

Making a complaint or appeal

ANIMT is committed to providing a fair and transparent complaints and appeals process that includes access to an independent external body if required. To make a complaint or an appeal, you are requested to complete one of the following forms:

- Complaint Form
- Request for Appeal of a Decision

These forms are available via our website at the following address:

– <http://animt.edu.au/>

Once you have completed the required form you are requested to submit this to the Student Support Manager either in hard copy or electronically via the following contact details:

Student Support Manager

Australian National Institute of Management and Technology

Level 6, 460 Church Street, Parramatta, NSW- 2150

Email: complaintsandappeals@animt.edu.au

If you are having any difficulty accessing the required form or submitting to us, please contact us at the following number: 1800941177

Complaints and Appeals process are usually free of cost for the students.

What is a complaint?

A complaint is negative feedback about services or staff which has not been resolved locally. A complaint may be received by ANIMT in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person but are generally made by students and/or employers. Complaints may be lodged against a fellow student, a trainer, any staff, a particular service of ANIMT, ANIMT's education agents or any related party ANIMT has an arrangement with to deliver the overseas student's course or related services.

What is an appeal?

An appeal is an application by a student for reconsideration of an unfavourable decision or finding during training and/or assessment. An appeal must be made in writing and specify the

particulars of the decision or finding in dispute. Appeals must be submitted to ANIMT within **seven calendar days** of the student being informed of the decision or finding.

Early resolution of complaints & appeals

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time, as they occur between the persons involved, where possible. Sometimes, it will not be possible and in these cases you are encouraged to come forward and inform us of your concerns with the confidence that you will be treated fairly.

Complaint and appeals handling procedure

ANIMT applies the following principles to its complaints and appeals handling:

- A complaint or appeal may be received in any form (written, verbal) although persons seeking to make a complaint are recommended to complete the complaint form or request for an appeal of a decision which are available on the ANIMT website.
- A person who makes a complaint or an appeal must be **provided a written acknowledgement** as soon as possible and **not later than 24 hours** from the time the complaint or the appeal is received. This acknowledgement is intended to provide the person assurance that ANIMT had received the complaint or the appeal and will review the relevant issues and provide a response. The acknowledgement must inform the person that they will receive a written response within 14 business days.
- There is no time limitation on a person who is seeking to make a complaint. An appeal however must be made within seven calendar days of the person being informed of the decision or finding of which they intend to appeal.
- Written records of all complaints / appeals are to be kept by ANIMT including all details of lodgement, response and resolution. ANIMT will maintain complaints / appeals register to be used to record the details of the complaint / appeal and to maintain a chronological journal of events during the handling process. Records relating to complaint / appeal handling are stored securely to prevent access to unauthorised personnel.
- A person making a complaint or seeking an appeal is to be provided an opportunity to formally present his or her case at no cost.
- The Complainant/Appellant and the defendant, each person may be accompanied and/or assisted by a support person at any relevant meeting.
- Where a complaint or appeal is made about or involves allegations about another person, ANIMT is obliged to inform this person about this complaint/appeal or

allegation and provide them the opportunity to respond and present information in response to the issues raised. This may be achieved through direct meetings or meeting via an electronic means. ANIMT will maintain a detailed record of these meetings in the form of a record of conversation. At all times information must be handled sensitively and treated in confidence. Persons involved in a dispute or complaint should be reminded to treat each other with respect and conduct themselves in a professional and courteous manner.

- The handling of a complaint / appeal is to commence within **seven working days** of the lodgement of the complaint / appeal and all reasonable measures are taken to finalise the process as soon as practicable.
- The person making a complaint or seeking an appeal is to be provided a written response to the complaint / appeal, including details of the reasons for the outcome. A written response/update must be provided to the person within **14 business days** of the lodgement of the complaint / appeal.
- Director of Studies will first consider all of the complaints and appeals. If student is not satisfied with his decisions, then the student can go for CEO.
- Complaints / appeals must be resolved to a final outcome **within 60 calendar days** of the complaint / appeal being initially received. Where ANIMT Chief Executive Officer considers that more than 60 calendar days are required to process and finalise the complaint / appeal, the CEO must inform the person making a complaint or seeking an appeal in writing, including reasons why more than 60 calendar days are required. As a benchmark, ANIMT will attempt to resolve complaints / appeals as soon as possible. A timeframe to resolve a complaint / appeal within 30 calendar days is considered acceptable and in the best interest of ANIMT and the person making a complaint or seeking an appeal. A person making a complaint or seeking an appeal should also be provided with regular updates to inform them of the progress of the complaint / appeal handling. Updates should be provided to the person making a complaint or seeking an appeal at a minimum of 14 business days intervals. Once ANIMT reaches a conclusion regarding a complaint or appeal, the student will be informed about it within 10 working days of reaching such decision. At the same time, they will be advised that they have 20 working days to make an internal appeal against such decision or to go to external parties.
- ANIMT shall maintain the enrolment of the person making a complaint or seeking an appeal during the handling process. If the appeal is against Training Organisation NSW Pty. Ltd.'s decision to report the student for unsatisfactory course progress or attendance, the student's enrolment will be maintained until the external process is

completed and has supported or not supported Training Organisation NSW Pty. Ltd.'s decision to report. If the appeal is against Training Organisation NSW Pty. Ltd.'s decision to defer, suspend or cancel a student's enrolment due to misbehaviour, Training Organisation NSW Pty. Ltd. will notify DET via PRISMS of a change to the student's enrolment after the outcome of the internal appeals process.

- Decisions or outcomes of the complaint / appeal handling process that find in the favour of the person making a complaint or seeking an appeal shall be implemented immediately.
- Complaints / appeals are to be handled in the strictest of confidence. No ANIMT representative will disclose information to any person without the permission of ANIMT Chief Executive Officer. A decision to release information to third parties can only to be made after the person making a complaint or seeking an appeal has given permission for this to occur. This permission should be given using the Information Release Form.
- Complaints / appeals are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the handling process. This means that the person making a complaint or seeking an appeal is entitled to be heard with access to all relevant information and with the right of reply. The person making a complaint or seeking an appeal is entitled to have their complaint heard by a person that is without bias and may not be affected by the decision. Finally, the decision must be made based on logical evidence and the decision-maker must take account of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations.
- Further guidance on principles of natural justice and procedural fairness can be accessed at the following link: [Principles of Natural Justice and Procedural Fairness](#)

Informing Persons and Responding to Allegations

Where a complaint involves one person making allegations about another person, it is a requirement for ANIMT to hear both sides of the matter before making any judgements about how the complaint should be settled. A person who will be affected by a decision made by ANIMT as a result of a complaint has the right to be fully informed of any allegations and to be provided adequate opportunity to be heard and respond. The person has the right to:

- put forward arguments in their favour,
- show cause why a proposed action should not be taken,
- deny allegations,

- call for evidence to disprove allegations and claims,
- explain allegations or present an innocent explanation, and
- provide mitigating circumstances (information aimed at reducing the severity, seriousness, of something).

ANIMT also has an obligation to fully consider the substance of allegations and the response provided by parties before making a decision. Decisions must be communicated to the complainant and relevant persons subject of allegations in writing. This is to include advising these persons of their right to seek a third party review of decisions made by ANIMT.

Where an allegation is made that involve alleged criminal or illegal activity and it is considered outside the scope and expertise of ANIMT to investigate the matter, then in these circumstances ANIMT reserve the right to report these allegations to law enforcement authorities. Persons related to the matter involving alleged criminal or illegal activity will be advised in writing if this course of action is being taken.

Review by an independent person

ANIMT provides the opportunity for the person making a complaint or seeking an appeal who is not satisfied with the outcomes of the complaints and appeals handling process to seek a review by an independent person. Before a person seeks a review by an independent person, they are requested to first allow ANIMT to full consider the nature of the complaint or appeal and to fully respond to the person in writing. If after this has occurred, the person is not satisfied with the outcome, they can then seek a review by an independent person. To request a review by an independent person, the complainant or the person making an appeal should inform the Student Support Manager of their request who will initiate the process with the Chief Executive Officer.

In these circumstances the ANIMT Chief Executive Officer will advise of an appropriate party independent of ANIMT to review the complaint (and its subsequent handling) and provide advice to ANIMT in regards to the recommended outcomes. The independent third-party is required to respond with their recommendations within 14 working days of their review being requested.

Where the ANIMT appoints or engages an appropriate independent person to review a complaint / appeal, the ANIMT will meet the full cost to facilitate the independent review. Where the person making a complaint or seeking an appeal objects to this appointment and requests to engage a person or organisation they nominate to undertake the review, the ANIMT may seek the person making a complaint or seeking an appeal to pay the cost of engaging this person and undertaking the review.

Following an independent review, advice received from the independent person is to be accepted by ANIMT as final, advised to the person making a complaint or seeking an appeal in writing and implemented without prejudice.

Where a complaint is received by ANIMT and the Chief Executive Officer feels that they may be biased or there is a perception of bias, then the complaint is to be referred directly to an independent third-party for consideration and response as outlined above.

Example of an independent party is

Resolutions Institute

Level 1 and 2

13-15 Bridge Street

Sydney NSW 2000

Phone: +61 2 9251 3366

Freecall: 1800 651 650

Email: infoaus@resolution.institute

Unresolved Complaints and Appeals

Where the person making a complaint or seeking an appeal is not satisfied with the handling of the matter by ANIMT and arbitrator, they have the further opportunity for a body that is external to ANIMT to review his or her complaint or appeal following the internal completion of complaint or appeals process.

Students who are not satisfied with the process applied by ANIMT may refer their grievance to the following external agencies:

- In relation to consumer protection issues, these may be referred to the Office of Fair Trading.
- In relation to the delivery of training and assessment services, these may be referred to the National Training Complaints Service via the following phone number: 13 38 73.
- In relation to any educational issue, Australian Skills Quality Authority:
<https://www.asqa.gov.au/complaints/complaints.html>
- Overseas students can also communicate The Overseas Students Ombudsman who:
 - investigates complaints about problems that overseas students have with private education and training in Australia

- provides information about best practice complaints handling to help private education providers manage internal complaints effectively
- considers, free of charge, external appeals under Standard 10 of the National Code of Practice for Registered Authorities and Providers of Education and Training to Overseas Students
- Please find more information on the OSO website (<http://www.oso.gov.au/>)

If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the overseas student, ANIMT will as soon as practicable implement the decision or recommendation and/or take the preventive or corrective action required by the decision, and advise the overseas student of that action.

Record keeping & confidentiality

A written record of all complaints handled under this procedure and their outcomes shall be maintained for a period of at least 2 years to allow all parties to the complaint appropriate access to these records, upon written request to the Student Support Manager. These records will be maintained at ANIMT Office at Parramatta

All records relating to complaints will be treated as confidential and will be covered by ANIMT's Privacy Policy.