



**ASA- AUSTRALIAN SPORTS ACADEMY
COMPLAINTS AND APPEALS POLICY & PROCEDURE**

National Provider No 31717

Purpose

Australian Academy of Sport (ASA) strives to create a positive learning environment for all students. Each Student has the right, and opportunity to achieve their personal best. In creating a positive learning environment, ASA has a fair and open complaints and appeals procedure, that is available to all students.

The purpose of the complaints and appeals procedure, is to implement a systematic approach toward dispute resolution, which is inclusive, autonomous, and without bias or discrimination. (Refer to Student handbook)

Overview

The Academy has a duty of care to make ensure that students study in a happy environment, free of coercion, unfair treatment or harassment. ASA ensures that suitable arrangements for the care of the students under the age of 18 are in place. Situations of concern caused by a fellow student or staff member, including any abuse and/or bullying, or issue within, the Academy itself, which affects the wellbeing of any student, will be dealt with in a professional and confidential manner by the Academy in accordance with organisation policies and procedures.

The Academy has put in place a policy and procedure which addresses such issues. The procedures set out in this document do not replace or change procedures or any other responsibilities which may arise under other policies or under statute or any other law.

These procedures are not designed to limit the rights of individuals to take action under Australia's Consumer Protection laws, rather allow an opportunity for disputes to be resolved within ASA itself. In addition, these procedures do not circumscribe an individual's rights to pursue other legal remedies available.

Definitions

Complaint – When a Student is not satisfied with a service offered or treatment received at the Australian Sports Academy, included but not limited to:

- a) The enrolment or induction process
- b) The quality of education provided
- c) Academic matters including Student Support and progress, curriculum awards
- d) The way someone has been treated
- e) Availability of resources
- f) Handling of personal information, and access to Student records

*Please note that all complaints are handled in a case by case basis.

Appeal – When a Student is not satisfied with a decision made by the Australian Sports Academy.

Complainant - The person of whom has lodged the complaint.

*Please Note: All complainants have a right to appoint a support person of his/her choice to attend discussions, or mediation meetings. This person may be a friend, family member, or staff member of ASA.

Australian Sports Academy Complaints Policy

The complaint or appeal will be dealt with quickly. (The length of time involved will depend on the complexities of your case)

ASA will provide the complainant with a complaint form, or an appeal against decision form as needed. Written acknowledgement will be sent to the complainant informing that the complaint has been received, and advising the complainant of their rights and obligations. ie (Their right to bring a support person to attend discussions or mediation)

If the complainant is under 18 years of age, a copy of the complaint or appeal will be sent to the complainants parent, legal custodian or suitable nominated relative or caregiver/guardian provider as applicable.

Under normal circumstances the complainant can expect at least a provisional written response within 10 working days of presenting the complaint and/or appeal.

If the outcome takes longer than anticipated, ASA will keep the complainant informed on the progress of the case, as well as, where applicable, a parent, legal custodian, or suitable nominated relative, or caregiver/guardian.

ASA will provide the complainant with a written outcome on the case including reason(s) for the decision. A copy of the outcome on the case would also be sent to the parent, legal custodian or suitable nominated relative or legal custodian and/ or care giver provider as applicable.

If the complainant is not satisfied with the complaint or appeal outcome, he/she may appeal to the CEO within 10 working days for further consideration.

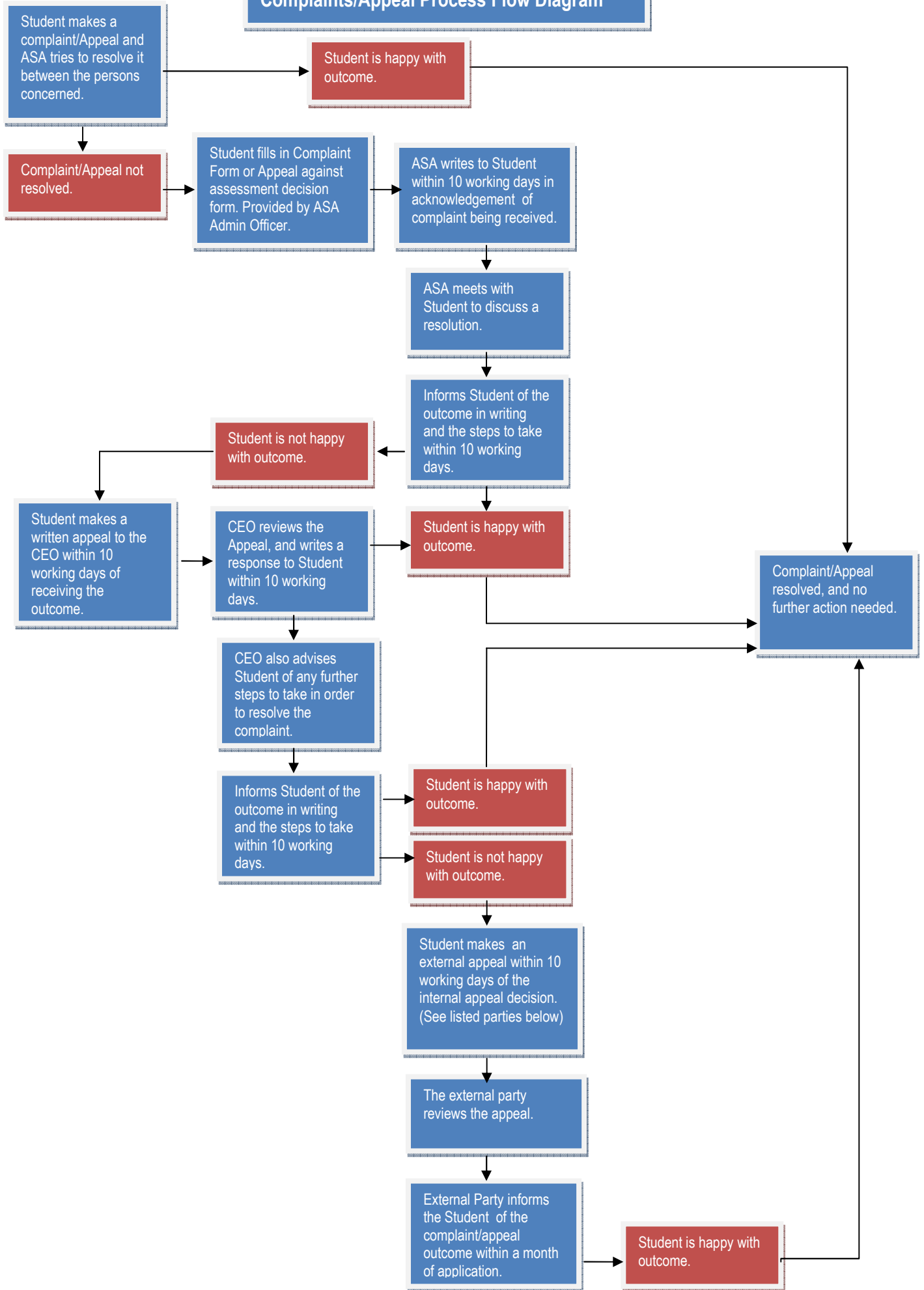
The CEO will send an acknowledgement letter informing the complainant that the complaint has been received and that he/she has the right to bring a support person to attend all discussions. This person may be a friend, family member, or staff member of ASA.

Complainants will be provided with a written outcome on the submitted case, including reason(s) for the outcome, within 10 working days of receiving the complaint or appeal.

Students involved in a complaint or appeal must continue to attend classes throughout the complaints and appeals process.

In line with our Access and Equity Standards, (refer to Student Handbook), the internal complaints and appeals services are available to Students free of charge.

Complaints/Appeal Process Flow Diagram



External Appeal

If the Student is unsatisfied with the outcome of the complaint or appeal at the end of the internal process, he/she may wish to have the matter dealt with through an external dispute resolution process. This can be facilitated by a number of different service providers. Some are listed below:

The Training Ombudsman is another avenue of disputes resolution <http://trainingombudsman.qld.gov.au/>
Australian Council for Private Education and Training (ACPET) – Domestic students

Office of the Training Advocate (OTA) – South Australian students only

There is also a toll-free hotline that students can use to contact the Government with regards to complaints. Ph: 1800 000 674.

There is no cost for lodging an external appeal. However if you choose to utilise a private mediator, there may be costs involved.

Students must lodge an appeal to the relevant authority and will need to complete the appeals form.

The form is available from the relevant websites:

ACPET – <http://acpet.edu.au/students/student-support> appeals

Office of the Training Advocate - <http://www.trainingadvocate.sa.gov.au>

Once the relevant authority has received a Student appeal form, they will contact the Complainant and ASA to request all documentation.

The authority will inform the Complainant and ASA of the outcome of the appeal in writing within 1 month of receiving the form.

Recording Student Complaints and Appeals

Complaints that the Student does not wish to put in writing should be recorded in Job Ready Notes (Student data Management System), against the Students file. The note is to be assigned to the ASA staff member who is actioning the complaint, and/or the CEO (where applicable).

Each complaint and appeal (verbal or written) will be recorded on the Complaints and Appeals Register. If the complaint is specifically an assessment appeal, the complaint and appeal (verbal or written) will be recorded on the Assessment Appeals Register. Both registers will have a record of Action, and outcome of complaints. In addition, a Job Ready note is created for all complaints/appeals, and a hard-copy of all relative information placed into the student's file.

Actioning Student Complaints and Appeals

Where the complaints or appeals process results in a decision in favour of the student complaint, Australian Sports Academy will, within 30 days take action and advise the student in writing of the outcome.

For students under the age of 18, a copy of the outcome will be sent to their parent, legal custodian or suitable nominated relative or legal custodian and/or care giver as applicable.

Unresolved Complaints and Appeals regarding VET Fee Help

If a complaint or appeal is still not solved after the external appeal, the complainant may decide to refer the matter to the Australian Skills Quality Authority (ASQA) info line on 1300 701 801 or email at enquiries@asqa.gov.au

Record Keeping & Confidentiality

A written record 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 appropriate access to these records. Access to these records is based upon a written request to the ASA Chief Executive Officer. These records will be maintained in the student's file.

All records relating to complaints will be treated as confidential and will be covered by ASA's Student Policy as per Student Handbook.

Publication

This Policy and Procedure will be made available by publication on the Academy's website. For the purposes of communicating to students and ASA staff, this Policy and Procedure is part of induction process, with details included in the Student handbook.