

Complaints Policy

1. PURPOSE

- 1.1. Empyrean Education Institute (EEI) must have a policy and processes in place to manage and respond to allegations involving the conduct of staff, learners and third-party training and assessment providers who provide services on behalf of EEI.
- 1.2. This policy is based on providing and maintaining training and assessment services that are fair and reasonable and afford a forum where issues or inadequacies can be raised and resolved. This process allows complaints to be recorded, acknowledged, and dealt with fairly, efficiently, and effectively.
- 1.3. This policy aims to ensure that EEI staff always act professionally. It provides students with a transparent process to register a complaint and ensures that all parties involved are kept informed of the resulting actions and outcomes.

2. POLICY STATEMENT

- 2.1. EEI acknowledges the Client's right to lodge a complaint when they are dissatisfied with any products, goods, services, or experiences that EEI has provided.
- 2.2. EEI will ensure that students have access to a fair and equitable process for expressing complaints and that the complaint is managed with fairness and equity.
- 2.3. In doing so, EEI:
 - 2.3.1. has written procedures in place for collecting and managing complaints in a constructive and timely manner
 - 2.3.2. ensures that these procedures are communicated to all staff, third-party partners, and students
 - 2.3.3. Ensures all necessary documentation and resources are in place to enable students to submit complaints
 - 2.3.4. Ensures that each complaint and its outcome are recorded in writing
 - 2.3.5. Ensures that customer complaints and their outcomes are fed into continuous improvement initiatives

3. DEFINITIONS

- 3.1. The following words and expressions have specific meanings, as in the Standards for Registered Training Organisations (RTOs) 2025.

3.1.1.Appeal- when a student is dissatisfied with an RTO decision, that student has the right to contest it utilising an appeal. The Appeal is a process whereby the decision is reviewed and re-evaluated with any evidence or argument that the student wishes to include for consideration.

3.1.1.1. The Appeal may have one of two outcomes:

3.1.1.1.1. *Appeal upheld, meaning the decision is overturned*

3.1.1.1.2. *Appeal rejected, meaning the original decision stands*

3.1.2.Assessment- collecting evidence and judging whether competency has been achieved confirms that an individual can perform to the standard required in the workplace, as specified in a training package or VET-accredited course.

3.1.3.Grievance- concern about academic matters, perceived discrimination, situation, a process, person or people, facility or support service provided by EEI. Grievances are less formal/official than complaints, whereby a student brings a matter to the attention of EEI in an informal way, i.e., it is spoken about, not written down

3.1.4.Complaint- a formal complaint takes place if a grievance cannot be resolved informally (for example, the affected parties discussing the matter) and is written down for official processing

3.1.5.The complainant is an employee, student, or potential student of EEI who lodges the grievance or complaint.

3.1.6.Internal complaint or Appeal means a complaint or appeal made by an employee of EEI

3.1.7.SSO- an acronym for Student Support Officer(s), members of staff providing support for the needs and well-being of all overseas students

3.1.8.Third-party means any party that provides services on behalf of the RTO, but does not include a contract of employment between an RTO and its employee

4. POLICY PRINCIPLES

4.1. In managing complaints, EEI will ensure that:

4.1.1. The principles of natural justice and procedural fairness are adopted at every stage of the complaint process

4.1.2. The complaints policy is publicly available

4.1.3. There is a procedure for making a complaint

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- 4.1.4. Complaints are treated seriously and dealt with promptly, impartially, sensitively, and confidentially.
- 4.1.5. Complaints will be resolved on an individual case basis as they arise.
- 4.1.6. All students have the right to express a concern or problem and/or lodge a complaint if they are dissatisfied with the training and assessment services that they have been provided (including through a third party) or the behavioural conduct of another learner.
- 4.1.7. All complaints are acknowledged in writing and finalised as soon as practicable.
- 4.1.8. The complaint resolution procedure is based on the understanding that no action will be taken without consulting the complainant and respondent, using a discussion, cooperation, and conciliation process.
- 4.1.9. The rights of the complainant and respondent will be acknowledged and protected throughout the complaint resolution process, including the initial conduct of separate interviews.
- 4.1.10. To maintain confidentiality, the number of people involved in the resolution process will be kept to a minimum.
- 4.1.11. Final decisions will be made by EEI or an independent party to the complaint.
- 4.1.12. The complaint resolution procedure emphasises mediation and education while acknowledging that formal processes and disciplinary action may sometimes be required.
- 4.1.13. If the complaints process fails to resolve the complaint or the complainant is not satisfied with the outcome of the complaint, the matter will be referred to an independent third party for review at the complainant's request. The complainant will be advised of all costs incurred for the third-party review.
- 4.1.14. If the complaint takes more than 30 calendar days to finalise, EEI will inform the complainant in writing, explaining why more than 30 calendar days are required. The complainant will also be provided with regular updates on the progress of the complaint.
- 4.1.15. Victimisation of complainants, respondents, or anyone involved in the complaint resolution process will not be tolerated.
- 4.1.16. All complaints will be handled as Staff-In-Confidence and will not affect or bias the Client's progress in future training.

4.2. Types of Complaints

4.2.1. A complaint may include allegations involving the conduct of:

4.2.2. EEI, its trainers, assessors, or other staff

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4.2.3.A third-party providing services on behalf of EEI, its trainers, assessors, or other staff

4.2.4.A learner of the EEI

5. COMPLAINT PROCESS

5.1. Students are encouraged to speak immediately with the trainer/assessor to resolve the issue if they have a complaint. If the complainant is unsatisfied that the problem has not been resolved, they will be asked to complete a Complaints Form to lodge a formal complaint.

5.1.1. Complaints are to be made in writing within seven calendar days of the incident using the Complaints Form

5.1.2.A submitted complaint form will constitute a formal complaint from the Client. The Client can provide further details of the complaint during the interview or as requested as part of the investigation

5.2. EEI will invite the complainant to attend an interview with student services to obtain the relevant facts, context and any other information or persons involved in the complaint.

5.2.1.The complainant may invite a friend, family member or representative to any request for an interview if they feel it may assist them in providing the relevant information.

5.3. This information is then passed to the delegated authority person to investigate the complaint.

5.4. EEI will initiate a transparent, participative investigation

5.5. Complaints will be processed following the Complaints flowchart - Annex A

5.6. Complaints, where possible, are to be resolved within 14 calendar days of the initial application

5.7. In all cases, the Director of the EEI will assess the conclusion

5.8. The Client will be advised in writing of the outcome of their complaint within seven (7) days of resolution

5.8.1.If the outcome is not to the Client's satisfaction, they may seek an appointment with the Director of the EEI

5.8.2.If the Client is not satisfied with the decision, they have the option to seek outside assistance to pursue the complaint

5.9. Records of all complaints and their outcomes are maintained securely. Records of complaints include:

5.9.1.The outcome of the complaint

5.9.2.The timeframes for resolution of the complaint

5.9.3.The potential causes of the complaint

5.9.4.The steps taken to resolve the complaint

6. RELATED LEGISLATION & REGULATIONS

- 6.1. National Code of Practice for Providers of Education and Training to Overseas Students 2018, known as "**The National Code 2018**".
- 6.2. National Vocational Education and Training Regulator (Outcome Standards for NVR Registered Training Organisations) Instrument 2025, known as "**Outcome Standards 2025**".
- 6.3. Education Services for Overseas Students Act 2000, Known as "**ESOS Act 2000**".
- 6.4. Education Services for Overseas Students Regulations 2019 Known as "**ESOS Regulations 2019**".

ANNEX A: COMPLAINTS PROCESS

