

COMPLAINT AND APPEAL POLICY

As part of our commitment to quality practices and ethical behaviour, Insight Academy Pty Ltd (Insight) has developed a comprehensive policy to ensure that adherence to quality standards, relevant legislation and regulations and implementation of best practices in education are applied across all areas at Insight.

This policy applies to all staff involved with dealing with clients.

Purpose

Insight endeavours to satisfy all its clients, staff and collaborators.

Grievance processing encourages and maintains respect and fair treatment. Part of this respectful approach is maintaining a client's enrolment throughout the procedure in the case where a client chooses to access this process.

Insight will ensure that appropriate corrective and preventative actions are implemented immediately where a decision from internal or any external process supports the client. In all cases, advice of the outcome is provided to the client in writing. This availability of a complaints and appeals processes does not remove the right of the client to take action under Australia's consumer protection laws.

Policy Statement and principles

Insight is committed to record acknowledge and deal with complaints fairly, efficiently and effectively. Complaints may involve the conduct of:

- a) Insight, its trainers, assessors or other staff
- b) a third-party providing services on Insight's behalf, its trainers, assessors or other staff
- c) a client of Insight.

Complaints may include but they are not limited to:

- Application, enrolment, induction procedures
- Assessment result (see Assessment Appeal Policy)
- Training Materials, facilities, content information
- Services Provided
- Personal conflict / behaviour
- Appeal against internal decision

This Complaint and Appeal policy:

- ensures the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process
- is publicly available
- sets out the procedure for making a complaint or requesting an appeal
- ensures complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable
- client enrolment is maintained while the grievance process is ongoing
- allows clients to be accompanied or assisted by a support person
- provides for review by an appropriate party independent of Insight and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal. Insight Academy has arrangements in place for external complaints or appeals. It does not prescribe the process of the external appeal. Insight Academy may use different processes for different types of complaints. The complainant is advised to contact Insight for detailed information.
- provides International clients for review by the Independent mediation service which is available through the Overseas Clients Commonwealth Ombudsman.
 - The Office of the Commonwealth Ombudsman investigates complaints that international clients have with private education providers. Complaints may be 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 your provider
 - incorrect advice given by an education agent.

Office of the Commonwealth Ombudsman: <http://www.ombudsman.gov.au/How-we-can-help/overseas-clients>

Where Insight Academy considers more than 60 calendar days are required to process and finalise the complaint or appeal, the Insight Academy:

- Informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and regularly updates the complainant or appellant on the progress of the matter.

Procedures

Informal Process

Wherever possible, grievances should be addressed and resolved internally through the informal processes.

This may include advice, discussions, and general mediation in relation to the issue and the client's complaint or appeal.

Staff, as appropriate to the situation, can be involved in this informal process to resolve issues.

Feedback should be provided to the relevant Area Manager regarding improvement of policies and practices. This feedback should be provided in writing through the available Staff Feedback Form as part of the Continuous Improvement process.

If the remains unresolved, the client has the right to escalate the complaint to a formal grievance to seek resolution.

Formal Process

The formal grievance process follows the steps below:

1. The client raises the concern with Insight staff and is provided with the 'Complaint Form'; or the client accesses the 'Complaint Form' from Insight's website directly.
2. The client completes the 'Complaint Form' and lodges the form via email to studentservices@insightacademy.edu.au within seven (7) calendar days of the date of the issue.
3. On receipt of the complaint documentation, Insights will acknowledge receipt of the claim, in writing, to the complainant within two (2) working days via email.
4. Insight will then begin the investigation of the complaint. Insight will review, investigate and mediate to resolve the complaint within ten (10) working days. Actions which may be taken include, but are not limited to:
 - i. Discussing the facts of the complaint with the complainant.
 - ii. Where appropriate and applicable, discuss the complaint with the respondent giving details of the complaint and complainant, giving cause to procedural fairness.
 - iii. Where appropriate and applicable, encourage and facilitate the disputants to engage in mediation on an informal level.
 - iv. Interview all parties individually, including any witnesses.
 - v. Conduct interviews privately and confidentially
 - vi. Where applicable, report the outcome of the meeting with the respondent to the complainant.
 - vii. Seek preferred outcome from each of the parties.

5. Insight will determine a resolution and advise all parties of the outcome of the complaint in writing via email, within five (5) working days from reaching an outcome.
6. If the client is dissatisfied with the outcome, the client has a right to further progress the appeal through the External Arbitrator. Insight will cooperate with External Arbitrator for a review of the complaint.
7. Insight will abide by any resolutions as recommended by the External Arbitrator.

Assessment Appeal Process

Insight is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (RTOs) 2015. As such, Insight is required to have a processes in place to manage requests for a review of assessment decisions, including those made by third party training and assessment providers who provide services on behalf of Insight.

This process is based on providing and maintaining training and assessment services that are fair and reasonable and afford a forum where issues or inadequacies regarding assessment can be raised and resolved. The Appeals process provides opportunity for appeals to be recorded, acknowledged and dealt with in a timely manner.

The object of this process is to ensure that Insight staff and third-party partners, act in a professional manner at all times. This process provides clients with a clear procedure to register an appeal. It ensures all parties involved are kept informed of the resulting actions and outcomes.

Insight acknowledges that clients have the right to appeal an assessment decision, based on valid grounds for appeal.

Insight has provision for clients to appeal against assessment decisions, including those made by a third-party partner.

Insight ensures that clients have access to a fair and equitable process for lodging an appeal against an assessment decision.

In doing so, Insight:

- has written processes in place for collecting and dealing with appeals in a constructive and timely manner;
- ensures that these procedures are communicated to all staff, third party partners and clients;
- ensures that each appeal and its outcome are recorded in writing;
- ensures that each appeal is heard by an independent person or panel;
- ensures that each appellant has the opportunity to formally present his or her case;
- ensures that each appellant is given a written statement of the appeal outcomes, including reasons for the decision;
- takes appropriate action upon the subject of any appeal that is found to be substantiated; and

- utilises outcomes of appeals to review current practices which may potentially lead to continuous improvement.

Assessment appeals are considered complaints under the Complaint and Appeal Policy.

Definitions

The following words and expressions have the following specific meaning, as in the Standards for Registered Training Organisations (RTOs) 2015.

Assessment means the process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET accredited course.

Third party means any party that provides services on behalf of the RTO but does not include a contract of employment between an RTO and its employee.

Procedure

The following principles apply:

- a) Clients have the right to lodge an appeal against an assessment decision if they feel they were unfairly treated during an assessment, and/or where they feel the assessment decision is incorrect and they have grounds for an appeal.
- b) The principles of natural justice and procedural fairness are adopted at every stage of the appeal process.
- c) The assessment appeals process is publicly available, via Insight website, under the Complaint and Appeal Policy.
- d) All appeals must be lodged within 7 calendar days of the date of the assessment result notification to the client.
- e) If the appeals process fails to resolve the appeal or the appellant is not satisfied with the outcome of the appeal, the matter will be referred to an independent third party for review, at the request of the appellant. All costs incurred for the third-party review will be advised to the appellant.
- f) Every appeal is heard by a suitably qualified independent assessor or panel, who will be asked to make an independent assessment of the application.
- g) All appeals are acknowledged in writing and finalised as soon as practicable.
- h) Insight may charge a fee for the appeals process where an external assessor is engaged. Should this be the case, all costs incurred will be advised to the appellant.

- i) If the appeal will take in excess of 60 calendar days to finalise Insight will inform the appellant in writing providing the reasons why more than 60 calendar days are required. The appellant will also be provided with regular updates on the progress of the appeal.
- j) Insight strives to deal with appeal issues as soon as they emerge, in order to avoid further disruption or the need for a formal complaint process.
- k) All appeals will be handled 'In-Confidence' and will not affect or bias the progress of the participant in any current or future training.

Grounds for Appeal

Valid grounds for an appeal against an assessment decision (where the client feels the assessment decision is incorrect) could include the following:

- a) The judgement as to whether competency has been achieved and demonstrated was made incorrectly;
- b) The judgement was not made in accordance with the Assessment Plan;
- c) Alleged bias of the assessor;
- d) Alleged lack of competence of the assessor;
- e) Alleged wrong information from the assessor regarding the assessment process;
- f) Alleged inappropriate assessment process for the particular competency;
- g) Faulty or inappropriate equipment; and/or
- h) Inappropriate conditions.

Appeal Outcome

An investigation into an Appeal may result in one of the following outcomes:

- a) Appeal is upheld; in this event the following options will be available:
 - i. The original assessment will be re-assessed, potentially by another assessor.
 - ii. Appropriate recognition will be granted.
 - iii. A new assessment shall be conducted/arranged.
- b) Appeal is rejected/ not upheld; in accordance with Insight assessment policy the client will be required to:
 - i. undertake further training or experience prior to further assessment; or
 - ii. re-submit further evidence; or
 - iii. submit/undertake a new assessment.

Insight Responsibilities

The Academic Coordinator (or nominee) is the Appeals Resolution Officer.

Details concerning the scope of the Appeals Policy are to be clearly displayed throughout the organisation and contained within the Staff Induction Process, Client Handbook and Insight website.

Formal Process

All assessment appeals are conducted through a formal process.

The formal assessment appeal process follows the steps below:

1. The client raises the concern with Insight staff and is provided with the 'Complaint Form'; or the client access the 'Complaint Form' from Insight's website directly
2. The client completes the 'Complaint Form' and lodges the form via email to studentservices@insightacademy.edu.au within seven (7) calendar days of the date of the issue.
3. On receipt of the complaint documentation, Insights will acknowledge receipt of the claim, in writing, to the complainant within two (2) working days via email
4. Insight will then begin the investigation of the complaint. Insight will review, investigate and mediate to resolve the complaint within ten (10) working days. Actions which may be taken include, but are not limited to:
 - I. Assign the assessment to a Trainer and Assessor for a re-mark. The Trainer and Assessor shall not be the same who marked the first submission.
 - II. Discussing the facts of the complaint with the complainant.
 - III. Where appropriate and applicable, discuss the complaint with the respondent giving details of the complaint and complainant, giving cause to procedural fairness.
 - IV. Interview all parties individually, including any witnesses.
 - V. Conduct interviews privately and confidentially
 - VI. Where applicable, report the outcome of the meeting with the respondent to the complainant.
5. Insight will determine a resolution and advise all parties of the outcome of the complaint in writing, within five (5) working days from reaching an outcome.
6. If the client is dissatisfied with the outcome, the client has a right to further progress the appeal through the External Arbitrator. Insight will cooperate with External Arbitrator for a review of the complaint.
7. Insight will abide by any resolutions as recommended by the External Arbitrator.

Access and Equity

The Insight Access & Equity Policy applies. (See Access & Equity Policy)

Records Management

All documentation from the Grievance process are maintained in accordance with Records Management Policy. (See Records Management Policy)

Monitoring and Improvement

All Grievance practices are monitored by the individual Area Managers and areas for improvement identified and acted upon. (See Continuous Improvement Policy)

Outcomes from the Compliant and Appeal Policy feed into continuous improvement (See Continuous Improvement Policy)