

# COMPLAINTS AND APPEALS POLICY AND ASSOCIATED PROCEDURES

## PURPOSE OF THE POLICY

This policy and associated procedures outline Kordon Institute of Technology's approach to managing complaints and appeals. This is to ensure that complaints are handled in a transparent way, as well as fairly, efficiently and effectively.

This policy and associated procedures meet the requirements of Standard 2.7 the Outcome Standards for RTOs.

Note that mechanisms for providing feedback is addressed in our Quality Assurance Policy and Associated Procedures.

## POLICY STATEMENTS

### APPROACH

Complaints may be made against Kordon Institute of Technology, its trainers and assessors and other staff, a learner of Kordon Institute of Technology, as well as any third party providing services on behalf of Kordon Institute of Technology.

Complaints can be in relation to any aspect of Kordon Institute of Technology's services provided.

Appeals can be made in respect of any decision made by Kordon Institute of Technology. An appeal is a request for Kordon Institute of Technology decision to be reviewed in relation to a matter, including assessment appeals.

In managing complaints, Kordon Institute of Technology will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaint process. This means reviewing each complaint or appeal in an objective and consistent manner.

Kordon Institute of Technology will appoint relevant person/s to manage complaints and appeals.

The internal complaints and appeals process will be conducted at no cost to students.

Potential causes of complaints and appeals will be investigated and corrective and preventative action will be taken in relation to complaint and appeals. Complaints and appeals will also be seen as an opportunity for improvement.

All individuals, including third parties will be informed of allegations made and will have the opportunity to present their case.

Nothing in this policy and procedure limits the rights of an individual to take action under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.

Kordon Institute of Technology encourages complainants to first seek to address the issue informally by discussing it with the person involved. However, if the person is not comfortable with this or has tried this unsuccessfully, they are to follow the procedures below.

All records of complaints and appeals will be kept by Kordon Institute of Technology and entered into the complaints and appeals register.

## COMPLAINTS AND APPEALS PROCESS

Complaints and appeals are to be made as follows:

- Submit complaint or appeal in writing using the complaints and appeals form. The complaints and appeals form outlines the information that should be provided.
- Submit complaint within 30 calendar days of the incident or in the case of an appeal within 30 calendar days of the decision being made.

## RESPONSE TO COMPLAINTS AND APPEALS

Complaints and appeals will be responded to as follows:

- The complaint or appeal will be acknowledged in writing within 3 working days of receipt.
- Review of the complaint or appeal will commence within 5 working days of receiving the complaints.
- Complaints and appeals will be finalised as soon as practicable or within 30 calendar days.
- Where the complaint or appeal is complex and is expected to take more than 60 calendar days to process, Kordon Institute of Technology will write to inform the complainant or appellant of this including the reasons for such. Following this update, regular updates will be provided of progress.
- The outcomes of the complaints and appeals process will be communicated in writing to the person making the complaint or appeals. This will also include the reasons for the outcome.

## COMPLAINTS AND APPEALS HANDLING

Each individual involved in the complaint may have a support person of their choice present at any meetings to resolve the complaint or appeal.

An independent assessor will be identified to conduct a review of an assessment decision that is being appealed.

## ENROLMENT DURING A COMPLAINTS PROCESS

Students' enrolment will be maintained throughout the complaints and appeals process unless the complaint is in relation to misconduct.

Students' enrolment will also be maintained throughout the internal appeals processes.

Additionally:

- if the appeal is against Kordon Institute of Technology's decision to cancel the student's enrolment for unsatisfactory course progress or attendance, the student's enrolment will be maintained until the external process is completed and has supported or not supported Kordon Institute of Technology's decision to cancel their enrolment

- if the appeal is against Kordon Institute of Technology's decision to defer, suspend or cancel a student's enrolment due to misbehaviour, Kordon Institute of Technology will cancel the student's enrolment after the outcome of the internal appeals process.

## INDEPENDENT APPEAL PROCESS

Where the internal process has failed to resolve the complaint or appeal, the matter will be referred to an independent mediator.

All associated costs are to be met by the complainant/appellant unless it is Kordon Institute of Technology that made the decision to appoint the independent party.

The independent party recommended by Kordon Institute of Technology for cases involving domestic students is the Resolution Institute. However, another mediator of the student's choice can be appointed.

During the mediation process, Kordon Institute of Technology will cooperate in full and commits to immediately implement the decision or recommendation made by the external mediator and/or take preventative or corrective action required by the decision or recommendation.

All actions taken will be communicated in writing to students.

## INFORMATION ABOUT EXTERNAL BODIES TO WHOM COMPLAINTS CAN BE MADE

Complaints can also be made to the organisations indicated below:

### **NATIONAL TRAINING COMPLAINTS HOTLINE:**

The National Training Complaints Hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint. Access to the Hotline is through:

Phone: 13 38 73, Monday–Friday, 8am to 6pm nationally

Email: [ntch@education.gov.au](mailto:ntch@education.gov.au)

### **AUSTRALIAN SKILLS QUALITY AUTHORITY (ASQA):**

Complainants may also complain to Kordon Institute of Technology's registering body, Australian Skills Quality Authority (ASQA). It is important to understand that ASQA does not act as an advocate for individual students and is not responsible for resolving disputes between students and training providers. ASQA only uses information from all complaints as intelligence to inform regulatory activities. More information can be found at: <https://www.asqa.gov.au/complaints>

## PROCEDURES

### 1. PROCESS COMPLAINTS AND APPEALS

- 1.1 File the complaints and appeals form received.
- 1.2 Send out an acknowledgement within 3 working days of receiving the complaint or appeal.

- 1.3 Record details of the complaint or appeal on receipt on the complaints and appeals register.
- 1.4 Determine whether the complaint or appeal can be resolved quickly and easily. If so, take immediate action to resolve the complaint or appeal and inform the student in writing of the outcome.
- 1.5 If the complaint is more complex, organise relevant staff to review the complaint and commence investigation.
- 1.6 Inform the complainant or appellant within 5 days of receiving the complaint that the investigation will commence or of the action that will occur in the case of simple complaints.
- 1.7 Conduct an investigation that includes:
  - checking of all facts and accuracy of information
  - requesting further information as required
  - organising a meeting with the complainant/appellant
  - identifying relevant corrective/preventative action
  - confirming a solution.
- 1.8 Where the matter is an appeal about an assessment decision, the investigation process will include an independent review of the assessment evidence and decision by another assessor. A relevant independent assessor should be organised.
- 1.9 The investigation will be completed within 30 days, or if it is considered that it will take longer to than 60 calendar days to process, Kordon Institute of Technology will write to inform the complainant or appellant of this including the reasons for such. Following this update, regular updates will be provided of progress.
- 1.10 Where the process finds in favour of the student, organise a management meeting to discuss:
  - the process and its outcome; and
  - actions to be taken to implement the decision, including both corrective/preventative actions.
- 1.11 Following the meeting, agreed actions will be immediately implemented.
- 1.12 Update the complaints and appeals register.
- 1.13 Once the investigation is complete, the complainant or appellant will be informed in writing of the outcome. Where the response is in relation to a complaint, the letter will advise that the internal appeals process may also be accessed.
- 1.14 Archive the complaint or appeal documentation.

## 2. ORGANISE EXTERNAL APPEALS

- 2.1 In cases where the student has organised the mediator, it will be responding to the mediator's requests.
- 2.2 Cooperate with all requirements of the mediator, providing all information as required.
- 2.3 Where the mediator finds in favour of the student, organise a management meeting to discuss:
  - the external process and its outcome; and
  - actions to be taken to implement the decision, including both corrective/preventative actions.
- 2.4 Following the meeting, agreed actions will be immediately implemented.
- 2.5 Advise the student of the action that Kordon Institute of Technology will take in response to the external mediator's decision.

## RESPONSIBILITIES

The CEO is responsible for:

- investigating complaints and appeals
- making decisions about complaints and appeals in conjunction with others.

The Administration Support Officer is responsible for:

- investigating complaints and appeals
- making decisions about complaints and appeals in conjunction with others
- facilitating external decisions.

The Administration Support Officer is responsible for:

- processing complaints and appeals forms
- filing all documentation.

# COURSE PROGRESS AND ATTENDANCE POLICY AND ASSOCIATED PROCEDURES

## PURPOSE OF THE POLICY

This policy and associated procedures outline Kordon Institute of Technology's approach to ensuring students maintain satisfactory course progress and attendance throughout their studies to ensure they can complete their course within the required duration as specified in their Offer Letter and Student Agreement. This policy and associated procedures also outline the procedures for managing unsatisfactory progress.

This policy and associated procedures meet the requirements of Standard 2.3 the Outcome Standards for RTOs.

## POLICY STATEMENTS

### OVERVIEW

Kordon Institute of Technology monitors students' course progress and attendance to ensure they are able to complete their course within the duration specified in their Offer Letter and Student Agreement.

Kordon Institute of Technology advises students before they commence their course of the requirements to achieve satisfactory course progress and attendance, including that students who do not meet course progress requirements are at risk of having their enrolment cancelled. This advice is included in the Student Handbook, Course Brochure and within the Orientation.

All records of course progress and monitoring will be kept.

### MONITORING COURSE PROGRESS AND ATTENDANCE

A number of strategies will be used to determine whether a student is at risk of, or is making unsatisfactory progress and attendance.

Course progress and attendance is monitored weekly during each study period as follows:

- By reviewing satisfactory completion of assessments.
- By reviewing the student's attendance record to ensure that they attend a minimum of 80% of their scheduled classes and have not been absent for more than 5 consecutive days without approval for a leave of absence.
- By assessing the student's participation in class.

Course progress monitoring will determine the need for a student to participate in an intervention strategy. Kordon Institute of Technology commits to an early intervention approach.

A student will be deemed at risk and be required to participate in an intervention strategy if:

- they have an overall result of Not Yet Competent for a unit
- do not attend classes on a regular basis
- do not participate in learning activities within the classroom.

All course progress and attendance monitoring is achieved by reviewing data on the student management system.

## INTERVENTION STRATEGY

Students who are identified at risk of not meeting course progress and attendance requirements are required to participate in an intervention strategy.

The intervention strategy will be developed to meet the student's needs and documented in an Intervention Form.

Students who are identified as being at risk will be informed in writing that they are at risk. This will be in the form of two formal warning letters and an intention of notice to cancel as follows:

- First warning letter: after failing one or more assessment tasks of a unit following resubmission and/or not meeting a minimum of 80% attendance requirements.
- Second warning letter: after failing one or more assessment tasks of a unit following resubmission and/or failing additional assessment tasks of a unit and/or not meeting minimum of 80% attendance requirement despite an intervention strategy.
- Notice of intention to cancel enrolment: after failing one or more assessment tasks of a unit following resubmission and/or failing additional assessment tasks of a unit and/or not meeting minimum of 80% attendance requirement despite an intervention strategy.

## EXCEPTIONS

An exception may be made where a student is attending at least 70% of the course contact hours and is maintaining satisfactory progress.

## EXTENSION TO AN EXPECTED COURSE DURATION

Extensions to the course duration specified on the student's Offer Letter and Student Agreement will be allowed if:

- compassionate or compelling circumstances apply and demonstrable evidence of such is provided
- where an intervention strategy is in place (or is about to be implemented) for the student because they are at risk of not meeting course progress or attendance requirements.

## CANCELLING ENROLMENT

Where a student has demonstrated unsatisfactory course progress and/or attendance in a study period despite interventions implemented, Kordon Institute of Technology will:

- notify the student in writing of the intention to cancel the student's enrolment for unsatisfactory course progress and/or attendance
- inform the student of the reasons for the intention to cancel enrolment

- advise the student of their right to dispute the decision by accessing Kordon Institute of Technology's Complaints and Appeals Policy Procedure within 20 days of receiving the notice of intention to cancel enrolment.

Kordon Institute of Technology will only cancel the student's enrolment if:

- the internal and external complaints processes have been completed and the decision or recommendation supports the registered provider; or
- the student has chosen not to access the internal complaints and appeals process within the 20 working day period; or
- the student has chosen not to access the external complaints and appeals process: or
- the student withdraws from the internal or external appeals processes by notifying Kordon Institute of Technology in writing.

All records will be kept on the student's file including warning letters and the notice of intention to cancel.

## PROCEDURES

### 1. ASSESS COURSE PROGRESS AND ATTENDANCE

- 1.1 Review data from student management system on a weekly basis to determine if students are at risk of not meeting course progress requirements as per the definitions in the policy.
- 1.2 Check and record student attendance daily using an Attendance Sheet, the results of which are entered into the Student Management System. An attendance rate is calculated each week.
- 1.3 Contact student via SMS and email if the student has been absent for more than 5 consecutive days without approval or they will not be able to achieve 80% attendance. This should be repeated until the student responds. Inform the student that their immediate attendance is required and they will receive a First Warning Letter as specified below.
- 1.4 Review data from student management system on a weekly basis to determine if students are at risk of not meeting course progress requirements as per the definitions in the policy.

### 2. PROVIDE FIRST WARNING AND COMMENCE INTERVENTION STRATEGY

- 2.1 Send the student a First Warning Letter of Unsatisfactory Course Progress/Attendance which includes an invitation to attend a meeting to discuss the issue. Include the letter on the student's file.
- 2.2 Use the Intervention Form to guide the meeting with the student.
- 2.3 Document agreed interventions on the Intervention Form and implement immediately. Include the Intervention Form on the student's file.



- 2.4 Monitor progress through regular communication and document progress on form.
- 2.5 In consultation with the student, adjust the intervention if required and update the Intervention Form.
- 2.6 Sign off on form when the intervention is complete and the student is meeting course progress/attendance requirements.

### 3. PROVIDE SECOND WARNING

- 3.1 Where the student is still not meeting course progress/attendance requirements, send the student a Second Warning Letter of Unsatisfactory Course Progress/Attendance, which includes a further invitation to attend a meeting to discuss the issue. Include the letter on the student's file.
- 3.2 Use the Intervention Form to guide the meeting with the student.
- 3.3 Advise the student that despite the interventions agreed to, they have still not been making progress. Identify their reasons for such and document in the progress report section of the Intervention Form.
- 3.4 Document any agreed adjusted interventions on the Intervention Form and implement immediately.
- 3.5 Monitor progress through regular communication and document progress on form.
- 3.6 Sign off on form when the intervention is complete and the student is meeting course progress/attendance requirements.

### 4. ADVISE OF NOTICE OF INTENTION TO CANCEL

- 4.1 Where the student is still not meeting course progress/attendance requirements, send the student a Notice of Intention to Cancel Enrolment for Unsatisfactory Course Progress and Attendance.
- 4.2 If the student does not appeal against the decision to cancel their enrolment or if their appeal is unsuccessful, cancel the student's enrolment for breach of course progress requirements.
- 4.3 Complete all actions associated with cancellation such as removal of student's email account, access to Kordon Institute of Technology's property and so on.

## RESPONSIBILITIES

The CEO is responsible for:

- reviewing data to check course progress and attendance

- conducting meetings with students and developing and monitoring intervention strategies
- reviewing student appeals in relation to course progress.

The Administration Support Officer is responsible for:

- issuing warning letters and notices of intention to cancel enrolment.

Trainers and assessors are responsible for notifying the CEO of students they consider to be having difficulties with course progress and/or attendance.