

2.4.2 Complaints and Appeals Procedure

1.0 Rationale

Acknowledge Education (AE) is committed to providing an effective, efficient, fair and confidential grievance handling procedure for all students, parents and other Acknowledge Education community stakeholders ('Complainants'). Complainants must have easy access to a process of facilitating resolution of disputes or grievances at minimal or no cost. These procedures are conciliatory and non-legal in nature.

2.0 Scope

All complainants and prospective complainants of Acknowledge Education are entitled to access these procedures regardless of the location or campus at which the grievance originated, the complainant's or person's place of residence, or the mode in which they study.

Acknowledge Education will respond to any complaint or appeal a student makes regarding their dealings with Acknowledge Education including AE's staff (academic and non-academic), information provided by its education agents, or any related party that AE has an arrangement with to deliver the student's course or related services. This procedure also provides a vehicle for students to complain about other students.

These procedures cover the handling of both academic and non-academic complaints and appeals. Academic matters relate to student progress and assessments, curriculum and its delivery, and any other in-class matters. Non-academic matters include complaints in relation to fees, any non-academic services provided (including IT, counselling, and facilities), personal information that the provider holds and appeals of decisions to report international complainants for non-conformity with visa requirements. These procedures apply equally to all students regardless of eligibility for or access to government subsidies, FEE-HELP and VET Student Loans. All courses at AE are included in this procedure, including non-accredited delivery.

These procedures apply to complaints and concerns relating to all forms of child abuse, and in these instances, complaints will be managed in accordance with our Child Safety and Wellbeing Policy and Guidelines to responding to incidents, disclosures and suspicions of child abuse.

Fulfilling the roles and responsibilities in these 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.

The procedures 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.

3.0 Relevant legislation

As a registered education provider, AE operates under strict laws and regulations. Policies and procedures are in place to ensure compliance with the legislative instruments referenced below:

- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Disability Standards for Education 2005
- Discrimination Act 1991
- Education Services for Overseas Students Act 2000 (ESOS Act)
- Education Services for Overseas Students Regulations 2019
- Higher Education Standards Framework (Threshold Standards) 2021
- Human Rights and Equal Opportunity Commission Act 1986
- National Code of Practice for Providers of Education and Training to Overseas Students 2018
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Standards for Registered Training Organisations (RTOs) 2025
- Privacy Act 1988
- Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)
- Ministerial Order 1359 - Implementing the Child Safe Standards - Managing the Risk of Child Abuse in Schools and School Boarding Premises

4.0 Procedure

4.1 Grievance

- 4.1.2 For grievances relating to child abuse, refer to the clear actions and reporting obligations outlined in our Child Safety and Wellbeing Policy and Guidelines to responding to incidents, disclosures and suspicions of child abuse.
- 4.1.2 In the first instance, the student should have an informal discussion with the party involved, where possible. If the student is uncomfortable or unable to do so, they are encouraged to informally raise the matter with the Campus Manager or Head of School for VCE students. Were the matter being of an academic nature; students are encouraged to speak to the relevant lecturer, teacher, or Course Coordinator.
- 4.1.3 The following steps should be taken:
 - a. Prior to initiating the formal complaint and appeal process, the student and staff involved are encouraged to informally find solutions to issues raised. It is expected that many concerns will be resolved in the first instance.
 - b. A meeting with the student is organised and the staff who is the first point of contact will discuss the student's query and document the meeting in the student's file and relevant notes added to the student management system.
 - c. The first point of contact will make every effort to resolve the student's query and will communicate the outcome to the student by email or verbally depending on the nature of the outcome.

4.2 Complaint

- 4.2.1 For complaints or concerns relating to child abuse, refer to the clear actions and reporting obligations outlined in our Child Safety and Wellbeing Policy and



Guidelines to responding to incidents, disclosures and suspicions of child abuse.

- 4.2.2 If the issue raised by the student cannot be resolved informally, the student is invited to put in a written complaint using AE's Complaint and Appeals Form. The online Complaints and Appeals Form can be accessed from the AE Website or through the student management system.
- 4.2.3 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 / complete the online Complaints and Appeals form on their behalf.
- 4.2.4 The complaint should be comprehensively documented in the Complaints and Appeals Form and include the following details:
 - a. The student's name and contact details;
 - b. Any relevant documentation, dates, locations, and witnesses as appropriate;
 - c. And any previous efforts to resolve the matter.
- 4.2.5 The completed Complaint and Appeal Form is deemed to be a formal complaint and must be submitted for consideration and processing. A formal complaint must be submitted within 10 working days of the occurrence of the event or matter being complained about. In exceptional circumstances, AE may accept a formal complaint outside the 10 working days, for instance, where a student is unable to provide a written submission due to a special circumstance.
- 4.2.6 If the complainant is not a current student, they will receive a confirmation on receipt of a formal complaint within 5 working days. If the complainant is a current student, the AE will record the complaint, as well as the progress of the complaint, on the student management system under "Workflow". Should the complainant not receive confirmation within the five working days, either in writing or on the student management system under "Workflow", they are advised contact AE to confirm that their complaint has been received. The internal review investigation will be commenced. The student may be invited to provide further information or discuss the matter with the reviewer.
- 4.2.7 The reviewer will record details of the complaint in Complaints and Appeals Register. The Register is centrally managed and reviewed by the complaints team under the oversight of the Head of Operations.
- 4.2.8 Generally a decision will be made within 10 working days of the formal receipt of the complaint. Where resolution may take longer than the 10 working days the student will be informed in writing of the progress of the complaint.
- 4.2.9 All parties to the complaint will be notified of the resolution and outcome of complaint in writing. The correspondence will also outline avenues for appeal in the event the student is dissatisfied with the outcome of the resolution.



- 4.2.10 The complaint and outcome will be added to the Complaints and Appeals Register, and documentation saved under the students record on the Student Management System.

4.3 Appeal

- 4.3.1 An appeal is a process where a student disputes a decision made by AE. This includes a decision made regarding a complaint or where a penalty is imposed. e.g., for failure to make satisfactory academic progress, failure to pay fees or for an act of misconduct.
- 4.3.2 Where a student wishes to appeal a decision, they or a parent/carer must complete and submit the online Complaints and Appeals form. The online Complaint and Appeals Form can be accessed from the AE Website, or Student Services in each campus.
- 4.3.3 If the student is appealing a decision regarding their grading of the assessments, they will need to complete a Remark/Resit application form and complete that process before they can appeal. This form is also available on AE Website and Academic Officers in each campus.
- 4.3.4 All notices of appeal must be submitted within 20 working days of the initial decision being made. This time restriction may be waived at the discretion of the Appeals Panel where there are compelling or compassionate circumstances.
- 4.3.5 The appeal must set out the grounds of appeal and provide evidence supporting the grounds of appeal. It should also specify the outcome sought.
- 4.3.6 The appellant is encouraged to submit all the evidence in supporting the appeal. The Appeals Panel will not consider any new evidence or information that was not presented in the original appeal request.
- 4.3.7 An appeal of a decision may be made on one or more of the following grounds:
- a) That the decision was made without due consideration of relevant facts, evidence, or circumstances.
 - b) That there was bias, prejudice or a conflict of interest by the investigative or hearing body or person; or
 - c) That some significant policy/procedural irregularity occurred in the investigative or complaint handling process
- 4.3.8 The appellant will receive a confirmation on receipt of a formal appeal and the student will be provided with an opportunity to formally present his or her case at minimal or no cost (written or in-person). Parties will not be discriminated or victimised during the complaint/appeal process.
- 4.3.9 For appeals by students which are academic in nature are referred to the Dean and for non-academic are referred to the relevant senior executive.



- 4.3.10 The Dean or senior executive 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.
- 4.3.11 The appeals panel will identify a member who is responsible for keeping records of the hearing.
- 4.3.12 The appeals panel will determine the outcome of the appeal and the appellant will be given a written statement of the outcome of the appeal, including detailed reasons for the outcome within 20 working days of lodgement of the appeal.
- 4.3.13 The correspondence will also outline avenues for external appeal in the event the student is dissatisfied with the outcome of the resolution.
- 4.3.14 The appeal and outcome will be added to the Complaints and Appeals Register, and documentation saved under the students record on the Student Management System.

4.4 External Appeals

On exhausting the internal avenues for Complaints and Appeals at AE, the students can approach an external organisation with their complaint and/or appeal regarding their study at AE.

The list below are a few contacts that students may approach for external resolution of complaints and/or appeals:

Provider	Service and Contact Information
Department of Education (International Students)	The student can contact the Department of Education through the ESOS online enquiry form or through the ESOS helpline 02 6240 5069.
Commonwealth Ombudsman	The Commonwealth Ombudsman receives complaints from intending, current or former overseas students at private higher education providers. Call: 1300 362 072 https://www.ombudsman.gov.au/complaints/international-student-complaints
The Australian Competition & Consumer Commission (ACCC)	The ACCC investigates complaints that are in breach of the Competition and Consumer Act 2010 Home ACCC



Redfern Legal Centre	Redfern Legal Centre's International Student Legal Service NSW gives free, confidential legal advice to international students studying in New South Wales. <u>International Student Legal Service NSW Redfern Legal Centre (rlc.org.au)</u> Call 02 9698 7645
National Training Complaint Hotline	ASQA accepts complaints and feedback about training providers from all members of the community. Call: 13 38 73
Australian Human Rights Commission	Australian Human Rights Commission hears complaints about racism and discrimination. <u>https://humanrights.gov.au/complaints#main\content</u> Call: 1300 656 419

4.5 Record Management

- 4.5.1 Any determination made in relation to a formal complaint, or an appeal will be documented in the Complaints and Appeals Register, and correspondence records retained on the Student Management System.
- 4.5.2 Complaints and Appeals records will be maintained for five years for audit purposes.

5.0 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.

6.0 Definitions

Term	Definition
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	https://www.vic.gov.au/child-safe-standards-definitions

7.0 Related Documents

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
3.4.1 Complaints and Appeals Policy
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
VRQA Information on Complaints Processes

8.0 Document Information

Document Name	Complaints and Appeals Procedure
Document Number	2.4.2
Purpose	This document articulates AE's dedication to resolving complaints and appeals in a fair, transparent, and efficient manner.
Audience	<input checked="" type="checkbox"/> Staff <input checked="" type="checkbox"/> Students <input checked="" type="checkbox"/> Public
Category	Learning Environment
Subcategory	Student Grievances and Complaints
Approval Date	TBC



Effective Date	22 January 2024
Last date of endorsement	18 December 2025
Next Review Date	18 December 2027
Policy Advisor	Head of Operations, Head of Quality and Risk
Approving Authority	Board of Directors

9.0 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.
19/01/2024	5.8	QA Manager (Gita Gerard)	Updating of the procedure to distinguish the different types of grievance, complaints and appeals.
13/12/2025	5.9	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.
--	--	--	--

