



Complaints and Appeals Policy

Purpose

The purpose of this policy and procedure is to ensure that complaints and appeals are resolved appropriately and as quickly as possible.

Scope

This policy and procedure applies to all staff of BCA. Trainer/assessor staff and all staff working with international students in particular should have a clear understanding of this policy and procedure so that they can ensure students are aware of this process.

Principles

BCA will ensure that:

- All students have access to the complaints policy and procedures and their rights as consumers
- BCA will maintain the student's enrolment during the complaint process
- The complainant is provided with information about the complaints procedure
- BCA will respond to any complaint or appeal the overseas student makes regarding his or her dealings with BCA, its education agents or any related party that BCA has an arrangement with to deliver the overseas student's course or related services
- All complaints are assessed in a professional, fair and transparent manner
- The complaint process is commenced within 10 working days from the date of complaint
- Due to confidentiality reasons, the number of people involved in the resolution process will be limited.
- Officials involved in any aspect of the process will maintain absolute confidentiality at all times
- The complaint resolution procedure promotes a conciliatory approach using mediation and open communication while acknowledging that in some instances this may be challenging.
- The rights of the complainant and respondent will be protected throughout the complaint resolution process.
- All parties have the right to representation during the complaint resolution process.
- Victimisation of complainants, respondents or anyone else involved in the complaint resolution process will not be tolerated.
- The complainant is provided with a written response including the outcome and reasons for the outcome within 20 calendar days.
- Complainants reserve the right to lodge a complaint with external agencies at any point during the complaint resolution process.
- Retain a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome for a period of five years after the student ceases to be an accepted student at BCA.

Definitions

COMPLAINTS – Dissatisfaction with a service offered by BCA

APPEAL – Dissatisfaction with a decision made by BCA





Responsibilities

The CEO/RTO Manager is responsible for implementing and ensuring compliance with this policy

Types of complaints

The complaints may be about academic or non-academic matters including, but not limited to:

- Application procedures
- Marketing information
- Training delivery or content
- Trainers, Assessors/ Teachers or other staff
- Assessment methods or assessment content
- Student progress
- Issuing of Awards
- An agent recruiting students for BCA
- A third party delivering services on BCA's behalf
- A student or group of students of BCA
- Discrimination
- Harassment, bullying or victimisation
- Breach of privacy
- Individual conflict arising from perceived inappropriate behaviours
- Fees or other financial matters
- Fines and payments

Complaints Procedure for all academic and non-academic matters

Internal complaints and appeals

The internal complaints and appeals processes are conciliatory and non-legal.

- 1) Complaints against other Students
 - a) Grievances brought by a Student against another student will be dealt with under the College's Behaviour Policy/Code of Conduct.
- 2) Informal Complaints/ Appeals Resolution
 - a) In the first instance, BCA requests there is an attempt to informally resolve the issue through mediation/informal resolution of the complaint.
 - b) Students should continue to attend classes (if applicable) while the complaint is being processed
 - c) Students should contact their Trainer/ Teacher in the first instance to attempt mediation/informal resolution of the complaint.
 - d) If Students are not satisfied with the outcome, they should contact student support coordinator who will attempt to resolve the matter.
 - e) If the complaint is about the student support coordinator, it can be directly brought to the CEO's attention.
 - f) If the matter cannot be resolved through the informal mediation process, the matter will be referred to the CEO in writing and BCA's internal formal complaints and appeals handling procedure will be followed.
- 3) Formal Appeals/Complaints Handling Procedure





- a) The process of this grievance procedure is confidential and any complaints or appeals are a matter between the parties concerned and those directly involved in the complaints handling process.
- b) The Student must notify BCA in writing of the nature and details of the complaint or appeal.
- c) Written complaints or appeals are to be lodged with the CEO.
- d) Where the internal complaints and appeals process is being accessed by an international Student because the student has received notice by BCA that the College intends to report him/her for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has 20 working days from the date of receipt of notification in which to lodge a written appeal.
- e) Complaints and appeals processes are available to students at no cost.
- f) Each complainant or appellant has the opportunity to present his/her case to the CEO.
- g) Students and / or the College may be accompanied and assisted by a support person at all relevant meetings
- h) The formal grievance process will commence within 10 working days of the lodgment of the complaint or appeal with the CEO.
- i) BCA undertakes to finalise all grievance procedures within 20 calendar days.
- j) However, should detailed investigation be required, the process may take more than 20 days. The complainant or appellant will be notified of the expected duration of the investigation process should the process take 21-60 days.
- k) If more than 60 days are required, BCA will advise the complainant in writing, the reasons for why more than 60 days are required. BCA will regularly update the complainant or appellant of the progress of the matter.
- l) For the duration of the appeals process, the Student's enrolment and attendance must be maintained. If the Student chooses to access BCA's complaints and appeals process, BCA will maintain the Student's enrolment while the complaints and appeals process is ongoing
- m) Once the CEO has come to a decision regarding the complaint or appeal, the Student will be informed in writing of the outcome and the reasons for the outcome, and a copy will be retained securely on the Student's file. A copy will also be retained securely in the internal 'Complaints and Appeals Register'.
 - i) If the grievance procedure finds in favour of the complainant, BCA will immediately implement the decision and any corrective and preventative action required, and advise the Student of the outcome.
 - ii) If the overseas student is not successful in the BCA' internal complaints handling and appeals process, BCA will advise the overseas student within 10 working days of concluding the internal review of the overseas student's right to access an external complaints handling and appeals process at minimal or no cost.

4) External Appeals Processes

Overseas Students: If you wish to lodge an external appeal or complain about this decision, you can contact the Overseas Students Ombudsman. The Overseas Students Ombudsman offers a free and independent service for overseas Students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website www.oso.gov.au or phone 1300 362 072 for more information.





You can complain to the Overseas Students Ombudsman if you believe your provider has not followed the rules correctly or treated you fairly.

The Ombudsman can consider complaints about:

- refusing admission to a course
- fees and refunds
- course or provider transfers
- course progress or attendance
- cancellation of enrolment
- accommodation or work arranged by your provider
- Incorrect advice given by an education agent.

The Overseas Students Ombudsman can also investigate complaints about education agents who have an agreement with a provider to represent them in Australia or overseas. You can also complain if a provider has failed to take action or is taking too long to take some action, like not providing your results in the normal timeframe, or not providing services included in your written agreement with the provider.

If you are an overseas Student and you have a complaint about the quality of training and assessment being delivered by BCA, you may be eligible to submit a complaint to ASQA.

You can also contact your local state & territory consumer protection agency (sometimes called 'consumer affairs' or 'fair trading') can provide you with information about your rights and options.

- 5) BCA will identify the potential causes of complaints and appeals and take appropriate corrective action to eliminate or mitigate the likelihood of recurrence, for continuous improvement purposes
- 6) Written records of all complaints and appeals and their outcomes will be maintained in the relevant person's file and a copy in the BCA Complaints Register for a period of two years after the student ceases to be an accepted student at BCA.

The Complaints Register is to be managed and maintained by the CEO. Complaints must be updated within the register as soon as is possible, no later than two (2) working days after the complaint is received. The outcome of the complaint must be recorded in the Complaint Register soon as possible, no later than two (2) working days after the outcome determined.

The Complaints Register is to be saved electronically in the RTOs management file in the "Complaints" in "Complaint and Appeals."

A review of the complaint is to be undertaken and actions implemented to reduce the likelihood of the same complaint being reported in the future.

