

POLICY & PROCEDURE 6: COMPLAINTS AND APPEALS POLICY

PURPOSE

This policy and procedure is to provide clear and practical guidelines to ensure that complaints and appeals of learners can be resolved in accordance with the principles of natural justice, equitably and efficiently.

SCOPE

This complaints and appeals policy applies to all learners enrolled with NK Institute Pty Ltd.

DEFINITIONS

Complaints and Appeals include but are not restricted to matters of concern to a learner relating to training delivery and assessment; the quality of the training; learner support and materials; discrimination; and sexual harassment.

Natural Justice is concerned with ensuring procedural fairness:

- Decisions and processes should be free from bias.
- All parties have the right to be heard.
- The respondent has a right to know of what s/he is accused
- All parties are told the decision and the reasons for the decision.

POLICY

NK Institute Pty Ltd believes that a learner, who has a complaint or appeal, has the right to raise the complaint or appeal and expect that every effort will be made to resolve it in accordance with this policy, without prejudice or fear of reprisal or victimisation.

The learner has the right to present the complaint or appeal formally as well as in writing.

NK Institute Pty Ltd will manage all complaints and appeals fairly, equitably and efficiently as possible. NK Institute Pty Ltd will encourage the parties to approach the complaint or appeal with an open mind and to resolve problems through discussion and conciliation. Where a complaint or appeal cannot be resolved through discussion and conciliation, NK Institute Pty Ltd acknowledges the option for an appropriate external and independent person to mediate between the parties. The parties will be given the opportunity to formally present their case to the independent person.

Confidentiality will be maintained throughout the process of making and resolving complaints. NK Institute Pty Ltd seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment.

A copy of this Policy is available to all learners and staff via the NK Institute Pty Ltd Office, and on the NK Institute website www.nkinstitute.com in the Student Handbook or as a separate policy in the downloads section. The information will also contain details of external authorities that they may approach.

NK Institute Pty Ltd must address complaints and appeals within 60 days or notify of appellant/complainant of reasons for the delay in finalisation.

PROCEDURE:

Should a learner have a complaint or appeal, the following steps are to be followed:

1. Learner should discuss the issue / complaint with the person involved to try and resolve it verbally.
2. If no resolution is reached, the learner should discuss the issue / complaint with his / her trainer to see if it can be resolved.
3. If still no resolution the learner should put the following information relating to the complaint or appeal in writing:
 - description of the complaint or appeal
 - state whether you wish to formally present your case
 - steps you have taken to deal with the it
 - what you would like to happen to fix the problem and prevent it from happening again.
4. The learner brings the complaint or appeal to the attention of the trainer within seven (7) days of the issue taking place.
5. If the complaint or appeal is not dealt with to the learner's satisfaction within the seven (7) day period, s/he may bring it to the attention of the Principal. The Principal will either deal with the issue personally or arrange for it to be dealt with by a management representative. This process must commence within 48 hours from the time the Principal receives written notification from the learner about their dissatisfaction to the response received from their trainer and a response / resolution must be presented within 7 days.
6. Should the issue still not be resolved to the learner's satisfaction, NK Institute Pty Ltd will make arrangements for an independent external person to resolve the issue. The learner will be given the opportunity to formally present his or her case. The time frame for this process may vary but should take no longer than 14 days.
7. All parties involved will receive a written statement of the outcomes, including reasons for the decision within the 14 day period.
8. If the student is still not happy with external mediation, he / she may take his / her complaint to the National Regulator for VET related issues with their online complaint form.

<https://rms.asqa.gov.au/registration/newcomplaint.aspx>
9. Complaints for kinesiology related issues should be directed to the Australian Kinesiology Association
Australian Kinesiology Association Inc.
PO Box 233 Kerrimuir, Victoria, 3129 Australia
enquiries@akakinesiology.org.au
Tel: 1300 780 381 or +61 3 9898 7681
10. Throughout the procedure the learner will be given regular updates on the progress of the matter.
11. All documentation relating to complaints or appeals should be archived for audit purposes.
12. NK Institute Pty Ltd Principal will be person responsible for the implementation and maintenance of the policy.

POLICY & PROCEDURE 6 VERSION CONTROL

v1: August 2008 Produced by Maciek Fibrich of Future Vision RTO Consultants

v2: March 2012 by Kendall Salzman informed by Internal Audit lead by Maciek Fibrich RTO Management Group

v3: February 2013 by Hugo Tobar informed by Internal review lead by John Dwyer of Velg Training (Current Version)

v4: March 2015 by Eleni Placas informed by need to comply with the new 2015 Standards for RTOs