

## 2.4.1 Complaints and Appeals Policy

### 1.0 Rationale

This policy is established to reinforce Acknowledge Education's commitment to the fair and efficient resolution of complaints and appeals. The guiding principles highlight the values of fairness, transparency, and continuous improvement in AE's approach to handling grievances.

### 2.0 Scope

This policy applies universally across the AE community, encompassing students at all levels (including prospective students) and modes of study, all courses and staff involved in academic and administrative roles (including programs delivered by other parties), admissions processes (including educational agents) management teams, and members of the corporate governing body overseeing operational decisions. It extends to individuals enrolled in programs delivered to overseas students, adhering to the National Code of Practice for Providers of Education and Training to Overseas Students (2018). Additionally, it encompasses the Complaints Team, responsible for analysing outcomes of complaints and appeals, offering recommendations for improvement, and maintaining a comprehensive register.

Complaints and concerns relating to child abuse will be managed in accordance with our Child Safety and Wellbeing Policy and Guidelines to responding to incidents, disclosures and suspicions of child abuse.

### 3.0 Regulator Context

#### 3.1 Higher Education Standards Framework (2021)

3.1.1 Section 2.4 of the HESF, titled Student Grievances and Complaints outlines the following requirements:

- Current and potential students possess access to mechanisms capable of addressing concerns regarding their interaction with the higher education provider, its representatives, or affiliated entities.
- Policies and procedures ensure the prompt resolution of formal complaints and appeals related to academic and administrative decisions, without imposing charges or with reasonable costs for students.
- Processes are consistently, fairly, and without any retaliatory measures.
- The institutional processes for handling formal complaints and appeals incorporate safeguards such as confidentiality, access to independent professional advice, advocacy, and additional support for complainants or appellants.
- Provisions are in place for a review by an appropriate independent third party in instances where internal procedures fail to address the grievance.
- Decisions regarding formal complaints and appeals are documented, and the student involved is notified in writing about the outcome, the reasons behind the decision, and any available further avenues for appeal.

- In the event of a formal complaint or appeal being upheld, any required actions are promptly initiated to address the matter.
- 3.1.2 Standard 7.3.2f acknowledges the importance of transparency by making information about its grievance resolution process available to the public, specifically on the provider's website. This aligns with Standard 7.3.1 emphasises that the information must be accurate, relevant, and timely.
- 3.1.3 Standard 7.3.3c requires a systematic and accountable approach to grievance resolution and the accurate documentation of the process.
- 3.1.4 Standard 6.3.1j highlights that the corporate governing body of education providers plays a pivotal role in assuring itself that formal complaints are monitored, and actions are taken to address underlying causes and that regular reporting to the governing body is undertaken, with consideration given to making summary information publicly available.
- 3.1.5 Standard 5.3.5 highlights the value of student feedback as an essential component of its continuous improvement processes.
- 3.1.6 Standard 6.1.4 specifies the need for education providers to create an environment in which students are treated equitably, and they can actively participate in deliberative and decision-making processes.

### **3.2 National Code of Practice for Providers of Education and Training to Overseas Students (2018)**

- 3.2.1 Standard 10.1 stipulates that the registered provider must have and implement a documented internal complaints handling and appeals process and policy and provide comprehensive, free, and easily accessible information about this process to the overseas student.
- 3.2.2 Standard 10.3 outlines that registered provider's internal process must:
- Allow the overseas student to lodge a formal complaint or appeal if informal resolution fails.
  - Respond to any complaint or appeal made by the overseas student promptly.
  - Commence assessment within 10 working days, finalizing the outcome as soon as practicable.
  - Ensure the overseas student can present their case at minimal or no cost, with the option to be accompanied by a support person.
  - Conduct the assessment professionally, fairly, and transparently.
  - Provide a written statement of the appeal outcome, including detailed reasons.
  - Keep a written record of the complaint or appeal, including the outcome and reasons.
- 3.2.3 Standard 10.3 relates to access to external process and states that where an overseas student is unsuccessful internally, the registered provider must inform them within 10 working days of their right to access an external complaints handling and appeals process at minimal or no cost. The provider must provide contact details for the appropriate external body.
- 3.2.4 Standard 10.4 clarifies that if any internal or external process favours the overseas student, the registered provider must immediately implement the decision or

recommendation and/or take preventive or corrective action required by the decision. The overseas student must be informed of these actions.

### **3.3 Standards for Registered Training Organisations (RTOs) 2015**

Standard 6 maintains that RTOs must have a transparent complaints and appeals policy to inform learners and clients of their rights and the RTO's responsibilities. Specifically, complaints and appeals policies must:

- Ensure principles of natural justice and procedural fairness at every stage;
- Be publicly available;
- Specify the procedure for making a complaint or requesting an appeal;
- Ensure acknowledgment and prompt finalization of complaints and appeals;
- Provide for independent review if internal processes fail.

### **3.4 Ministerial Order 1359 - Implementing the Child Safe Standards - Managing the Risk of Child Abuse in Schools and School Boarding Premises**

#### 11. Complaints processes

**11.1 Schools and school boarding premises must ensure that processes for complaints and concerns are child focused.**

**11.2 In complying with clause [11.1](#), the school governing authority or school boarding premises governing authority must, at a minimum:**

- a) develop a complaint-handling policy that is made publicly available and that is accessible, child-focused, culturally safe and easily understood by the school community or school boarding premises community, and clearly outlines:
  - i. the process for making a complaint about the school or school boarding premises or the behaviour of any person within the school or school boarding premises (for example staff, volunteers, contractors, families, children or students);
  - ii. the roles and responsibilities of leadership, school staff, school boarding premises staff, and volunteers in relation to handling complaints; and
  - iii. the process for dealing with different types of complaints, breaches of relevant policies or the code of conduct and obligations to act and report.
- b) ensure complaints are taken seriously and responded to promptly and thoroughly.
- c) have policies and procedures in place that address reporting of complaints and concerns to relevant authorities, whether or not the law requires reporting, and cooperate with law enforcement.
- d) ensure recordkeeping, reporting, privacy and employment law obligations are met when responding to complaints and concerns.
- e) have a clear procedure or set of procedures for responding to complaints or concerns relating to child abuse.

**11.3 The procedures referred to in clause 11.2(e) must:**

- a) cover all forms of child abuse.
- b) be sensitive to the diversity and characteristics of the school community or

- school boarding premises community.
- c) be made publicly available.
  - d) be accessible to children, students, staff, volunteers and the school community or school boarding premises community.
  - e) apply to complaints and concerns relating to child abuse made by or in relation to a child or student, school staff, school boarding premises staff, volunteers, contractors, service providers, visitors, or other persons while connected to a school environment or school boarding premises environment.
  - f) identify the roles and responsibilities of school staff or school boarding premises staff and leadership to act and report on complaints and concerns relating to child abuse including:
    - i. ensuring that the complaint or concern is taken seriously;
    - ii. promptly and thoroughly managing the response of the school or provider of school boarding services;
    - iii. responding appropriately to a child or student who raises or is affected by the complaint or concern;
    - iv. monitoring overall compliance of the school or provider of school boarding services with the procedure; and
    - v. managing an alternative procedure for responding to the complaint or concern if any person allocated responsibility under clause 11.7(f) cannot perform their role.
  - g) include a statement that fulfilling the roles and responsibilities in the procedure does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.
  - h) clearly describe the actions the school or provider of school boarding services will take to respond to a complaint or concern relating to child abuse, including actions to:
    - i. report allegations, suspicions or disclosures to relevant authorities, regardless of whether there is a legal obligation to report;
    - ii. protect any child or student connected to the complaint or concern relating to child abuse until the complaint or concern is resolved; and
    - iii. make, secure, and retain records of the complaint or concern and the response of the school or provider of school boarding services.

**11.4 The procedures referred to in clause 11.2(e) must not:**

- a) prohibit or discourage school staff, school boarding premises staff or volunteers from reporting a complaint or concern relating to child abuse to a person external to the school or school boarding premises.
- b) state or imply that it is the victim's responsibility to inform the police or other authorities of an allegation relating to child abuse.
- c) require school staff, school boarding premises staff or volunteers to make a judgment about the truth of a complaint or concern relating to child abuse.
- d) prohibit school staff, school boarding premises staff or volunteers from making records in relation to a complaint or concern relating to child abuse.

## 4.0 Guiding Principles

AE is committed to complaints and appeals being resolved fairly and efficiently. The following guiding principles aim to uphold the values of fairness, transparency, and continuous improvement in AE's approach to handling complaints and appeals.

### 4.1 Fairness and Impartiality

AE will ensure all complaints and appeals are treated with fairness and impartiality, irrespective of the parties involved.

### 4.2 Timeliness

AE will handle complaints and appeals promptly, efficiently, and with minimal delays, recognising the importance of timely resolution.

### 4.3 Consistency

AE will ensure consistency in the application of the appeals and complaints procedures across all AE campuses.

### 4.4 Transparency

AE will maintain a transparent and easily accessible process for submitting, processing, and resolving complaints and appeals. All appeals and complaints will be clearly documented and recorded for transparency.

Staff members handling any complaints or appeals will report any conflict of interest.

### 4.5 Natural Justice and Procedural Fairness

AE is committed to adhering to principles of natural justice and procedural fairness throughout the complaints and appeals process.

### 4.6 Objectivity

Assessment of appeals and complaints will be conducted using a thorough, objective, and unbiased evaluation of each complaint or appeal, ensuring a comprehensive understanding of the circumstances.

### 4.7 Continuous Improvement

Complaints and appeals will be viewed as an integral part of AE's continuous improvement processes to ensure that the voice of students informs the improvement process and by extension enhances the quality of services and support provided by AE.

## 5.0 Policy

### 5.1 Access to the Appeals and Complaints Process

5.1.1 All complainants have an unequivocal right to equal access to the appeals and complaints procedure, ensuring that the process is open, accessible, and available to every student, irrespective of background, status, or any other distinguishing factor.

5.1.2 Complainants have the right to request assistance in the form of a translator/interpreter, and both the complainant and respondent may bring a support person (excluding legal practitioners) to meetings, provided the College is notified in advance.

- 5.1.3 Students under the age of 18 can also ask a parent, carer or another trusted adult outside of the school, to talk to us about the issue instead.
- 5.1.4 Policy and Procedures will be accessible publicly on the website and information provided to students at various key points in their educational life-cycle (orientation, student handbook, LMS, Website)

Further information and resources to support students to raise issues or concerns are available at:

- [Report Racism Hotline](#) (call 1800 722 476) – this hotline enables students to report concerns relating to racism or religious discrimination
- [Reach Out](#)
- [Headspace](#)
- [Kids Helpline](#) (call 1800 55 1800)
- [Victorian Aboriginal Education Association](#) (VAEI)

- 5.1.4 Fulfilling the roles and responsibilities in this policy and the associated procedures does not displace or discharge any other obligations that arise if a person reasonably believes that a child is at risk of child abuse.

## **5.2 Appeals Panel**

- 5.2.1 For second stage appeals by students which are academic in nature are referred to the Dean and for non-academic are referred to the Head of Operations for determination according to the processes stated within this policy.
- 5.2.2 The Dean or QA Manager will identify minimum of three members to form an Appeals Panel. The panel must not include any member who has:
- a personal involvement or connection with the student, or with the matters to be heard, or
  - been involved in any activity that has or could potentially lead to bias, prejudice or a conflict of interest or would lead a reasonable person to conclude a bias, prejudice, or conflict of interest in relation to the complaint.
- 5.2.3 The Appeals Panel will identify a member who is responsible for keeping records of the hearing.

## **5.3 Resolution of a Complaint or Appeal**

- 5.3.1 The resolution of a complaint or appeal is flexible, allowing for closure at any stage. However, in instances where further investigation is deemed beneficial for enhancing services, products, or processes, the involved manager may choose to continue the inquiry.
- 5.3.2 Complainants retain the right to appeal if they believe their complaint has not been adequately addressed, with details of the second-stage appeal process available in the Appeals and Complaints Procedure document.
- 5.3.3 Should all internal resolution prove elusive, complainants can elevate their concerns to an external independent arbiter, who will review the complaints and propose a resolution.

- 5.3.4 At any time, a complainant may refer a grievance to an external agency, such as the Equal Opportunity and Human Rights Commission, Consumer Affairs or the Overseas Student Ombudsman. This policy does not remove or preclude any right to take action under Australian Consumer Protection laws or to pursue other legal remedies. Contact details for external agencies are to be made available to the complainant.
- 5.3.5 Frivolous, unreasonable, or unsubstantiated complaints will be dismissed, with students advised to submit a stage two appeal if further evidence can be provided to support their appeal or complaint.
- 5.3.6 All complaints will be made and dealt with in a timely manner in accordance with the AE Appeals and Complaints Procedure.

#### **5.4 Safety and Wellbeing of the Complainant**

- 5.4.1 AE promotes the informal resolution of issues among all involved parties whenever feasible unless to do so may be unsuitable, especially in instances like bullying or unwanted sexual attention cases.
- 5.4.2 All concerns will be treated seriously and sensitively, with the complainant afforded respect and empathy throughout the entire process.
- 5.4.3 The policy ensures that the complainant and respondent are not subjected to victimization or discrimination, and strict confidentiality is maintained throughout the complaints and appeals process.
- 5.4.4 Students may seek confidential, independent professional advice at any stage of a complaint.
- 5.3.5 Students are permitted to continue their studies during the complaint and appeal process, except in circumstances where health or safety is potentially at risk.

#### **5.5 Record Keeping**

Comprehensive documentation of the complaint, investigation, and outcome is maintained on the student management system, and Complaints and Appeals Register. Information can be requested by the complainant or respondent at any point in the process.

#### **5.6 Financial Cost**

All internal grievances, complaints, and appeals by students, parents, or prospective students are managed with minimal or no cost.

#### **5.7 Continuous Improvement**

- 5.7.1 Potential causes of complaints and appeals will be thoroughly investigated, and corrective and preventive actions will be taken, viewing complaints and appeals as opportunities for improvement.
- 5.7.2 Outcomes of each complaint and appeal undergo analysis by the Complaints team, with recommendations for improvement recorded in the Continuous Improvement Register and implemented throughout the College's operations.

## 6.0 Roles and Responsibilities

### Board of Directors

- Ensure the organisation maintains compliant, transparent, and effective complaints and appeals processes.
- Monitor trends, systemic issues, and outcomes of complaints and appeals through regular reporting.
- Assure that corrective actions are implemented and that continuous improvement processes are effective.
- Oversee that complaints, including those relating to child safety, are handled in accordance with legislative and regulatory requirements.
- Ensure summary information is made publicly available where appropriate.

### Chief Executive Officer (CEO)

- Provide overall leadership, resources, and oversight to ensure effective implementation of the Complaints and Appeals Policy.
- Ensure AE meets all regulatory obligations related to grievances, including for overseas students and child safety.
- Foster an organisational culture that supports fairness, transparency, and procedural fairness.
- Escalate and act on systemic risks or issues identified through complaints data.

### Head of School / VCE Coordinator

- Implement the policy within the school/VCE environment and ensure processes are child-safe and accessible.
- Ensure timely, fair management of complaints within their area and support staff to follow procedures.
- Support students (including minors and vulnerable students) in accessing complaints pathways.
- Ensure concerns relating to child abuse are handled in line with Child Safety and Wellbeing requirements and mandatory reporting duties.
- Monitor compliance with complaints procedures and report trends or concerns to the CEO and/or governing body.

### Head of Operations

- Determine non-academic stage-two appeals and ensure fair, timely outcomes.
- Form and oversee an impartial Appeals Panel with no conflicts of interest.
- Ensure all complaints and appeals follow regulatory and child-safety requirements.
- Maintain confidentiality, procedural fairness, and accurate records.
- Identify issues from complaints and support continuous improvement actions.

### All Staff

- Treat all complaints seriously, respectfully, and with procedural fairness.
- Support students to understand and access complaint pathways, including interpreters/support persons.
- Maintain confidentiality, impartiality, and accurate recordkeeping.
- Report conflicts of interest and withdraw from a matter where a conflict exists.
- Respond appropriately to disclosures of child abuse and follow reporting obligations immediately.
- Cooperate with internal investigations and external authorities when required.

### Complaints Team

- Maintain and monitor the Complaints and Appeals Register.



- Analyse outcomes of complaints and appeals and provide recommendations for continuous improvement.

#### **Agents, Contractors, and Volunteers**

- Adhere to AE's complaints and appeals processes and support complainants to access them.
- Immediately report concerns, incidents, or disclosures, including child safety concerns.
- Cooperate with investigations and maintain confidentiality.

## **7.0 Definitions**

<b>Term</b>	<b>Definition</b>
Appeal	A formal request for a review or reconsideration of a decision that has been made.
Arbiter	An external independent entity responsible for reviewing complaints and proposing resolutions.
Complaint	An expression of dissatisfaction, objection, or grievance raised by an individual or group regarding a particular situation, action, decision, or service.
Grievance Resolution	The process of addressing and resolving concerns, complaints, or disputes raised by students or stakeholders.
Natural Justice and Procedural Fairness	Principles ensuring fairness, impartiality, and due process in handling complaints and appeals.
Overseas Student Ombudsman	An external agency that overseas students can escalate their complaints to, as mentioned in the policy.
Complaints Team	A team responsible for analysing outcomes of complaints and appeals, providing recommendations for improvement, and maintaining a register.
Registered Provider	An educational institution or organization officially registered and recognized by the relevant authorities.
Standards for Registered Training Organisations	Prescribed standards for Registered Training Organisations (RTOs) to ensure quality education and service delivery.
Child Safe Standards - definitions	<a href="https://www.vic.gov.au/child-safe-standards-definitions">https://www.vic.gov.au/child-safe-standards-definitions</a>

## **8.0 Related Documents**

<b>Document Name</b>
Student Handbooks
Teaching Staff Guidelines
1.1.0 Framework for Student Recruitment
1.1.1 Admissions Policy for Overseas Students (HE and VET)
1.1.2 Admissions Procedure for Overseas Students (HE and VET)
1.1.3 Student Enrolment Procedure
1.1.4 Admissions Policy for Domestic Students (HE and VET)
1.3.1 Student Orientation Policy
1.4.1 Student Assessment and Awarding of Grades Higher Education Courses Policy
2.2.1 Respecting Diversity and Facilitating Access and Equity Policy and Procedure
2.3.4 Student Health and Wellbeing Strategy
6.2.1 International Student Refund of Fees Policy and Procedure
7.1.3 Engagement of Educational Agents Procedure
7.1.3 Appeals and Complaints Procedure

Complaints and Appeals Register
Continuous Improvement Register
AE Risk Register
Child Safety Risk Register_Stotts College (Acknowledge Education)
Emergency Management Plan (EMP)_Stott's College_VCE
VCE-CC-03 Child Safety Code of Conduct
VCE-POL-01 Child Safety and Wellbeing Policy
VCE-GUI-06 Guidelines to responding to incidents, disclosures and suspicions of child abuse
<a href="#">VRQA Information on Complaints Processes</a>

## 9.0 Document Information

<b>Document Name</b>	Complaints and Appeals Policy
<b>Document Number</b>	2.4.1
<b>Purpose</b>	This document articulates AE's dedication to resolving complaints and appeals in a fair, transparent, and efficient manner.
<b>Audience</b>	<input checked="" type="checkbox"/> Staff   <input checked="" type="checkbox"/> Students  <input checked="" type="checkbox"/> Public
<b>Category</b>	Learning Environment
<b>Subcategory</b>	Student Grievances and Complaints
<b>Approval Date</b>	22 January 2024
<b>Effective Date</b>	22 January 2024
<b>Last date of endorsement</b>	18 December 2025
<b>Next Review Date</b>	18 December 2027
<b>Policy Advisor</b>	Head of Operations, Head of Quality and Risk
<b>Approving Authority</b>	Board of Directors
<b>Contact</b>	Quality Assurance Regulator.compliance@ae.edu.au

## 10.0 Change Log

Date	Version	By	Notes
17 July 2012	2.0	RF	Updated with new format, updated external body names to reflect changes, and incorporated VET FEE-HELP requirements. Previous changes as listed: 19 August 2009; 16 October 2009; 10 November 2009; 21 March 2012
15 April 2013	2.1	RF	Updated to change reference to IAMA as external review body and remove qualification to having a third-party present, and to emphasise procedures are at minimal/no cost to complainant.
20 June 2014	2.2	BS	Change to Acknowledge Education
22 Sep 2015	3	BS	Insert diagram, change external review to OSO
24 Sep 2015	3.1	BS	Make clearer right of complainant to have support person
30 June 2016	3.2	BS	Change logos and font
29 Aug 2016	3.3	BS	Change student to complainant to include parents/guardians and other community stakeholders
09/11/17	5		Name change

12/4/19	5.1	BS	Insert IAMA for Domestic Students
20.12.19	5.2	BS	clarify timeframes, align with National Code 2018, insert 10.2.6/7
23.3.2021	5.3	TW	Added timelines for student response to stage I & II appeal denial
11/01/2022	5.4	Dean (TW)	Updated to current policy template
14/1/2022	5.5	Dean (TW)	Scope amended to include academic issues
15/08/2022	5.6	Dean (TW)	Amended to support move to online reporting; tighten what issues may be escalated to an appeal (internal stage 2); added details around external review to include ACCC.
14/12/2023	5.7	Dean Narelle Whatley	Added Scope, change title in alignment with policy number system, added definitions, major rewrite of policy, added regulatory context section. Removed procedure as a standalone document. Referenced newly developed QAT positions.
13/12/2025	5.8	HQR	Incorporated additional explicit information relating to Ministerial Order 1359 - Implementing the Child Safe Standards - Managing the Risk of Child Abuse in Schools and School Boarding Premises, regarding complaints processes. Added Head of Operations as Policy Advisor. Added & updated roles and responsibilities.