Complaints and Appeals Policy and Procedure

Soar Advanced Flight Training (SAFT) has implemented this complaints and appeals policy in compliance with Standard 8 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (2007), Chapter 5 of the VET Guidelines 2015, and Standard 6 of the Standards for Registered Training Organisations (RTOs) 2015.

This policy and procedure applies to any person who has any dealings with Soar Advanced Flight Training including potential students and enrolled students (Domestic or International). This includes all persons enrolled in or seeking to enrol in an eligible VET unit or qualification of study with Soar Advanced Flight Training, and who is or would be entitled to VET FEE-HELP assistance.

It is the intent of this policy to:

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

This policy and procedures cover academic and non-academic complaints and appeals. All staff and students are made aware of the complaints and appeals processes through relevant induction processes.

Definitions

Complainant refers to the person who lodges a complaint or appeal.  

Academic complaints include, but are not limited to:
- student progress
- assessment
- curriculum
- course delivery
- assessment decisions
- awards issued: Qualifications / Statements of Attainment

Non-academic matters refers to general complaints about our organisation, staff, other learners or a third party providing services on our behalf.

Informal complaints are complaints not lodged in writing, which provide a platform for all parties to try to resolve any issues and seek resolution informally, regardless of whether the complaint relates to academic or non-academic matters.

Formal complaints and appeals are official complaints and appeals, and must be documented and submitted as a formal complaint. Complainants will be required to identify if the complaint or appeal is in relation to an Academic or Non-Academic matter when submitting a formal complaint.

Records of all formal complaints or appeals, including all correspondence, supporting evidence, decisions and outcomes, shall be maintained for a period of five (5) years. Personal details are held in accordance with the Australian Privacy Principles and the SAFT Privacy Policy. All records will remain strictly private and confidential and accessible only to authorised parties. A complainant or appellant shall have access to their records upon request at no cost (identification requirements will be enforced for access to these records.)
Resolutions

Complainants will have the opportunity to have any issues relating to a substantiated complaint or appeal dealt with in a timely manner. Resolutions reached will attempt to satisfy all parties involved.

Responsibility

The CEO is responsible for the implementation of this policy and procedure and ensuring that all staff are fully trained in the implementation of all aspects of the policy and procedure. This training shall occur through induction and ongoing training. It is also the CEO’s responsibility to ensure that the Complaints and Appeals policy and procedure is made publicly available on the SAFT website, and is included in the Student’s Handbook and induction information.

Procedures

SAFT seeks to foster communication and co-operation and to provide an environment in which all issues can be satisfactorily resolved. The preferred initial approach for complaints handling is the informal discussion, review and resolution to the satisfaction of all parties.

Informal Resolution

Any person who wishes to raise a complaint should, in the first instance, discuss the matter with the person with whom they have the complaint, a relevant staff member, a senior officer or the SAFT CEO.

Where possible attempts shall be made to resolve the issue through consultation. This may include advice, discussions, and general mediation in relation to the issue and the complainant’s concern.

If the complainant is satisfied with the outcome of the discussion, it would mean that the matter is resolved.

If the issue is not resolved to the complainant’s satisfaction then a formal complaint should be submitted following the procedures below.

Formal Complaint (Stage 1)

- Any student, potential student, member of the public, or third party may submit a formal complaint to SAFT, addressed to the Student Administration Manager, with the reasonable expectation that all complaints will be treated with integrity and privacy, without discrimination, and that the complainant will not be disadvantaged or victimised.

- Formal complaints are to be lodged in writing, on the ‘Complaints and Appeals Form’, providing as many details as possible. This form can be obtained by contacting Student Administration at SAFT, or through the SAFT website. There is no cost for lodging the initial complaint.

- Complaints are to include the following information:
  - Submission date of complaint
  - Name of complainant;
  - Identification of Academic or Non-Academic complaint
  - Nature of complaint;
  - Date of the event which lead to the complaint
  - Full details of the complaint
  - Attachments (if applicable)
Complainants have the right to access advice and support from independent persons at any point of the complaint and appeals process. A complainant may be assisted or accompanied by a support person regardless of the nature of the issue or complaint throughout the process at all times. Use of external services will be at the complainant’s costs unless authorised by the CEO.

Once the complaint is received by SAFT, it will be referred to the appropriate senior staff officer who will acknowledge receipt of the complaint to the complainant within five (5) business days.

SAFT will attempt to resolve, or make a decision on the complaint within 10 business days of receipt of the complaint.

The complainant will be informed of any decisions or outcomes concluded (within 10 business days), or be informed about the processes in place to deal with the complaint. Where SAFT considers more than 60 calendar days are required to process and finalise the complaint or appeal, SAFT
a. will inform the complainant in writing, including the reasons why more than 60 calendar days are required, and
b. will regularly update the complainant on the progress of the matter.

Once a decision has been reached the CEO will inform all parties involved, in writing, of the decisions or outcomes.

The complainant shall also be notified that they have the right of appeal within 20 business days of the receipt of the decision.

During the consideration of the original complaint, the following process are followed by SAFT.

- Additional information may be sought and discussions held with the complainant and parties involved with the complaint.
- Decisions will be made based on the information and details provided to support the complainant’s case.
- Where a student has an Academic complaint in relation to their course or personal progress, training delivery, curriculum, course content, assessment processes or outcomes, or awards issued, all details regarding the Academic complaint will be gathered for consideration. This may include meeting with relevant trainers and assessors, or administration staff, and reviewing relevant documents and records to clarify all details of the student’s complaint.
- Outcomes from academic complaints may include re-assessment, revision of records to ensure accuracy, evidence from training or assessment documents, or other relevant documentation.

**Internal Appeals – Appealing a Decision (Stage 2)**

A complainant may lodge an appeal against the conclusion / decision that is made after a complaint has been dealt with by SAFT in the first instance.

To appeal a decision the complainant (appellant) must appeal in writing on the Complaints and Appeals Form, stating the grounds of the appeal. The appeal must be lodged within 20 days of SAFT providing an outcome to the initial complaint. Help and support with this process can be gained from the Student Administration Department.

Students are referred to the appeals procedure below.

- All Internal Appeals should be lodged with the CEO. The CEO, as the Review Officer, shall ensure that all decisions are reviewed impartially and include appropriate people to support the review process.
- The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
• The CEO shall ensure that SAFT acts on any substantiated appeal.

• Where a decision relating to an academic complaint, such as an assessment decision, has been appealed the CEO shall ensure a second trainer/assessor who was not involved with the original complaint, is involved in the review process.

• Where the decision involves a non-academic matter, the CEO shall ensure the original decision is reviewed in full by an Appeals Review Committee, which will include at least one senior officer independent from the original complaint. The Appeals Review Committee will review all evidence and information pertaining to the original issue that caused the complaint.

• Notification of the decision/outcome of the appeal will be provided by the CEO to the complainant within 20 working days of receipt of the appeal.

• All records and correspondence in relation to an internal appeal shall be maintained with the initial complaint and internal appeal documentation and details updated within the ‘complaints and appeals register’ for a minimum of 5 years.

External Appeals – Further steps & information (Stage 3)

If the complainant is not satisfied with the outcome of the internal appeals process they have a right to lodge an appeal to an external independent organisation. (See further below for contact details).

• Where SAFT is informed that a student has accessed external appeals processes SAFT will maintain the student’s enrolment until the external appeal process is finalised.

• SAFT will comply with the findings of the external appeals process.

• Where a decision or outcome is in favour of the student, SAFT shall follow the required action and recommendation from the relevant external appeals organisation to satisfy the student’s grievance as soon as practicable.

• The decision of the independent mediator is final and any further action the student wishes to take is outside the RTOs policies and procedures. The student shall be referred to the appropriate government agencies and this information can be gained from the CEO.

• All records and correspondence in relation to an external appeal shall be maintained with the initial complaint and internal appeal documentation for a minimum of five years, and entry made on the ‘complaints and appeals register’.

Record Keeping Procedures

Once a formal complaint is received it is entered into the ‘Complaints and Appeals Register’ which is monitored by the CEO. The information to be contained and updated within the register includes:

- Submission date of complaint
- Name of complainant
- Description of complaint / appeal
- How the matter was dealt with
- Determined Resolution
- Date of Resolution

Copies of all documentation, outcomes and further action required will be placed into the ‘Complaints and Appeals Records/File’ by the Student Administration Manager and a copy may be retained on the student’s file. All records of complaints shall be maintained for a minimum of five years.
Implementing Recommendations

If the complaint process and outcome results in a decision that supports the student, the CEO will immediately implement any decision and/or corrective and preventative action that is required, and advise the student of the outcome.

External Appeal organisations:

Domestic Students and VET FEE Help students
In addition to the above internal processes, if complainants are still dissatisfied with the decision of the RTO, they may lodge a complaint with the Australian Skills Quality Authority (ASQA) complaints hotline. For contact details and information please see http://www.asqa.gov.au/complaints/complaints.html
Students can also contact the National training complaints hotline on Tel: 13 38 73
Additional support is also available through the below list organisations.

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<tr>
<td></td>
<td>The Dispute Settlement Centre of Victoria (DSCV) is a free dispute resolution and mediation service funded by the Victorian Government and may be able to assist resolve any outstanding complaint or issue with the complaint handling process. See over for contact details</td>
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<tr>
<th>Contact Point:</th>
<th>Melbourne Office:</th>
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<tbody>
<tr>
<td></td>
<td>Level 4, 456 Lonsdale Street</td>
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<tr>
<td></td>
<td>Melbourne VIC 3000</td>
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<tr>
<td></td>
<td>Tel: 1300 372 888</td>
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<tr>
<td></td>
<td>Fax: 8684 1311</td>
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<tr>
<th>Bendigo Office:</th>
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<tbody>
<tr>
<td>60 Mitchell Street</td>
</tr>
<tr>
<td>Bendigo VIC 3550</td>
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<tr>
<td>Tel: 4433 3100</td>
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<tr>
<td>Fax: 5444 5635</td>
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<td></td>
<td>Fair Trading NSW provides consumer advice for students and links to other organisations that will provide advice and assistance in relation to student complaints, appeals and rights.</td>
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<tr>
<th>Contact Point:</th>
<th>NSW Fair Trading: Tel: 13 32 20</th>
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International Students External Appeal
In addition to the above processes, International students enrolled with Soar Advanced Flight Training can gain information about lodging an appeal or handling a dispute through the Education Services for Overseas Students (ESOS) Helpline, and can also lodge an external appeal with the Overseas Students Ombudsman. Details below.

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<tr>
<th>Organisation:</th>
<th>Overseas Student Ombudsman (<a href="http://www.oso.gov.au/">http://www.oso.gov.au/</a>)</th>
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<tbody>
<tr>
<td>Email:</td>
<td><a href="mailto:ombudsman@ombudsman.gov.au">ombudsman@ombudsman.gov.au</a></td>
</tr>
<tr>
<td>Call:</td>
<td>1300 362 072 (within Australia)</td>
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<tr>
<td>Outside Australia call +61 2 6276 0111. Enquiries 9 am to 5 pm Monday to Friday (AEDT)</td>
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<tr>
<td>Fax:</td>
<td>02 6276 0123 within Australia. Outside Australia +61 2 6276 0123.</td>
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<tr>
<td>Postal:</td>
<td>GPO Box 442 Canberra ACT 2601.</td>
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Continuous Improvement

SAFT senior staff will examine the cause of the complaints or appeal, the information gathered during the review, and will use this information to improve its processes and practices and to ensure the issue doesn’t happen again.