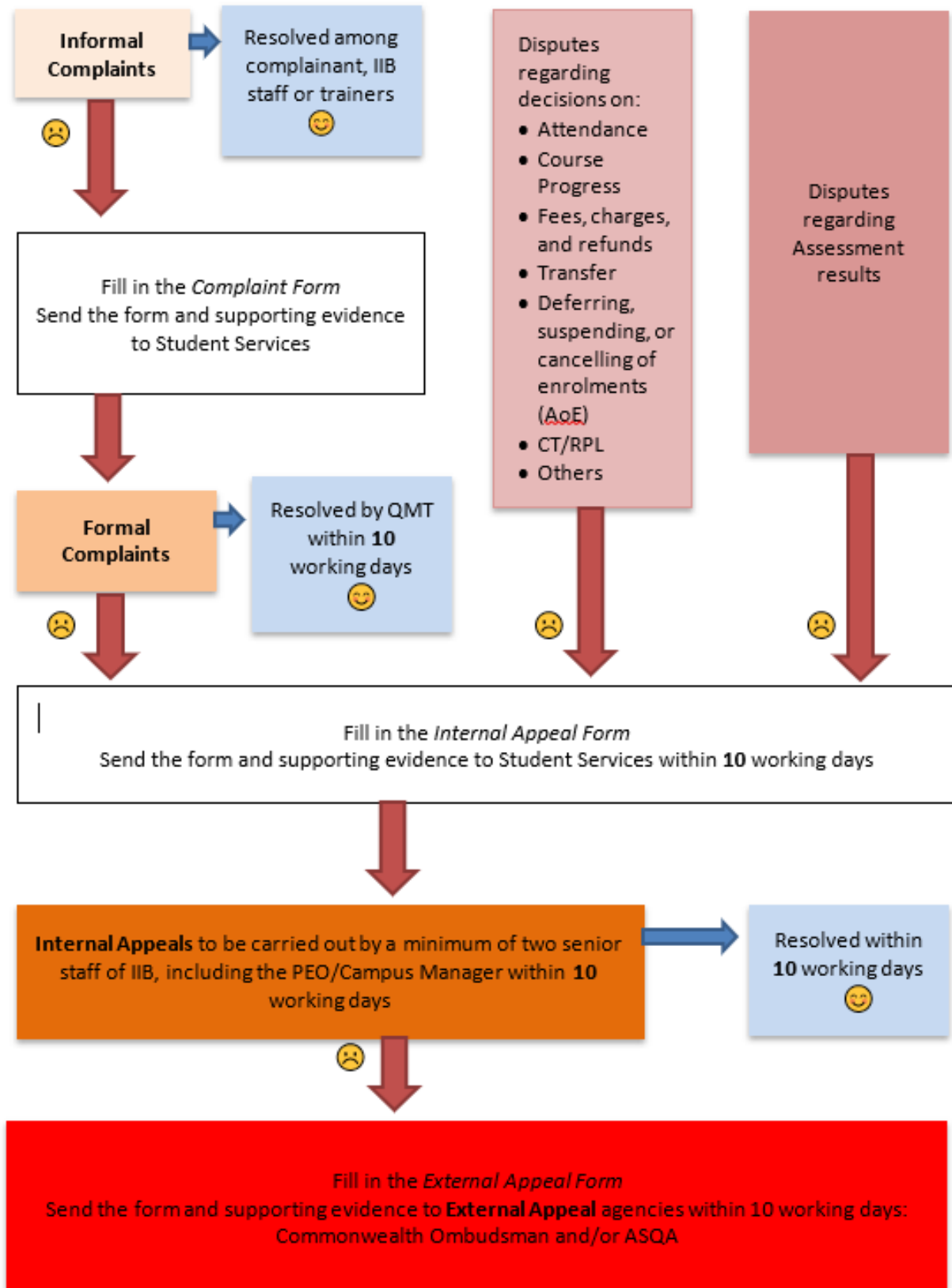
- 10.1 The registered provider must have and implement a documented internal complaint handling and appeals process and policy, and provide the overseas student with comprehensive, free and easily accessible information about that process and policy.
- 10.2 The registered provider's internal complaints handling, and appeals process must:
  - 10.2.1 include a process for the overseas student to lodge a formal complaint or appeal if a matter cannot be resolved informally
  - 10.2.2 include that the provider will respond to any complaint or appeal the overseas student makes regarding his or her dealings with the registered provider, the registered provider's education agents or any related party the registered provider has an arrangement with to deliver the overseas student's course or related services
  - 10.2.3 commence assessment of the complaint or appeal within 10 working days of it being made in accordance with the registered provider's complaints handling and appeals process and policy, and finalize the outcome as soon as practicable
  - 10.2.4 ensure the overseas student is given an opportunity to formally present his or her case at minimal or no cost and be accompanied and assisted by a support person at any relevant meetings
  - 10.2.5 conduct the assessment of the complaint or appeal in a professional, fair and transparent manner
  - 10.2.6 ensure the overseas student is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome
  - 10.2.7 keep a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome.
- 10.3 If the overseas student is not successful in the registered provider's internal complaints handling and appeals process, the registered provider must advise the overseas student within 10 working days of concluding the internal review of the overseas student's right to access an external complaints handling and appeals process at minimal or no cost. The registered provider must give the overseas student the contact details of the appropriate complaints handling and external appeals body.



- 10.4 If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the overseas student, the registered provider must immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision, and advise the overseas student of that action.

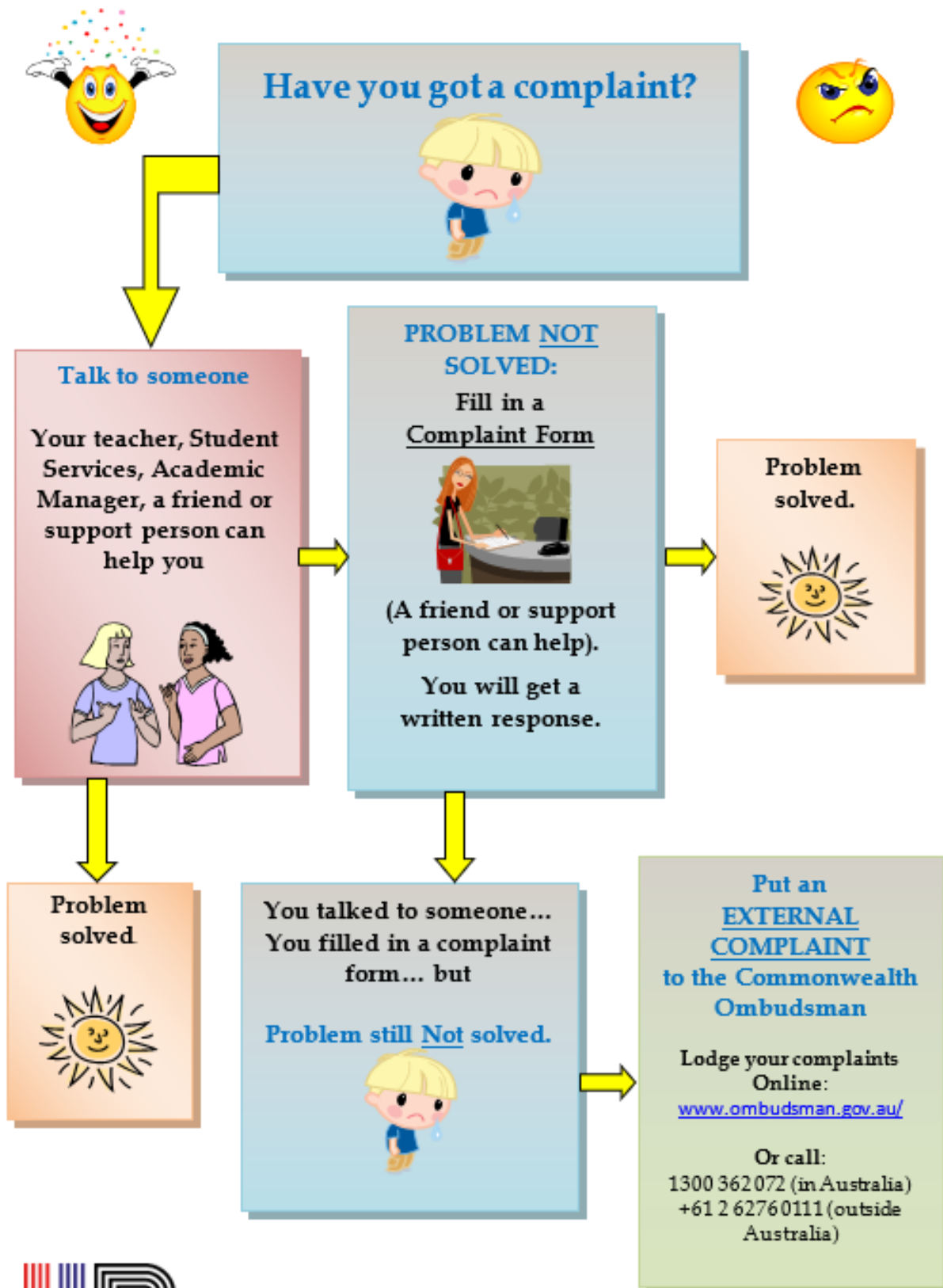


## Appendix 1: IIB Complaints and Appeals Process





## Appendix 2: IIB Informal and Formal Complaints Process Flowchart





### Appendix 3: Assessment Appeals Procedure Flowchart

When a student lodges an assessment appeal, the student is informed of the following procedure. The student may choose to have the appeal heard under either the internal or external process.

