



## COMPLAINTS AND APPEALS POLICY AND PROCEDURE

### Purpose

Riverdale Institute (RI) aims to resolve complaints honestly, fairly and without bias and in an easily accessible manner which is inexpensive to the parties involved.

### Policy

Riverdale Institute is dedicated to providing excellent services and maintaining a friendly relationship at all levels. In support of this, RI maintains a publicly available Complaints and Appeals Policy to ensure all complaints and appeals are handled as efficiently and effectively as possible and in a timely manner. In handling complaints and appeals both formally and informally, RI will:

- Take all grievances, complaints and appeals seriously
- Provide all students an efficient, fair and structured mechanism for handling complaints and appeals in a timely manner.
- Act upon the subject of any grievances, complaint or appeal found to be substantiated
- Ensure our Complaints and Appeals policy is publicly available

Through this policy and procedure RI will manage and respond to all allegations and issues regarding the services provided including involving the conduct of:

- a) RI, its trainers, assessors or other staff.
- b) a third party providing services on the RI'S behalf, its trainers, assessors or other staff; or
- c) a learner of the RI.

This policy/procedure supports Standard 10 Complaints and Appeals of the National Code of Practice 2018 for Providers of Education & Training to Overseas Students and Standard 6 Complaints and Appeals of the Standards for Registered Training Organisations (RTOs) 2015.

### Scope

This policy applies to all current, prospective and previous students and other stakeholders of Riverdale Institute .

### Definitions

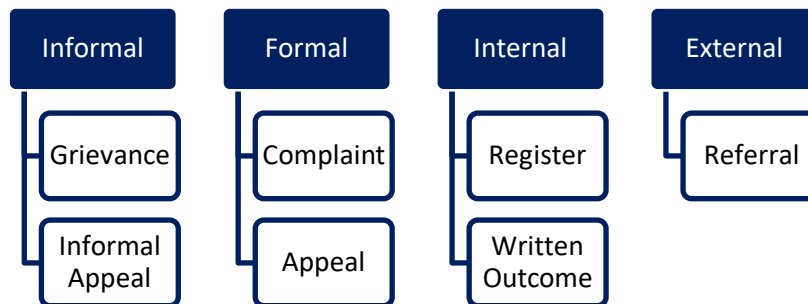
Complaint (Formal)	The expression of dissatisfaction, made and handled formally in writing using the RI Complaints and Appeals Form, and lodged as part of the formal Complaints and Appeals process. The subject may be with any aspect of Riverdale Institute's services and activities, including academic and non-academic matters
Appeal (Formal)	The formal request , in writing using the RI Complaints and Appeals Form, and lodged as part of the formal Complaints and Appeals process. The request is for review of a decision made by Riverdale Institute including assessment decisions.
Informal Appeal	The informal request for a review of a decision – usually an assessment outcome. Handled as part of the Informal process.
Grievance (Informal)	The expression of dissatisfaction or concern made and handled informally. A grievance may be verbal or in writing, but it is handled as part of the informal review process. The subject may be with any aspect of Riverdale Institute's services and activities, including academic and non-academic matters. If at any time the complainant is unhappy with the informal review process, they are able to lodge the grievance as a formal complaint.
Appellant(s)	The person(s) lodging an appeal to the outcome of a decision.
Complainant(s)	The person(s) lodging a complaint or grievance.
Support Person	An observer (who is not legally trained) who accompanies a Party during a Complaint.



## PROCEDURES

### Access

- The Complaints and Appeals policy procedure and forms are made available to all students and other stakeholders by directly contacting Riverdale and through Riverdale's website. Information and advice on the process, and how to access it, is also provided in the International Student Enrolment Form and the Student Handbook.



### Informal Handling Process

- Anyone with a grievance or appeal may raise the matter with RI Student Support Services staff and attempt an informal resolution of the issue. This can be done online by email or telephone conversation and face-to-face.
- Grievances and appeals dealt within this way do not become part of the formal complaints and appeals process and will not be formally documented, recorded or reported on unless the staff member involved determines that the issue, question or complaint to be relevant to the wider operation of RI.
- Where a grievance (informal complaint) is reported, all possible attempts shall be applied to resolve the issue to the complainant's satisfaction. This may include advice, discussions, meeting with the student or stakeholder, emails, and general mediation in relation to the issue and its conclusion.
- If the issue concerns an academic matter, the complainant is encouraged to talk honestly to the trainer / assessor through Student Support Services about their concerns. Issues about fees should be discussed in the first instance with the Accounts Department through Student Support Services.
- An informal appeal may also be lodged, this is usually applicable where a student is unhappy with the outcome of an assessment decision and wishes to contest the decision rather than lodge a formal appeal. In this case the appeal is handled as part of the informal process.
- In the initial instance of the report, it will be confirmed with the complainant that they wish it to be considered a grievance or informal appeal and handled as part of the informal complaints and appeals process.
- The complainant is also advised that they are able to convert to a formal complaint or appeal at any time by lodging via the Complaints and Appeals Form available on the website.
- If a complainant is uncomfortable in speaking directly to the person involved, they are able to request another staff member to act and/or they are able to have a support person present for all conversations.
- Informal processing of the grievance or informal appeal will be timely and provide an outcome to the complainant within 20 working days of the initial report.
- If the informal process does not resolve the issue to the complainant's satisfaction, the complainant has the availability to submit a complaint or appeal as part of the formal handling process.
- Any staff member can be involved in this informal process to resolve issues but once a student/or other stakeholder/or anyone has placed a formal complaint / appeal, the Formal Handling Process must be followed.

### Formal Handling Process (Internal)

- Any student, potential student, employee or third party may submit a formal complaint to Riverdale Institute with the reasonable expectation that all complaints will be treated with integrity and privacy.
- There is no cost for the complaints process unless it is referred to a third party.
- Complainants have the right to access advice and support from independent external agencies/persons



at any point of the complaint and appeals process. Use of external services will be at the complainant's costs unless authorised by the Chief Executive Officer (CEO).

- Any person wishing to submit a formal complaint, or appeal can do so by completing the Complaints and Appeals Form to explain their case in as much detail as possible. This form can be obtained by contacting Administration staff at RI, or through the Riverdale Institute website.
- On receipt of the Complaints and Appeals Form, Student Administration will proceed with the following
  - Immediate forward to the appropriate personnel ( Review Personnel) for action.
  - The date of the complaint/appeal lodgement to be included in the advice to the Review Personnel as well as the requirement for action to commence within 10 working days and finalisation within 60 calendar days (dates provided)
  - Acknowledgement receipt of complaint/appeal sent in writing by letter or email to the complainant
  - Set follow-up for plus 10 working days to ensure action has commenced
  - Set follow-up for plus 50 calendar days to ensure finalisation is on track
  - Record of the complaint/appeal lodgement details entered into the Complaints and Appeals Register.
  - The Register is to be updated with relevant information throughout the process.
- There will be no charge to the complainant or appellant for the lodgement or presentation of their case. Incidental expenses for attending Riverdale offices to lodge the document or attend a meeting or any charges incurred (e.g., telephone) will NOT be reimbursed
- All complainants and appellants must be given the opportunity to formally present their case and to be accompanied by a friend or third party to support them (and if language is an issue, to help them present their case). Any payments to accompany the friend/third party will be made by complainants or appellants
- The Review Personnel may gather evidence and constitute a review committee as appropriate.
- This process must be completed within 60 calendar days of the lodgement of the complaint or appeal
- If the process is going to take more than 60 calendar to finalise the complaint or appeal,
  - Student Administration will inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and
  - Student Administration will regularly update the complainant or appellant on the progress of the matter.
- The student's enrolment will be maintained whilst an internal complaint or appeal is in progress and the outcome has not been determined
- The outcome of the complaint/appeal will be advised in a written response to the complainant or appellant.
- A copy of the outcome response will be held on the student's file.
- In case of complaint if the complainant is not happy with the decision they may appeal. That appeal is on the fairness and objectivity of the decision
- All documentation relating to a formal complaint or appeal MUST be recorded on the student file. This must include the initial form, supporting evidence, meeting minutes, copy of correspondence with all concerned parties. This information will be kept confidentially and stored securely for 7 years.
- Documentation of all complaints and appeals and their outcomes is securely maintained. Potential causes of complaints and appeals are identified, and RI takes appropriate corrective actions to eliminate or mitigate the likelihood of reoccurrence
- Any decisions that support students will be immediately implemented.
- The student will be notified in writing of the outcome with reasons for the decision, also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify Riverdale within 5 working days if they wish to proceed with the external appeals process
- A complaint or appeal is a learning opportunity for Riverdale. Where the outcome has identified an opportunity for improvement, it will be included in the continuous improvement process.



## External Referral

- If the overseas student is not satisfied with RI's internal complaints handling and appeals process, Student Administration will advise the overseas student within 10 working days of concluding the internal review of their right to access an external complaint handling and appeals process at minimal or no cost.
- The registered provider must give the overseas student the contact details of the appropriate complaints handling and external appeals body. Where all internal processes have been implemented Riverdale will ensure the following:
  - Riverdale will give overseas students the contact details of the appropriate external complaints handling and appeals body (the Overseas Student Ombudsman (OSO), for private providers (except for issues of broader educational quality))
  - **External Appeal:** Overseas Student Ombudsman Website: <http://www.ombudsman.gov.au>  
Call: 1300 362 072\* (within Australia) Call +61 2 6276 0111. (Outside Australia) Online Form Email: [ombudsman@ombudsman.gov.au](mailto:ombudsman@ombudsman.gov.au)  
Post: GPO Box 442, Canberra ACT 2601
  - Riverdale will make specific arrangements for independent review of complaints about issues not covered by the Australian Competition and Consumer Commission (ACCC) or the OSO.
  - Riverdale will make it clear to students that the external appeals process is to consider whether the registered provider has followed its policies and procedures, rather than make a decision in place of the institution.
  - If not satisfied with the internal appeal processes, the complainant / appellant may request that the matter be further reviewed by an external dispute resolution process.
  - The details of these external bodies are as follows: Complainant/Appellant can refer to Mediation Victoria on the following link:  
<http://www.mediationvictoria.com.au> or the Victorian Ombudsman  
<https://www.ombudsman.vic.gov.au>
- The division of the expenses associated with the mediation e.g., mediator's fee, room hire and possibly travel expenses are to be shared equally between Riverdale and the complainant / appellant
- Riverdale will immediately implement recommendations arising from the external review within at least 10 working days of the receipt of the recommendations
- If a student or stakeholder are still dissatisfied with the decision of Riverdale, they may wish to seek advice or make a complaint about Riverdale to ASQA directly. If, after Riverdale's internal complaints and appeals processes have been completed, and they still believe Riverdale is breaching or has breached its legal requirements, they can submit a complaint to ASQA by completing the "The Complaint about a training organisation operating under ASQA's jurisdiction" form. While ASQA will not be able to act as their advocate, the lodgement of their complaint will inform ASQA's risk assessment of Riverdale, and a complaint audit may be conducted.
- Contact details for ASQA are: Australian Skills Quality Authority  
Melbourne - Level 6, 595 Collins Street Telephone: 1300 701 801  
Email: [complaintsteam@asqa.gov.au](mailto:complaintsteam@asqa.gov.au) Website: [www.asqa.gov.au](http://www.asqa.gov.au)



## Overseas Students Ombudsman (OSO)

The Overseas Students Ombudsman investigates complaints about problems that overseas students have encountered

The Ombudsman:

- provides a free service
- is independent and impartial, and does not represent either overseas students or private education providers
- can make recommendations arising out of investigations
- is a function of the Commonwealth Ombudsman

The Ombudsman can only investigate a complaint if:

- it relates to a private education provider registered with the Australian Government on the Commonwealth Register of Institutions and Courses for Overseas students (CRICOS)
- the problem relates to an overseas student who is already studying in Australia on a student visa or is intending to come to Australia soon

The Ombudsman cannot investigate a complaint if:

- it relates to a public or government education provider. These complaints can be directed to the Ombudsman for your state or territory.

The Ombudsman may also decide not to investigate complaints if:

- the complaint has not first been raised with the education provider. Another organisation is better able to help.

### Apply for External Review

This is the process to be followed if a student is not satisfied with the outcome of an internal complaint or appeal made by them and/or they wish to make an external complaint for independent review.

#### Online

A student can make a complaint online by visiting the website and completing the online form:

<https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=oco-complaint-form> **Telephone**

Students can contact OSO by telephone, 9am to 5pm Monday to Friday, Australian Eastern Standard Time (AEST). In Australia, call: 1300 362 072 (calls from mobile phones at mobile phone rates). Outside Australia, call +61 2 6276 0111.

#### Using an interpreter

If a student wants to make a complaint in their own language, they can call the Translating and Interpreting Service (TIS) in Australia on 131 450, outside Australia call +61 3 9203 4027. OSO will pay for the interpreter.

#### Deaf, hearing or sight impaired

Contact OSO via the National Relay Service. Teletypewriter (TTY) users' phone 133 677 and then ask for 1300 362 072. Speak and Listen users' phone 1300 555 727 and then ask for 1300 362 072. Internet Relay users connect to the National Relay Service [www.iprelay.com.au](http://www.iprelay.com.au) and then ask for 1300 362 072

## OSO External Complaints Process – Post Student Application

When a complaint is received, an assessment is first made about whether it is an issue that the Ombudsman can investigate. In some cases, the Ombudsman may decide not to investigate a complaint.



This might be because:

- the student has not complained to the education provider first, or
- another organisation is better able to deal with the complaint

If a decision is made to investigate a complaint, the Ombudsman will ask the education provider about the problem. The Ombudsman may request relevant documents, or information such as student records from the provider.

The Ombudsman can use formal powers to obtain documents from the provider. The Ombudsman also has the power to enter premises or require a provider to answer questions as part of an investigation.

Standard 8.4 of the Code requires that the registered provider must maintain the student's enrolment while the complaints and appeals process is ongoing. This means that the provider must maintain the student's enrolment (i.e. not report the student for unsatisfactory progress or attendance) until the external complaints process is complete and has supported the provider's decision to report.

The Ombudsman will notify the provider when it commences an external complaint and appeal process and when this process is completed. However, if the student lodges an external appeal outside the provider's stated timeframe for reply, then RIVERDALE has the right to report the student.

The provisions of standard 8.5 also still apply, which means that if the Ombudsman's investigation results in a decision that supports the student, the RIVERDALE must immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

### **Outline of Fees**

The Overseas Students Ombudsman's services are free.

### **Outcomes of the decision**

At the end of an investigation the Ombudsman may conclude that the provider has not acted unreasonably and will advise the student and the provider of this decision.

In other cases, the Ombudsman may conclude that the provider failed to take appropriate action, or the action appears to have been:

- contrary to law
- unreasonable, unjust, oppressive, or improperly discriminatory or
- otherwise, in all the circumstances, wrong

If the Ombudsman finds evidence which suggests misconduct, the Ombudsman can notify the provider's principal executive officer.

Education providers are expected to comply with Ombudsman recommendations unless they have good reasons for not doing so. Education providers have an opportunity to give these reasons to the Ombudsman before an investigation is finalised. If they do not act on the recommendations, the Ombudsman may publish a formal report.