

Complaints and Appeals Policy and Procedure

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Policy

This policy and procedure help ensure complaints and appeals are heard and actioned effectively. All complaints and appeals received by MILCOM Institute will be viewed as an opportunity for improvement. All complainants and appellants have the opportunity to have any issues relating to a substantiated complaint or appeal resolved and resolutions reached that attempt to satisfy all parties involved. The complaints and appeals process will be at no cost to the complainant or appellant, unless the issue escalates to a third external party for resolution and that third party levies a fee for its services.

All complaints and appeals will be handled with natural justice and procedural fairness and in a consistent manner, and with the understanding that complainants or appellants should not be disadvantaged by the complaint or appeal process. **All correspondence relating to complaints and appeals will be kept confidential by MILCOM Institute.** All complainants or appellants will be kept informed of the progress of their complaint or appeal. Students are notified of the Complaints and Appeals Policy and Procedure via MILCOM Institute website and the Student Handbook.

A prior student, staff member or other persons cannot make a complaint if they have ceased their enrolment, employment or other contractual arrangements with MILCOM Institute for more than 12 months.

Procedure - Complaints

An informal complaint can be made at any time by bringing it to the attention of the person that you are aggrieved with, your Trainer/Assessor or the Training Manager, and discussing possible options for resolution.

Any person may submit a formal complaint to MILCOM Institute with the reasonable expectation that complaints will be treated with integrity and privacy. There is no cost for the complaints process unless it is referred to a third party.

A complainant wishing to submit a formal complaint must provide as many details as possible, including:

- Submission date of complaint
- Name of complainant
- Nature of complaint
- Date of the event which lead to the complaint
- Attachments (if applicable)

The complaint is submitted to Student Administration who logs the details in the Complaints and Appeals Register and forwards the documentation to the CEO. It is the CEO's responsibility to respond to the complaint. The CEO may wish to consult the following personnel regarding the events leading to the complaint:

- Complaints regarding enrolments and training plans - Administration Manager.
- Complaints regarding training, training resources and assessment outcomes - Training Manager.

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- Complaints containing suggestions for improvement to MILCOM Institute policies and procedures - Compliance Manager.

The CEO may wish to meet with the complainant to obtain further information. The complainant may be assisted or accompanied by a support person at this meeting. The CEO shall make a decision on the complaint and convey the decision to the complainant and all associated persons in writing **within five working days** of the receipt of the formal complaints and all necessary supporting documents. Within the notification of the outcome of the formal complaint the complainant shall also be notified that they have the right of appeal.

The CEO shall ensure that MILCOM Institute will act immediately on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the complainant, MILCOM Institute must immediately implement any decision and/or corrective and preventative action that is required and advise the complainant of the outcome.

The Complaints and Appeals Register is updated with the details of the decision and outcomes /further action by CEO or delegate. All documentation is placed on the complainants file.

Procedure - Appeals

General Appeals

All complainants have the right to appeal a decision made by MILCOM Institute. This includes students who do not agree with an assessment decision. To commence the appeal process, the appellant is to provide in writing, a summary of the grounds of appeal within 5 days of the complaint outcome or assessment decision.

The appellant must clearly identify the reason(s) the appellant feels the decision is unfair needs to be reconsidered. The candidate may seek the assistance of the Administration Manager in selecting words that clearly articulate their reasons for appeal. The completed form is submitted via Student Administration. The process for appeals will begin **within five working days** of the appeal being lodged. The CEO shall ensure that MILCOM Institute acts on any substantiated appeal.

The CEO organises a meeting with all parties involved regarding the appeal and attempt to seek resolution where appropriate. The appellant may be assisted or accompanied by a support person at this meeting.

Assessment Appeals

Where a student wishes to appeal against any assessment, they are required to notify their assessor in the first instance. Where appropriate the assessor may decide to re-assess the candidate to ensure a fair and equitable decision is gained. The assessor shall complete a written report regarding the re-assessment outlining the reasons why specific outcome was granted.

If this is still not satisfactory to the student, they can formally lodge an appeal in writing **within 5 days** of discussing the assessment with their Assessor to the CEO. Students must provide details of the assessment, the grounds the appeal is based upon and course of action that the student wishes to have MILCOM Institute take regarding the assessment, being either:

1. MILCOM Institute changes the assessment result to “competent” (pass),

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2. MILCOM Institute re-assesses the assessment via an alternate internal or external Assessor,
3. Allow the student to re-submit one or more parts of an assessment within an agreed timeframe, OR
4. Allow the student to re-submit the assessment within an agreed timeframe.

The appeal is lodged with Student Administration who updates the Complaints and Appeals Register.

The CEO notifies the Training Manager to provide details from the Assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating:

1. The assessment decision stands
2. The Training Manager is directed to appoint an alternate Assessor to re-assesses the assessment,
3. The Assessor is directed to allow the student to re-submit one or more parts of an assessment within an agreed timeframe, OR
4. The CEO appoints a 'third party' to re-assess the assessment.

The appellant shall be notified in writing of the outcome of the decision, including the option of using the external appeals process if they are not satisfied with the outcome.

Student Administration updates the 'complaints and appeals register'. The appellant is required to notify MILCOM Institute, **within 5 working days** of receiving the appeal outcome in writing, if they wish to proceed with an external appeals process.

External Appeals

The purpose of the external appeals process is to consider whether MILCOM Institute has provided a fair and equitable process and adhered to its complaint and appeals policy procedure, not to change the decision already made in regard to initial complaint or appeal.

For example, if an appellant appeal against his or her assessment outcomes and appeals the decision, the external appeals process (if accessed) will consider the way in which the internal appeal was conducted; it would not make a determination change the assessment outcome.

The student can appeal externally to ASQA or to the Overseas Student Ombudsman who investigates complaints about the actions and decisions of private registered education providers in connection with overseas students.

Organisation:	Overseas Student Ombudsman (http://www.ombudsman.gov.au/)
Contact point:	<p>Online Complaint Form: https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=oco-complaint-form</p> <p>Call: 1300 362 072 (within Australia) Outside Australia call +61 2 6276 0111. Enquiries 9 am to 5 pm Monday to Friday (AEDT)</p> <p>Postal: GPO Box 442 Canberra ACT 2601.</p> <p>Brisbane Office: Level 18, 53 Albert Street, Brisbane, QLD 4000</p>

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ASQA Contact	<p>https://www.asqa.gov.au/complaints</p> <p>Phone: Call the ASQA info line on 1300 701 801 between 9.00 am and 7.00 pm Eastern Standard Time, Monday to Friday.</p> <p>If you need an interpreter, please call the Translating and Interpreting Service (TIS National) on 131 450 and ask them to telephone the Australian Skills Quality Authority on 1300 701 801, between 9.00 am and 7.00 pm EST, Monday to Friday.</p> <p>Post: ASQA's postal address is GPO Box 9928, Melbourne, VIC, 3001.</p> <p>ASQA offices</p> <ul style="list-style-type: none"> • Melbourne: Level 6 595 Collins Street • Brisbane: Level 7 215 Adelaide Street • Sydney: Level 10 255 Elizabeth Street • Canberra: Ground Floor 64 Northbourne Avenue Canberra City.
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Following the receipt of the outcome of the external appeal MILCOM Institute must immediately:

1. Implement the decision
2. Convey the outcome to the appellant
3. Update the complaints and appeals register
4. Place a copy of the documentation on the appellant's file, and
5. Initiate any improvement actions arising from the complaint

In the event that MILCOM Institute considers that more than **60 calendar days** are required to process and finalise the complaint or appeal, the CEO informs the complainant or appellant in writing **within 5 working days of receiving the complaint or appeal**, including reasons why more than 60 calendar days are required; and instructs the Administration Manager to regularly update the complainant or appellant on the progress of the matter.

Where MILCOM Institute is informed that the international student has accessed external appeals processes MILCOM Institute will maintain a student's enrolment until the external appeal process is finalised. MILCOM Institute will comply with the findings of Overseas Student Ombudsman or ASQA.

The decision of this independent mediator is final and any further action the student wishes to take is outside MILCOM Institute's policies and procedures. The student shall be referred to the appropriate government agencies and this information can be gained from the CEO.