

## 1. Purpose

JPIC endeavours to create a positive learning environment for students, one in which each student has the opportunity to achieve their personal best. Part of the maintenance of that positive environment is a fair, effective and open complaints and appeals procedure made available to all students and staff.

## 2. Policy

Despite all efforts of JPIC to provide satisfactory services to its students, complaints may occasionally arise that require formal resolution or students may appeal against a complaint outcome or educational determination (e.g. assessment result).

Staff also have the right to avail themselves of this process.

JPIC views all complaints as an opportunity for continuous improvement.

This policy and procedure is compliant with AQF and National Code Standards in providing a process for complaints and appeals to be heard and actioned where necessary.

The JPIC Complaints and Appeals policy:

- Is premised on the principles of confidentiality, fairness, and objectivity. The Access and Equity Policy will apply.
- Is freely available to students and may be accessed at any time at no cost to the complainant/appellant.
- Should a student exercise their right to make a formal complaint or appeal, then their enrolment at JPIC will be maintained and they will be expected to continue their studies and follow the Student Code of Conduct whilst the complaint and/or appeals processes are underway.
- All necessary information to students regarding this policy will be provided:
  - On the JPIC website;
  - In the Student Handbook;
  - In the Letter of Offer and Agreement;
  - During Orientation;
  - From Reception.
- The student can be supported/ accompanied by an independent person/ friend during this process.
- It is normal policy whilst a student is going through any formal complaint or appeals process that the student remains enrolled at JPIC and continues their studies and assessments in the normal way. However, if the complaint or appeal relates to the student being suspended or excluded as a result of a breach of the Student Code of Conduct, then that suspension or exclusion shall continue until either it has expired or the result of the complaint or appeal is decided in the students favour.
- While JPIC considers that it has a fair and transparent informal and formal complaints and appeals process, should the student require it, access is available to an independent mediator to review the compliant and/or appeals process.

**Important:** see notes at beginning of section on External Appeals Procedure below.

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**NOTE:** If the outcome is in the appellant's favour then JPIC will implement any changes recommended by the adjudicator immediately and advise the appellant of the outcome and actions taken.

### 3. Definitions

<i>Complaint</i>	An informal or a formal written allegation of a breach of rules, policies or governing regulations of JPIC either by a staff member or a student.
<i>Appeal</i>	A request that an administrative decision or a complaint outcome be resubmitted for formal review or reconsideration
<i>Appellant/ Complainant</i>	A student (or staff member) who wishes to activate the complaints and appeals process
<i>External Appeals Process</i>	For International students there is free access to the Overseas Students Ombudsman Service ( <a href="http://www.oso.gov.au/">http://www.oso.gov.au/</a> )
<i>VET Complaints Hotline</i>	For all VET consumers The Program Manager, Tertiary Accreditation & Registration Level 5, 40 Allara Street, Canberra, ACT, 2601, Ph: (02) 6205 7044 <a href="http://www.arc.act.gov.au">www.arc.act.gov.au</a>

### 4. Complaints Procedure

The following procedure provides students and staff the opportunity to have any issues relating to a substantiated complaint or appeal resolved amicably. Internal complaints and appeals process will be at no cost to the student.

The following outlines the steps undertaken for complaints and appeals:

#### **Informal Complaints**

Whenever possible those with a grievance should attempt to resolve the issue with the person/persons directly involved. For example: students should approach their trainer in the first instance on any matters relating to their training or assessment or reception staff for matters relating to the building or facilities.

This may include advice, discussions, and general mediation in relation to the issue and the student's complaint/issue. Any staff can be involved in this first step of the informal process to resolve issues.

If the complaint/issue is not able to be resolved at this point, it should be referred to the Administration Manager for discussion and possible solution to the issue.

If these attempts to resolve the complaint/issue are not successful then a formal complaint may be lodged.

#### **Formal Complaints**

Any student or a potential student may submit a formal complaint to JPIC with the reasonable expectation that all complaints will be treated with fairness, integrity and privacy. There is no cost for the complaints process unless it is referred to a third party. Complaints must be lodged using the Complaints Form available at Reception, or via the JPIC website. The process for Formal Complaints is as follows:

1. A Formal Complaints form is completed and lodged with the CEO of JPIC.

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2. The Formal Complaint is recorded in the Complaints Register.
3. The issue/complaint is referred to the Student Welfare Committee and if resolved at this point, the student is advised by mail/email of the outcome.
4. If the issue/complaint is not resolved at this point, the student is advised of the outcome by mail/email and advised of the Internal Appeals Procedure.

## 5. Internal Appeals Procedure

All students have the right to appeal decisions made by JPIC where reasonable grounds can be established. The areas in which a student may appeal a decision made by JPIC may include:

- Assessments conducted – for rules relating to assessment criteria see the Assessment Policy
- Deferral, suspension, or cancellation decisions made in relation to the student’s enrolment
- Or any other conclusion / decision made after a complaint (see above) has been dealt with by JPIC in the first instance.

## 6. General

The following actions must be completed for a complaint or internal appeal:

Internal Appeals Procedure	
Review of Complaint or Appeal	Once a complaint or appeal is received and is checked for completeness it should be forwarded to the review person (identified in the categorisation table below) for review
Cost	There will be no charge to the complainant or appellant for the lodgment or presentation of their case. Incidental expenses for attending JPIC offices to lodge the document or attend a meeting or any charges incurred (e.g. telephone) will NOT be reimbursed.
Presentation of case	ALL complainants and appellants must be given the opportunity to formally present their case and to be accompanied by a friend or third party to support them (and if language is an issue to help them present their case). The cost to accompany that friend/third party will be at their own cost.
Determination	<p>The Review Person may gather evidence and constitute a review committee as they see fit.</p> <p>They must commence the process within 10 working days of the lodgment of the complaint or appeal (and receipt of all supporting evidence) and complete the process within a reasonable period usually 10- 15 working days.</p> <p>If further evidence is requested, then the Review Person must communicate with the complainant or appellant as soon as practical and within 5 working days asking for evidence. The process will be put on hold until the evidence is received.</p> <p>How a decision is reached will be advised in the written response to the complainant or appellant.</p>
Timescale	The complaint or appeal should normally be commenced within 10 working days of the deposit of completed form and associated supporting material. See “Determination” above in relation to request of supplementary information.

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Appeal following a complaint	If the complainant is not happy with the decision they may appeal. That appeal is on the fairness and objectivity of the decision.
Formal response to a complaint	A template for a formal written response has been developed for when the complaint is accepted or rejected.  This included the complainant's right to access the Internal Appeals process.
Formal response to an appeal	A template for a formal written response has been developed for when the appeal is accepted or rejected. This includes the complainant's right to access the External Appeal process.
Documentation	ALL documentation relating to a formal complaint or appeal MUST be lodged on the student file. This is to include the initial form, supporting evidence, meeting minutes, determination and copy of correspondence with all concerned parties. This information will be kept confidentially and stored securely for 7 years
Complaints and Appeals Register	All formal complaints or appeals must be logged in the Complaints and Appeals Register
Learning	A complaint or appeal is a learning opportunity for JPIC. The outcome will be seen as an input to the continuous improvement process. Any decisions that support students will be immediately implemented

### **Categorisation**

The nature of the complaint or appeal will be categorised as follows:	Matter referred to the following:
<b>Administrative Complaint.</b> Complaints against the delivery of administrative and support services and facilities	<b>Administration Manager</b>
<b>Academic Complaint.</b> Complaints against teachers/trainers, training delivery and assessment and the like.	<b>Administration Manager</b>
<b>Student Conduct Complaint.</b> Complaints against misconduct/ misbehaviour of students.	<b>Administration Manager</b>
<b>Appeal</b>	<b>CEO of JPIC</b>

## **7. External appeals procedure**

The purpose of the external appeals process is to consider whether the Institute has followed its student complaint and appeals procedure, and should only be enacted after exhausting of the internal procedures described above.

If you wish to lodge an external appeal or complaint about a decision made by the internal appeal process, you can contact the Canberra Resolution Service (CRS) [www.crs.org.au](http://www.crs.org.au) as they provide a free (or low cost) service to provide mediation for any problem or issue.

International students may also submit a complaint to the Overseas Students Ombudsman. The Overseas Student Ombudsman offers a free and independent service for overseas students who

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have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website [www.oso.gov.au](http://www.oso.gov.au) or phone 1300 362 072 for more information.

The Overseas Students Ombudsman can investigate complaints about action taken by private providers in connection with overseas students. Complaints might, for example, be about: refusing admission to a course; fees and refunds; course or provider transfers.

## 8. Complaints to the regulator

If, after following the internal and external complaints and appeals procedures, the complainant wishes to make an official complaint the regulator, they can complete the [Complaint about a training organisation operating under ASQA's jurisdiction](#) form provided by the Australian Skills Quality Authority (ASQA) on their website <http://www.asqa.gov.au/complaints/making-a-complaint.html>

## 9. Continuous Improvement

A summary of all complaints and appeals received in the Complaints and Appeals Register will be presented as a part of the Continuous Improvement process to Management Meetings for review. The purpose of this is to ensure management become aware of:

- issues that may be repeating themselves
- short falls in Assessment processes – either as a part of the process or in implementation (individually or collectively)
- students that may be being vexatious in using the process
- Common threads relating to the general management and or safety of the staff and students and the services being provided.
- (when viewed collectively) any general adverse trend that needs correcting

## 10. Forms

Complaints Form

Appeals Form

## 11. Related Documents

Complaints and Appeals Register

Continuous Improvement Policy

## 12. Version History

Number	Date	Reason	Prepared by	Approved By
1.0	June 2010	New Policy	Nina Pearce	Johnson Pearce
2.0	July 2012	Reviewed and updated	Nina Pearce	Johnson Pearce
3.0	January 2015	Reviewed and updated for audit	Nina Pearce	Johnson Pearce
4.	May 2015	Reviewed following audit	Nina Pearce	Johnson Pearce

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