

Complaints and Appeals Policies & Procedures

The Australian Shiatsu College (ASC) is dedicated to the enhancement of the human condition through the mindful development and application of Shiatsu and oriental therapies.

Theory and practice come to life through the lived experiences at the Australian Shiatsu College. There is an abundance of opportunities for students to come together to explore their personal journey of understanding of their own wellbeing so as to appreciate the needs of clients into the future.

The college has fostered strong and meaningful relationships with a diverse cross section of the public and community groups to ensure students enjoy a rich and meaningful practicum, where individuals' emerging competency in Shiatsu and oriental therapies skills come to life with interpersonal connections, and an appreciation of the lived human condition.

As lifelong learners, together we forge long lasting and deep friendships and professional connections. We are a strong community of students and teachers who together are committed to the ongoing learning and teaching of shiatsu and oriental therapies

As part of this commitment, we welcome feedback to assist us to continuously improve the quality of our learner resources, teacher support and professional development, and our administrative services. Your feedback may take the form of a complaint, compliment or suggestion.

Definitions

Complaints

A complaint is when a student/staff member is not satisfied with an aspect of the ASC such as

- Procedures
- Quality of training
- Trainers, staff or other students

Appeals

Appeals may occur when a student/staff member is not satisfied with:

- The outcome of a complaints process
- An assessment outcome

Applicant

Person making a complaint

Respondent

Person about who a complaint is made

ASC Staff

Administrative staff or college directors

Teacher

Person involved in delivering training at ASC

Student

Person engaged in full/part time study at ASC within a Diploma or short course program

Policy Statements

1. ASC has clearly defined complaint policies and procedures in place to manage and respond to allegations and incidents pertaining to the conduct of students/staff/teachers with the RTO.
2. ASC has clearly defined appeals policies and procedures for the management of review of decisions in reference to complaints, assessments and other decision made by the ASC
3. The ASC Complaints and Appeals Policies and Procedures are designed to be fair and just throughout the process by being:
 - a. Easily accessible to all parties via hard copy in the office and through the student resource area of the website
 - b. Clear in the procedures for making complaints or requesting appeals
 - c. Managing complaints and appeals in a timely manner through written acknowledgement within 7 days and finalisation within 28 days
4. The ASC includes the option for external 3rd party review of the outcomes of a complaint/appeal upon request of the affected party in the event that resolution of the complaint/appeal has failed through internal processes
5. All records of Complaints and Appeals, including outcomes will be securely and confidentially maintained.
6. The ASC will endeavour to identify the root cause of complaints and appeals and undertake appropriate corrective action to prevent or minimise the likelihood of recurrence.
7. Applicants must not pursue multiple, simultaneous avenues for a complaint, review or appeal, nor pursue avenues independent of the resolution framework established in this policy and associated guideline. This allows each avenue to fairly assess the complaint within its own framework.
8. Once an applicant has exhausted their rights within the complaints, review and appeals process, the matter is closed.
9. ASC may (based on history or other circumstances) determine that an applicant is vexatious and, based on that determination, may refuse to entertain or deal with that person's complaints or applications for review and appeal. If a person uses the complaints framework to harass others or disrupt ASC activities this may be grounds for considering whether they should be admitted or allowed to continue at the ASC.

Complaints process

Please take a moment to read the following points before completing the Complaints Form.

Internal complaints and appeals process

Local, informal resolution

In most cases you should first attempt to resolve a matter at the local level, directly with the relevant people, with the intent of mutual resolution. The ASC encourages open communication in all relationships within the community and fosters a secure environment for direct discussion of concerns.

Mediation involving a meeting of the applicant and respondent to present their concerns in person in an attempt to achieve agreed outcomes. This may be facilitated by a College Director or staff with specialist expertise in sensitive issue complaints, or an external independent person.

For record keeping purposes, and to ensure the ASC continuous improvement standards are met, all details of informal complaints must be forwarded in writing to the office for record on the Complaints and Appeals Register. This will allow the ASC to identify root causes and undertake appropriate corrective action to prevent or minimise the likelihood of recurrence.

If you have not attempted local resolution, you may be requested, depending upon the nature of the complaint, to do so before a formal complaint will be considered.

Formal complaints

Timeframe

You should submit your formal complaint within 21 days of the incident occurring. For academic matters such as results, assessment, and special consideration, you are expected to submit a complaint within 14 days after receipt of results.

Complaints submitted outside this timeframe will be considered only in exceptional circumstances.

Reasonable expectations

When making complaints you are expected to:

- Identify yourself
- Clearly identify and define the matter
- Provide all relevant information available at the time
- Articulate the desired outcome
- Promptly respond to any requests for further information.

If these expectations are not fulfilled, ASC may determine not to investigate or respond to a complaint until further information is provided.

If a matter has already been dealt with, unless it is established to the satisfaction of ASC that there is a further, unresolved issue to be considered, ASC will not process or investigate the complaint.

Sensitive issues

Where complaints involve allegations of discrimination, bullying or sexual harassment, the applicant must be willing to be identified to the alleged respondent.

Applicants and respondents are not compelled to use the local resolution process. If the applicant or respondent feel that local resolution is not appropriate, they have the option of proceeding immediately to the formal complaint handling stage.

ASC recognises that in some sensitive cases a meeting between the complainant and the respondent may not be appropriate.

If the applicant is a student, they may request the involvement of the Student Wellbeing Advisor

Submitting a formal complaint

1. Any member of the ASC community including students, staff, clients may submit a formal complaint with the reasonable expectation that their complaints will be treated fairly and confidentially. There are no costs involved for the internal complaints procedure.
2. Complaints are directed to the Director of Student Services and Administration for investigation. In the event of a conflict of interest they will be referred to an alternate director/staff member
3. To submit a formal complaint, the complaint must be submitted in writing using the Complaints and Feedback form is to be completed which are available in the office or online at the ASC website at <https://asc.link/complaints-form>
4. The ASC will respond to the complaint within the timeframes previously described (7 days for acknowledgement, 28 days for result).
5. The ASC will conduct and interview with the person making the complaint and if necessary, the person the complaint is being made about. The person making the complaint has the right to be accompanied by a person of their choice during this process
6. An investigation may be conducted to determine findings of fact. These facts are used to recommend actions to be taken by ASC to resolve the complaint. Facts are determined on the balance of probabilities. ASC may choose to have an external person or body undertake an investigation
7. If required, the person who the complaint is being made against will be given the opportunity to address the complaint through discussion and negotiation. Written statements may be submitted if required
8. The complaint will be recorded in the Complaints and Appeals register, any relevant documentation will be stored electronically

9. Once a decision has been reached, all affected parties will be notified of the decision in writing. When notifying the person making the complaint, their right to appeal will be advised in reference to the appeals procedure outlined below
10. Within 28 days of the initial submission of the formal complaint, the applicant will be advised in writing of the outcome and reasons for the decision being made.
11. The outcome of the complaint will be recorded in the Complaints and Appeals Register
12. Outcomes will be discussed at directors meetings to identify the root cause of complaint and identify appropriate corrective action to prevent or minimise the likelihood of recurrence

Submitting an Appeal

1. If applicant is unsatisfied with the outcome from a formal complaint, they have the right to appeal the decision where reasonable grounds exist to do so
2. To start an appeals process the applicant must notify the college in writing with 14 days of the receipt of outcome from a complaints process.
3. The applicant must outline:
 - a. The reason for the appeal
 - b. Why the initial decision is unfair/unreasonable
4. The appeal will be forwarded to the Director of Student Services and Administration for consideration, who will reconsider the outcome of the initial complaint with consideration of submitted ground for appeal. They may where necessary, organise a meeting with the applicant and respondent in an attempt to seek resolution
5. Within 21 days of the initial submission of the appeal, the applicant will be advised in writing of the outcome and reasons for the decision being made. The applicant will be made aware of the option of an external appeals process if they are not satisfied with the outcome
6. The appeal and its outcome will be recorded in the Complaints and Appeals register

Submitting an Academic Appeal

1. If a student desires to appeal an assessment decision, they must first seek resolution directly with the teacher involved in the assessment. The teacher may, where appropriate, re-assess the student and will submit a report to the ASC outlining the reasons why the assessment was/was not satisfactory
2. If the student is still not satisfied they may submit a formal appeal in writing to the ASC
3. The appeal will be forwarded to the Director of Educational Services and Academic Quality who will review the assessment conducted, seeking feedback from the teacher involved in the assessment process.
4. A decision will be made regarding the appeal as to whether the initial assessment stands or whether a reassessment is appropriate to be conducted by a qualified assessor other than the initial teacher
5. The student will be notified in writing within 21 days from the initial lodgement of their appeal as to the outcome of the appeals process. The applicant will be made aware of the option of an external appeals process if they are not satisfied with the outcome.

External Appeal process

1. At the completion of an internal appeals process, if an applicant remains dissatisfied with the outcome of the appeal, they may wish to refer the matter to an external/independent/third party for mediation.
2. For academic/college related complaints, the applicant has the right to request that the Victorian Registration and Qualifications Authority (VRQA) review ASC's decisions. The VRQA is the regulatory body that oversees the operation of Registered Training Organisations such as the ASC. The VRQA may require that you exhaust ASC's review and appeal processes before they will consider your case.
<https://www.vrqa.vic.gov.au/complaints/Pages/complaints.aspx>
3. If the applicant remains unsatisfied with the outcome after a complaints procedure has completed with the VRQA, alternative third parties may include:
 - a. The Victorian Ombudsman <https://www.ombudsman.vic.gov.au>
 - b. For issues related to monies or service provision Consumer Affairs
<https://www.consumer.vic.gov.au/>
 - c. For employment or work related issues Safe Work Australia
<https://www.safeworkaustralia.gov.au/>