

# Policy – Complaints and Appeals

Navitas Professional  
AB 25 100 404 199

## Document

<b>Document I.D.</b>	NP-01.01-06P Complaints and Appeals Policy
<b>Responsibility</b>	Business Services Manager, NP
<b>Initial Issue Date</b>	27 October 2015

## Version Control

<b>Issue Date:</b>	<b>Summary of Changes</b>	<b>Review Date</b>
27 October 2015	Initial document, v1.0	27 October 2017
26 February 2016	Update position titles, change student to participant, v1.1	27 October 2017
10 October 2016	Inclusion of education and migration agents as third parties, v1.2	27 October 2017
24 October 2016	Update state contact details, v1.3	27 October 2017
31/01/2017	Update state contact details for TAS & NT, v1.4	27 October 2017
1 February 2018	Change of Business Unit name; update in line with review, v1.5	1 February 2020

# 1 Purpose and Scope

The purpose of the Complaints and Appeals Policy is to ensure that all participant complaints and appeals are dealt with in a timely and constructive manner, with impartiality, observing the principles of natural justice and procedural fairness by informing those involved of the allegations, providing those involved an opportunity to present their side of the matter and operating in a fair and unbiased way and at no cost to the participant.

This policy applies to:

- all formal and informal complaints received by a Navitas Professional staff member.
- all participants currently enrolled in Navitas Professional's (NP) programs and is applicable to all complaints and appeals, including assessment decisions, involving:
- the conduct of the Registered Training Organisation (RTO), its trainers, assessors or other staff,
- a third party providing services on the RTO's behalf including education and migration agents, its trainers, assessors or other staff; or
- a learner of the RTO.

# 2 Policy

NP is committed to providing participants the best possible environment in which to study. However, NP recognises that on occasion there may be instances of dissatisfaction and acknowledges that the causes must be addressed and rectified promptly. In such instances, NP invites feedback from the dissatisfied party so that a resolution can be found and as an opportunity to consolidate the feedback into a review and improvement of NP's policies and practices. This policy is made available to all participants via the NP website.

A complaints and appeals process has been developed for covering decisions made for or on behalf of the RTO and is detailed in Section 3.

Navitas Professional's internal complaints and appeals process:

- requires a written record if the complaint or appeal cannot be resolved informally;
- provides a participant with the opportunity to formally present their case at no cost;
- ensures if the participant is not satisfied with the result or conduct of the internal complaint handling and appeals process, the provider will advise the participant of his or her right to access the external appeals process at minimal or no cost;
- provides a written statement of the outcome, including details and reasons for the decision;
- allows the participant to be assisted or accompanied by a support person; and
- requires that processes begin within 10 working days of the provider receiving the formal written lodgement of the complaint or appeal

Navitas Professional will maintain the participant's enrolment while the complaints and appeals process is ongoing.

Navitas Professional has arrangements in place for an independent external person or organisation to hear the complaints or appeals where the provider's internal process has been completed and the participant remains dissatisfied.

In the first instance, the participant is encouraged to attempt to resolve their complaint with the appropriate person or staff member. The following table provides details of the responsibility of various staff members to assist them in resolving their complaint.

Refer to Appendix A for a list of administrative position holders in each State.

Problem or Assistance with	Who can help?
A class	The class trainer State Operations Manager
Attendance/absences	State Administration Team State Operations Manager
Internship	Internship Placement Coordinator State Operations Manager
Course Progress	The class trainer
Certificates	State Administration Team
Course Extension / Change	State Administration Team
Any other problem	State Administration Team

## 2.1 Receiving complaints or appeals

- 2.1.1 NP will receive written complaints from participants utilising the Complaints and Appeals Form available from NP administration or on the web at: <http://navitas-internships.com/apply/policy-documents/>.
- 2.1.2 Once a complaint or appeal is received, NP administrative staff will acknowledge receipt in writing.
- 2.1.3 NP will endeavour to resolve all complaints and appeals in a timely and efficient manner not exceeding 60 days. If the complaint or appeal exceeds 60 days NP will inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and provide regular updates, in writing, to the complainant or appellant on the progress of the matter.
- 2.1.4 There is no cost to the initiator to utilise NP's complaints and appeal procedure.

## 2.2 Investigation

- 2.2.1 The investigation of complaints and appeals will include a process of verification to ensure there is justification for the complaint. The difference between an allegation and a substantiated claim needs to be clear and all parties must be given full opportunity to provide their view of the matter under investigation.
- 2.2.2 All complaints will be investigated thoroughly and dealt with in an effective and timely manner. The principles of natural justice and procedural fairness will apply at all times.
- 2.2.3 During the investigation of complaints and appeals, State Operations Managers and the Curriculum & Learning Manager will liaise with the Business Services Manager who will record the complaint or appeal on the NP complaints register and upload any relevant documents relating to the outcome to the electronic participant file.
- 2.2.4 Privacy, confidentiality and anonymity will be maintained throughout the complaints and appeals process unless otherwise negotiated with the stakeholders of this process.
- 2.2.5 At any point throughout the complaints and appeals process the initiator on the complaint or appeal may be accompanied and assisted by a third party nominee if desired.

## 2.3 Resolution of complaint or appeal

- 2.3.1 Formal communication regarding the outcome of the investigation will be provided to the

complainant or appellant in due course.

- 2.3.2 NP will identify the potential cause of the complaint or appeal and will take appropriate action to eliminate or mitigate the likelihood of reoccurrence.

## 2.4 Unresolved complaints or appeals

- 2.4.1 Where the complainant or appellant is not satisfied with the resolution provided, they may appeal in the first instance to the Business Services Manager. Upon review and to avoid any potential or perceived conflicts of interest, the Business Services Manager may escalate to the Director, NP.
- 2.4.2 Should the complainant or appellant remain dissatisfied the complaint or appeal may be externally reviewed, at the request of the complainant or appellant, by an appropriate party independent of NP the complainant or appellant. The appropriate external body is the Australian Competition and Consumer Commission (ACCC). The ACCC will only have jurisdiction to investigate complaints that are in breach of the Competition and Consumer Act 2010. Visit the ACCC website at: [www.accc.gov.au](http://www.accc.gov.au) for details on how to submit a complaint.

## 3 Procedure

- Step 1. Participant attempts to resolve complaint informally. If resolved – process ends; if not resolved – proceed to Step 2.
- Step 2. Participant accesses Complaints and Appeals form from website. Participant formally presents their case in detail on the Complaints and Appeals form. In the case of a complaint – proceed to Step 3; in the case of an appeal – proceed to Step 11.
- Step 3. Participant lodges Complaint with State Administration Officer in State of enrolment.
- Step 4. State Administration Officer acknowledges receipt of complaint in writing and advises that participant is able to be assisted or accompanied by a support person throughout the process.
- Step 5. State Administration Officer forwards complaint to State Operations Manager for investigation. State Operations Manager will inform those involved of the allegations, providing an opportunity for all parties to present their side of the matter and operating in a fair and unbiased way.
- Step 6. State Operations Manager to consult with Curriculum & Learning Manager regarding nature of problem: Curriculum & Learning Manager to handle complaints relating to course content and assessment decisions; State Operations Manager to handle all other complaints.
- Step 7. Complaint added to Complaints and Appeals Register by Business Services Manager.
- Step 8. Within 10 working days of lodgement of Complaint, State Operations Manager to investigate complaint and provide suggested resolution.
- Step 9. Participant to be advised of resolution including details and reasons for decision.
- Step 10. If participant satisfied – process ends. If participant dissatisfied, participant accesses Complaints and Appeals form from website. Participant formally presents their case for appeal in detail on the Complaints and Appeals form.
- Step 11. Participant lodges Appeal with State Administration Officer in State of enrolment.

- Step 12. State Administration Officer acknowledges receipt of appeal in writing and advised that participant is able to be assisted or accompanied by a support person throughout the process.
- Step 13. State Administration Officer forwards appeal to Business Services Manager for re-assessment. Business Services Manager will inform those involved of the allegations, providing an opportunity for all parties to present their side of the matter and operating in a fair and unbiased way.
- Step 14. Appeal added to Complaints and Appeals Register by Business Services Manager.
- Step 15. Within 10 working days of lodgement of Complaint, Business Services Manager to investigate appeal and convene an appeals committee to allow the appellant to present their case. The appeal committee shall comprise:
- a. Business Services Manager (Chair);
  - b. Three NP Management members ideally from different states.
- Step 16. The Appeals committee shall hear the appellant case and form a recommendation
- Step 17. The Business Services Manager will present the Appeals Committee recommendation to the Director, NP to provide suggested resolution.
- Step 18. Participant advised of Appeal Outcome including details and reasons for the decision.
- Step 19. Participant satisfied with outcome – process ends. Participant dissatisfied with outcome – matter refer to external third party for independent review.
- Step 20. If the process extends beyond 60 days, participant is to be informed of reasons why more than 60 days have been required and will provide regular updates to the participant on the progress of the complaint or appeal.
- Step 21. Outcome reported to Management Review Meeting to recommend strategies to mitigate reoccurrence and to reduce risk of similar complaints occurring.

## 4 Responsibilities

- The **Director, NP** is accountable for the ongoing development, approval, implementation, awareness and effectiveness of this Policy and the supporting processes and documentation.
- The **Curriculum & Learning Manager, NP, Business Services Manager, NP** and **State Operations Managers, NP** are responsible for ensuring that all team members are aware of this Policy and their responsibilities defined herein.
- **NP employees** are responsible for being aware of and complying with this Policy.

## 5 Definitions

Unless the contrary intention is expressed in this Policy, the following words (when used in this policy) have the meaning set out below:

- **Appeal** – An appeal is defined as a request to review a decision that has been made on an appellant
- **Complaint** – A complaint is defined as an individual's expression of dissatisfaction with an aspect of NP's services and activities, including both academic and non-academic matters.

## 6 Review

This document is reviewed every 2 years by the relevant manager to ensure alignment to appropriate strategic direction and its continued relevance to Navitas Professional’s current and planned operations.

The next scheduled review of this document is listed in the Version Control section on Page 1.

## 7 Records

All records in relation to this policy will be managed as follows

Record type	Responsible	Location	Retention
<b>Complaints/Appeal Record</b>	Business Services Manager	Complaints and Appeals Register	7 years
<b>Complaint/Appeal Supporting Documentation</b>	Business Services Manager	Participant file	7 years

## 8 Related documents

- NP-01.01-25F Complaints and Appeals Form
- NP-01.01-26D Complaints and Appeals Register

## Appendix A

### Managerial and Administrative Position Holders by State

<b>NSW</b>		
State Operations Manager	Terry Patriarca	<a href="mailto:Terry.Patriarca@navitas.com">Terry.Patriarca@navitas.com</a>
State Administration Officer	Louise Barcenas	<a href="mailto:sydneyadmin@navitas-internships.com">sydneyadmin@navitas-internships.com</a>
<b>VIC</b>		
State Operations Manager	Michael Linke	<a href="mailto:Michael.Linke@navitas.com">Michael.Linke@navitas.com</a>
State Administration Officer	Noelia Fiocca	<a href="mailto:malbourneadmin@navitas-internships.com">malbourneadmin@navitas-internships.com</a>
<b>QLD</b>		
State Operations Manager	Jo Edmonds	<a href="mailto:Jo.Edmonds@navitas.com">Jo.Edmonds@navitas.com</a>
State Administration Officer	Elaine Kimmins	<a href="mailto:brisbaneadmin@navitas-internships.com">brisbaneadmin@navitas-internships.com</a>
<b>WA</b>		
State Operations Manager	Aasia Baraky Sam Graham	<a href="mailto:Aasia.Baraky@navitas.com">Aasia.Baraky@navitas.com</a> <a href="mailto:Sam.Graham@navitas.com">Sam.Graham@navitas.com</a>
State Administration Officer	Ke Li	<a href="mailto:perthadmin@navitas-internships.com">perthadmin@navitas-internships.com</a>
<b>SA</b>		
State Operations Manager	Ben Mayne	<a href="mailto:Ben.Mayne@navitas.com">Ben.Mayne@navitas.com</a>
State Administration Officer	Jo Witherspoon	<a href="mailto:adelaideadmin@navitas-internships.com">adelaideadmin@navitas-internships.com</a>
<b>TAS</b>		
State Operations Manager	Maike Appelhof	<a href="mailto:Maike.Appelhof@navitas.com">Maike.Appelhof@navitas.com</a>
State Administration Officer	Cadence Ong	<a href="mailto:hobartadmin@navitas-internships.com">hobartadmin@navitas-internships.com</a>
<b>NT</b>		
State Operations Manager	Jo Edmonds	<a href="mailto:Jo.Edmonds@navitas.com">Jo.Edmonds@navitas.com</a>
State Team Leader	Robyn Connell	<a href="mailto:darwinadmin@navitas-internships.com">darwinadmin@navitas-internships.com</a>