

Grievance, Complaints & Appeals

1. Purpose

1.1. The Australian Online Music Institute (AOMI) is committed to developing and maintaining an effective, timely, fair, and equitable grievance, complaints and appeals handling system that is easily accessible by all persons at no charge.

1.2. AOMI:

- 1.2.1. Has a culture that views grievances as an opportunity to improve the organisation and how it works;
- 1.2.2. Has a complaints handling system that is client focused and ensures the prevention of complaints from recurring;
- 1.2.3. Ensures that any complaints are resolved promptly, objectively and with sensitivity and in complete confidentiality.
- 1.2.4. Ensures that the views of each complainant and respondent are respected and that any party to a complaint is not discriminated against nor victimised;
- 1.2.5. Ensures that there is a consistent response to complaints.
- 1.2.6. Provides an appeals process without victimisation or discrimination, enabling a client to appeal any decision of AOMI
- 1.2.7. Ensures the student and respondent will have the opportunity to present their case at each stage of the procedure

Revision	By Whom	Date
Reviewed, no changes	G Bottrill	5 Aug 17
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Reviewed, minor changes	A Palmer	20 Sep 20
Reviewed, changes made to reflect section 88 & 90 of the VSL rules	A Palmer	10 Apr 22

2. Scope

This procedure applies to any grievance or complaint in relation to:

- academic matters such as student progress, assessment, curriculum and awards in a course
- non-academic matters. This includes complaints in relation to personal information that is held in relation to the student. Non-academic grievances come from decisions made by your organisation. Non-academic grievances cover issues such as harassment, vilification, discrimination, financial matters, fines and payments, application procedures, exclusions from events and facilities.

3. Complaints

3.1. The term “participant” or “complainant” may apply to both current participants of AOMI and persons seeking to enroll for future study with AOMI.

3.2. A complaint is defined as a person’s expression of dissatisfaction with any aspect of AOMI’s services and activities, including both academic and non-academic matters, such as:

- 3.2.1. The enrolment, induction/orientation process;
- 3.2.2. The quality of education provided;
- 3.2.3. Academic issues, incl. student progress, assessment, curriculum and awards;
- 3.2.4. Handling of personal information and access to personal records;
- 3.2.5. The way someone has been treated.

3.3. This complaints policy and the procedure is designed to ensure that AOMI responds effectively to individual cases of dissatisfaction.

3.4. This policy and the procedure will be made available to participants regardless of external factors such as the location at which the complaint has arisen, the mode in which they study or their place of residence.

3.5. During all stages of the procedure AOMI will take all steps to ensure that:

- 3.5.1. The complainant and the respondent will not be victimised or discriminated against;
- 3.5.2. The complainant has an opportunity to formally present their case and each party to the complaint may be accompanied and assisted by a support person at any relevant meetings;
- 3.5.3. A full explanation in writing for decisions and actions taken as part of the process will be provided to the complainant;
- 3.5.4. Where the internal or external complaints handling or appeal process results in a decision that supports the complainant, AOMI will immediately implement any decision and/or corrective and preventative action required and advise the complainant of the outcome;
- 3.5.5. There is no cost to the complainant to utilise the complaints procedure.

4. Appeals

- 4.1. Appeals: If the complaint is not resolved to the satisfaction of the complainant, an appeal may be lodged. An appeal may be lodged about any decision made by AOMI.
- 4.2. Assessments: Where a student is dissatisfied with an assessment, an appeal may be lodged.
- 4.3. Appeals shall be lodged on form **7.2-03 – Complaint / Appeal Form**, within 2 weeks of the decision or assessment

5. Procedure

5.1 Stage One – Informal Process

AOMI encourages communication and co-operation and to provide an environment in which all issues can be resolved satisfactorily. AOMI prefers information internal resolution of all grievances.

Initially, a student or prospective student (complainant) should discuss the issue with the enrolment office or another suitable staff member.

Where possible all non-formal attempts shall be made to resolve the grievance within 7 days. This may include advice, discussions, and general mediation in relation to the issue and the student's grievance. Any staff can be involved in this informal process to resolve issues, if the complainant is satisfied with the outcome of the discussion, it would mean that the matter is resolved. Records of the outcome shall be maintained by the administration team.

If the grievance could not be resolved informally and once a student has placed a formal complaint / appeal the following procedures must be followed.

5.2 Stage Two – Formal Process

AOMI's general principles applying to all stages of this grievance and complaints procedure which will be adhered to are:

- The Complainant and respondent will have the opportunity to present their case at each stage of the procedure.
- Both the Complainant and the respondent may choose to have a third person present (such as a family member, friend or counsellor) if they desire.
- The Complainant and the respondent will not be discriminated against or victimised for
 - a) seeking review or re-consideration of a decision; or
 - b) making an application for re-crediting of the student's FEE-HELP balance under Part 6 of the Act.
- At all stages of the process, discussions relating to complaints, grievances and appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions taken as part of this procedure will be provided to the Complainant and/or the respondent if requested.
- Records of all grievances will be kept for a period of five years. These records will be kept strictly confidential and stored in the secure facility at AOMI. Access to grievance records can be provided to the parties involved on request.
- This grievance procedure is accessible at no cost from the AOMI website.

5.2.1 Formal Complaints Procedure (Academic & Non Academic)

- Any student, potential student, or third party may submit a formal complaint to AOMI at anytime.
- 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.
- A student wishing to submit a formal complaint or appeal can do so by completing the 'Complaint / Appeal Form' and state their case providing as many details as possible.
- This application form can be obtained on the AOMI website or by contacting the enrolment officer via email enrol@aomi.edu.au
- It is encouraged that the complainant provides as much detail as possible, including the outcome they desire.
- Complaints must be lodged within 2 weeks of the issue arising.
- The formal complaint process will commence within 5 working days of the formal lodgement of the complaint or appeal and supporting information.
- All formally submitted complaints or appeals are submitted to the Enrolment Officer for review. It is their responsibility to deal with the complaint in the first instance. Complaints are to include the following information:
 - Submission date of complaint
 - Name of complainant
 - Nature of complaint
 - Date of the event (if applicable)
 - Attachments (if applicable)
- Once a formal complaint is received the Enrolment Officer will acknowledge receipt of the complaint and will document the date received.
- All complaints / appeals are to be documented in the 'Complaints and Appeals Register' which is monitored by the Management Committee regularly. The information to be contained and updated within the register is as follows:
 - Submission date of complaint
 - Name of complainant
 - Description of complaint / appeal
 - Determined Resolution, and
 - Date of Resolution.
- Each party may be assisted or accompanied by a support person regardless of the nature of the grievance or complaint throughout the process at all times.
- Once a complaint has been filed and logged in the 'Complaints and Appeals Register' the Enrolment Officer shall notify the Management Committee of the complaint and provide any further documentation related to the matter.
- Within 10 working days of the formal lodgement of the complaint/appeal the Enrolment Officer shall ensure the process of addressing the complaint/appeal commences. The Enrolment Officer may refer the matter to the appropriate staff to

resolve or decide on the complaint ensuing that all reasonable measures are taken to finalise the process as soon as practicable. The Enrolment Officer is to keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.

- If the student chooses to access AOMI's complaints and appeals process, AOMI must maintain the students' enrolment while the complaint and appeals process is ongoing. The student is required to keep up to date with their studies at this time also unless the complaint is of a nature that it prevents the student from studying.
- Once a decision has been reached the Enrolment Officer shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing
- The Enrolment officer shall;
 - a) Formally document the resolution to the complaint including reasons for the method of resolution and provide the student with a written copy of the document
 - b) Arrange for the proposed resolution to be signed off by the student.
 - c) Monitor the implementation of the resolution to ensure that all parties adhere to the agreed resolution.
 - d) Copies of all documentation, outcomes and further action required will be placed into the 'complaints and appeals register' and on the students file. The outcome needs to be reported in continuous Improvement Management meetings for continuous improvement purposes and if required addressed at the next Board Meeting.
 - e) Advise the student to take the complaint to appeal if a resolution cannot be agreed upon
- To appeal a decision AOMI must receive, in writing, grounds of the appeal. Students are referred to the appeals procedure. Appeals procedure does not incur any fees.

The Enrolment Officer shall ensure that AOMI will act immediately on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action that is required and advise the student of the outcome.

5.2.3 Stage 3: Appealing a Decision (Internal)

All students have the right to appeal decisions made by AOMI where reasonable grounds can be established. Students who are not satisfied with the outcome of the formal complaint are encouraged to appeal the decision. The areas in which a student may appeal a decision made by AOMI may include:

- Assessments and assessment outcomes
 - Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
 - Or any other conclusion / decision that is made after a complaint has been dealt with by AOMI in the first instance
- To activate the appeals process the student is to complete a 'Complaints and Appeals Form' which is to include a summary of the grounds the appeal is based upon. The reason the student feels the decision is unfair is to be clearly explained. Help and support with this process can be gained from student support.
 - The Enrolment Officer shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.
 - The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
 - The Enrolment Officer shall ensure that AOMI acts on any substantiated appeal.
 - Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

5.2.3.1 General appeals (Non-Academic)

- Where a student has appealed a decision or outcome of a formal complaint, they are required to notify AOMI in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
- The appeal resolution phase must commence within 5 working days of the internal appeal being lodged in writing
- The appeal shall be lodged through the Enrolment Officer and shall ensure the details of the appeal are added to the 'Complaints and Appeals Register'.
- The Enrolment Officer shall be notified and shall seek details regarding the initial documentation of the complaint and shall decide based on the grounds of the appeal.
- The student shall be notified in writing of the outcome with reasons for the decisions, and the 'Complaints and Appeals Register' updated. The student shall 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 AOMI if they wish to proceed with the external appeals process.

5.2.3.2 Assessment appeals (Academic)

- Where a student wishes to appeal an assessment outcome, they are required to notify their subject lecturer first. Where appropriate the subject lecturer may decide to re-assess the student to ensure a fair and equitable decision is gained. The subject lecturer shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.
- If this is still not to the student's satisfaction, the student shall formally lodge an appeal by submitting a 'Complaints and Appeals Form' outlining their reasons for the appeal. They shall lodge this with the Enrolment Officer and the appeal shall be entered into the 'Complaints and Appeals Register'.
- The Enrolment Officer shall be notified and shall seek details from the subject lecturer involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another subject lecturer appointed by AOMI.
- The student shall be notified in writing of the outcome with reasons for the decision, and the 'complaints and appeals register' updated. The student shall 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 AOMI if they wish to proceed with the external appeals process.

5.2.3.3 Appealing deferrals, suspension or cancellation of enrolment

- Where a student wishes to appeal a decision relating to deferment, suspension, or cancellation of their enrolment they are required to lodge, in writing, a letter outlining the details of their appeal. The student should have extenuating circumstances as to why the decision should be reviewed and any supporting documentation supporting their appeal.
- The appeal shall be lodged this with the Enrolment Officer and the appeal shall be entered into the 'Complaints and Appeals Register'.
- The Enrolment Officer shall be notified and shall seek details regarding the initial documentation of the decision and shall decide based on the grounds of the appeal.
- The student shall be notified in writing of the outcome with reasons for the decision, and the 'Complaints and Appeals Register' updated. The student shall 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 AOMI if they wish to proceed with the external appeals process.

- The Enrolment Officer shall ensure that AOMI will act immediately on any substantiated appeal. If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action that is required and advise the student of the outcome.

5.2.4 Stage 4: External Appeals

- If a student is still dissatisfied with the decision of AOMI, a student may wish to refer the matter to an external independent / third party mediator.
- If the student (complainant) is not satisfied with the outcome of the formal complaint, they can escalate the complaint to the Australian Skills Quality Authority (ASQA). ASQA can be contacted by calling ASQA info line on 1300 701 801 or Email enquiries@asqa.gov.au, or
- Students can also contact the following external mediators to have any decisions by AOMI reviewed as a result of a student complaint or appeal. External mediators' details are as below:

Ombudsman SA

PO Box 3651
RUNDLE MALL SA 5000
Phone (08) 8226 8699

The VET Student Loans Ombudsman is the nominated external dispute resolution scheme for students aggrieved by the provision of VET Student Loans.

- Where the student determines they wish to appeal AOMI's decision in relation to their complaint or appeal they can contact the Ombudsman and submit an appeal application. The cost of this appeal process is free.
- Where there is any cost involved in external appeal, each party is liable to bear their own cost or if there any Independent Mediator involved, the cost of mediation is to be shared equally between the parties involved in mediation.
- Where a decision or outcome is in favour of the student AOMI shall follow the required action and recommendation from Ombudsman to satisfy the student's complaints as soon as practicable.
- Enrolment Officer will provide a written response of external appeal outcome to all parties involved.

- The decision of this independent mediator is final and any further action the student wishes to take is outside AOMI's policies and procedures. The student shall be referred to the appropriate government agencies and this information can be gained from the CEO.

This Policy will be reviewed every two years.



William Palmer
CEO
11th April 2022