

# Complaints and Appeals Policy

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## Purpose

This Complaints and Appeals Policy and related procedure are designed to ensure that Eightfold Institute of Australia (*hereafter known as EIA or the Institute*) effectively addresses individual cases of dissatisfaction. This policy outlines EIA's approach to managing complaints and appeals and ensures that all clients, students, staff and other stakeholders are aware of the steps to take to have their dissatisfaction addressed appropriately.

This policy provides an avenue for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

## Definitions

*Complaint* – a person's expression of dissatisfaction with any service provided by EIA.

*Appeal* – a request to review a decision that has previously been made.

## Scope

This policy applies to all students, prospective students, clients, staff and other stakeholders of EIA.

## Policy

### 1. Complaints and appeals systems

- 1.1 Despite all efforts of EIA to provide satisfactory services to its students, clients, and other persons, complaints and appeals may occasionally arise requiring formal resolution.
- 1.2 EIA is committed to developing and maintaining an effective, timely, fair and equitable complaints and appeals system which is easily accessible and offered to complainants at no charge. EIA aims to:
  - ◆ develop a culture that views complaints and appeals as an opportunity to improve the organisation and how it works;
  - ◆ set in place a complaints and appeals handling system that is client focused and helps EIA to prevent events that cause complaints and appeals from recurring;
  - ◆ ensure that any complaints and appeals are resolved promptly, objectively, with sensitivity and in complete confidentiality;
  - ◆ ensure that the views of each complainant and respondent are respected and that any party to a complaint or appeal is not discriminated against nor victimised;
  - ◆ ensure that there is a consistent response to complaints and appeals.
- 1.3 Students and clients are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned to deal with the issue before it becomes a formal complaint. EIA's trainers and administration team are available to assist students to resolve their issues at this level.
- 1.4 Complaints and appeals may be made in relation to any of EIA training's services, activities and decisions such as:
  - ◆ the application and enrolment process;
  - ◆ the quality of training and assessment provided;
  - ◆ training and assessment matters, including student progress, assessment and outcomes;
  - ◆ access to personal records;

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- ◆ decisions made by EIA; and
- ◆ the way someone has been treated.

- 1.5 All formal complaints and appeals and their outcomes will be recorded on the Complaints and Appeals Register. In addition, the register will be regularly reviewed by management and used as an opportunity for improvement and reflection.
- 1.6 All formal complaints and appeals will be responded to efficiently to ensure an effective resolution within a reasonable timeframe, usually twenty (20) days or as soon as practicable. However, in some cases, particularly if the matter is complex, the resolution may take longer.
- 1.7 Where a student chooses to access this policy and procedure, EIA will maintain the student's enrolment while the complaints/appeals handling process is ongoing.
- 1.8 There is no cost to access the complaints and appeals process with EIA.
- 1.9 A written record of all complaints and appeals handled under this policy and procedure and their outcomes shall be maintained for a period of at least five (5) years to allow all parties to the complaint or appeal appropriate access to these records.
- 1.10 All records relating to complaints and appeals will be treated as confidential and will be covered by the Institute's *Information Privacy Policy*.

## 2. Making a complaint

- 2.1 Formal complaints and appeals must be made in writing to the Operations Manager. All parties are encouraged to approach matters with an open view and to attempt to resolve problems through discussion and conciliation.
- 2.2 Complaints will be investigated by the Operations Manager or their delegate and a proposed resolution provided in writing within thirty (30) days.

## 3. Making an appeal of an assessment decision

- 3.1 A request for an appeal of an assessment decision may be made in writing to the Operations Manager providing reasons why the assessment appeal is being made. Assessment appeals must be made within twenty (20) days of the original assessment decision being made.
- 3.2 In the case of an assessment appeal, an internal review of the assessment will occur. As part of this process, where deemed necessary EIA may appoint an independent, qualified assessor to review and make a decision on the assessment.
- 3.3 Outcomes of an assessment appeal will be advised in writing within twenty (20) days.

## 4. Internal appeal

- 4.1 Where a complainant is dissatisfied with the result or conduct of EIA's internal procedures for handling of a complaint, the student has the right to lodge an internal appeal of the decision. An appeal must be lodged within five (5) working days of the decision being made.
- 4.2 An internal appeal will prompt the Management Team to review the decision made in response to the original complaint. The complainant may be asked to provide further information by phone, in writing or in person.
- 4.3 EIA acknowledges the need for an appropriate independent party to mediate where an appropriate outcome cannot be reached internally. Additionally, the complainant may request that an independent party be included in the appeals process.

A complainant can bring a support person in a meeting as an Observer only. They will not participate in the meeting and discussion. The outcome of the resolution will be solely in between the complainant and EIA. No person from legal profession can be accompanied with the complainant as a support

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person upon request or the decision by EIA that this is required, EIA will organise an independent mediator to be included in the appeals process at its own cost.

4.4 The outcome of the internal appeal will be advised in writing within ten (10) days.

4.5 If the complainant doesn't appeal within five (5) working days, all further appeal will be declared null and void unless extenuating circumstances prevail.

## 5. External complaints and appeals

5.1 Where the complainant remains dissatisfied with the outcome of the complaints and appeals process, the complainant can access an external complaints or appeals process at their own cost. Complainants must ensure they have accessed the internal processes first.

5.2 Complainants have a number of external complaint or appeal options including:

- ACPET (<http://www.acpet.edu.au/>)
- Administrative Appeals Tribunal (<http://www.aat.gov.au/>)

If the complaint still remains unresolved, the complainant may refer the matter to below:

- Consumer Affairs Victoria (<http://www.consumer.vic.gov.au/>)

5.3 EIA will provide complete cooperation with the organisation investigating the complaint/appeal and will be bound by the recommendations arising out of this process. The Operations Manager will ensure that any recommendations made are implemented within thirty (30) days of being notified of the recommendations.

## 6. Non-limitation of policy

6.1 Nothing in this policy and related procedure limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, this policy does not circumscribe an individual's rights to pursue other legal remedies.