

KING'S- Complaints and Appeals Policy

Purpose

KING'S endeavours to create a positive learning environment, free of coercion, unfair treatment or harassment. This policy ensures KING'S students have a fair, efficient, confidential and inexpensive complaints and appeals process for the resolution of any type of dispute that includes the conduct of KING'S, its trainers and assessors or other staff, and a third party providing the service on KING'S behalf. Any circumstance caused by KING'S, its trainers, assessors or other staff, a third party providing services on KING'S behalf (including, the third party organization itself, their trainers, assessors or other staff), or another learner of KING'S, which affects the well-being of a student, will be dealt with in a professional manner in line with published procedures.

We do encourage you to firstly seek to address the issue informally by discussing it with the person involved. However, If you do not feel comfortable with this or you have tried this or did not get the outcome you wished you can access the formal complaints and appeals process.

General Guidelines

A complaint is an expression of dissatisfaction a student has about the services, actions and conduct of KING'S, its trainers and assessors; its staff; its students; its authorised education agents; or any related party KING'S engages to provide services. A complaint could be about academic matters, non-academic matters or the way someone has been treated.

An appeal is defined as a dissatisfaction with a decision made by KING'S, or a third party providing services on KING'S behalf. An appeal could be about the decisions made in relation to enrolments, applications, services, formal complaints, assessment outcomes, course progress and non-payments.

Complainants have a right to appeal if they believe their complaint has not been adequately resolved. All internal grievances, complaints and appeals by students, parents or prospective students are dealt with, at minimal or no cost.

The complainant and respondent will not be victimised or discriminated against in any manner and all details of the complaint and subsequent investigation will remain strictly confidential.

In managing complaints, we will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaint process. This means that we will review each complaint or appeal in an objective and consistent manner and give everyone the opportunity to

present their point of view. Decisions are not predetermined, and all parties have the opportunity to tell their story before a decision is made. The decision maker is independent of the issues being dealt with or decision being reviewed; and opportunities are provided to seek independent external review of the decisions made.

During or after the process, if KING'S finds a need for continuous improvement, then the outcome of the complaint and appeal will be analysed and recommendations for improvement of services will be recorded in the "Continuous Improvement Register" and implemented throughout KING'S operations.

KING'S Ensures that Complaints and appeals policy is publicly available on its website and is addressed in student agreement and during orientation program.

Complaints and appeals Process

In all cases, issues that are the source of frustration or are in dispute should be resolved at the time, as they occur between the persons involved, where possible – this is called 'Informal Resolution'.

Sometimes, it will not be possible to resolve issues informally and in these cases students should follow formal process by putting their complaint or appeal in writing – this is called 'Formal Resolution'.

If the internal process fails to resolve the complaint or appeal then students can seek to have the decision reviewed externally by an independent party – this is called 'Independent External Review'.

The complaints and appeals process at KING'S is managed by the Chief Executive Officer (CEO) who is the independent senior officer delegated to review the case. Any complainant subject to a determination in relation to a complaint, who believes that they have grounds for appeal, is entitled to appeal that determination and they can approach the CEO. Students who are dissatisfied with decisions made by the College will be able to access the College's internal and external appeals processes, which are handled with care, fairness, professionalism, objectivity and independence. Should a student access KING'S appeal process, the students' enrolment will be maintained until the internal appeals process and if necessary, external appeals process has been completed. Once the appeals process has been completed, KING'S will undertake necessary actions

depending on the outcome of the appeals process, within 10 working days of the process being finalized.

This policy has internal complaints and appeals process that:

- grants immediate access to the RTO complaints and appeals process.
- provides a student with the opportunity to formally present his or her case at minimal or no cost;
- allows the student to be assisted or accompanied by a support person;
- provides a written statement of the outcome, including details and reasons for the decision;
- completes within a reasonable timeframe which takes into consideration the length of a student's visa and the student's enrolment in future subjects and/or courses.
- uses different processes for different types of complaints. When considering which processes are suitable, KING'S will bear in mind the appropriateness of the process for the particular kind of complaint as well as accessibility, timeliness, cost and procedural fairness.
- If the student is not satisfied with the outcome or conduct of the internal complaint handling and appeals process, KING'S will supply information to the student on how to pursue the appeal through the external appeals process.
- KING'S will wait for the outcome of the external process and update the student's file to record the outcome, and any subsequent actions.

Complaints and Appeals resolution procedures

KING'S aims to resolve all complaints received in an informal manner to avoid unnecessary stress and disruption to the student and KING'S.

However, if a complaint is unable to be resolved on an informal level the student is required to present to KING'S a written complaint within 5 business days of the incident. The written complaint will then be acknowledged by KING'S within 5 business days with an outline of the process to be followed and an estimated timeframe for resolving the complaint. Complaints and appeals will be finalised within 60 calendar days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the Complainants will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time as the matter is resolved.

Review of the complaint will begin within 10 business days of KING'S receiving the formal written lodgement of the complaint.

Complainants can represent themselves, and there are no fees for accessing the grievances and complaints procedures. Complainants may be assisted and supported by another person at any meetings.

A written statement of the outcome, including details and reasons for the decision will be provided to the student. KING'S will immediately advise the student and implement any decision in the event of any favourable outcome to the student.

KING'S will maintain the student's enrolment while the internal and external complaints and appeals process is ongoing.

This policy advises that students are able to access the RTO's Appeals process within 20 working days of the outcome of the complaint. If after the internal appeals process has been conducted and the student is still unsatisfied with the result, they may access an Independent mediation service.

Telephone or video conference and free interpreter services can also be arranged.

For more information, visit:

https://www.lawaccess.nsw.gov.au/Pages/representing/lawassist_mediation/lawassist_arrangement_wysk.aspx

At present there is no fee for use of this service, but this may change.

Informal Complaint Procedure

1. Student has a complaint
2. Approaches Trainer/CEO with complaint
3. Trainer/CEO resolves complaint internally on an informal basis

Formal Complaint Procedure

1. Student has a complaint

2. Student lodges the complaint in writing to the CEO within 5 business days of the incident occurring
3. The written complaint will be acknowledged by KING'S in writing, along with an outline of the processes to be followed and an estimated time frame.
4. Review of the complaint to begin within 10 working days of the written complaint being received
5. The students enrolment will be maintained during the review process.
6. A written statement detailing the outcome of the complaint review will be given to the student
7. In the event of a favourable outcome for the student, KING'S will immediately advise and implement any decision
8. In the event of an unfavourable outcome for the student, student will be advised about the outcome and their right to lodge external appeal within 10 working days.

External Appeal Procedure

1. If the student indicates that they wish to appeal KING'S decision, they must lodge the external appeal with the external appeals agency within 10 working days of the notification of decision by KING'S. The student must notify KING'S of the lodgement of an external appeal.
2. International students are advised to contact Overseas Students Ombudsman (OSO) on 1300 362 072 (Postal Address: GPO Box 442, Canberra ACT 2601 Email: ombudsman@ombudsman.gov.au web: www.ombudsman.gov.au)
3. KING'S will cooperate in full with the OSO.
4. If the external appeals process results in a decision that supports the student, KING'S will immediately implement any decision and/or corrective and preventative action required and advises the student of the outcome.
5. We will communicate all actions to you in writing based on the OSO's decision.

Complaints can also be made to the organisations given below:

- National training complaints Hotline

The national training complaints hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint. Access to the Hotline is through:

Phone: 133873, Monday- Friday, 8am to 6pm nationally.

Email: ntch@education.gov.au

- Australian Skills Quality Authority (ASQA)

Complainants may also complain to our registering body, Australian Skills Quality Authority(ASQA). It is important to understand that ASQA does not act as an advocate for individual students and is not responsible for resolving disputes between students and training providers. ASQA only uses information from all complaints as intelligence to inform regulatory activities. More information can be found at:

<https://www.asqa.gov.au/complaints>

This policy procedure does not limit the rights of an individual to take action under Australia's consumer protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.

Complaints and Appeals Flow Chart

