



## COMPLAINTS AND APPEALS

Australian Wings Academy recognises that customers who train and study at Australian Wings Academy have the right to have their grievances dealt with in a fair, just and prompt manner based on a policy and procedure that is accessible, effective and easily understood. A grievance will be dealt with on a professional level, without bias or prejudice, in a balanced and confidential manner.

### *Definition of a complaint*

Complaints may be made against Australian Wings Academy and services provided and any of its instructors or staff, any third party providing services for AWA or any other student.

### *Definition of an appeal*

Appeals are both non-academic and academic. Non-academic appeals are in relation to appeals against decisions made by AWA. Academic appeals concern appeals against an assessment decision made by AWA. This policy does not cover appeals against an external exam set and marked by the licencing authority.

### *Principles of resolution*

Australian Wings Academy is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice. Australian Wings Academy ensures that complaints and appeals:

- Are responded to in a professional, consistent and transparent manner.
- Are responded to promptly, fairly, objectively, with sensitivity and confidentiality.
- Are able to be made at no cost to the individual.
- Are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.

Australian Wings Academy will inform all persons or parties involved in any allegations made as well as providing them with an opportunity to present their side of the matter.

There are no charges for students to submit, a complaint or appeal to Australian Wings Academy, or to seek information or advice about doing so.

Nothing in this policy and procedure limits the rights of an individual to take action under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.

### **Making a complaint or appeal**

Under the rules for VET Student Loans, Australian Wings Academy will not victimise or discriminate against you for:

- a) seeking review or reconsideration of a decision; **or**
- b) using the provider's processes or procedures about dealing with grievances; **or**
- c) making an application for recrediting of the student's FEE-HELP balance under Part 6 of the Act.

Complaints should be made as soon as possible after the incident occurring and appeals must be made within thirty (30) calendar days of the original decision being made.

A Complaints Lodgement form is available from the General Manager. You should provide as much information as possible to enable Australian Wings Academy to investigate and determine an appropriate solution. This should include:





- The issue you are complaining about or the decision you are appealing – describe what happened and how it affected you.
- Any evidence you have to support your complaint or appeal.
- Details about the steps you have already taken to resolve the issue.
- Suggestions about how the matter might be resolved.

### Third Party Complaint Handling

All student complaints against any Third-Party provider under Australian Wings Academy (AWA) will follow the following procedure:

1. Student to liaise with trainer, third party provider or General Manager to see if the issue can be resolved verbally. If the student is not comfortable with speaking to the provider, then they should contact Carolyn Thorburn at AWA.
2. Student to complete “Complaint form” and submit to Australian Wings Academy, email [carolyn.thorburn@awa.qld.edu](mailto:carolyn.thorburn@awa.qld.edu)
3. AWA will commence their complaint resolution process within 10 working days and all reasonable measures will be taken to finalise the process as soon as practical. AWA will investigate the complaint and interview any persons associated with the complaint to gain a full understanding of the issues in order to make a considered decision.
4. Following their investigation, AWA will provide a written decision to the complainant within 15 working days outlining the reasons for the decision and the complainants right to access stage two of this procedure if they are not satisfied with the decision.
5. If the complainant is not satisfied with the outcome, they may lodge an appeal in writing with the CEO. A further review will be conducted, and the complainant will be advised in writing of the results of the appeal within 5 working days with reasons for the decision and of their right to escalate to the next level.
6. If the complainant is not satisfied with the previous outcome, they may request that the matter be referred to an external dispute resolution process. At any point the complainant may decide to refer the matter to an external agency such as the Anti-Discrimination Board or the Office of Fair Trading.

Publicly accessible low or no cost contacts:

Anti-Discrimination Commission complaint line	300 656 419
Office of Fair Trading	13 32 20

The student may use the services of an independent mediation. Students are advised that all costs relating to this service are the responsibility of the student.

The outcome of the mediation process will be a verbal or written agreement which all parties involved will accept and take responsibility for.

The external mediation will be concluded within 20 working days of the application.

AWA will immediately implement any decision and/or corrective and preventative action required as a result of complaints and appeals.





### *Timeframes for resolution*

The complaint or appeal will be acknowledged in writing within 3 business days.

The complaints and appeals process will commence within 10 business days of receipt of the application. Complaints and appeals will be finalised as soon as practicable or at least within 30 calendar days unless there is a significant reason for the matter to take longer.

In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time that the matter is resolved.

### *Resolution of complaints and appeals*

The Head of Operations and General Manager of Australian Wings Academy will be involved in resolving complaints and appeals as outlined in the procedures.

If a complaint or appeal involves another individual or organisation, they will be given the opportunity to respond to any allegations made.

Each party involved in the complaint or appeal may have a support person of their choice present at meetings scheduled to resolve the issue.

In the case of an assessment appeal, an assessor who is independent from the original decision will assess the original task again. The outcome of this assessment will be the result granted for the assessment task. The complainant or appellant will be advised in writing of the outcome of the process and the reasons for the findings made.

Australian Wings Academy will maintain a student's enrolment throughout the internal appeals processes. In the case of an external appeals process it will depend on the type of appeal as to whether Australian Wings Academy maintains the student's enrolment as follows:

If the appeal is against Australian Wings Academy'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 Australian Wings Academy's decision.

### *Independent Parties*

Australian Wings Academy acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter. Costs associated with independent parties to review a matter must be covered by the complainant/appellant unless the decision to include an independent party was made by Australian Wings Academy.

The independent party is the <https://vet.ombudsman.gov.au/> for VET Student Loan students. This service is free of charge. Where a VET Student Loans student is not satisfied with the outcome or conduct of the internal process, they are referred to the Commonwealth Ombudsman. See information under external complaint avenues.

For fee for services students, the recommended external mediator is the Resolution Institute. Students are responsible for all associated costs.

Australian Wings Academy will provide complete cooperation with the external mediator investigating the complaint/appeal and will be bound by the recommendations arising out of this process.

The General Manager will ensure that any recommendations made are implemented within twenty (20) days of being notified of the recommendations. The complainant or appellant will also be formally notified in writing of the outcome of the mediation, and any recommendations being actioned by Australian Wings Academy.



## External complaint avenues

Complaints can also be made via the following avenues:

- National Training Complaints Hotline:
  - The National Training Complaints Hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint. Consumers can register a complaint with the National Training Complaints Hotline by:
    - **Phone:** 13 38 73, Monday–Friday, 8am to 6pm nationally.
    - **Email:** [ntch@education.gov.au](mailto:ntch@education.gov.au)
- Australian Skills Quality Authority (ASQA):

Complainants may also complain to Australian Wings Academy's registering body, Australian Skills Quality Authority (ASQA).

ASQA can investigate complaints about Australian Wings Academy in relation to:

- the quality of our training and assessment
- our marketing and advertising practices

For students:

- ASQA may not be able to investigate complaint if you do not include evidence that you have already exhausted our formal internal complaints process as above.
- If your complaint does not fall within ASQA's jurisdiction, it may be resolved more quickly if you directly contact the agency responsible as listed on the relevant webpage below.
- Please refer to the relevant webpage below before making a complaint to ASQA:

<https://www.asqa.gov.au/complaints>

For other stakeholders:

- Information about the process and information you should provide is available here: <https://www.asqa.gov.au/complaints/make-complaint-other-stakeholders>

- The Commonwealth Ombudsman

Students may complain to the Ombudsman if you believe AWA has not treated you fairly or has made an incorrect decision.

The Ombudsman may not be able to investigate your complaint if you have not already exhausted our formal internal complaints process as above.

Please refer to the following website if you are considering making a complaint: <https://vet.ombudsman.gov.au/>

## *Records of complaints and appeals*

Australian Wings Academy will maintain a record of all complaints and appeals and their outcomes and reasons for the outcomes on the Complaints and Appeals Register, which will be securely stored according to the Privacy Policy and Procedures.