

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)

The Swinburne Open Education Complaints Officer 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*

Local Resolutions:

Students and other stakeholders including employers, industry and the general public may seek to provide feedback or lodge a grievance regarding their experience. A formal complaint will only be lodged where a student is unsatisfied with the resolution for an issue, or for any other reason.

A student can reach out to the Swinburne Open Education Student Services team via email to student.services@soe.edu.au to attain a 'Local Resolutions Request Form'. Using this document the student will detail their concerns and expected outcome. Upon receiving the students 'Local Resolutions Request Form' Swinburne Open Education will confirm receipt of the documentation and allocate an officer to investigate the matter. Students seeking a local resolution will be allocated a complaints officer and will aim to complete the investigation within 15 business days. If the investigation requires additional time, the investigating officer will reach out advising the complainant in writing.

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

4. *Formal Complaint*

Where a complainant is unsatisfied with the Local Resolution outcome, they may lodge a Formal Complaint.

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

Swinburne Open Education will confirm receipt of all complaint appeals in writing within two (2) business days. Formal Complaints will be allocated to a complaints officer within the Swinburne University of Technology Complaints Department. Complainants will be provided the contact details for the investigating officer with the confirmation of receipt of the complaint appeal.

Swinburne University of Technology aims to complete Formal Complaint investigations within 20 business days. If the investigation takes longer than 20 days, the investigating officer will advise the complainant in

writing.

All Formal Complaint and Appeals are reviewed by the Complaint and Appeals Committee. All complainants will receive a written outcome to the Formal Complaint, including reasons for decisions and options available to the complainant. Each step of the Formal Complaint 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 Formal Complaint process, 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 Local Resolution in writing to Swinburne Open Education Student Services team.
2. Swinburne Open Education receive the Local Resolution Request Form, log the details in the system and:
 - a. Allocates a Local Resolution 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 Local Resolution outcome.
6. The Investigating Officer provides the outcome to the complainant in writing including the reasons for the outcome and advises that the Formal Complaint process is available.

Note: Swinburne Open Education aims to provide written complaint outcomes within 15 business days. Where an investigation exceeds 15 days, the Investigating Officer will provide the complainant with regular updates in writing until the outcome is determined.

7. The Investigating Officer logs the Local Resolution 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.

Formal Complaint Management Steps

1. Complainant lodges a Formal Complaint in writing.
2. Swinburne Open Education receive the Complaint Appeal, lodge the case with the Swinburne University of Technology Complaints Department. The Swinburne University of Technology Complaints Department will:
 - a. Allocate a Complaint Appeal case number,
 - b. Allocates an Investigating Officer.
3. Swinburne University of Technology 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 Formal Complaint outcome to the Complaint and Appeal Committee for review.

The Committee/Manager reviews and endorses the recommendation. Note: The Committee may instruct an alternate outcome to be implemented.
6. 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 University of Technology 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.
7. 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.

