



National College of Skills

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Complaints and Appeals Policy

DOCUMENT VERSION CONTROL			
DATE	VERSION	CHANGES MADE	AUTHOR
APRIL 2022	1.1	January 2025	CEO

PURPOSE

NCS seeks to continuously provide high quality education and training service in which all are encouraged to strive for excellence. It is committed to implementing an effective complaint resolution procedure that, where possible, is managed quickly, at the local level and with a minimum number of people involved. The resolution process will focus on a rapid re-establishment of good education, working relationships and positive outcomes. The procedures aim to avoid blame and undue investigation. This policy provides clients with a clear process to register a complaint or appeal. It ensures all parties involved are kept informed of the resulting actions and outcomes.

SCOPE

In handling a complaint, whether formal or informal, confidentiality will be maintained to:

- Protect all parties involved in a complaint under the principles of natural justice
- Involve the minimum number of people possible

NCS is not compelled to consider:

- anonymous appeals; or
- appeals that appear to be of a frivolous nature, or vexatiously or maliciously made; or
- appeals made on the basis of the judgment of the NCS staff member who made the decision;
- or appeals that fail to meet the lodgment requirements

All students and staff are to be informed of the complaint resolution procedures. The focus for resolution will be on issues rather than individuals. Students are to be protected from Victimisation. Natural justice principles will be used to ensure procedural fairness. A complainant has the right to withdraw the complaint at any stage.

Where a complainant is a current student, their enrolment must be maintained while the complaints and appeals process is ongoing. Complainants can choose to utilise resources outside the NCS to resolve their complaint. Complaints managed by the NCS are not charged; however, if an external mediation service is required this service will be charged.

DEFINITIONS

A complaint can be defined as a student's expression of dissatisfaction with any aspect of the NCS's services and activities, such as:

- the enrolment, induction/orientation process;
- the quality of education provided;
- academic matters, including student progress, assessment, curriculum and awards in a course of study;
- handling of personal information and access to personal records;
- the way someone has been treated.

PRINCIPLES

NCS is guided by the following principles in resolving all student complaints and appeals:

- Complaint and appeal procedures will be readily available to ensure students understand their rights and responsibilities, including their right to have a support person present at any interview or proceeding
- the complaints and appeals will be well documented, and the results of complaints and appeals will be communicated to relevant parties within 20 working days
- Where a complaint is likely to take more than 20 days to resolve, NCS will advise you in writing and provide regular updates.
- Complainants will be advised of the outcome of the complaints through written notification that the complaint has been resolved
- the principles of courtesy, mutual respect, confidentiality and procedural fairness will be observed by all parties to the complaint resolution process
- there will be no direct financial cost to the student relating to internal review and appeal processes
- complaint and appeal procedures will be applied consistently and transparently
- a student's enrolment will be maintained while the complaint and appeal process are ongoing
- records will be kept for a minimum of five years and are kept strictly confidential
- The complaint resolution process will be used by the NCS to identify areas for improvement in the quality of services and support it provides to students
- The complaint resolution process does not restrict an individual's rights to pursue other legal remedies
- students may choose to have their complaint reviewed externally

VICTIMISATION

All complaints will be handled with fairness in accordance with the principles of natural justice. NCS is committed to ensuring that students and respondents do not experience any Victimisation as a result of making either an informal or formal complaint.

Whether a complaint is formal or informal, steps will be taken to ensure that neither party is victimised or disadvantaged as a result of a complaint being made. The Nominee appointed to manage a formal complaint will be responsible for ensuring that no Victimisation occurs.

NATURAL JUSTICE

The duty to act fairly includes two rules: the fair dealing rule and the no bias rule. This means that all parties must be given the opportunity to present their case, be fully informed about allegations and decisions made and have the right to be represented by another person.

In addition, a decision maker must have no personal interest, beyond the scope of their role in this process and must be unbiased. If the decision maker cannot meet these requirements they must immediately withdraw from the process. The procedure shall have regard to the duration of an overseas student's stay in Australia. In order to expedite the process, students shall also have regard for this and not unduly interfere with the mediation agent or the procedure. Should interference by the student affect the normal process of events, the College shall not be held responsible for the consequences.

RECORD KEEPING AND CONFIDENTIALITY

Records of all complaints handled under this procedure and their outcomes shall be maintained for a period of at least five years to allow all parties to the complaint appropriate access to these records, upon a written request to the CEO.

These records will be maintained electronically. All electronic data is permanently archived to a secure offsite storage facility on a monthly basis. Archive cartridges are kept indefinitely.

All records relating to complaints will be treated as confidential and will be covered by NCS Privacy and Personal Information Policy.