



### Policy

This policy and procedure underlines the process by which ICV will manage and respond to complaints and appeals received by students with regard to their dealings with ICV, its trainers/assessors, other staff, its education agents or another learner. It provides opportunity for students to formally present their case at minimal or no cost. ICV will take all complaints and appeals seriously and will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process.

### Information about the complaints and appeals process

ICV provides a publicly accessible system for the receiving and management of complaints or appeals. These are comprehensible and embraces the principles of fairness and transparency throughout all stages of the process.

All students or intending students are provided with information about the complaints and appeals process through the Prospectus, Student Handbook, and ICV website. Students are also provided with information about the complaints and appeals process during orientation. The CEO is responsible for ensuring that all staff at ICV are made aware of the policies and procedures relating to complaints and appeals. This information is disseminated through the staff handbook and during the induction process.

### Definitions

**Complainant** - The person raising the complaint.

**Appellant** - The person appealing a decision

**Appeal** - request by a student to reconsider a result or decision.

**Complaint** - Dissatisfaction expressed by a Complainant about a product or service provided requiring resolution.

### What can a complaint be about?

A complaint may include but not limited to:

- the service provided, or not provided by ICV
- aspect of training and assessment
- behaviour or decisions made by staff
- services provided by a third party (education agent)
- conduct of other students in the College

### What can an appeal be about?

An appeal can be about any decision made by ICV which has an impact on a student. These may include:

- assessment decisions/outcomes  
Grounds for an appeal against an assessment decision (where the student feels the assessment decision is incorrect) may include the following:
  - The judgement as to whether competency has been achieved and demonstrated was made incorrectly;
  - The judgement was not made in accordance with the marking criteria;
  - Alleged incorrect information from the assessor regarding the assessment process;
  - Alleged inappropriate assessment process for the particular competency;
  - Faulty or inappropriate equipment; and/or inappropriate conditions.
- provision of incorrect or inappropriate information relating to services/training and assessment/procedures



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- ICV's intention to report the student to Department of Home Affairs for breach of visa conditions as a result of unsatisfactory course progress or attendance.
- ICV's intention to defer, cancel or suspend enrolment

### Procedure

#### **Informal Resolution**

ICV encourages that in the first instance, the complainant/appellant, discuss with the person(s) concerned as a means of resolving the issue before escalating the matter to a formal complaint or appeal.

Students have access and opportunity to discuss the matter with the Student Support Officer, RTO Manager or the CEO.

Where resolution cannot be achieved, the complainant has access to the formal complaints and appeals process. At any time through the complaints and appeals process, where ICV considers more than 60 calendar days are required to process and finalise the complaint or appeal, the complainant/appellant will be advised in writing with the provision of reason and be provided with regular updates on the progress of the matter. ICV will respond to any complaint or appeal the overseas student makes regarding his or her dealings with ICV, it's staff, another student at ICV, or it's education agents

#### **Maintaining enrolment during the complaints and appeals process**

ICV will maintain the enrolment of the student during the complaints and appeals process, unless there are extenuating circumstances relating to the student's welfare;

Extenuating circumstances relating to the welfare of the student may include, but are not limited to;

The student:

- is missing
- has medical concerns, severe depression or psychological issues which lead ICV to fear for the student's wellbeing
- has engaged, or threatens to engage in behaviour that is reasonably believed to endanger the student, other students or staff
- is at risk of committing a criminal offence

Evidence of the extenuating circumstances will be maintained in the student file.

#### **Formal Review (internal)**

1. In order to commence the formal review, a complaint must be received using ICV's complaint or appeal form, available from ICV website, reception desk or from the Administration Officer. Students can submit the completed form formally presenting their case, accompanied by any supporting documentation in person or via email to [info@icv.edu.au](mailto:info@icv.edu.au).
2. ICV staff will refer all complaints and appeals to the RTO Manager who will, upon receipt of the complaint/appeal, provide written acknowledgement to the complainant/appellant within 5 working days. This may include the request for further information.
3. The RTO Manager will commence assessing the complaint or appeal within 10 working days of it being made (receipt) in a professional, fair and transparent manner in line with this policy and finalise the outcome as soon as practicable



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4. During the review, the complainant will be contacted and a meeting arranged to discuss the matter. The complainant/appellant may be accompanied and assisted by a support person. A record of the meeting discussions will be maintained, including considerations to resolve the complaint/appeal
5. The RTO Manager will determine the outcome and advise the complainant in writing of their decision within 20 working days of receipt of the complaint, including reasons of the outcome.
6. If the outcome of the process is favourable to the complainant, ICV will provide the student with a written statement of the outcome, including detailed reasons for the outcome and implement any decision and/or corrective and preventative action required.
7. Where the complainant is not satisfied with the outcome, they will be advised of their right to an internal appeal at no cost.

Where an appeal has been made in relation to assessment decisions/outcomes, an investigation into an assessment appeal may result in one of the following outcomes:

a) The Appeal being upheld; in this event the following options will be available:

- i. The original assessment will be re-assessed, potentially by another assessor.
- ii. A new assessment shall be conducted or arranged.

b) The Appeal being rejected, or not upheld in accordance with ICV's Training and Assessment Policy in which case, the student will be required to:

- i. Undertake further training or experience prior to further assessment; or
- ii. Re-submit further evidence; or
- iii. Submit or undertake a new assessment.

### **Internal Appeals**

1. If the complainant/appellant is not satisfied with the outcome of the complaint, they may lodge an appeal in writing by completing and submitting the Appeal Form.
2. An internal appeal must be made in writing addressed to ICV's CEO. Where this occurs, the CEO will contact the complainant/appellant to arrange a meeting for further discussion. The complainant/appellant may be accompanied and assisted by a support person
3. The CEO will take into consideration matters arising from the complaint/appeal, including all discussions held and determine the outcome of the appeal. The appellant will be advised in a written statement of the outcome within 20 working days of receipt of the Internal Appeal, including detailed reasons for the outcome.
4. If the outcome of the process is favourable to the appellant, ICV will implement any decision and/or corrective and preventative action required
5. If the overseas student is not successful in ICV's internal complaints handling and appeals process, ICV will advise the overseas student within 10 working days of concluding the internal review of the overseas student's right to access an external complaint handling and appeals process at minimal or no cost. ICV will provide the student with the contact details of the appropriate complaints handling and external appeals body.

### **External Appeals**

If the appellant is not satisfied with the outcome of the Internal Appeals Process, they have the right to access an external appeal. Once a student has applied all steps of ICV Complaints and Appeals process and they are still dissatisfied about a decision made or action taken, they may contact the Overseas Students Ombudsman at no cost.

The Overseas Students Ombudsman offers a free and independent service for international students and can be contacted on:

Telephone: 1300 362 072 within Australia. Outside Australia call +61 2 6276 0111

Address: GPO Box 442, Canberra, ACT 2601.

Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)



### ***Record Keeping and Continuous Improvement***

ICV will securely maintain records of all complaints and appeals and their outcomes. If the internal or external complaints handling or appeal process results in a decision or recommendation in favour of the overseas student, ICV will immediately implement the decision or recommendation, and/or take the preventive or corrective action required by the decision, and advise the overseas student of that action. ICV will also identify potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence. These will be added to the continuous improvement register.