Complaints And Appeals Policy And Procedure

1. Purpose

This document specifies the complaints and appeals policy and procedure of Be Qualified. It sets out guidance for staff and students regarding student complaints and appeals relating to both academic and non-academic matters.

2. Policy Statement

The College is committed ensuring its students have the right to natural justice protected through access to professional, timely, inexpensive and documented complaints handling and appeals processes, which are publicly available.

This policy applies to and may involve issues concerning the conduct of:

- The College as an organisation, its trainers, assessors or other staff
- Third party's services provided on the behalf of the College, including education agents, or any related party the registered provider has an arrangement with to deliver the overseas student's course or related services
- Its trainers, assessors or other staff; or
- A student at the College.

The College's internal Complaints And Appeals Policy And Procedures provide:

- a process for overseas students to lodge a formal complaint or appeal if a matter cannot be resolved informally;
- a process to respond to any complaint or appeal a student makes about the College or any agent or related party the College engages;
- a process to begin assessing a complaint or appeal within 10 working days of the student lodging it and finalising the outcome as soon as practicable;
- a procedure to conduct the assessment of the complaint or appeal in a professional, fair and transparent manner;
- the opportunity for the student to present their case at minimal or no cost and be accompanied and assisted by a support person if necessary;
- the student with a written statement of the outcome of the complaint or appeal, including the reasons for the outcome, and keeps a written record of complaints or appeals on the student's file.
- For the College to maintain the student's enrolment during the process

As part of the continuous improvement practices of the College, all complaints are analysed for the causes/issues and corrective and preventative actions are recorded in the Complaints Register and in the Continuous Improvement Register for appropriate action..

If the student is not successful in the College's internal complaints handling and appeals process, the College must advise the overseas student of their right to access an external complaints handling and appeals process at minimal or no cost. This advice must be given to the student within 10 working days of the completion of the internal review. Details below.

In most cases the purpose of the external appeals process is to consider whether the College has followed its own policies and procedures, rather than make a decision in place of the institution.

When an external appeals process has been completed, the registered provider must immediately implement the decision or recommendations and/or take the preventative or corrective action required by the outcomes of the external complaints handling or appeals process and notify the overseas student of the outcome.

Definitions
Complaint. A complaint is an expression of dissatisfaction about an act, omission, decision, or a service provided by Be Qualified. It can be made by a student, staff member or a third party that provides services on behalf of the College.
Complainant. The person making the complaint
Appellant: The person making the appeal concerning a decision
Appeal *is* to apply for a review of decisions, including assessment decisions, made by the College, staff member or a third-party providing services on the College's behalf (if applicable).
Academic Matters refer to all matters directly related to study activities such as training, attendance, assessment, progress, course content, facilities, curriculum, trainers, assessors, course materials or course documents such as learning materials, transcripts, or qualifications.
Non-academic Matters refer to all matters not directly related to training and assessment activities such as the enrolment process, payment of fees or other financial matters, contractual matters including withdrawals and refunds, interpersonal matters when interacting with other students or College staff or stakeholders, student services matters, data management and its privacy and all other matters.

3. Responsibility

CEO is responsible for ensuring the policy is accessible, clearly communicated, and implemented. Allocating resources and support for managing complaints and appeals and oversees the investigation process to maintain impartiality and transparency.
Academic Manager is responsible for academic complaints and appeals

Administration Manager is responsible for non-academic complaints and appeals and the implementation of this procedure, to maintain records as per this policy and to ensure that all staff with responsibility are aware of and implement this policy

Students and Clients: are encouraged to use the complaints and appeals process if they experience dissatisfaction. Formal complaints are required to be submitted according to the process outlined by Be Qualified.

All staff receive training on the complaints and appeals process. Respond to complaints or queries in a professional manner, providing guidance on how to escalate issues if necessary. Maintain records of any issues raised to contribute to organisational transparency and improvement.

4. Requirements

This policy and procedure is based on Standard 10 of the National Code of Practice 2018, which states the registered providers must:

- have and implement a documented internal complaints handling and appeals policy and process;
- advise a student within 10 working days of their right to access an external appeals process and provide contact details, if the student is not satisfied with the outcome of the internal complaints and appeals process; and
- immediately implement any decision or recommendation in favour of the overseas student through the internal or external appeals process

Applicable Standards 2025 and Instruments

This policy and procedure is additionally subject to the *Standards for RTOs 2025* and *DEWR Policy Guidance*.

Standard 2.7 – Feedback and complaints

Outcome Standard

(1) Feedback and complaints management addresses concerns and informs continuous improvement of the NVR registered training organisation.

(2) An NVR registered training organisation demonstrates:

(a) it operates a complaints management system that:

(i) allows feedback & complaints about the organisation, any third parties, and any person employed or contracted by the organisation;

(ii) ensures all parties are afforded procedural fairness;

(iii) identifies reasonable timeframes for responding to and resolving complaints; and

(iv) provides avenues for further action where complaints are not resolved;

(b) information about how to provide feedback and make complaints through the complaints management system is publicly available and easily accessible by VET students;

(c) VET students are supported to provide feedback and make complaints;

(d) outcomes of complaints are documented by the organisation and communicated to all

parties to the complaint; and
(e) feedback and complaints are used by the organisation to inform continuous improvement.

2.8 Standard 2.8 – Appeals
Outcome Standard
(1) Effective appeal processes are available to VET students where decisions of the NVR registered training organisation or a third party adversely affect the student.
(2) An NVR registered training organisation demonstrates:
(a) it operates an appeals management system that:
(i) allows VET students to appeal decisions of the organisation, any third parties, and any person employed or contracted by the organisation, where those decisions adversely affect the student;
(ii) ensures all parties to the appeal are afforded procedural fairness;
(iii) specifies reasonable timeframes for actioning appeals; and
(iv) provides avenues for review by an independent party if requested by the appellant (at no or low cost to the appellant);
(b) information about how to appeal an adverse decision through the appeals management system is publicly available and easily accessible by VET students;
(c) outcomes of appeals are documented by the organisation and communicated to the appellant; and
(d) the outcomes of appeals are used by the organisation to inform continuous improvement.

DEWR Policy Guidance (March 2025)
Providers must ensure that students have access to clear and transparent complaints and appeals processes. These processes must be timely, fair, and allow for external review where appropriate

5. Scope

This policy applies to all College staff, including contractors and students. It covers who can make a complaint or appeal, the types of complaints and appeals and specifies timeframes or deadlines for submitting complaints and appeals to ensure timely resolution.

6. Procedure

Complaints overview
Students are entitled to make a complaint about their learning experience at any time should the need arise. A complaint can be about any aspect of the College's operations and includes issues regarding the conduct of:

a) The College, its trainers, assessors, or other staff,
b) A third-party providing services on the College's behalf, its trainers, assessors, education agents or

other staff, OR

c) A student of the College.

The College encourages students to attempt to resolve their grievances informally prior to submitting a formal complaint.

Complaints may be submitted by completing the Complaints Forms available on the website or from reception. However, a complaint does not have to be lodged in writing.

The College will ensure the complaints processes will begin within a reasonable timeframe of within 5 days of receiving the formal written lodgement of the complaint.

External Complaints Procedure

Students are also entitled to access the external complaints process at minimal or no cost if not satisfied with the result or conduct of the internal complaint handling and appeals process. Students can lodge an external complaint about the College to the Overseas Student Ombudsman (OSO).

The Overseas Student Ombudsman (OSO)

International students may complain to the OSO if their complaint is in relation to the College:

- denying them enrolment in a course
- course fees and refunds
- course or provider transfers
- course progress or attendance
- cancellation of enrolment
- accommodation or work arranged by the College
- incorrect advice given by an education agent.

The OSO may not be able to investigate a student complaint if they have not already exhausted the College's formal internal complaints process.

This is a free service.
http://www.ombudsman.gov.au/making-a-complaint/overseas-students#quality-of-education-provider

OSO contact details are as follows:

- In Australia call: 1300 362 072
- Outside Australia, call +61 2 6276 0111

Complainants may also complain to the regulator, Australian Skills Quality Authority (ASQA). However, it should be noted that ASQA is not a consumer protection agency and cannot act as an advocate for individual students.

Please refer to the relevant webpage below before making a complaint to ASQA: https://www.asqa.gov.au/complaints

Step	Action	Person Responsible
1. Lodging a Complaint	Complaints can be submitted verbally, in writing, or using the Complaints Form on the RTOName website.	Student/ Complainant
	Complaints are recorded in the Complaints Register within the Student Management System.	Administration Manager
	A written acknowledgment is provided within one (1) business day, confirming receipt, outlining the process, and advising the complainant of their rights and obligations and that they will receive a written response within 14 days.	
	The complaints policy and procedure must be publicly available on the RTOName website.	
2. Investigation	The complaint handling process must commence within 5 working days of receipt.	Administration Manager
	If a complaint involves allegations against another person, they must be informed and given a chance to respond via meetings or email. A record of discussions must be kept, and all information handled confidentially. Parties should act professionally and respectfully.	
	The accused party has the right to: - Present their case and provide evidence - Deny allegations and present an alternative explanation - Show cause why a proposed action should not be taken - Call for evidence to disprove allegations - Provide mitigating circumstances where applicable	
	RTOName must fully consider all responses before making a decision and ensure procedural fairness.	
	The complainant is provided the opportunity to formally present their case at no cost and may be assisted by a support person.	
	If necessary, escalate to the CEO for further assessment.	
	Complaints must be handled with natural justice and procedural fairness, ensuring the complainant is heard, has access to relevant information, and can respond. Decisions must be made based on logical evidence.	

3. Response	A written response must be provided within 14 working days, detailing the outcome and reasons.	Administration Manager
	If the complaint involves alleged criminal conduct, the complainant is advised to refer the matter to the State or Territory Police Service.	
	Complaints should be resolved within 30 calendar days wherever possible. If additional time is required, the complainant is informed in writing, including the reason. The complainant is provided with regular progress updates at least every 14 days.	CEO
	Enrolment of the complainant must be maintained during the complaint handling process.	Administration Manager
	Complaints are to be handled with strict confidentiality. Information is not to be disclosed without permission, using an Information Release Form where required.	
	Where a complaint is upheld in favour of the student, the decision is implemented immediately.	
4. Continuous Improvement	Complaints and appeals investigations must identify root causes, preventative and corrective actions, and any opportunities for improvement.	Administration Manager
	Findings must be recorded in the Complaints and Appeals Register and addressed at monthly RTO management meetings. Some cases may also be documented in the Continuous Improvement Register.	
5.Third-Party Review	If a complainant is dissatisfied with the handling of their complaint, they may request an independent review.	Administration Manager
	The Chief Executive Officer appoints an independent person to review the complaint outcome and handling process.	Chief Executive Officer
	Independent third-party must provide recommendations within 14 working days. The decision is final and must be implemented without prejudice.	
	Be Qualified bears the full cost of facilitating an independent review where required.	
6.External Review	If dissatisfied, the complainant may escalate to external agencies:- National Training Complaints Service (13 38 73) - ASQA – https://www.asqa.gov.au/students/complaints - Overseas Students Ombudsman – https://www.ombudsman.gov.au/How-we-can-help/overseas-students In relation to matters relating to privacy, the person may refer their complaint to the Office of the Australian	Student /Complainant

	Information Commissioner via the following details: https://www.oaic.gov.au/privacy/privacy-complaints or call on 1300 363 992	
	External review is free of charge for students as Be Qualified will meet all costs.	Administration Manager

Appeals overview

The College has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the College or a third-party providing services on the College's behalf (if applicable).

Students are entitled to appeal assessment outcomes, complaints handling outcomes and general decisions if they feel they are unjust for up to 20 working days after they have been informed of the decision.

The College encourages students to attempt to resolve their grievances informally prior to submitting a formal internal appeal.

Internal appeals may be submitted by completing the Appeals Form available on the website or from reception.

The College will ensure the internal appeals processes will begin within 5 working days of receiving the formal written lodgement of the internal appeal.

The College will ensure that the internal appeal decision maker is independent of the decision being reviewed. The student's enrolment will continue throughout this process.

Students are also entitled to access an external appeals process at minimal or no cost if not satisfied with the result or conduct of the internal complaint handling and appeals process.

The external independent third party will manage the external appeals process through to completion. The College will not take any further action until the external appeals process has been completed.

Internal Appeal Procedure

- Students who are not satisfied with the result of a complaint or the conduct of the complaint handling process, or an assessment or general college decision, are able to appeal the decision.

- Prior to lodging a formal internal appeal, the student is encouraged to request a meeting with a member of the Management Team to discuss the matter.

- The member of the Management Team will attempt to resolve the appeal informally at the meeting.

- If the attempt to resolve the appeal informally with the assistance of the member of the College Management Team is unsuccessful, or the student is dissatisfied with the outcome, the student is invited to lodge a formal internal appeal using the Appeal Form.

- If the student lodges an appeal, they will receive an email confirming that the College has received the appeal request.

- Once an appeal form has been lodged (with any relevant supporting material), the formal internal appeals process will commence within 5 working days from the day it was lodged.

- A member of the college administration team records the appeal in the student's file and on the College Appeals Register.

- A member of the Management Team, one that was not involved in the complaint management stage or the owner of the general decision the student wishes to appeal, will contact the student and provide them with an opportunity to submit additional information relevant to the original complaint. A meeting may also be arranged to discuss matters further. There is no cost to the student for this process.

- Only a member of the Management Team may deal with a formal internal appeal assuming they did not make the decision that led to the appeal.

- If no members of the Management Team are eligible to address the internal appeal, the appeal will be directed to an external body for review at no cost to the student.

- The Resolution Institute, the national association of dispute resolvers, is an appropriate third party. Head Office details asfollows:
  Address: Level 1, 13 Bridge Street Sydney NSW
  Phone: (+61 2) 9251 3366
  Free call: 1800 651 650
  Email: infoaus@resolution.institute
  Website: https://www.resolution.institute

- If a meeting is scheduled, the student may be accompanied and assisted by a support person. This applies to any additional meetings involving the internal appeal.

- The College will aim to resolve the appeal within 10 working days from the commencement of the formal internal appeal process unless all parties agree in writing to extend this time.

- Within 5 working days of the conclusion of the internal appeal handling process, the College will inform the student in writing of the outcome of the appeal, including associated reasons for the outcome, and of their right to an external appeal should they not be satisfied with the result or conduct of the internal appeal handling process.

- A record of the outcome, including reasons for the outcome, will be retained in the student's file.

- If any matter arising from the internal appeal indicates a systemic College issue, the CEO will be informed in writing so the matter can be used to inform the continuous improvement activities of the College.

- If the student elects to access the external appeals process, they must inform the College in writing within 5 working days of being informed of the outcome of the internal appeal so that the student's enrolment may be maintained until the process is concluded.

- A record of the appeal is recorded in the student's file.

External Appeal Procedure

- Students that are dissatisfied with an outcome of an internal appeal, are invited to lodge a formal request for an external appeal using the External Appeals Form.

- If the student lodges a request for an external appeal using this form, they will receive an email confirming that the College has received the external appeal request.

- The external independent third party will manage the external appeal process through to completion and the College will abide by its decision.

- The Resolution Institute, the national association of dispute resolvers, is an appropriate third party. Head Office details asfollows:
  Address: Level 1, 13 Bridge Street Sydney NSW
  Phone: (+61 2) 9251 3366
  Free call: 1800 651 650
  Email: infoaus@resolution.institute
  Website: https://www.resolution.institute

- The College must maintain the student's enrolment until the external appeal process is complete.

- Following the receipt of the outcome of the external appeal by the independent third party, the College will immediately implement the decision, convey the outcome to the student,

place a copy of the documentation on the student's file, and undertake any continuous improvement actions arising from the decision.

- Nothing in this policy and procedure inhibits a student's rights to pursue other legal remedies. Students are entitled to resolve any dispute by exercising their rights to other legal remedies.

The College must only report an overseas student for unsatisfactory course progress or attendance in PRISMS after:

- the internal and external complaints processes have been completed and the breach has been upheld;
- the overseas student has chosen not to access the internal complaints and appeals process within the 20 working day period;
- the overseas student has chosen not to access the external complaints and appeals process; or
- the overseas student withdraws from the internal or external appeals process, by notifying the registered provider in writing.

Continuous Improvement

- Upon closure of the complaint or appeal, the CEO/delegate will undertake a root cause analysis to determine if there are any systemic issues that require attention to identify any long term opportunities for improvement.
- Where an issue is found the CEO/delegate will raise a Continuous Improvement Form, refer it to the regular management meeting for consideration and acted upon appropriately to prevent the issue from reoccurring and documented in the Continuous Improvement Register

Procedure Summary Table

Step	Action	Responsible Person	Supporting Documents / Systems
1	Inform student of their right to appeal decisions (assessment, complaints, or other College decisions) within 20 working days of being notified.	Administration Officer	Decision Notification, Appeals Policy
2	Encourage informal resolution by offering a meeting with a Management Team member.	Any Management Team Member	Informal Resolution Notes
3	If unresolved, student lodges formal appeal using the Appeals Form (available online or at reception).	Student	Appeals Form, Supporting Documents

4	Acknowledge receipt of appeal in writing.	Administration Officer	Email Confirmation
5	Log the appeal in the Student Appeals Register and student file.	Administration Officer	Appeals Register, Student File
6	Appoint an independent Management Team member (not involved in original decision) to manage the internal appeal.	CEO or Delegate	Internal Appeal Assignment Record
7	Contact student to gather further information or arrange a meeting (student may bring a support person).	Appeal Reviewer	Interview Notes, Additional Evidence
8	Where no suitable internal reviewer is available, refer appeal to an external body at no cost to student.	CEO / Delegate	Referral Record
9	Resolve internal appeal within 10 working days unless extension agreed in writing.	Appeal Reviewer	Resolution Notes
10	Provide written notice of internal appeal outcome and reasons within 5 working days of conclusion. Include information about external appeal options.	Appeal Reviewer	Outcome Letter, Student File
11	Retain full appeal record in student file.	Administration Officer	Student File
12	Refer systemic issues arising from appeals to the CEO for continuous improvement consideration.	Appeal Reviewer / CEO	Continuous Improvement Form
13	If student proceeds to external appeal, ensure written request is received within 5 working days of internal appeal outcome. Maintain enrolment during the process.	Student / Administration Officer	External Appeals Form, Email Record
14	Forward external appeal to Resolution Institute (or equivalent third party) for independent handling.	Administration Officer	External Appeal Request
15	Maintain student enrolment while external appeal is in progress.	Administration Officer	PRISMS Record
16	Upon external appeal outcome, implement any decision immediately, notify student, and update student file.	CEO / Delegate	Outcome Record, Implementation Log
17	Only report a student on PRISMS after internal and external appeal rights have been exhausted, withdrawn, or not accessed within 20 working days.	PRISMS Administrator	PRISMS Report, Appeal Closure Record

18	Conduct root cause analysis for all finalised appeals and log any identified issues in the Continuous Improvement Register.	CEO / Delegate	Continuous Improvement Register

7. Policy Implementation

This policy will be made available to all staff members and stakeholders through the internal communication channels, the website and Student Handbook. Students will also be advised of this policy and procedure at Orientation.

8. Review and Continuous Improvement

This Policy and Procedure will undergo an annual review, or sooner if required, to ensure it remains relevant and effective in guiding the operations and strategies or as needed to reflect any changes in the regulatory environment or operational practices.

Feedback will be collated and analysed and discussed at the monthly management meetings, for noting or action with any necessary changes documented in a Continuous Improvement Form and in the Continuous Improvement Register.

Document Control

Version number:	V1	Approved by:	CEO
Approval date:	01/06/2025	Review date:	01/06/2026
Standards: NC 10, Standards 2025 2.7 and 2.8			

Version Control

Version #	Changes	Approval By	Approval Date
1.0	Original Version	CEO	01/06/2025

Associated Documents

1. Student Complaints Form
2. Student Appeals Form
3. Complaints and Appeals Register
4. Continuous Improvement Form
5. Continuous Improvement Register