**APPEALS AND COMPLAINTS POLICY**

1. **Purpose**
   This policy supports and provide clear instructions and guidance to students and SPI staff on handling complaints and appeals from students. This policy supports the Standards for Continuing Registration of NVR Registered Training Organisations and the relevant standard of the National Code 2007.

2. **Scope**
   This policy applies to all staff members and students of South Pacific Institute.

3. **Policy**
   This policy/procedure supports ‘Standard 8 – Complaints and Appeals’ of the ‘National Code of Practice’.

   The objectives of this policy are to:
   - Develop a procedure for lodging an appeal against a decision made by the Institute’s Management in a complaints dispute
   - Develop a procedure for lodging an appeal against an assessment result
   - Assist clients and students with access to an appeal procedure and ensuring that appeal system is accessible and not unduly complex
   - Allow students access to an independent assessment review by an outside body with appropriate qualifications should the need arise.

   South Pacific Institute seeks to continuously provide a high quality education and training environment that is safe, fair and free from discrimination, in which all are encouraged to strive for excellence and fulfil their potential. It is committed to implementing effective complaint resolution procedures that, where possible, are managed quickly, at the local level and with a minimum number of people involved. The resolution process will focus on a rapid re-establishment of good educational working relationships and positive outcomes.

   An essential part of developing that environment is ensuring that staff and students are encouraged to come forward with their complaints in the knowledge that the responsible staff member will take prompt and effective action to address complaints.

   The Complaints and Appeals process does not remove the right of the appellant to take action under Australian Consumer Protection Laws.

   Despite all efforts of the Institute to provide satisfactory services to its students, complaints may occasionally arise that require formal resolution. The following procedures provide students the opportunity to have grievances resolved and resolutions reached in a timely manner at minimal or no cost.

   **Stage 1 - Informal Complaint Resolution**
   **Any of the following may be an issue for a student:**
   - Assessment result disputes
   - Attitude of other students
   - Attitude of SPI staff member
   - Dissatisfaction with amenities in classroom
   - Dissatisfaction with general amenities-computers, student common area, printers, kitchen, toilets etc
   - Timetable not as originally advised
   - Other: please specify
The initial intent is for the above to be resolved through discussions, advice and general mediation. If these attempts fail the next step is for the student to submit a SPI "Complaint Form" to student administration.

Once this has been submitted SPI is to arrange a meeting within 10 working days with the student and their nominated support person (where requested by the student). If this process does not resolve the issue the student may progress their complaint to Stage 2 (below).

### STAGE 2 – Formal Complaints Resolution

- The student submits a formal written Complaint and this is documented in the "Complaints and Appeals Register".
- Within 10 days of receipt of the complaint the matter is to be resolved. A meeting is held between the student (their support person if required) and the Program Manager.
- Within 48 hours of the meeting a decision is made and conveyed in writing to the student together with the reasons for the decision. The result is documented in the "Complaints and Appeals register".
- At all times during the complaints and appeals process a student’s enrolment is to be maintained by SPI.
- If the student is dissatisfied with the outcome they will be advised of their right to appeal the decision within 20 working days.
- If the student is satisfied with the outcome the matter will be considered resolved and will be closed.
Stage 3 Formal Appeals Resolution

Once a complaint has been received and an outcome together with the reasons behind the decision has been conveyed to the student the following occurs:

a. The student is satisfied with the outcome and the matter is resolved and closed
b. The student is not satisfied with the outcome and exercises their right to appeal the decision made by SPI

In addition to the right to appeal against outcomes as stated above students may also appeal decisions made by SPI such as:

- Assessments outcomes.
- Reported breaches of academic performance, misbehaviour such as non-payment of fees.
- Deferral, suspension, or cancellation decisions made in relation to the student’s enrolment
- Decisions relating to harassment, discrimination or acts of violence

Within 20 working days of the complaint outcome being conveyed to the student, if the matter has not been resolved and closed, the student has the right to submit a formal appeal. This is done by filling out and submitting SPI's "Appeal Form" to student Administration Staff. Assistance in filling out this form can be provided by SPI staff.

Once the outcome and decision has been finalised the result will be:

a. Communicated with the student as soon as practicable and b. Documented in the "Complaints and Appeals Register.

Any corrective or preventative action is to be documented and flagged for implementation as per SPI policies and procedures.

If the student is satisfied with the outcome the matter will be finalised and closed

If the student is still dissatisfied with the outcome they will be advised of their right to appeal to an external body (Stage 4) in this case the Overseas Students Ombudsman

At all times during the complaints and appeals process a student’s enrolment is to be maintained by SPI

In the case of an assessment related appeal the Program Manager is to be notified and will seek details from the assessor involved and any other relevant parties. A decision will be made within 10 working days either indicating the assessment decision stands or details of a possible re-assessment by a ‘third party’. The third party shall be another assessor appointed by SPI.

In the case of all appeals that do not involve assessment the appeal shall be referred to the Program Manager who will seek details regarding the initial documentation of the complaint. The Program Manager will organise a meeting within 10 working days with all parties involved in the matter in order to seek a resolution where appropriate. At the meeting, the student may be assisted or accompanied by a support person of their choice. The Student has the right to formally present their case at no cost.
Stage 4

If any of the above matters are still unresolved after the above procedures have been implemented and the internal appeals process exhausted, it may require an external independent / third party mediator. Where this is the case, the matter shall be referred to the following person / organisation.

See the Overseas Students Ombudsman website [www.oso.gov.au](http://www.oso.gov.au) or phone 1300 362 072 for more information

The appellant has an opportunity to formally present his or her case at no cost to him or herself.

If any parts of the above is not clear or you require further clarification please contact SPI’s Student Administration staff.