



Complaints and Appeals Policy and Procedure

1. Purpose

The purpose of the Complaints and Appeals Policy is to ensure that Empyrean Education Institute (EEI) makes aware to all stakeholders their rights and responsibilities in regard to any complaints and appeals, providing an adequate and easily activated procedure to deal with and resolve complaints and appeals.

This will also allow all students, trainers and other stakeholders to be aware of the complaints and appeals process, stipulating the boundaries which will be set during the complaints and appeals process focusing on fairness, time and resolution.

EEI is committed to the continuous improvement of its services for potential and enrolled students, our staff and industry. EEI is dedicated to ensuring all staff and student complaints and appeals in regards to academic and non-academic matters are considered equally and fairly.

2. Complaints and Appeals as a resource

EEI recognises that complaints and appeals is a vital asset to:

- a. Deliver customer service in an efficient, fair and equitable manner
- b. Comply with the AQTF essential standards for Registration and protect the rights and interests of all stakeholders
- c. For the ongoing continuous improvement of all areas of Empyrean Education Institute.

3. Objectives of the Complaints and Appeals System

The complaints and appeals system is put into place to ensure students, staff and all stakeholders achieve a fair outcome in regards to complaints and appeals.

- All disputes, complaints and appeals must be handled professionally, equitably, confidentially and in a timely manner, with a view of achieving satisfactory resolution
- All parties must have a clear understanding of the steps involved in the complaints and appeals process; prior to and during the process
- The process is communicated to all stakeholders; Students – Student Handbook; Staff – Staff Handbook. It is also accessible to all staff through the shared drive
- Relevant staff members are aware of the policy and procedure; and EEI management recognise the importance of the process
- Ensures everyone has the opportunity to complain or appeal matters affecting their studies or work environment; and follows the same process through no matter who is involved
- Documentation is produced and filed as evidence throughout the process in order to monitor and maintain the progress of the complaint or appeal.

4. Complaints and Appeals System

- a. Organisation and management of Empyrean Education Institute Complaints and Appeals System
 - EEI will make sure the complaints and appeals process is communicated and open to all staff,



students and other stakeholders

- EEI ensures communication of the process is clear and understood; and that all documentation and templates are accessible to all involved
- EEI investigates all complaints and appeals with a serious attitude and all responses will be recorded and published in a written formal manner.

b. Types of Complaints and Appeals

Students may raise any matters of concern relating to teaching/training delivery and assessment, certification, compliance, student amenities, discrimination, harassment, information given and any other issues that may arise.

- Academic

In relation to teaching, learning or assessment; any issue related to a student's course

- Administrative

In relation to the management of the Institute; including the administration process, enrolment, induction, withdrawal and completion. This also includes matters related to attendance

- Environment/Facilities

In relation to the training environment provided including safety, comfort and general wellbeing whilst attending classes and work experience. Also facilities supplied and offered to students/staff which assist them with their studies/duties

- Other Areas

Any other aspects/issues which a student or staff member feels need to be brought to the attention of the Institute.

5. Internal Complaints and Appeals Procedure

All students have the right to appeal decisions made by the Empyrean staff members. Appeals may arise of many sources including decisions made on:

- Assessments Outcome
- Empyrean's decisions of reporting breach of academic or attendance requirements to DIBP (Notice of Intention to Cancel)
- Disciplinary actions against students
- Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
- Or any other conclusion that is made after a complaint has been dealt by the Empyrean in the first instance.

- To activate the appeals process the student is required to complete the Complaints and Appeals form and forward it to the Student Services Officer in person or via email
- Students are required to clearly explain the reason for appealing a decision in the form and attach any relevant supporting documents. Assistance with this process can be gained from EEI student support at all times
- Once the completed form is received, Student Services staff will forward the form to the Empyrean Management who shall organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate
- The process for all appeals will begin within 2 working days of the appeal being lodged
- Where an appeal has been lodged, it will be defined into one of the following categories and the appropriate procedures followed:



a. General appeals

- Where a student has appealed a decision or outcome of a formal complaint, they are required to notify EEI in writing using the Complaints and Appeals form within 20 working days from the Empyrean's decision notification date. Any supporting documentation should also be submitted with the form
- The complaints and appeals form shall be lodged at EEI Student Services in person or via email
- The student will be notified in writing of the outcome

b. Assessment appeals

- Where a student wishes to appeal an assessment they are required to notify their assessor in the first instance. Where appropriate the assessor may decide to re-assess the student to ensure a fair and equitable decision is gained. The assessor shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.
- If this is still not to the student's satisfaction the student shall formally lodge an appeal by submitting the Complaints and Appeals form outlining their reasons for the appeal. They must lodge the form and associated documentation to EEI student services
- EEI management will be notified and will seek details from the assessor involved, any other relevant parties. A decision shall be made regarding the appeal either indicating the original assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another assessor appointed by the EEI.
- The student shall be notified in writing of the outcome and the student result will be updated accordingly.

c. Appealing Empyrean's decisions of reporting breach of academic or attendance requirements to DIBP (Notice of Intention to Cancel)

- Where a student wishes to appeal against EEI's decision of cancelling enrolment and informing DIBP via PRISMS for a breach of academic or attendance requirements, the student shall lodge their appeal by submitting the Complaints and Appeals form outlining the details and reasons supporting their appeal
- The student should have extenuating circumstances as to why they have breached their requirements and must be able to provide evidence of these circumstances
- EEI Management will be notified and will seek details regarding the initial documentation of the breach and will make a decision based on the grounds of the appeal.
- The decision is then conveyed to the student in writing and all relevant documents are kept in student's file.
- Where a student has decided to access the appeals process in relation to the reportable breach, EEI will not report the breach and enrolment will be maintained until the appeals process has been completed

d. Appealing deferrals, suspension or cancellation of enrolment decisions

- Where a student wishes to appeal a decision relating to deferment, suspension, or cancellation of their enrolment they are required to lodge the Complaints and Appeals form outlining the details of their appeal. The student should have extenuating circumstances as to why the decision should be reviewed and any supporting documentation supporting their appeal
- The appeal shall be lodged this with the EEI student services department



- EEI Management will be notified and will seek details regarding the initial documentation of the decision and shall make a decision based on the grounds of the appeal.
- The student will be notified in writing of the outcome
- Where a student has decided to access the appeals process in relation to deferment, suspension or cancellation of their enrolment, EEI will not update the student's status via PRISMS and will maintain the enrolment until the appeals process is completed.

Successful Appeals-

- Once an appeal is approved / successful the student will be notified in writing and the decision is withdrawn or overturned. Student may continue normal studies.
- All documents and correspondence relating to decision, appeal and outcome are kept in the students file and may be used in reference for future decisions.

Unsuccessful Appeals-

- Once an appeal has been deemed unsuccessful the student will be notified in writing of the outcome and reasons for refusal of appeal. The notification will contain options and recommended action to take next.
- In the case of a student that is appealing against a notification of intention to cancel enrolment and the appeal is unsuccessful the student will have 7 days to access the external appeals process. If EEI has not received correspondence from the student or an external source by the end of 7 working days then cancellation of enrolment will proceed via PRISMS which will report student to DIBP.

6. External Complaints and Appeals Procedure

- If the matter is still unresolved after the above procedures have been implemented and the internal appeals process exhausted, student may wish to access an external independent / third party mediator. Where this is the case, the matter shall be referred to the following person / organisation at no cost to the student:
 - Department of Education Services Conciliation Officer Thalia O'Sullivan email: Thalia.OSullivan@des.wa.gov.au phone: (08) 9441 1985
- Where the internal complaints, appeals committee and after consultation with the conciliator is unable to resolve the issue at step 4 and/or the student lodges and appeal against the decision of the Training Manager, then an external mediator will be appointed to conduct the appeals process.
- You may also wish to make a complaint to the Overseas Students Ombudsman by accessing the website www.ombudsman.gov.au
- Phone: 02 6276 0166 (calls from mobile phones at mobile phone rates).
- Under standard 8.4 of the national code a student's enrolment will be maintained until the all appeal avenues are exhausted.
- If after all appeals are concluded and a student is still unsuccessful the students enrolment will be cancelled and student reported and via PRISMS.

7. Regulatory and Legislative Requirements

This policy supports the government legislation standards of *AQTF 2007, National Code 2007, National*



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Vocational Education and Training Regulator Act 2011, Education Services for Overseas Students Act 2000, Standards for Registered Training Organisations (RTOs) 2015

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