

COMPLAINTS AND APPEALS POLICY AND PROCEDURE

Relevant Standards

- *National Code 2018 Part B: Standard 10*
- *Standards for RTOs 2015: Standard 6*

Linked Documents

- *Complaints and Appeals Form*
- *Complaints and Appeals Register*
- *Acknowledge of Complaint/Appeal email template*
- *Complaint Outcome email template*
- *Appeal Outcome email template*

1. Policy Statement

CAPSTONE provides appropriate mechanisms and services for students to have their complaints and appeals addressed fairly, professionally, efficiently, and effectively and in a manner that ensures privacy, transparency, and, where necessary, the confidentiality of all parties involved. CAPSTONE ensures that:

- The Complaints and Appeals Policy is publicly available on its website and is addressed in the student agreement and during the orientation program.
- Complaints and appeals are recorded, acknowledged, and dealt with promptly, with an assessment of the complaint or appeal commencing within ten working days of the lodgment and the outcome finalised as soon as practicable.
- If the complaints handling or appeals process takes more than 60 calendar days, the student is informed of the reasons and provided with regular updates on the progress of the matter.
- The principles of natural justice and procedural fairness are applied at every stage of the complaints handling and appeals processes – this means that:
 - decisions are not predetermined, and all parties have the opportunity to tell their story before a decision is made.
 - The decision maker is independent of the issues being dealt with or decision being reviewed; and
 - Opportunities are provided to seek independent external review of the decisions made.
- The student is given an opportunity to formally present their case at minimal or no cost and can be accompanied and assisted by a support person at any relevant meetings.

- Students are provided with a written record of the outcome of the complaint or appeal.
- The complaints and appeals records are maintained securely.
- If the process fails to resolve the complaint or appeal internally, a review by an independent party via the external complaint and appeal process is available.
- Corrective actions and improvements resulting from the complaints and appeals processes are implemented immediately, and relevant parties are informed of the corrective actions.

2. Definitions

Complaint is an expression of dissatisfaction a student has about the services, actions and conduct of CAPSTONE, its trainers, and assessors; its staff; its students; its authorised education agents; or any related party CAPSTONE engages in providing services. A complaint could be about academic matters, non-academic matters or how someone has been treated.

The appeal is a request to review a decision made by CAPSTONE, its trainers and assessors, and its staff members. An appeal could be about the decisions made about enrolments, applications, services, formal complaints, assessment outcomes, course progress, refunds, and non-payments.

3. Complaints and Appeals Resolution Process

In all cases, issues that are the source of frustration or in dispute should be resolved at the time, as they occur between the persons involved, where possible – ‘Informal Resolution’.

Sometimes, it is not possible to resolve issues informally. In these cases, students should follow a formal process by putting their complaint or appeal in writing – ‘Formal Resolution’.

Suppose the internal resolution process fails to resolve the complaint or appeal. In that case, students can seek to have the decision reviewed externally by an independent party – ‘Independent External Review’.

Refer to Appendix A – Complaints and Appeals Flow Chart

4. Procedures

4.1. Informal Resolution

- Wherever possible, CAPSTONE encourages students to resolve their issues informally by working through any matters of concern that they have with the individual closest to the situation.
- No further action is needed if a student is satisfied with the outcome.
- If a student is unsatisfied with the outcome, they can attempt to resolve the issue formally.

4.2. Formal Resolution

- Students may use the formal resolution if they are:
 - dissatisfied with the outcome at the informal resolution stage.
 - not comfortable resolving the issue informally; or
 - dissatisfied with the decision made by CAPSTONE, its staff or trainers and assessors.
- To commence the formal resolution, students must complete the *Complaints and Appeals Form*, available at the Reception Desk or by email.
- An Authorised Student Services Officer receives the completed form and supporting evidence, acknowledges the complaint or appeal within ten working days of the lodgment, and registers details in the Complaints and Appeals Register and in Student Management System as a process record.
- The Authorised Student Services Officer reviews the information on the Complaints and Appeals Form and supporting evidence and refers the matter to the most appropriate management staff member for investigation (or review).
- The investigating management staff members will gather all evidence and conduct interviews as required.
- Where the resolution of the complaint or appeal takes more than 60 calendar days (the deadline for finalising the complaints/requests), the staff member informs the student of the reasons for the delay by providing regular updates.
- Upon concluding the investigation or review, the investigating management staff member will prepare a written resolution report which includes the outcome, the evidence and other factors considered and their reasoning behind the outcome.
- Upon receipt of the resolution report, the Authorised Student Services Officer will:
 - inform students, within ten working days, about the outcome and their right of external appeal.

- keep all relevant records in the Complaints and Appeals folder;
- update the process record in Student Management System;
- upload the records into Student Management System;
- record outcome in the Complaints and Appeals Register; and
- communicate the outcome to relevant staff members where applicable.

4.3. Independent External Review

- If a student seeks an independent external review of the outcome, they must do so within ten working days of receiving the outcome and notify CAPSTONE in writing.
- CAPSTONE advises domestic students to contact the National Training Complaints Hotline (Contact No: 13 38 73 website: <https://www.dewr.gov.au/national-training-complaints-hotline>) which can assist students and refer their issue to an appropriate agency or NSW Fair Trading on 13 32 20.
- CAPSTONE advises the overseas students to contact Overseas Students Ombudsman at 1300 362 072 (Postal Address: GPO Box 442, Canberra ACT 2601 Email: ombudsman@ombudsman.gov.au web: <https://www.ombudsman.gov.au/complaints/international-student-complaints>)
- The Chief Executive Officer, or their delegate, will deal with the external reviews and appeals.
- Upon receiving the outcome from the external review body/agency, the Chief Executive Officer or their delegate, will:
 - update the 'External Appeal' section of the form;
 - take all necessary corrective or improvement actions (if any);
 - keep all relevant records in the Complaints and Appeals folder;
 - update the process record in Student Management System;
 - update the Continuous Improvement Register;
 - upload the records into Student Management System;
 - record outcome in the Complaints and Appeals Register; and
 - communicate the outcome to relevant staff members where applicable.

Appendix A – Complaints and Appeals Flowchart

