

AUSTRALIAN BUSINESS ACADEMY

ABA SFT-PRO-001 COMPLAINTS AND APPEALS PROCESS

FAIRNESS OF TREATMENT

THE ABA ADVANTAGE

Great Results

- 100% of our learners who have wanted to go to university have received entrance into their 1ST or 2ND choice.
- 97% of graduates, who have wanted jobs, have found employment within 12 weeks of graduating.

Unique Academy Experience

- Job ready programs integrated as a value add into our course offering
- Small class sizes and Learning Facilitators with industry experience
- Personal attention with one-on-one support to all Learners
- Progressive assessment
- No ATAR required

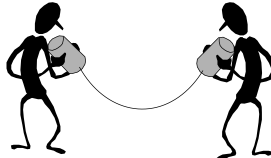
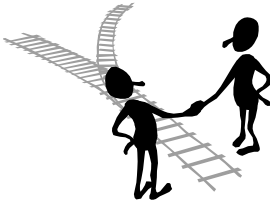
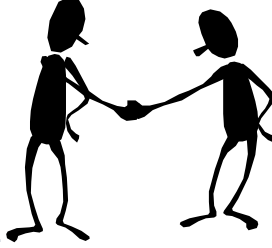
Value for time and money

- Great value for time and money with accelerated pathways to employment or university entrance
- VET FEE-HELP and flexible payment options - 'study now and pay later'

Award winning reputation

- Learners have high regard for our unique Academy Experience
- Nationally accredited and recognised courses and qualifications
- Articulation and credit transfer options
- Industry Recognised Awards - ABA as ACT Small Registered Training Organisation of the Year:
 - Winner in 2008, 2003 and 2001
 - Finalist in 2006, 2005, 2004, 2002 and 2000

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COMPLAINTS AND APPEALS PROCESS

What is the complaints and appeals process?

The complaints and appeals process provides learners (domestic and international) with a way to have their complaints and appeals addressed fairly, confidentially, efficiently and effectively. This document outlines how all learners can make a complaint or appeal.

Overview

Specifically, our complaints and appeals process provides for an appropriate complaints handling and appeals process that enables:

- a process for lodging a formal complaint or appeal if the matter cannot be resolved informally requires a written record of the complaint or appeal. Refer to:
 - This policy 2.7 SFT-PRO-001 Complaints and Appeals Policy
 - 2.7 SFT-FOR-004 Complaints and Appeals Form
 - 2.7 SFT-FOR-002 Application for an Appeal Against an Academic Decision
 - 2.7 SFT-FOR-003 Application for an Appeal Against a Non-Academic Decision
 - 2.7 SFT-FOR-001 Complaints Register
 - 2.7 SFT-PRO-002 Disciplinary Process
 - 2.7 SAE-POL-001 Access and Equity Policy
 - 2.7 SLD-POL-001 Equity and Fairness Policy
- Learners to have an opportunity to formally present their case at minimal or no cost to the individual; Refer to:
 - This policy 2.7 SFT-PRO-001 Complaints and Appeals Policy (under '**Learner rights**')
 - 2.7 SAE-POL-001 Access and Equity Policy
 - 2.7 SLD-POL-001 Equity and Fairness Policy
- each party may be accompanied and assisted by a support person (internal or external representative) at any relevant meetings. Refer to '**Stages in the complaints and appeals process**' of this Policy;
- Learners are given a written statement of the outcome, including details of the reasons for the outcome. Refer to learner acknowledgement as part of the process to resolve any complaint or appeal issue:
 - 2.7 SFT-FOR-004 Complaints and Appeals Form
- a process commences within 10 working days of the formal lodgement of the complaint or appeal and supporting information and all reasonable measures are taken to finalise the process as soon as practicable. Refer to '**What should I do if I experience an issue?**'

In the event that ABA receives an informal or formal complaint or appeal, we will ensure that:

- the most appropriate advice and information is provided to learners on their right to access the external appeals process at minimal or no cost. This includes matters where the learner is not satisfied with the result or conduct of the internal complaint handling and appeals process;
- a learner's enrolment is safeguarded while the complaints and appeals process is ongoing; and,
- ABA immediately implements any decision and/or corrective and preventative action (from internal or external sources) required and advises the Learner of the outcome.

The records maintained by ABA on complaints and appeals are covered by:

- 2.7 SFT-FOR-004 Complaints and Appeals Form
- 2.7 SFT-FOR-002 Application for an Appeal Against an Academic Decision
- 2.7 SFT-FOR-003 Application for an Appeal Against a Non-Academic Decision
- 2.7 SFT-FOR-001 Complaints Register

What kind of issues does this process address?

The complaints and appeals process can be used to resolve any issues Learners encounter during the course of study with ABA. This may concern grades or assessments; issues relating to the conduct of Learning Facilitators, other learners or campus administrators; ABA learner services, the course content; occupational health and safety issues; how the course is administered or any other aspect of course delivery that learners may not be satisfied with.

Learner rights

You have the right to:

- present your case and have your complaint or appeal addressed fairly, confidentially, efficiently and effectively;
- have the issue moderated by an independent person, the Education Manager, the ABA CEO, the Managing Director of CGL, an external source;
- seek external mediation and advise at any stage of the complaints or appeals process;
- have an independent observer supporting your interest at all meetings with ABA or CGL; or
- contact the ACT Accreditation and Registration Council (ACT-ARC) if you are concerned about the conduct of the ABA.
 - ACT-Accreditation and Registration Council (ACT-ARC) Contact Details
GPO Box 158
Canberra ACT 2601
Telephone: (02) 6205 7091
Web site: <http://www.arc.act.gov.au>

Please note that the complaints/dispute resolution process does not prevent you from exercising your right to other remedies.

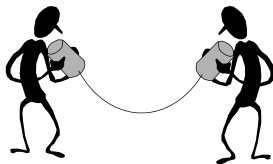
What should I do if I experience an issue?

The following process provides a step by step guide on what you can do should you choose to make a formal complaint or appeal a decision made by the ABA.

STEPS INVOLVED

WHAT HAPPENS?

Step 1: Discuss the issue with your Learning Facilitator or the Campus Manager



First, contact your Learning Facilitator or the Campus Manager for a confidential discussion. Your Learning Facilitator or Campus Manager will endeavor to resolve the issue or provide written response within 10 day of receiving a complaint/appeal and provide you with support, answers to any questions about the complaints and appeals process.

Your Rights

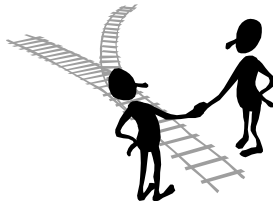
You have the right to be heard, to present your case and have your issue moderated by the ABA CEO, an independent person, or external source.

Please don't hesitate to raise your issue with your Learning Facilitator or the Campus Manager who will assist in making the necessary arrangements.

Were you satisfied that the issue was resolved?

- If yes, then this is the end of the complaints and appeals process.
- If no, then proceed to the next step.

Step 2: The ABA CEO will act as a your mediator.



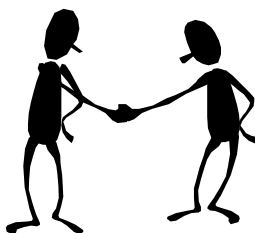
Complete the SFT-FOR-004 Complaints and Appeals Form as the first step in the escalation process. If your complaint or appeal cannot be resolved with your Learning Facilitator or the Campus Manager, you will be referred to the ABA CEO. The ABA CEO will act as your mediator for discussions between yourself and the relevant party, and work to resolve the issue.

Consultation with and involvement by an independent mediator may occur in addition to mediation activity with the ABA CEO.

Were you satisfied that the issue was resolved?

- If yes, then this is the end of the complaints and appeals process.
- If no, then proceed to the next step.

Step 3: External mediators will resolve the issue.



In the unlikely event that the issue cannot be resolved by the ABA CEO, the ABA CEO will advise you of your right to take your case before the Managing Director of The Citadel Group or an external body for resolution.

External bodies include:

- ACT Accreditation and Registration Council; and/or
- Magistrate's Court, where the process of common law shall apply.

COMPLAINTS AND APPEALS PROCESS POLICY

Purpose

ABA provides appropriate mechanisms and services for learners (domestic and international) to have their complaints and appeals addressed fairly, confidentially, efficiently and effectively.

Scope

ABA endeavours to deal with Complaints and/or Appeals as soon as they arise. These come in all shapes and sizes from those:

- That can be dealt with or resolved quickly such as an improvement to an existing process or facilities, or the learning experience; or,
- More serious matters which may have a significant impact on the learner's ability to undertake the course of study and achieve the required competencies or qualifications.

In the first instance, the viewpoints of all parties are considered and where easily resolved are immediately actioned.

Matters arising that are of a more serious nature will be assessed on a case-by-case basis by the ABA CEO and/or Managing Director of The Citadel Group who may require one or more of the following support mechanisms:

- Adherence to the principles of access and equity;
- Desire to maximise outcomes for ABA clients and learners;
- Independent observer supporting the learner's interest at all meetings with the ABA;
- Independent grievance handling/dispute resolution specialists;
- Internal mediation;
- External mediation;
- In extreme cases, involvement of police or other legal entity may be required; and/or,
- ABA is committed to fulfilling its obligations and all requirements defined by the Australian Quality Training Framework. This means that:
 - ACT Accreditation and Registration Council (ACT-ARC)the ACT-ARC may suspend or cancel the registration of any RTO or course;
 - Learners concerned about the conduct of an RTO may contact ACT-ARC about more serious concerns; and,
 - The complaints/dispute resolution process of any RTO does not prevent a learner from exercising their rights to other remedies.

Should a Learner require additional support during the complaints/dispute resolution process, ABA may refer the Learner to an external mediation agency; however action would not constitute an endorsement of the mediation service. Learners are also advised to make enquiries with more than one mediation service to get the right service for their needs.

Stages in the complaints and appeals process

In all cases, the initial focus will be to resolve any difficulty directly with the complainant and the relevant party (fellow Learners, ABA, or ABA Staff member) in the best interest of promoting harmonious relationships within learning environment. Where this is not possible, a more formal approach may be required to mediate the matter or a third party option (internal or external) may be offered.

ABA uses a three staged escalation approach to action any complaint or appeal that arises:

<p>STAGE 1:</p> <p>INITIAL DISCUSSION TO RESOLVE THE ISSUE.</p>	<ul style="list-style-type: none"> Without fear or favour, the Learner discusses the issue of concern with the Learning Facilitator or the Campus Manager who will endeavour to resolve the matter to the satisfaction of the Learner. The Learner will be informed of their right to have the issue moderated by an independent person, the ABA CEO, an external source.
<p>STAGE 2:</p> <p>INTERNAL MEDIATION BY THE ABA CAMPUS MANAGER OR THE ABA CEO.</p>	<ul style="list-style-type: none"> Where a complaint or appeal is not resolved during the initial stage, the matter shall be escalated to the ABA CEO immediately. They will reassure the complainant and support their right to have the issue moderated and to present their case without fear or favour. <ul style="list-style-type: none"> If the Campus Manager is unable to resolve the matter, the Learner shall be informed that the matter will be referred to the ABA CEO for resolution; and/or, If the Learner is not satisfied with the outcome, they will be informed of the next stage in the process. Should the issue directly involve either the Learning Facilitator or the Campus Manager, the ABA CEO shall mediate the complaint process. The process may require consultation with or involvement of an independent mediator which is assessed on a case by case basis by the ABA CEO.
<p>STAGE 3:</p> <p>EXTERNAL MEDIATION BY AN EXTERNAL ORGANISATION.</p>	<p>In the unlikely event that the issue cannot be resolved by the ABA CEO, the Learner will be advised of their right to take their case before an external body for resolution.</p> <p>External bodies include:</p> <ul style="list-style-type: none"> ACT Accreditation and Registration Council; and/or Magistrate's Court, where the process of common law shall apply.

Recording Procedure

The ABA staff member receiving the complaint will provide the ABA Campus Manager with relevant information. The ABA Campus Manager will update the Complaints Register with the relevant information including:

- Name of Learner;
- Description of the grievance;
- Initial actions; and,

- Any resolutions.

The ABA Campus Manager may prepare additional information including:

- Determine whether the issues can be resolved within the scope of the ABA Campus Manager's responsibilities, illicit support from the ABA Education Manager or immediately escalate to the ABA CEO;
- Date of receipt of report from the Learning Facilitator or ABA staff member;
- Collection of any data relevant to the issue;
- Date of discussion with the Learner, issues raised and result;
- If no resolution, record advice given to Learner and escalaten to the ABA CEO; and
- Completion of notifications to the Learner or external organisation.

Assessment Appeals

The Learner shall be provided with sufficient information regarding the rationale for an assessor's decision to make a judgement of 'Not Yet Competent' with regard to the assessment result under dispute. This information shall be provided with recommendations to the Learner about any extra studies or assessment requirements needed to achieve a grade of 'Competent'.

- If the Learner is not satisfied with the result of the assessment or the reasons given they should first discuss the issue with the Learning Facilitator who will endeavour to resolve the matter to the satisfaction of the Learner and ABA, and consistent with the competency assessment requirements under the AQTF.
- If the appeal is not resolved, it will be escalated to the ABA Education Manager or the ABA CEO for resolution. The Learner will be informed of their rights as part of the Complaints process described above.

The ABA Campus Manager or the ABA CEO may examine the issue in conjunction with a qualified and experienced external moderator who is authorised to moderate on the assessment outcome. If a resolution is not reached, ABA will advise the Learner of their right to take their case before external resolution agencies which may include:

- Office of Fair Trading;
- Department of Education, employment and workplace relations (DEEWR);
- ACT Accreditation and Registration Council; and/or,
- Magistrate's Court, where the process of common law shall apply.

The Complaints and Appeals Process

