

## COMPLAINTS AND APPEALS PROCEDURE

<b>Purpose</b>	This policy and procedure has been developed to ensure that MIMT has a system in place so complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.
<b>Reference/s</b>	<p><b>ASQA – Standards for Registered Training Organisations (RTOs) 2015</b> Manage complaints and appeals (Clause 6.1 – 6.6)</p> <p><b>Skills First Provisions: VET Funding Contract</b> 12.1: Complaints Handling Clause 1.7: Publish Complaints and Appeals on the website</p> <p><b>Skills First Quality Charter</b> Principle 6 – Responsive feedback systems</p> <p><b>VET Student Loans Rules 2016</b> Subdivision F – Dealing with complaints 88: Grievance procedure</p>
<b>Responsibility for implementation</b>	Director/Campus Manager
<b>When</b>	Upon submission of a complaint or appeal.
<b>Definitions</b>	<p><b>Academic Matters</b> – including matters relating to student progress, assessment, curriculum and awards for an approved course.</p> <p><b>Appeal</b> – Dissatisfaction with a decision made by MIMT</p> <p><b>Complaint</b> – Dissatisfaction with a service offered or treatment received at MIMT</p> <p><b>Complainant/s</b> – refers to students (as defined above) who have lodged an academic or non-academic complaint with MIMT</p> <p><b>Student/s</b> – refers to all persons enrolled or seeking to enrol in a unit of study that meets the course requirements under subclause 45(1) of Schedule 1A of the Act who are, or would be entitled to VET FEE-HELP assistance under clause 43 of Schedule 1A of the Act.</p> <p><b>Non-academic matters</b> – including matters relating to enrolments in a course and personal information held by the MIMT</p>
<b>Policy/ Process</b>	<p>This procedure applies to all academic, non-academic, informal and formal complaints and grievances submitted by students, prospective students or external parties of MIMT (includes students who are entitled to a VET Student Loan). All complaints grievances will be handled professionally in order to achieve a satisfactory resolution.</p> <p>Students, potential students or internal and external parties of MIMT are entitled to use this complaints procedure as set out in this policy regardless of the location of the campus at which the complaint/grievance has arisen, the student’s place of residence or mode in which they study.</p> <p>All grievances will be managed fairly and equitably and as efficiently as possible.</p> <p>The student and respondent will not be victimised or discriminated against in any</p>

	<p>of the stages set out in this policy, nor as a result of a grievance being raised.</p> <p>MIMT will encourage the parties to approach a grievance with an open view and attempt to resolve issues through discussion and conciliation.</p> <p>This policy provides an avenue for most complaints and grievances to be addressed however, where a complaint or grievance cannot be resolved through discussion and conciliation internally, MIMT will acknowledge the need for an appropriate external and independent agent to moderate between the parties, as set in the grievance procedures below.</p> <p>At all stages of the process, the complainant and/or respondent has the right to be assisted by a third party at any relevant meeting.</p> <p>This policy is communicated to academic and support staff through the Institute's induction processes and on MIMT's website. The Campus Manager is responsible for ensuring all staff are adequately trained in the application of this policy.</p> <p>Complainants have three stages at which a complaint may be addressed. There is no charge for complainants accessing the internal stages. Costs may apply to the complainant should they wish to access the external appeals process.</p>
<p><b>Complaints</b></p>	<p>The application of merit in decision-making processes will involve MIMT considering each application on a case by case basis and not applying inflexible policies that preclude eligible participants from having their application considered.</p> <p>Complaints may relate to academic and non-academic related matters.</p> <p><b><u>Informal Complaints – Stage 1:</u></b></p> <p>Where possible all non-formal attempts shall be made to resolve the complaint or grievance. MIMT encourages open communication and an environment of trust. Therefore, any complainant with a complaint is encouraged to raise the matter directly with the other party concerned to attempt to resolve the issue mutually or they can contact the Campus Manager.</p> <p>Advice, discussions and general mediation may take place in relation to the issue and complainant/student complaint</p> <p>The Campus Manager will note the informal complaint on the Complaints and Appeals Register accordingly. The Campus Manager will determine and ensure that the appropriate action will be taken as deemed necessary.</p> <p>The register includes:</p> <ul style="list-style-type: none"> <li>• Date the complaint was submitted</li> <li>• Name of complainant</li> <li>• Description of complaint</li> <li>• Determined resolution</li> <li>• Date of resolution</li> <li>• Type of Complaint i.e. Formal or Informal</li> </ul> <p>Any staff member can be involved in this informal process to resolve issues but if the complainant wishes to place a formal complaint, then the following process must be followed below.</p>

### **Formal Complaints – Stage 2:**

Any student, potential student, internal and external staff or a 3rd party may submit a formal complaint to MIMT with the reasonable expectation that all complaints will be treated fairly with integrity and privacy. There is no cost for the complaints process unless it is referred to an external party for mediation.

Complaints may relate to:

- A direct connection to MIMT, its trainers/ assessors or other staff
- a third party providing services on MIMT's behalf, its trainers, assessors or other staff or
- a student of MIMT

A complainant can lodge a formal complaint through completing and submitting the 'Complaints and Appeals Form' located on MIMT's website.

All formal complaints must be addressed and submitted to the Campus Manager and contain as many details as possible, including but not limited to:

- Date complaint was submitted
- Name of complainant
- Nature of complaint
- Date of the event which led to the complaint
- Attachments (if applicable)

Once a formal complaint has been received, the information will be inserted into the 'Complaints and Appeals Register' spreadsheet which is monitored by the Campus Manager until resolved. The information to be inserted and retained on the register includes:

- Date the complaint was submitted
- Name of complainant
- Description of complaint
- Determined resolution
- Date of resolution
- Type of Complaint i.e. Formal or Informal

The Campus Manager will conduct the appropriate steps to look into the complaint including discussions with relevant staff and trainers/assessors if applicable and decide on the most appropriate action in order to ensure a successful resolution is attained.

Once a decision has been reached, written notice will be provided to the Complainant regarding the decision of the formal complaints including the reasons for the decision and advice about how to appeal the decision.

The Complainant will also be informed that they have the right to appeal the decision made by MIMT. The complainant will be referred to the Complaints and Appeals procedure located on MIMT's website: [www.mimt.edu.au](http://www.mimt.edu.au).

The Campus Manager will notify all other relevant parties involved of the decision and outcome.

The formal complaint is to be concluded within 15 working days from the date the complaint was first received.

	<p>The Campus Manager will ensure that he/she will act immediately on any substantiated complaint.</p> <p>If the internal or external complaint handling or appeal process results in a decision that supports the complainant, MIMT must immediately implement any decision and/or corrective and preventative action that is required and advise the complainant of the outcome.</p> <p>The outcome will be logged on the 'Complaints and Appeals Register' and copies of relevant documentation will be stored on the Z drive.</p> <p>The complainant has the right to be accompanied by any person of their choice during the complaints or appeals process.</p>
<p><b>Appeals</b></p>	<p>Appeals may be made against academic and non-academic related matters.</p> <p><b><u>Formal Appeals (Academic and Non-Academic):</u></b></p> <p>If the complainant is not satisfied with the outcome of the formal complaint, then he/she has the right to appeal the decision made by MIMT where reasonable grounds can be established.</p> <p>To activate the appeals process, the complainant must submit an 'Appeal Application' by completing the 'Complaints and Appeals Form' located on MIMT's website.</p> <p>The complainant is required to provide a summary of the grounds that the appeal is based on and the reason why he/she feels that the initial decision made is unfair within 10 working days from the time they received the outcome for their formal complaint. Help and support with this process can be gained from the Student Administration Support Officer.</p> <p>Once the appeal has been received, the Director will then determine the validity of the appeal and where necessary, organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.</p> <p>Each party may be accompanied or assisted by another person, at that party's cost.</p> <p>The process for all formally lodged appeals will begin within 15 working days from the date that the appeal was lodged.</p> <p>The Director will ensure that MIMT acts on any substantiated appeal immediately.</p> <p>The Director will review the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.</p> <p>The complainant will be notified in writing within 20 working days from the initial lodgement of the appeal of the outcome with reasons for the decision. The complainant will also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The complainant will be referred to the Complaints and Appeals procedure located on MIMT's website: <a href="http://www.mimt.edu.au">www.mimt.edu.au</a>.</p> <p>The 'Complaints and Appeals Register' will be updated accordingly.</p>

<p><b>External Appeals Stage 3</b></p>	<p>If the complainant is still not satisfied with the outcome/decision of their appeal that MIMT has provided, they may wish to refer the matter to an external/independent/third party mediator at their own expense.</p> <p>External appeals can relate to academic and non-academic matters. Students are encouraged to resolve complaints and appeals through the MIMT complaint mechanism prior to consulting external parties.</p> <p>Details of a dispute resolution service is as follows:</p> <p style="text-align: center;"><b>Dispute Settlement Centre of Victoria (DSCV)</b>  <b>4/456 Lonsdale Street</b>  <b>Melbourne Vic 3000</b>  <b>Toll free: 1300 372 888</b>  <b>Email: dscv@justice.vic.gov.au</b></p> <p>This final stage will be addressed within 30 days.</p> <p>Each party may be accompanied or assisted by another person at the review, at that party's cost</p> <p>Each party must be provided written notice of the decision on review, including the reasons for the decision.</p> <p>Where necessary, outcomes deemed as a result from the DSCV mediation in relation to a grievance will be implemented immediately.</p>
<p><b>Extensions</b></p>	<p>If more than 60 calendar days are required to process and finalise the complaint or appeal, the Campus Manager will inform the individual in writing, including reasons why more than 60 days are required and regularly update the individual on the progress of the matter.</p> <p>In most cases this would not be necessary as the timeframes identified in the above processes keep well under 60 days. It may need to happen if an appeal was to reach an external stage.</p>
<p><b>Record Management</b></p>	<p>All correspondence will be stored in hard copy or where applicable in electronic form. Records will be kept in a separate file to the complainant if it is in relation to a student or employee.</p> <p>Confidentiality is maintained at all times with records relating to the complaint and/or grievance including reviews and outcomes only be available to the applicable parties involved under supervised access by the Campus Manager</p> <p>Records of all complaints, grievances, applications for review of decisions and outcomes of the grievance process will be kept for a period of five years.</p>
<p><b>Corrective Action</b></p>	<p>Any improvements arising from a complaint, grievance or appeal will be recorded on the Continuous Improvement register for actioning. This register is reviewed by the Director and Campus Manager bi-monthly and appropriate action is taken accordingly.</p> <p>In the instance that MIMT receives complaints and or appeals which demonstrate a pattern or trend, the Director and Campus Manager will take the appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence. The form of corrective action applied will be determined on a case by case basis where there are continuing trends and patterns.</p>
<p><b>Privacy</b></p>	<p>MIMT acknowledges and respects the privacy of its students. It is required under the Privacy Act to comply with the Australian Privacy Principles in respect to the</p>

	<p>collection, use and disclosure of personal information from individuals. All records of grievances and their outcome will be stored and kept strictly confidential.</p> <p>Records of all complaints, grievances, applications for review of decisions and outcomes of the grievance process will be kept for a period of five years. These records will be kept strictly confidential and stored in the office of the Campus Manager. Parties to the complaint will be allowed supervised access to these records at the discretion of the Director or Campus Manager.</p> <p>Approved by:          Graeme De Goldi          Director          14 March 2017</p>
<p><b>Related documents</b></p>	<p>Student Enrolment Information Handbook          Complaints/Appeals application form</p>