

Complaint and Appeal Policy and Procedure

Policy

Swinburne Open Education (RTO 3059) provides a complaint management process that aligns to the principles of natural justice and procedural fairness. Swinburne Open Education student complaint policy complies with the requirements of Standard 6 of the *Standards for Registered Training Organisations (RTOs) 2015*.

Purpose

The purpose of this policy is to ensure that Swinburne Open Education students have access to a transparent, free internal complaint management process that ensures all complaints are investigated fairly and promptly.

Scope

This policy applies exclusively to student and stakeholder complaints relating to services provided by Up Education Online on behalf of Swinburne Open Education (RTO 3059) in accordance with the established partnership agreement.

The management of complaints from staff and contract Trainers and Assessors is covered in Swinburne Open Education HR Policies and Procedures.

Assessment appeals are covered in the Assessment Policy and Procedures.

Responsible Officer(s)

Head of Faculty is responsible for ensuring that all complaints received from students and stakeholders are investigated and managed in accordance with this policy and associated procedures.

Review and Improvement

This policy and associated procedures are subject to regular review and improvement through Continuous Improvement processes as described in the Continuous Improvement Policy and Procedures.

Complaint Procedures

1. Complaint Principles

In the management of complaints and complaint appeals, Swinburne Open Education applies the following principles:

- Complainants will not be victimised or discriminated against,
- Complainants have the right to be represented and/or supported by third parties,
- Complaints and complaint appeals are managed in accordance with the principles of natural justice,
- Complaints and complaint appeals will be investigated in a transparent, objective and unbiased manner,
- Complaint and complaint appeal service standards are published,

- Complaint and complaint appeal outcomes are systematically analysed and improvements arising from complaints are implemented,
- There are no fees for engaging in the complaint and complaint appeal processes.

2. Issues

Where a student would like to provide informal feedback relating to their experience with Swinburne Open Education, they are able to raise their concerns directly in accordance with the Student Issues process (refer to Student Support Policy and Procedures). Issues addressed via this mechanism are not defined or managed as complaints.

3. Complaint Management

Complaints may be lodged by students and other stakeholders including employers, industry and the general public. A complaint may be lodged where a student is unsatisfied with the resolution for an issue, or for any other reason.

Complaints may be submitted via the Complaint Form or other written means that clearly identify the matter as a complaint.

Swinburne Open Education will confirm receipt of all complaints in writing within two business days and allocate an officer to investigate the matter. Complainants will be provided the contact details for the investigating officer with the confirmation of receipt of the complaint.

Swinburne Open Education aims to complete complaint investigations within 10 business days. If the investigation takes longer than 10 days, the investigating officer will advise the complainant in writing.

All complainants will receive a written outcome to the complaint, including reasons for decisions and options available to the complainant. Each step of complaint investigation process is included in the Complaint Procedures Guideline.

4. Complaint Appeal

Where a complainant is unsatisfied with the resolution of their complaint, they may lodge a complaint appeal.

Complaint appeals may be submitted via the Complaint Appeal Form or other written means that clearly identify the matter as a complaint appeal.

Swinburne Open Education will confirm receipt of all complaint appeals in writing within two (2) business days and allocate an officer to investigate the matter. Complainants will be provided the contact details for the investigating officer with the confirmation of receipt of the complaint appeal.

Swinburne Open Education aims to complete complaint appeal investigations within 10 business days. If the investigation takes longer than 10 days, the investigating officer will advise the complainant in writing.

All complaint appeals and proposed outcomes are reviewed by the Complaint and Appeals Committee. All

complainants will receive a written outcome to the complaint appeal, including reasons for decisions and options available to the complainant. Each step of the complaint appeal investigation process is included in the Complaint Procedures Guideline.

5. External Review

Where a complainant has exhausted the internal complaint process and is unsatisfied with the resolution of their Complaint Appeal, they may choose to seek a review through an external agency.

The National Training Complaint Hotline provides a referral service, forwarding complaints to an appropriate agency, authority or jurisdiction for consideration. <https://www.employment.gov.au/national-training-complaints-hotline>

While not a complaint referral/management service, complainants may choose to contact the Australian Skills Quality Authority with complaints about Registered Training Providers.

<https://www.asqa.gov.au/complaints/complaints-about-training-providers>

6. Review and Improvement

Complaint and Complaint Appeal data will be reported on a monthly basis to the Leadership Team. The team will review data and trends emerging from complaints and complaint appeals to identify and implement improvements as part of the Continuous Improvement processes as required.

Complaint Procedures Guideline

Complaint Management Steps

1. Complainant lodges Complaint in writing.
2. Swinburne Open Education receive the complaint, log the details in the system and:
 - a. Allocates a Complaint case number,
 - b. Allocates an Investigating Officer.
3. Swinburne Open Education acknowledges receipt of the complaint in writing to the complainant within 2 business days including:
 - a. Providing the complainant with the Complaint case number, and
 - b. Contact details for the Investigating Officer.
4. The Investigating Officer investigates the complaint including but not limited to via:
 - a. Obtaining additional information from complainant if required,

- b. Reviewing available information/evidence/records,
 - c. Referencing relevant Swinburne Open Education policy and procedures,
 - d. Consulting with Swinburne Open Education Business Units and staff as required.
5. The Investigating Officer determines the complaint outcome.
 6. The Investigating Officer provides the outcome to the complainant in writing including the reasons for the outcome and advises that the Complaint Appeal process is available.
 Note: Swinburne Open Education aims to provide written complaint outcomes within 10 business days. Where an investigation exceeds 10 days, the Investigating Officer will provide the complainant with regular updates in writing until the outcome is determined.
 7. The Investigating Officer logs the complaint outcomes including:
 - a. Any corrective actions in the Corrective Action Register,
 - b. Any improvements in line with the Continuous Improvement process, and
 - c. Provide feedback to relevant business units.

Complaint Appeal Management Steps

1. Complainant lodges a Complaint Appeal in writing.
2. Swinburne Open Education receive the Complaint Appeal, log the details in the system and:
 - a. Allocates a Complaint Appeal case number,
 - b. Allocates an Investigating Officer.
3. Swinburne Open Education acknowledges receipt of the Complaint Appeal in writing to the complainant within 2 business days including:
 - a. Providing the complainant with the Complaint Appeal case number, and
 - b. Contact details for the Investigating Officer.
4. The Investigating Officer investigates the complaint including but not limited to via:
 - a. Reviewing the initial Complaint and outcome in the context of the Complaint Appeal grounds,
 - b. Obtaining additional information from complainant if required,
 - c. Reviewing available information/evidence/records,
 - d. Referencing relevant Swinburne Open Education policy and procedures,
 - e. Consulting with Swinburne Open Education Business Units and staff as required.
5. The Investigating Officer recommends the Complaint Appeal outcome to the Complaint and Appeal Committee for review.
6. The Committee/Manager reviews and endorses the recommendation.

Note: The Committee may instruct an alternate outcome to be implemented.

7. The Investigating Officer provides the outcome to the complainant in writing including the reasons for the outcome and advises the complainant of any external review process available.

Note: Swinburne Open Education aims to provide written complaint appeal outcomes within 20 business days. Where an investigation exceeds 20 days, the Investigating Officer will provide the complainant with regular updates in writing until the outcome is determined.

8. The Investigating Officer logs the Complaint Appeal outcomes including:
 - a. Any corrective actions in the Corrective Action Register,
 - b. Any improvements in line with the Continuous Improvement process, and
 - c. Provide feedback to relevant business units.

