

## **Policy:** Complaints and Appeals Policy

**Objective:** The Australian Institute of Fitness ('AIF') is committed to providing an effective, efficient, timely, fair and confidential complaints and appeals handling process for all Students. This document establishes AIF's policy with regards to the resolution of complaints and to ensure compliance with the Standards for RTOs 2015 and the VET Student Loans Act 2016.

This policy and related procedure covers both academic and non-academic complaints.

**Last updated:** 09 September 2020

**Definitions:** **Students** – refers to all persons enrolled or seeking to enrol in a course at the AIF including those enrolled or seeking to enrol in a unit of study that meets the course requirements as specified in the VET Student Loans Act 2016.

**Complainant** – refers to Students (as defined above) who have lodged a formal complaint with AIF.

**Complaint** – refers to the informal or formal expression of concern regarding some aspect of the conduct of the AIF's operations, services, staff or students.

**Informal Complaint** – feedback received from a Student or other person expressing concern regarding some aspect of the AIF's operations, services, staff or other Students which is ad-hoc or informal in nature and does not include a complaint which has been submitted in writing and which does not require a formal response.

**Formal Complaint** – feedback received from a Student or other person expressing concern regarding some aspect of the AIF's operations, services, staff or other Students which is presented formally, in writing and requires a formal response. This includes complaints which may have been initiated informally but attempts at resolution have failed resulting in escalation to a formal (written) complaint.

**Respondent** – refers to the person required to respond to the complaint.

### **Policy:** Overview

This policy and procedure covers both academic and non-academic complaints and appeals.

Academic matters include those matters that relate to Student progress, course content or issuing of certificates in a VET course of study. This may include:

- Training (Learning) activities
- Assessment activities
- Assessment decisions after re-assessment processes have been exhausted

If a Student feels that the decision around assessment is incorrect, the Student can submit a 'Request to Appeal' by emailing the regional Training Team Leader / regional General Manager. AIF will respond within 5 business days of receipt of email with the

reasons why and next steps. The original Assessor is not permitted to conduct the appeal review.

Non-academic matters include those matters which do not relate to a Student's academic progress, such as course content or awards in a course and includes complaints in relation to personal information that AIF holds in relation to the Student. Non-academic complaints tend to arise from events occurring at an AIF campus or from administrative decisions made by AIF.

Non-academic complaints may involve:

- Course advice and enrolment
- Suspension and/or cancellation of enrolment by AIF
- Course content or delivery including both online and face to face
- Marketing or other promotional activity
- Safety issues
- Access and equity issues
- Bullying or harassment
- Fees and charges
- Administrative issues
- Record keeping

### **Informal and Formal Complaints**

Students are encouraged to try to resolve a concern informally. Where the concern relates to the training or assessment, the Student is encouraged to approach the trainers ('Coaches') of their course and/or where necessary the Training Manager ('Training Team Leader') at their Campus. Where the training may relate to fees or other administrative matters, the Student is encouraged to approach a member of the Support Team. In most instances, it is likely that the issue will be able to be resolved informally.

Where the Student is not satisfied with the results of this informal approach and wishes to take the matter further, the process described in the Complaints Procedure are followed.

Please note that it is not mandatory for Students to raise a complaint informally.

Where someone wishes to lodge a formal complaint, they are encouraged to do so using the 'submit a complaint form' on AIF's website.

### **General principles**

These principles are adhered to by AIF and apply to all stages of the complaints handling process:

- AIF deals with all complaints in a fair, constructive and timely manner.
- The Complainant and any Respondent can present their case at each stage of the process.
- The Complainant and any Respondent have the option of being accompanied/assisted by a third person (such as a family member, Student or

counsellor) if they so desire. Where a complaint is submitted on behalf of an enrolled Student, any responses by AIF will only be directed back to the Student – or where the Student is under 18 years old, the response may be directed back to the Student's supervising parent or legal guardian

- The Complainant and any Respondent is not discriminated against or victimised.
- At all stages of the process, discussions relating to complaints are recorded in writing and details are stored in AIF's electronic 'Complaints Register'.
- Reasons and a full explanation in writing for decisions and actions taken as part of this procedure are provided to the Complainant and/or any Respondent.
- Records of all complaints are kept for a period of five years to allow parties to the complaint appropriate access to these records. These records are kept strictly confidential and stored electronically by AIF.
- AIF and the Complainant observe strict confidentiality during all stages of the complaint resolution process. All communications and proceedings relating to the complaint and its resolution remain confidential.
- A Complainant has the right to appeal a decision.
- No Student, Employee or other stakeholder is disadvantaged in any way during the complaint and resolution process.
- A Student's progress through a study program is not disrupted whilst a complaint is being heard unless the nature of the issue itself means further progress is not possible.
- A Complainant has access to the internal or external stages of the complaints process at no cost.
- AIF will make all reasonable effort to resolve the complaint. Where a complainant has not responded to communication from AIF for a period of 60 calendar days, the complaint will be deemed 'closed' and no further action will be taken by AIF unless or until the complainant recommences communications.

If the complaint remains unresolved, the complainant is able to request an external review from an appropriate independent third party / mediator. The National Training Complaints Hotline and website will be able to direct the complainant to the right authority in their state:

Phone: 13 38 73

<https://www.employment.gov.au/national-training-complaints-hotline>

AIF and the Student share the cost of the mediator and the cost of a mediation venue, but the parties each pay their own costs of their own lawyers should a mediation be required.

It is not the role of the Australian Skills Quality Authority (ASQA) to act as an advocate for individual student complaints.

**Publication**

This Complaints and Appeals Policy and associated Procedure is available to Students and those seeking to enrol with AIF through publication on the website, [www.fitness.edu.au](http://www.fitness.edu.au).

The CEO is responsible for implementation of this policy and related procedures and ensuring that all staff are fully trained in its operation and that Students and Complainants are made aware of its availability.

**Compliance:** In accordance with the AIF Code of Conduct, any breach of this policy is dealt with seriously and may result in disciplinary action including termination of employment, depending on the severity of the breach.

Where Team Members consider that significant departures from the principles of this Policy have occurred, they are obligated to report it immediately to their Line Manager or iExec Team Member. Failure to do so constitutes a breach of this Policy & AIF Code of Conduct

**Associated documentation:**

- Complaints Procedure - External
- Corrective Action Register
- Student Handbook

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