

Nexgen Institute of Australia

PPI23 Student Complaints And Appeals Policy And Procedure

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1. Table of Reference

Distribution	All staff and students
Related Entities	Active Transition Training Pty Ltd trading as: <ul style="list-style-type: none"> Nexgen Institute of Australia
Related Documents	<ul style="list-style-type: none"> PPI23 Deferment, Suspension or Cancellation Policy and Procedure Intervention Strategy letter First warning letter unsatisfactory course progress Second warning letter unsatisfactory course progress Intention to Report letter for unsatisfactory course progress Intention to Cancel letter Intervention Strategy Form Student Handbook – International Students Complaints and Appeals Form Student Code of Conduct
Statutory References	<ul style="list-style-type: none"> National Vocational Education and Training Regulator Act 2011 Standards for RTO's 2015 National Code of Practice 2018 Standard 8 ESOS Act 2000
Legislative context	<ul style="list-style-type: none"> Commonwealth Human Rights and Equal Opportunity Commission Act 1986 Commonwealth Disability Discrimination Act 1992 Commonwealth Disability Standards for Education 2005 Victorian Equal Opportunity Act 1995

2. Purpose

The purpose of this policy is to document Nexgen Institute of Australia processes for aiding international students with discrepancies, complaints and appeals. This policy satisfies the requirements of the Standards for Registered Organisations (RTOs) 2015 to monitor and record student academic progress for all students enrolled with Nexgen Institute of Australia.

3. Scope

This policy applies to all students and staff that directly or indirectly are linked to monitoring, recording and reporting international student academic progress.

4. Policy

Nexgen Institute of Australia will ensure that:

- All students have access to the complaints policy and procedures and their rights as consumers.
- NIA will Maintain the student's enrolment during the complainprocess.
- The complainant is provided with the information about the complaint procedure.
- All complaints are dealt with confidentiality, fairly, and promptly.
- The complaint process commenced within 10 working days from the date of complaint.
- Due to confidentiality reasons, the number of people involved in the resolution process will be limited.
- Officials involved in any aspect of the process will maintain absolute confidentiality at all times.
- The complaint resolution procedure promotes a conciliatory approach using mediation and open communication while acknowledging that in some instances this may be challenging.
- The rights of the complainant and respondent will be protected throughout the complaint resolution process.
- All parties have the right to representation during the complaint resolution process.
- Victimization of complainants, respondents or anyone else involved in the complaint resolution process will not be tolerated.
- The complainant is provided with a written response including the outcome and reasons for the outcome within 20 business days.
- Complainants reserve the right to lodge a complaint with external agencies at any point during the complaint resolution process.

Types of complaints

The complaints may be about academic or non-academic matters including, but not limited to:

- Application procedures
- Marketing information
- Training delivery or content
- Trainers, Assessors, or other staff
- Assessment methods or assessment content
- Student progress
- Issuing of Awards
- A third party delivering services on Nexgen Institute of Australia behalf.
- A student or group of students at Nexgen Institute of Australia
- Discrimination
- Harassment, bullying or victimization.
- Breach of privacy
- Individual conflict arising from perceived inappropriate behaviors.
- Fees or other financial matters
- Fines and payments

5. Procedures

Internal complaints and appeals

The internal complaints and appeals processes are conciliatory and non-legal.

5.1 Complaints against another Student

- Grievances brought by a student against another student will be dealt with under NIA Code of Conduct Policy.

5.2 Informal Complaints Resolution

- In the first instance, NIA requests there is an attempt to informally resolve the issue through mediation/informal resolution of the complaint.
- Students should continue to attend classes (if applicable) while the complaint is being processed.
- Students should contact their Trainer/Teacher in the first instance to attempt mediation/informal resolution of the complaint.
- If Students are not satisfied with the outcome, they should contact the Student Support Officer who will attempt to resolve the matter.

- If the complaint is about the Student Support Officer, it can be directly brought to the CEO's attention.
- If the matter cannot be resolved through mediation, the matter will be referred to the CEO in writing and NIA internal formal complaints and appeals handling procedure will be followed.

5.3 Formal Complaints Handling Procedure

- The process of the complaints procedure is confidential, and any complaints or appeals are a matter between the parties concerned and those directly involved in the complaints handling process.
- The student must notify the Institute in writing (a student may complete a Student's Complaints and Appeals Form) detailing the nature and details of the complaint or appeal.
- Written complaints or appeals are to be lodged with the RTO Manager.
- Where the internal complaints and appeals process is being accessed by an international Student because the student has received notice by the Institute that the Institute intends to report him/her for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has 20 working days from the date of receipt of notification in which to lodge a written appeal.
- Complaints and appeals processes are available to students at no cost.
- Each complainant or appellant has the opportunity to present his/her case to the RTO Manager.
- Students and/or the Institute may be accompanied and assisted by a support person at all relevant meetings.
- The formal complaints and appeals process will commence within 10 working days of the lodgment of the complaint or appeal with the RTO Manager.
- Once the RTO Manager has come to a decision regarding the complaint or appeal, the student will be informed in writing of the outcome and the reasons for the outcome, and a copy will be retained on the student's file. A copy will also be retained in the internal 'Complaints and Appeals Register' stored in our Quality Management System within accelerate.
- If the grievance procedure finds in favor of the complainant, NIA will immediately implement the decision and any corrective and preventive action required and advise the student the outcome.

- NIA undertakes finalization of all grievances and complaints within 20 business days.
- However, should a detailed investigation be required, the process may take more than 60 days. The complainant or appellant will be notified of the expected duration of the investigation process should the process take 21-60 days.
- If more than 60 days are required, NIA will advise the complainant/appellant in writing of the reasons why more than 60 days are required. Nexgen Institute of Australia will regularly update the complainant/appellant on the progress of the matter.
- If the Complainant or appellant is not satisfied with the outcome of their complaint or appeal, Nexgen Institute of Australia will refer the complainant to Resolution Institute (at a shared cost with NIA) or the Overseas Student Ombudsman (no cost), and the student can choose. This is the commencement of the external appeals process.
- Nexgen Institute of Australia will maintain the student's enrolment throughout the internal appeals process, and the student must maintain their course progression.

External Appeals Processes

Overseas Students: If the student wishes to lodge an external appeal or complain about the decision, they can contact the Overseas Students Ombudsman. The Overseas Students Ombudsman offers a free and independent service for overseas students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website www.oso.gov.au or phone 1300 362 072 for more information.

They can complain to the Overseas Students Ombudsman if they believe the provider has not followed their policy or treated them fairly.

The Ombudsman can consider complaints about:

- Refusing admission to a course
- Fees and refunds
- Course or provider transfers
- Course progress or attendance
- Cancellation of enrolment
- Accommodation or work arranged by the provider.
- An education agent gives incorrect advice.

The Overseas Students Ombudsman can also investigate complaints about education agents who have an agreement with a provider to represent them in Australia or overseas. Students can also complain if a provider has failed to take action or is taking too long to take some action, like not providing course results in the normal timeframe, or not

providing services included in the student's written agreement with the provider.

If Students have a complaint about the quality of training and assessment being delivered by Nexgen Institute of Australia, they may be eligible to submit a complaint to ASQA. <http://www.asqa.gov.au/complaints/complaints.html>

They can also contact the local state & territory consumer protection agency (sometimes called 'consumer affairs' or 'fair trading') who can provide information about their rights and options.

Nexgen Institute of Australia will identify the potential causes of complaints and appeals and take appropriate corrective action to eliminate or mitigate the likelihood of recurrence, for continuous improvement purposes.

Written records of all complaints and appeals and their outcomes will be maintained in the relevant person's file.

6. Revision Date

12 months from the date of this version, or as required.

7. Review Date

Version Number	Date	Reason for change	Prepared By	Approved By
V.3	27/4/2024	Updated and improved	RTO Manager (SC)	CEO (HH)
V3.1	24/06/2024	Revised for small amendments	RTO Manager (SC) & SS Manager (FM)	CEO (HH)