

1. Complaints and Appeals Policy and Procedure

a. Purpose

This policy details the process for lodging an informal complaint all the way through to lodging a formal complaint or appeal and final decision.

The process will begin within 10 working days of the formal lodgement of the complaint or appeal. Every complaint received will be responded to efficiently to ensure an effective resolution within a reasonable timeframe, usually 20 working days or as soon as practicable.

If the resolution process takes more than 60 days, the complainant or appellant will be informed in writing, including reasons why more than 60 calendar days are required for resolution and will regularly be updated on the progress of the matter.

All students of the Institute are given an opportunity to formally present their case at no cost. A complaint may be regarded as a situation or decision a student is not in agreement with and may be related to such matters as: facilities, fees, finance issues, support, course progress, attendance etc.

b. Procedure

During orientation day, all students are briefed on how to lodge an informal and formal complaint and the process for appeal. Students are provided direction to access complaints and appeals policy and associated application form. Staff have access to the complaints and appeals policy and procedure.

c. Lodging an Informal Complaint

In the first instance, the student may discuss the concern with the Student support Officer(SSO), their trainer or Campus Manager. The staff member may deem it necessary to document the concern and ask student to formalise the concern.

If at this stage the concern cannot be corrected, or a response is not satisfactory to the student, the next step is for the student to complete the formal process which involves completing the Complaints and Appeals application form which is available from the International department or the Campus Manager and it is also located on JTI website.

d. Lodging a formal complaint

The form should be completed fully, detailing:

- Details of complaint;
- Relevant dates;
- Steps taken to resolve complaint;
- supporting evidence.

The completed form should be submitted to the SSO to be handed over to the Course Manager, Campus Manager or General Manager (Manager) for resolution.

Note: The SSO must deliver the document to the manager within 5 working days.

After formal lodgement of the complaint and appeals application, the manager will review the issue and, within 10 working days start the process for resolution.

The decision might be to agree with the validity of the complaint and take appropriate action to remedy concern, or to dismiss the complaint. The decision will be provided back to student in written format including details and reasons for the decision.

If the case requires further evidence, the student will be invited to formally present their case at a meeting between the Manager and the student. The intent is to resolve the complaint in an amicable manner as soon as possible.

The student has the right to be assisted or accompanied by a support person.

Minutes will be taken of the meeting (this will include: time, date, names of people attending the meeting and positions) and a decision will be made at the meeting. The decision will be provided in a written format including details and reasons for the decision.

e. Processing timelines

Our students are our customers and must be treated as such. Complaints and appeals are regarded a priority for analysis and actioning and so the manager will investigate the formal application within timelines stated above.

There are several situations where the student may receive a 'Letter of Intent' to report to DOE via PRISMS. This may be related to: breaches of course progress requirements (section 19 ESOS Act) or for deferral, or for suspension or cancelling a student enrolment.

Important

In these situations, it is important for the student to understand the implications of no action on their behalf and that if they intend on lodging a formal complaint they only have 20 working days in which to do so. After this time, if JTI receives no response from the student we will complete the reporting process as required by the ESOS Act.

f. Decision

Decisions will be documented in the Complaints and Appeals application form including the outcome, details and reasons for the decision. The decision document and complaints outcome letter will be sent via registered post (person to person delivery) to student in a written format or give to the student face to face. If the decision is to dismiss the complaint, the student should be advised of the external appeals process and contacts.

If the student is not happy with the decision they may choose to access the external appeals process at no cost.

If the decision requires corrective actioning, this will be documented and assigned completion date with responsibility.

The General Manager has the responsibility of ensuring that actions are completed by set timelines.

g. External Appeals Process

In the situation where the decision made by JTI has not been accepted by the student, the student has an opportunity to refer the case to external appeals organisations which will be given by the student support officer.

If the student indicates that they wish to appeal JTI decision, the office of Overseas Student's Ombudsman can deal with external appeals and their telephone number is 1300362072. Their website is www.oso.gov.au

Appeals must be lodged with the external appeals adjudicator within 20 working days of the date of the outcome of decision by JTI. The student must notify JTI of the lodgement of an external appeal. A student can also contact Department of Education through the ESOS online enquiry form or through the ESOS helpline (02) 62405069. The Department of Education will only intervene where the provider's appeals process was not been conducted correctly or if the provider did not make the appeals process available to the student.

The full details of the appeals process will be supplied to the students at Orientation both formally and informally. The marketing and recruitment materials also clearly indicate the process for accessing external appeals.

Note: if a student has indicated they have completed the appeals application with the Office of Overseas Student's Ombudsman, a copy of application form should be provided to JTI.

The external appeals adjudicator will examine the case in point, reviewing all documentation and interviewing staff and student if deemed necessary. A decision will be made to affirm or remit JTI decision.

If the decision by the external appeals adjudicator is to affirm JTI's decision, then JTI will upon receiving formal documentation of decision, take appropriate actions. This will occur within 5 business days of receiving formal decision.

However, if the decision by the external appeals adjudicator is to remit JTI decision, then JTI will upon receiving formal decision then take appropriate actions, for example, document a corrective action, correct the issue and provide outcome to the student in writing and refund the student the cost of the appeal process if applicable.

h. Enrolment Status

JTI will maintain the enrolment of the student until the complaints and appeals process is completed. This means that JTI will not notify DOE of any changes to the student's enrolment status via PRISMS. However, in the case of external appeal the continuance of enrolment during this process will depend on the type of appeal, for example in the case of unsatisfactory attendance or course progress and JTI decision to report the student, the student's enrolment will be maintained until the external appeal process is complete and the decision of JTI has been upheld. At this point in time the student will be reported.

In the case of unsatisfactory attendance or course progress, JTI will allow only one (1) external appeal process before reporting the student. This is to remove the issue of when a student may wish to apply multiple external appeals processes which would stonewall the process.

In the case of an appeal against JTI's decision to defer, suspend or cancel a student's enrolment due to misbehaviour, JTI only needs to wait until the internal appeals process has been completed (this

must be in favour of JTI) at this point in time, JTI will notify DOE via PRISMS of the change to students' enrolment.

Once the DOE has been notified of a deferment, suspension or cancellation of a student's enrolment, the student has 28 days in which to;

- Leave Australia
- Show the Department of Home Affairs, a new Confirmation of Enrolment (CoE) or
- Provide DHA with evidence that they have accessed an external appeals process.

Note:

This policy does not require that JTI continue to offer learning to students throughout the complaints or appeal process, for example if the student has continually misbehaved in class and so the Manager prohibits (excludes) the student from attending class, JTI may still provide the student work to be completed away from class (so that student does not fall too far behind) until the decision on complaint or appeal has been made.

Records of Complaints & Appeals and Decisions

Records of complaints and appeals and decisions are in the Complaints and Appeals folder and a reference in the students file, this also includes records of Australia post registered mail and person to person delivery signed by the student.

The availability of this complaints and appeals process, does not remove the right of the student to act under Australia's consumer protection laws.

Responsibilities & Action

The General Manager is the designated member of staff to review complaints, convene meetings with students, decide on complaint and document outcomes on students file, complaints and appeals application form and complaints and appeals register.

The SSO may also take delivery of the complaints and appeals application form and deliver to the Manager within 5 working days.

If the complaint or appeal is about the General Manager, then the application must be submitted to the CEO for due process.