



Nepean Community College

Complaints and Appeals Policy and Procedures



1. PURPOSE	3
2. DEFINITIONS	3
3. POLICY	3
3.1 NATURE OF COMPLAINTS AND APPEALS	3
3.2 PRINCIPLES OF RESOLUTION	4
3.3 TIMEFRAMES FOR RESOLUTION	4
3.4 RECORDS OF COMPLAINTS AND APPEALS	4
4. PROCEDURE.....	5
4.1 INFORMAL RESOLUTION	5
4.2 UNSUCCESSFUL INFORMAL RESOLUTION	5
4.3 FORMAL COMPLAINTS	5
4.4 ACKNOWLEDGEMENT OF COMPLAINT OR APPEAL	6
4.5 RESOLUTION OF COMPLAINTS AND APPEALS	6
4.6 EXTERNAL RESOLUTION	6
4.7 INDEPENDENT PARTIES.....	6
4.8 EXTERNAL COMPLAINT AVENUES.....	6
5. PUBLICATION	7



1. Purpose

The purpose of this policy and procedure is to outline Nepean Community College's (RTO Code: 1223) approach to managing dissatisfaction, formal complaints and appeals of students, clients, staff and other members of the community. It provides a transparent approach for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

This policy and procedure ensures compliance with Standard 6 of the Standards.

2. Definitions

Appeal means a request for a decision made by Nepean Community College to be reviewed (e.g., assessment decision).

Complaint means a person's formal expression of dissatisfaction with any product or service provided by Nepean Community College.

Services means training, assessment, related educational and support services and/or activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation or IT support.

SRTOs means the Standards for RTOs 2015 – refer definition of 'Standards'.

Standards means the Standards for Registered Training Organisations (RTOs) 2015 of the VET Quality Framework which can be accessed from www.asqa.gov.au

3. Policy

3.1 Nature of complaints and appeals

Nepean Community College responds to all allegations involving the conduct of:

- The RTO, its trainers and assessors and other staff
- Any third-party providing services on behalf of Nepean Community College
- Any student or client of Nepean Community College

Complaints may be made in relation to any of Nepean Community College's services and activities such as:

- The application and enrolment process
- Course information
- Marketing information
- The quality of training and assessment provided
- Training and assessment matters, including student progress, student support and assessment requirements
- The way someone has been treated
- The actions of another student

- Privacy

An appeal is a request for a decision made by Nepean Community College to be reviewed. Decisions may have been about:

- Course admissions
- Refunds
- Assessments
- Response to a complaint
- Assessment outcomes / results
- Other general decisions made by Nepean Community College

3.2 Principles of resolution

Nepean Community College is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice. Through this policy and procedure, Nepean Community College ensures that complaints and appeals:

- Are responded to in a consistent and transparent manner
- Are responded to promptly, objectively, with sensitivity and confidentiality
- Are able to be made at no cost to the individual
- Are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement

Nepean Community College will inform all persons or parties involved in any allegations made as well as providing them with an opportunity to present their side of the matter.

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

Where a student chooses to access this policy and procedure, Nepean Community College will maintain the student's enrolment while the complaints/appeals handling process is ongoing.

3.3 Timeframes for resolution

Complaints and appeals will be finalised as soon as practicable or at least within 30 calendar days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time that the matter is resolved.

3.4 Records of complaints and appeals

Nepean Community College will maintain a record of all complaints and appeals and their outcomes on the *Complaints and Appeals Register*, which will be securely stored according to the *Privacy Policy & Procedures*.

4. Procedure

If a person feels the College has been unjust and not acted in good faith on an issue, they are advised to do the following:

4.1 Informal resolution

The student should initially:

- Discuss the issue / complaint with the person involved to try and resolve it verbally
- If an informal complaint was not resolved the student can then request an interview with the Program Manager
- The Program Manager will ask the student to submit the complaint in writing and give *NCC Complaints and Appeals Form* to the student

4.2 Unsuccessful informal resolution

If no resolution is reached, student should discuss the issue / complaint with trainer or NCC staff members to see if it can be resolved.

If the issue has not been resolved informally, student may lodge a formal complaint.

4.3 Formal complaints

Formal complaints and appeals must be made in writing using the Complaints and Appeals Form, or other written format and sent to:

- The Principal Nepean Community College, Shop 115B, Westfields, Penrith NSW 2750
- By email to The Principal, Wesley Jones wjones@ncc.nsw.edu.au

Submitting a complaint in writing requires a complainant or appellant to include the following:

- Full name and a contact phone number
- Class student is currently, or recently, enrolled in at Nepean Community College
- Description of the situation that led to the complaint (What happened?)
- Names of people who were involved (Who was involved?)
- Location of the situation (Where did it happen?)
- Date and time of the situation (When did it happen?)
- How the complaint has affected the student
- How the student feels the complaint can be resolved (What would you like to happen?)
- List any names of people or organisations approached in relation to the complaint
- Add copies of any documents relating to the complaint (eg: assessments, witness statements)
- Signature and date of complaint



4.4 Acknowledgement of complaint or appeal

- All complaints and/or appeals will be acknowledged in writing via email or post within 24 hours of receipt.
- The College Principal has the right to take the complaint to NCC College Council for advice if required.
- Complainant or Appellant will receive a response to the complaint within 7 working days.

4.5 Resolution of complaints and appeals

- Some or all members of the management team of Nepean Community College will be involved in resolving complaints and appeals as outlined in the procedures.
- Where a complaint or appeal involves another individual or organisation, they will be given the opportunity to respond to any allegations made.
- Where a third-party delivering Services on behalf of the RTO is involved, they will be included in the process of resolving the complaint or appeal.
- In the case of an assessment appeal, an assessor who is independent from the original decision will assess the original task again. The outcome of this assessment will be the result granted for the assessment task.

4.6 External resolution

Where no mutually acceptable resolution can be found, Complainant or Appellant may wish to have the matter dealt with through an external resolution process.

There is no cost for lodging an external appeal.

Once the relevant authority has received the complaint or appeal form they will contact both Nepean Community College and the Complainant or Appellant to request applicable documentation.

4.7 Independent parties

Nepean Community College acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter.

Costs associated with independent parties to review a matter must be covered by the complainant/appellant unless the decision to include an independent party was made by Nepean Community College.

Nepean Community College may also appoint the independent party to be involved in the resolution of a complaint or appeal where it is deemed necessary.

Nepean Community College will provide complete cooperation with the external mediator investigating the complaint/appeal and will be bound by the recommendations arising out of this process.

The Principal will ensure that any recommendations made are implemented within twenty (20) days of being notified of the recommendations. The complainant or appellant will also be formally notified in writing of the outcome of the mediation.

4.8 External complaint avenues

Complaints can also be made via the following avenues:

Training quality complaints	Australian Skills Quality Authority (ASQA) How ASQA uses feedback Australian Skills Quality Authority (ASQA)
Smart and Skilled complaints	1300 772 104 SmartandSkilled.Enquiries@det.nsw.edu.au
Marketing and sales complaints	NSW Fair Trading 13 32 20 http://www.fairtrading.nsw.gov.au/
Privacy Complaints	Australian Government – Office of the Australian Information Commissioner Privacy complaints - Home (oaic.gov.au)
Discrimination Complaints	Australian Human Rights Commission Home Australian Human Rights Commission

5. Publication

This policy and procedure will also be published on Nepean Community College's website.

END OF DOCUMENT