



Complaints and Appeals Policy and Procedure

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PURPOSE

The purpose of 'Frontier's Complaints and Appeals Policy and Procedure' is to ensure at all times that Frontier's current and potential students (national and international) have access to professional, timely, inexpensive and documented complaints and appeals processes in place to collaboratively and actively resolve grievances that may occur between Students (national and international) and Frontier. The policy is also to ensure that complaints and appeals are recorded, acknowledged and dealt in a fairly, efficiently and effectively manner.

The purpose of this policy is to manage and respond complaints made by students (national and international) involving the conduct of:

- the RTO, its trainers, assessors or other staff;
- a third-party providing services on the RTO's behalf, its trainers, assessors or other staff;
- a learner of the RTO.

SCOPE

This policy applies to all Frontier's staff, third-parties providing services on Frontier's behalf, all past, current and potential students (national and international) that have completed, have enrolled or intend to enrol in any course within Frontier Institute of Technology's scope of delivery and assessment, including all:

- VET courses;
- Short Courses;
- Accredited courses.

This policy applies to:

- Students;
- Administration department;
- The CEO, Operations Manager, Student Support Officers and Academic Heads of Department will be responsible to ensure compliance with this policy.

POLICY STATEMENTS:

1. Frontier will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process.
2. Frontier will publish the complaints and appeals procedure in all domains wherever practicable to ensure it is publicly available to all stakeholders to access at any point of time.
3. Frontier ensures to record all complaints and appeals forms, related evidence and decision reports.
4. Frontier will consider the nature of the complaint and appeal for Continuous Improvement.

RELEVANT STATE/FEDERAL LEGISLATION

Standards for Registered Training Organisations (RTOs) 2015 – Standard 6 Clause (6.1-6.5)

National Code of Practice for Providers of Education and Training to Overseas Students 2018 - Standard 10

DEFINITIONS

Registered Training Organisation (RTO)	A training organisation authorised to deliver VET Programs and courses.
TAS	Training and Assessment Strategies are the methods adopted by an RTO, with respect to Training and Assessment, designed to enable learners to meet the requirements of the Training Package or accredited course.
AQF	Australian Qualifications Framework
VET	Vocational education and training
ASQA	Australian Skills Quality Authority (ASQA), the national regulator of Australia's vocational education and training sector
Third party	Any party that provides services on behalf of the RTO, but does not include a contract of employment between an RTO and its employee. (def according to ASQA) <ul style="list-style-type: none"> • Recruitment of prospective learner • Enrolment of learners (incl. fee receipting)
Agent	An accredited person or Organisation with the authority to promote Frontier Institute of Technology's courses and services to students or prospective students in nominated regions.
Prospective student	A prospective student is someone that has just formalised their enrolment, but hasn't commenced the course yet.

Complainant	<p>A complainant is a past, current or prospective student (national or international) who makes a formal complaint.</p> <p>Past students: Any complaint, apart from Certificate Issuance, will not be considered valid after the course period is over and the management will not consider it for further proceeding.</p>
Defendant	<p>A defendant is an individual or company against whom the complainant has raised a grievance or complaint against. The defendant could be:</p> <ul style="list-style-type: none"> • the RTO, its trainers, assessors or other staff; • a third-party providing services on the RTO's behalf, its trainers, assessors or other staff; • a learner of the RTO.
DET	Department of Education and Training
CoE	Confirmation of Enrolment
OSO	Overseas Student Ombudsman
ACCC	Australian Competition and Consumer Commission

PROCEDURES

The following procedures set out the appropriate process, tools and staff responsible to execute the policy statement as detailed above.

Policy Statement 1: Procedures to ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process

Frontier has a detailed outlined procedure to ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process. Frontier has three stages to handle and resolve complaints and appeals. These three stages are:

- 1.1. Informal meeting between the Complainant and the Defendant;
- 1.2. Formal internal complaint and appeal process;
- 1.3. External complaint and appeal process.

The nature of the complaints and appeals that this policy governs are divided into two categories which include:

- a. Academic related complaints:

Academic related complaints typically include, but are not limited to:

- a.1. Course support, progression and attendance;
- a.2. Course completion;
- a.3. Credit transfer and Recognition of Prior Learning processes;
- a.4. Withdrawal, cancellation and suspension processes.

- b. Non-academic related complains:

Non-Academic relevant complains would typically include, but are not limited to:

- b.1. Pre-enrolment and Enrolment;
- b.2. Fees and refund;
- b.4. Certificate Issuance;
- b.5. Access to information;
- b.6. Bullying, discrimination and other similar type of grievances by staff or another student;
- b.7. Third-party services provider.

1.1. Informal meetings

Frontier encourages all staff and all students to first try to resolve any conflicts or complaints one on one in an informal environment, with a peaceful approach. The informal meeting is not recorded and is verbal in nature to ensure both parties' privacy. If the matter does not get resolved in this informal meeting or discussion, Frontier encourages students (the complainant) to proceed to formalise the complaint by providing a written complaint using Frontier's Complaint and Appeal form.

Special additional procedures for International Students

When the complaint from an international student is about 'Warning letters' sent by the college to monitor attendance or course, an informal meeting is encouraged only until the 'Final warning letter'. Please read 'Frontier's CRICOS course progress policy and procedure', 'Frontier's international attendance progress policy and procedure' and 'ELICOS course progress and attendance progress policy and procedure' for further details.

1.2. Internal Complaint and Appeal Process

When the matter cannot be resolved informally through an informal one-on-one discussion, Frontier advises students to fill out the 'Complaint and Appeal' form to formally lodge the complaint. The Complainant must lodge the formal complaint within the course duration, regardless of when the informal discussion of the complaint has occurred. Any complaint, apart from Certificate Issuance, will not be considered valid after the course period is over and the management will not consider it for further proceeding.

The procedure to handle, manage and resolve internal complains are as follows:

- a. The Complaint and Appeal form can be download from Frontier's website by the Complainant. The form must be filled out completely and relevant evidence should be attached to it. If the complainant cannot download the form from Frontier's website, the same can be requested by sending an email to support@frontier.edu.au or studentsupport@frontier.edu.au. The completed form must be emailed to support@frontier.edu.au or studentsupport@frontier.edu.au.
- b. The Student Support Officer must provide a serial number to the complaint and notify the Operations Manager upon receiving the formal complaint. Evidence of such email must be recorded.
- c. The Student Support Officer along with the Operations Manager will review the complaint and arrange a 'Complaint Resolution Meeting' with the Complainant and the Defendant within 10 days from date the formal complaint was received by Frontier.
- d. Such meetings will always be held at Frontier's head office at 735 Pascoe Vale Road, Glenroy, VIC 3046.
- e. If the complainant does not agree to participate of the complaint resolution meeting, an outcome of the complaint and appeal form provided by the student will be sent via email within the next 10 business days. The Student Support Officer will be responsible to write an email with the outcome of the Complaint. Prior to providing an outcome, the Operations Manager will arrange separate one on one calls with the parties involved in the complaint to provide an opportunity for the Complainant and the defendant to comfortably express their opinions and discuss the matter in details. Those calls will be recorded if agreed by the parties. Agreed solutions will then be drafted to provide direction to the final outcome.
- f. If the complainant chooses to accept the outcome, they must provide in writing that they accept the outcome and will not proceed with an appeal.
- g. The complainant has the right to appeal the decision if he or she is not satisfied with the outcome. The complainant will need to formalise the appeal in writing and submit it via email to support@frontier.edu.au and studentsupport@frontier.edu.au.
- h. Once the student submits the decision in writing via email, the Operations Manager will seek further consultation from the CEO of Frontier. The CEO will further investigate the matter and follow the procedure to resolve and determine the outcome as set under 'points d to f' of the 'internal complaint and appeal process'.
- i. If the complainant is still unsatisfied with the outcome, the complainant can by all means re-appeal the decision from the 1st appeal. Upon receiving the re-appeal in writing via email, Frontier will arrange a meeting with an external mediator from a mediation company. To be fair, Frontier is not tied up with any particular mediation company. Within 10 working days, Frontier will provide a list of 10 mediation companies that Frontier can afford at that point of time and will allow the complainant to select the mediation company or mediator. The list of 10 mediators or mediation legal firms will be randomly selected based on affordability and there are no selection criteria set out by Frontier to organise the list of Mediators. The Complainant does not have to pay for any of the mediation services costs. That will be arranged and paid by Frontier. The process of mediation should not take more than 60 days

from the day the formal re-appeal was submitted to Frontier. The list of mediators and the decision to activate the mediation process will be emailed to the complainant within 10 working days from the day the formal re-appeal was received by Frontier. All communication and information gathered during the re-appeal and mediation processes will be recorded.

- j. Frontier's internal complaint and appeal process ends with the mediation process and if the complainant remains unsatisfied with the mediation outcome, the complainant can activate and proceed with an 'External Complaint and Appeal Process' by lodging the complaint with an external organisation. See the 'External Complaint and Appeal Process' section for details.

Frontier's approach and actions on appeals:

- During the internal complaint and appeal process, if the complainant is a student with an active enrolment, their enrolment will be maintained and they will be required to attend all classes. However, in circumstances where an overseas student is issued with more than 3 'outstanding fees warning letters', the student may be excluded from classes until all overdue fees are paid in full.
- Domestic (national) students' late payments related issues will be dealt by a debt collector company after 3 warning letters. Domestic students will also be issued with an 'outstanding fees warning letter' and the student may be excluded from classes until all overdue fees are paid in full. Please refer to Frontier's Fees and Refund Policy for more details.
- When appealing an assessment or RPL outcome, the complainant will be given the opportunity of a re-assessment by a different assessor selected by the Operations Manager with the cost of the reassessment covered by Frontier.

Special additional procedures for International Students:

- Education providers must report students who do not comply with the course progress requirements of their visa through the Provider Registration and International Student Management System (PRISMS). International students enrolled at Frontier with outstanding fees will be reported to the Provider Registration and International Student Management System (PRISMS). Students will receive a written notification (Obligation to report international students letter) that they will be reported to PRISMS after 3 outstanding fees warning letters. Please read the 'Course Progress and Attendance Progress Policy and Procedure' and 'Fees and Refund Policy' in conjunction with this section of the complaint and appeal policy and procedure.
- Students will be advised in writing that they can access Frontier's complaint and appeal process if they are not satisfied with the decision. Detailed procedures are outlined in section '1.2 Internal Complaint and Appeal Process' of this document.
- If students do not respond to the written notification (Obligation to report international students letter) within 20 working days in writing, Frontier will report the overseas student through PRISMS.
- If the overseas student is not satisfied with Frontier's internal complaints and appeals process, Frontier will advise the overseas student of their right to access an external complaints and appeals process at minimal or no cost. Students will be advised within 10 working days of the completion of the internal complaints and appeals process. If the overseas student's appeal relates to a decision to cancel the student's enrolment, the provider must wait for the whole internal complaints process to be completed before they can proceed.

1.3. External Complaint and Appeal Process

If the complainant remains unsatisfied after the internal complaint and appeal process, Frontier will advise them to access external sources for further review and consideration.

1.3.1. External Complaint and Appeal Process for International Students

- a. Frontier will nominate an independent external person or organisation to hear the complaint and to propose a resolution. This person or body will not be the mediator that was handling the internal 2nd appeal. The purpose of an external appeal process is to consider whether Frontier has followed the correct policies and procedures in making the appeal decision.
- b. The complainant willing to have their case heard by an external body must notify the Operations Manager of their external appeal lodgement details in writing within 5 business days from the date the written notification of the outcome of the complainant's internal appeal was received.
- c. If the appeal is in regards to Frontier's decision to report the complainant i.e. international student who do not comply with the course progress requirements of their visa, Frontier will maintain the student's enrolment and will not report the student to PRISMS, until the external appeals process is complete and has supported the provider's internal appeal decision.
- d. If the appeal is in regards to Frontier's decision to suspend or cancel the student's enrolment or suspend a student's enrolment due to misbehaviour, Frontier will only need to await the outcome of the internal appeals process (supporting the provider) before notifying PRISMS of the change to the student's enrolment. Once the Department of Education and Training (DET) and PRISMS have been notified of a suspension or cancellation of a student's enrolment, the student will have 28 days to either leave Australia, provide the department of Home Affairs with evidence that he or she has accessed an external appeals process or show the department of Home Affairs a new Confirmation of Enrolment (CoE).
- e. The complainant willing to pursue legal remedies can chose their own legal representative and Frontier will incur the cost for such proceedings. The appropriate external complaints bodies could be:
 - State and territory offices of the Ombudsman, for public providers;
 - the Overseas Student Ombudsman (OSO), for private providers (except for issues of broader educational quality);
 - Frontier is engaged with a private legal company that may be engaged for external complaint and appeal processes for matters that may not be covered by ACCC or OSO. LegalVision is a commercial law firm that provides Australian businesses with legal services and may be used for such legal proceedings.
- f. If the complainant is not satisfied with the outcome of Frontier's internal appeals process and the external appeals process, they will be advised that they can access other external sources at their own cost. However, Frontier will not assist the overseas student in those further appeals processes.
- g. Frontier will only report an overseas student who do not comply with attendance and the course progress requirements of their visa through 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 does not respond to the written notification (Obligation to report international students letter) within 20 working days in writing;
 - the overseas student withdraws from the internal or external appeals process, by notifying the registered provider in writing.
- h. Complainants can also submit their complaints to ASQA (Australian Skill Quality Authority) via ASQA's online complaints portal to ASQA <https://asqaconnect.asqa.gov.au/> or can seek further advice through ASQA Info Line 1300 701 801. Please note that ASQA won't be acting as an independent third-party for reviewing complaints but will be acting to ensure Frontier is ensuring compliance at all times.

1.3.2 External Complaint and Appeal Process for Domestic Students

- a. When a complainant is a domestic student and is still not satisfied with the internal complaint and appeal decision, Frontier will advise the student to access an external legal provider or another third-party provider of their choice to review the matter. The cost must be covered by the complainant. Upon the student's request, Frontier may arrange for an independent third-party to review the complaint or appeal. The cost and timeframe of such arrangements will be decided on that time and the student will be notified within 10 working days. If the complaint and appeal process take more than 60 days, Frontier will notify the complainant in writing to explain the reason for the delay.
- b. Complainants can also submit their complaints to ASQA (Australian Skill Quality Authority) via ASQA's online complaints portal to ASQA <https://asqaconnect.asqa.gov.au/> or can seek further advice through ASQA Info Line 1300 701 801. Please note that ASQA won't be acting as an independent third-party for reviewing complaints but will be acting to ensure Frontier is ensuring compliance at all times.

Policy Statement 2: Procedures to ensure the complaint and appeal policy and procedure are publicly available for students to access at all times

Frontier ensures that the students are aware of the complaint and appeal process and that they can access it at any point of time, whenever any grievance occurs. The policy, procedures and disclaimers are published in the following:

1. A copy of the complaint and appeal policy and procedure is made available on Frontier's website for students to access along with a downloadable complaint and appeal form: <https://frontier.edu.au/policies>
2. Complaint and appeal procedures about course progress, attendance and assessments are made available in the beginning of all assessments.
3. A copy of the complaint and appeal policy is also available in the student handbook.
4. The course information booklet will contain a brief disclaimer with the link of the complaint and appeal policy and procedure for students to read further.
5. A brief disclaimer on the complaint and appeal policy and procedure is also provided in every form accessible by students.

Policy Statement 3: Procedures to ensure all evidence related to complaints, appeals, related evidence, forms, decision reports are being recorded for a lifetime of 5 years

- a. When a student submits a formal complaint by sending the complaint and appeal form to support@frontier.edu.au or studentsupport@frontier.edu.au, the Student Support Officer will create a Unique Complaint Serial Number and a folder to record all findings related to the complaint and appeal.
- b. Evidence throughout the complaint and appeal process may include: evidence submitted by the students, meeting minutes of any communication between the complainant and the defendant, phone recordings (if any), decision letters of internal and external appeal processes, invoices incurred (if any) and all other relevant information to the complaint and appeal.
- c. Upon resolving the complaint through the processes determined, the Student Support Officer will request the student to provide feedback on Frontier's complaint and appeal handling process. It is not compulsory for students to provide this feedback; however, Frontier will always make an attempt to seek feedback for continuous improvement.
- d. The complaint and appeal folder will be kept for 5 years and will be discarded after that period.

Policy Statement 4: Procedures for continuous improvement, for compliance and preventive actions.

Whenever a complaint or appeal arises, the matter or issue is always discussed at Frontier's Continuous Improvement meetings (please read the Continuous Improvement Policy to understand the process further). During the meeting, if the nature of the matter is ruled low risk, then the matter will be reviewed and rectified according to the continuous improvement calendar. When the matter is ruled medium risk, the matter will be discussed at the fortnightly CI meeting and a rectification plan will be proposed. If the matter is ruled high risk, rectification actions will be executed within 10 working days.

The Continuous Improvement Calendar is designed and programmed based on the SRTO 2015 (Standards for RTOs 2015).

POLICY FURTHER INFORMATION

Revision history

Revision	Approved/Rescinded	Date	Responsible	Document reference
V.1.0	Approved	Oct 2016	Lupa Borah	Complaint and Appeal Policy
V 2.0	Approved	Jan 2020	Lupa Borah	Complaint and Appeal Policy and Procedure
V. 3.0	Approved	June 2020	Lupa Borah	Complaints and Appeals Policy and Procedure

Accountabilities

Implementation: Operations Manager

Compliance: Compliance Manager

Monitoring and evaluation: Student Support Officer and Academic Heads of Department

Development/Review: CEO/Operations Manager

Approval authority: CEO

Who should know this policy?

All staff, all students

Effectiveness of this policy

Performance indicator(s): To ensure that complaints and appeals are recorded, acknowledged and dealt in a fairly, efficiently and effectively manner and to reduce the number of complaints and appeals related issues.

Related policies and documents

Documents:

Complaint and Appeal Form

Outstanding Fees Warning Letters

Course Progress Warning Letters

Obligation to Report International Students Letters

Final Warning Letters

Review Outcome Template

Complaint and Appeal Register

Course Information Booklets

Course Brochures

Enrolment Form

Policies:

Fees and Refund Policy and Procedure

Enrolment Policy and Procedure

Marketing Policy and Procedure

Course Progress and Attendance Progress Policy and Procedure

Continuous Improvement Policy and Procedure

Record Keeping Policy and Procedure

CRICOS course progress policy and procedure

Frontier's international attendance progress policy and procedure

ELICOS course progress and attendance progress policy and procedure