McGibbon Institute of Trade and Business

Complaints and Appeals Policy and Procedures

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Purpose of the policy

This policy and associated procedures outline McGibbon Institute of Trade and Business approach to managing complaints and appeals. This is to ensure that complaints are handled in a transparent, fair, efficient, and effective manner.

This policy and associated procedures meet the requirements of Standard 2.7 of the Outcome Standards for RTOs, as well as Standard 10 of the National Code of Practice for Providers of Education.

Policy statements

Approach

- Complaints may be made against McGibbon Institute of Trade and Business, its trainers and assessors and other staff, a learner of McGibbon Institute of Trade and Business, as well as any third-party providing services on behalf of McGibbon Institute of Trade and Business, including education agents.
- Complaints can be in relation to any aspect of McGibbon Institute of Trade and Business's services provided.
- Appeals can be made in respect of any decision made by McGibbon Institute of Trade and Business. An appeal is a request for McGibbon Institute of Trade and Business decision to be reviewed in relation to a matter, including assessment appeals.
- In managing complaints, McGibbon Institute of Trade and Business will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaint process. This means reviewing each complaint or appeal in an objective and consistent manner.
- McGibbon Institute of Trade and Business will appoint relevant person/s to manage complaints and appeals.
- The internal complaints and appeals process will be conducted at no cost to students.
- Potential causes of complaints and appeals will be investigated, and corrective and preventative action will be taken in relation to complaints and appeals. Complaints and appeals will also be viewed as opportunities for improvement.
- All individuals, including third parties, will be informed of allegations made and will have the opportunity to present their case.
- Nothing in this policy and procedure limits the rights of an individual to take action under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.
- McGibbon Institute of Trade and Business encourages complainants to first seek to address the issue informally by discussing it with the person involved. However, if the person is uncomfortable with this or has tried it unsuccessfully, they should follow the procedures below.
- All records of complaints and appeals will be kept by McGibbon Institute of Trade and Business and entered into the complaints and appeals register.

Complaints and Appeals Process

Complaints and appeals are to be made as follows:

- Submit a complaint or appeal in writing using the complaints and appeals form. The complaints and appeals form outlines the information that should be provided.
- Submit a complaint within 30 calendar days of the incident or, in the case of an appeal, within 30 calendar days of the decision being made.

Response to Complaints and Appeals

Complaints and appeals will be responded to as follows:

- The complaint or appeal will be acknowledged in writing within 10 working days of receipt.
- Review of the complaint or appeal will commence within 10 working days of receiving the complaint.
- Complaints and appeals will be finalised as soon as practicable or within 30 calendar days.
- Where the complaint or appeal is complex and is expected to take more than 60 calendar days to process, McGibbon Institute of Trade and Business will write to inform the complainant or appellant of this, including the reasons for such. Following this update, regular updates will be provided on progress.
- The outcomes of the complaints and appeals process will be communicated in writing to the person making the complaint or appeal. This will also include the reasons for the outcome.

Complaints and Appeals Handling

Each individual involved in the complaint may have a support person of their choice present at any meetings to resolve the complaint or appeal.

An independent assessor will be identified to conduct a review of an assessment decision that is being appealed.

Enrolment during a Complaints Process

Domestic students' enrolment will be maintained throughout the internal appeals processes without notifying DET via PRISMS of a change in enrolment status.

Additionally, for Domesticl students:

- If the appeal is against McGibbon Institute of Trade and Business's decision to report the student for unsatisfactory course progress or attendance, the student's enrolment will be maintained until the external process is completed, regardless of whether McGibbon Institute of Trade and Business's decision to report is supported or not.
- If the appeal is against McGibbon Institute of Trade and Business's decision to defer, suspend or cancel a student's enrolment due to misbehaviour, McGibbon Institute of Trade and Business will notify DET via PRISMS of a change to the student's enrolment after the outcome of the internal appeals process.

Independent Appeal Process

Where the internal process has failed to resolve the complaint or appeal, the matter will be referred to an independent mediator.

All associated costs are to be met by the complainant/appellant unless it is the McGibbon Institute of Trade and Business that decides to appoint the independent party.

The independent party recommended by McGibbon Institute of Trade and Business for cases involving domestic students is the Resolution Institute. However, another mediator of the student's choice can be appointed.

During the mediation process, McGibbon Institute of Trade and Business will cooperate in full and commit to immediately implementing the decision or recommendation made by the external mediator and/or taking preventative or corrective action required by the decision or recommendation.

All actions taken will be communicated in writing to students.

Information about external bodies to whom complaints can be made

Complaints can also be made to the organisations indicated below:

National Training Complaints Hotline

The National Training Complaints Hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint. Access to the Hotline is through:

Phone: 13 38 73, Monday–Friday, 8 am to 6 pm nationally

Email: ntch@education.gov.au

Australian Skills Quality Authority

Complainants may also complain to McGibbon Institute of Trade and Business to understand that ASQA does not act as an advocate for individual students and is not responsible for resolving disputes between students and training providers. ASQA only uses information from all complaints as intelligence to inform regulatory activities.

More information can be found at: https://www.asqa.gov.au/complaints

Procedures

Procedures	Person Responsible
Process complaints and appeals • File the complaints and appeals form received. • Send out an acknowledgement within 5 working days of receiving the complaint or appeal. • Record details of the complaint or appeal on receipt on the complaints and appeals register. • Determine whether the complaint or appeal can be resolved quickly and easily. If so, take immediate action to resolve the complaint or appeal and inform the student in writing of the outcome. • If the complaint is more complex, organise relevant staff to review the complaint and commence an investigation. • Inform the complainant or appellant within 5 days of receiving the complaint that the investigation will commence or of the action that will occur in the case of simple complaints.	CEO Compliance and Academic Manager Compliance and QA Coordinator Student Support/Administration Department

• Commence the review of the complaint or appeal within 10 working days of receiving the complaint.
• Conduct an investigation that includes:
• checking of all facts and accuracy of information
  • requesting further information as required
  • organising a meeting with the complainant/appellant
  • identifying relevant corrective/preventative action
  • confirming a solution.
  • Where the matter is an appeal about an assessment decision, the investigation process will include an independent review of the assessment evidence and decision by another assessor. A relevant independent assessor should be organised.
• The investigation will be completed within 30 days, or if it is considered that it will take longer than 60 calendar days to process, McGibbon Institute of Trade and Business will write to inform the complainant or appellant of this, including the reasons for such. Following this update, regular progress updates will be provided.
• Where the process finds in favour of the student, organise a meeting to discuss:
  • the process and its outcome; and
  • actions to be taken to implement the decision, including both corrective/preventative actions.
• Following the meeting, agreed actions will be immediately implemented.
• Update the complaints and appeals register.
• Once the investigation is complete, the complainant or appellant will be informed in writing of the outcome and the reasons for the outcome.	

Organise external complaints
• In cases where the student has organised the mediator, it will be responding to the mediator's requests.
• Cooperate with all requirements of the mediator, providing all information as required.
• Where the mediator finds in favour of the student, organise a management meeting to discuss:
  • the external process and its outcome; and
  • actions to be taken to implement the decision, including both corrective/preventative actions.
• Following the meeting, agreed actions will be immediately implemented.
• Advise the student of the action that McGibbon Institute of Trade and Business will take in response to the external mediator's decision.
	CEO
	
	Compliance and Academic Manager
	
	Compliance and QA Coordinator

• Where the external mediator supports McGibbon Institute of Trade and Business 's decisions regarding domestic students, for example, in relation to cancellation, notify DET via PRISMS.	

Document Control

Document Name:	Complaints and Appeals Policy and Procedures
Author:	McGibbon Institute of Trade and Business
Status:	Active from 2026
Approved by:	CEO