

LATROBE COLLEGE OF ART AND DESIGN

Policy

COMPLAINTS & APPEALS

VET Student Loan Rules 2016 // RTO Standards 2025 // ESO National Code 2018

Policy

LCAD ensures that all stakeholders—students, staff, and third parties—regardless of their location have access to a transparent, fair, and effective process for providing feedback, lodging complaints or grievances or submitting appeals. This policy aims to uphold the principles of natural justice and procedural fairness, fostering continuous improvement within the college.

This policy complies with

- VET Student Loans Rules 2016, Subdivision F—Dealing with Complaints, Section 88 Grievance Procedure.
- Outcome Standards for RTOS 2025, Standard 2.7 Feedback, Complaints & Appeals.
- ESOS National Code of Practice 2018, Standard 10 Complaints & Appeals.

This policy applies to

- All VSL, domestic fee-paying and overseas visa students and former students enrolled in courses offered by LCAD
- All staff members and contractors
- Third parties providing services on behalf of LCAD
- Any individual or organisation interacting with LCAD

Definitions and policy statements

Feedback

- Comments or suggestions from stakeholders regarding LCAD's services, which may be positive or negative.
- LCAD encourages and values feedback as a vital tool for continuous improvement.
- Feedback can be submitted anonymously or with identification through various channels, including surveys, suggestion boxes, emails, or direct communication.
- All feedback is reviewed and considered in LCAD's quality assurance processes.

Complaint

- A stakeholder expresses dissatisfaction about LCAD's services, staff, or third parties.
 - A student may have a complaint about
 - VET Student Loan application or eligibility
 - Course fees, loan caps, or invoicing
 - Treatment by staff or trainers
 - Quality or delivery of training
 - Administrative errors affecting VET Student Loan access
 - Any other VET Student Loan-related matter
 - Assessment
 - Personal issues
- LCAD is committed to addressing complaints promptly, fairly, and confidentially.
- Complaints can be lodged in writing, via email, or through an online Complaints Form available on LCAD's website.

- All complaints will be acknowledged by email within five business days (5).
- The complainant and respondent will have the opportunity to present their case at each stage of the procedure.
- The complainant and the respondent can be accompanied by a third person (such as a family member, friend, or counsellor) if they so desire.
- The college ensures the complainant and the respondent will not be discriminated against, victimised or disadvantaged.
- At all stages of the process, discussions relating to complaints, grievances and appeals will be recorded in writing. Reasons and a full written explanation for decisions and actions taken as part of this procedure will be provided to the complainant if requested.
- Records of all complaints will be kept securely by LCAD for a period of five years (5).
- A complainant shall have access to this complaint's procedure at no unreasonable cost.
- Conducts the assessment of the complaint or appeal in a professional, fair and transparent manner.

Appeal

- A request by a stakeholder for a review of a decision made by LCAD or a third party.
- Stakeholders can appeal decisions LCAD, or its third parties make.
- Appeals must be submitted in writing within ten business days (10) of the original decision.
- An independent panel not involved in the original decision will review the appeal.
- The appeal outcome will be written within twenty business days (20).
- LCAD Ensures the student is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome.
- If the overseas visa student is not successful in the LCAD's complaints handling and appeals process, LCAD must advise the student within working days (10) of the result. LCAD must also give the student the contact details of the appropriate external complaints handling appeals body or organisation.
- If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the student, LCAD must immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision and advise the overseas student of that action.

Procedure

Lodging Feedback

Stakeholders can provide feedback through:

- Online feedback forms
- Emailing or texting LCAD directly
- Participating in surveys
- Speaking with staff members

All feedback is documented in the Checklist Actions and Jobs and reviewed by the coordinator, the College Quality Group, or, if required, the College Governance Board, during regular management meetings.

Lodging a Complaint

Step 1: Informal Resolution

- Students are encouraged to first attempt to resolve their issue directly with the coordinator or student support services officer.
- Staff must respectfully acknowledge and respond to concerns raised.
- If unresolved, the grievance progresses to Step 2.

Step 2: Formal Internal Complaint

- The student submits a formal complaint in writing via email or by using the Complaint & Appeal Form (available on our website or from admin).
- Complaints should include specific details, evidence, and desired outcomes.
- The coordinator (or appointed delegate) will:
 - Acknowledge the complaint in writing within five business days (5).
 - Investigate the matter fairly and confidentially
 - Offer a resolution within twenty business days (20).
 - Notify the student by email of the outcome and rationale.

Step 3: Internal Appeal

- If dissatisfied with the outcome, the student may lodge an appeal within ten business days (10).
- The College Governance Board will review the appeal.
- A final internal decision will be provided within twenty business days (20).

Step 4: External Review

- If still dissatisfied, the student may escalate to an external complaint-handling body, such as the Australian Mediation Association (AMA).

The coordinator will advise AMA in writing of the request within five working days (5). AMA will arrange for a paper-based appeal (PBA) between LCAD and the complainant within ten working days (10) of the written notification from LCAD. AMA will charge a fee for this service, which will be paid for by LCAD.

AMA Contact Details:

AUSTRALIAN MEDIATION ASSOCIATION (AMA).

www.ama.asn.au/contact-us/

Email: info@ama.asn.au

Phone: 1300 633 428

Fax: (07) 3257 0054

Google AMA to reach their contact and message page

Office hours: Monday to Friday - 9.00am to 5.00pm

Further Resolution

If a complaint or appeal remains unresolved after the external dispute resolution process, the complainant may refer the matter to an external agency, such as the Commonwealth Ombudsman:

<https://www.ombudsman.gov.au>. Students enrolled in VET course of study may decide to refer the matter to the national regulator ASQA.

LCAD makes every effort to process and finalise a complaint or appeal in **60 calendar days**, when working with a **third party** support, or the complaint and appeal, together, extends to its maximum time, the 60 days may be too short. If this is the case LCAD will write to the complainant or appellant explaining why the matter will take longer than 60 days to resolve.

Further notes regarding complaints and appeals of academic performance

In the instance of a complaint or appeal regarding academic performance, the following factors must be observed:

- Academic appeals may only be made against competency marks issued to the student from the college – not against informal marks or higher education grades they may receive from LCAD.
- The college will not accept complaints or appeals based on claims by a student that they did not understand assessment regulations and procedures, or that they were unaware of the complaints and appeals procedure, or their rights and responsibilities, which includes the process for presenting extenuating circumstances.
- LCAD will address academic complaints and appeals from students if an assessment was not conducted following the approved college program regulations, there was a material administrative error in the conduct of an evaluation or other academic decision, or if some other material irregularity occurred in making an educational decision.
- If performance in an assessment suffered through illness or other factors which a student could not disclose before the results were awarded, a grievance under such grounds will generally be

dismissed unless an acceptable explanation is given for not presenting the extenuating circumstances in advance of the results being awarded.

Continuous Improvement

Following the resolution of the complaint or appeal in favour of LCAD, the college will identify the cause of the issue and make appropriate adjustments and improvements to prevent the problem from recurring.

Record-Keeping and Confidentiality

- All feedback, complaints, and appeals are documented and stored securely in the Complaints & Appeals file in LCAD's filing system and backed up by cloud technology.
- Records are kept and maintained for at least five years (5).
- Outcomes are used to inform continuous improvement processes.
- Privacy of personal information will be upheld by the college's adherence to the Privacy Act 1988.
- Records will be stored securely and only accessible to relevant personnel.

Accessibility

- This policy is publicly available on LCAD's website and referenced in the Student Handbook.
- Assistance is provided to stakeholders requiring help in understanding or accessing the policy.

Review

- This policy is reviewed annually to ensure its effectiveness and compliance with regulatory requirements.

VSL

Subdivision F—Dealing with complaints

88 Grievance procedure

- (1) An approved course provider must have a grievance procedure to deal with complaints from its students about:
 - (a) academic matters (including matters relating to student progress, assessment, curriculum and awards for an approved course); and
 - (b) non-academic matters (including matters relating to enrolment in a course and personal information held by the provider).
- (2) The grievance procedure must:
 - (a) clearly set out the stages of the procedure; and
 - (b) encourage the timely resolution of complaints, including by specifying reasonable periods for dealing with each stage of the procedure; and
 - (c) contain the internal and external stages referred to in subsections (3) and (4); and
 - (d) clearly provide that there is no charge for either the internal stage or the external stage; and
 - (e) provide for implementation of decisions made in following the grievance procedure; and
 - (f) provide for due consideration of recommendations arising from the external stage of the grievance procedure; and
 - (g) require the provider to allow parties who have used the procedure to access the records of that use, but otherwise keep the records confidential.
- (3) The internal stage of the grievance procedure must include:
 - (a) a process for the lodging and hearing of a formal complaint; and
 - (b) a requirement for the complainant to be given written notice of a decision on the formal complaint, including:
 - (i) the reasons for the decision; and
 - (ii) advice about how to appeal the decision; and
 - (c) a process for appealing the decision to an independent senior officer of the approved course provider, or to an internal committee or unit with appropriate expertise; and
 - (d) a requirement for the appellant to be given written notice of the decision on appeal, including:
 - (i) the reasons for the decision; and
 - (ii) advice about how to have the decision reviewed; and
 - (e) provision for each party to this stage of the procedure to be accompanied or assisted by another person, at that party's cost.
- (4) The external stage of the grievance procedure must include:
 - (a) a process for having a decision on appeal reviewed by an external and independent person or body with appropriate expertise; and

- (b) provision for each party to the review to be accompanied or assisted by another person at the review, at that party's cost; and
- (c) a requirement for each party to be given written notice of the decision on review, include the reasons for the decision.

ESOS National Code Standard 10

Complaints and appeals

- 10.1 The registered provider must have and implement a documented internal complaints handling and appeals process and policy, and provide the overseas student with comprehensive, free and easily accessible information about that process and policy.
- 10.2 The registered provider's internal complaints handling and appeals process must:
 - 10.2.1 include a process for the overseas student to lodge a formal complaint or appeal if a matter cannot be resolved informally
 - 10.2.2 include that the provider will respond to any complaint or appeal the overseas student makes regarding his or her dealings with the registered provider, the registered provider's education agents or any related party the registered provider has an arrangement with to deliver the overseas student's course or related services
 - 10.2.3 commence assessment of the complaint or appeal within 10 working days of it being made in accordance with the registered provider's complaints handling and appeals process and policy, and finalise the outcome as soon as practicable
 - 10.2.4 ensure the overseas student is given an opportunity to formally present his or her case at minimal or no cost and be accompanied and assisted by a support person at any relevant meetings
 - 10.2.5 conduct the assessment of the complaint or appeal in a professional, fair and transparent manner
 - 10.2.6 ensure the overseas student is given a written statement of the outcome of the internal appeal, including detailed reasons for the outcome
 - 10.2.7 keep a written record of the complaint or appeal, including a statement of the outcome and reasons for the outcome.
- 10.3 If the overseas student is not successful in the registered provider's internal complaints handling and appeals process, the registered provider must advise the overseas student within 10 working days of concluding the internal review of the overseas student's right to access an external complaints handling and appeals process at minimal or no cost. The registered provider must give the overseas student the contact details of the appropriate complaints handling and external appeals body.
- 10.4 If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of the overseas student, the registered provider must immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision, and advise the overseas student of that action.

RTO Standards 2025

Division 5 – Feedback, complaints and appeals

2.7 Standard 2.7

Outcome Standard

- (1) Feedback and complaints management addresses concerns and informs continuous improvement of the NVR registered training organisation.

Performance Indicators

- (2) An NVR registered training organisation demonstrates:
 - (a) it operates a complaints management system that:
 - (i) allows feedback and complaints about the organisation, any third parties, and any person employed or contracted by the organisation;
 - (ii) ensures all parties are afforded procedural fairness;
 - (iii) identifies reasonable timeframes for responding to and resolving complaints; and
 - (iv) provides avenues for further action where complaints are not resolved;
 - (b) information about how to provide feedback and make complaints through the complaints management system is publicly available and easily accessible by VET students;
 - (c) VET students are supported to provide feedback and make complaints;
 - (d) outcomes of complaints are documented by the organisation and communicated to all parties to the complaint; and
 - (e) feedback and complaints are used by the organisation to inform continuous improvement.