



Fee Charges and Refunds Policy and Procedure (International students)

PURPOSE

Riverdale Institute (RI) aims to resolve complaints honestly, fairly and without bias and in an easily accessible manner which is inexpensive to the parties involved. This policy/procedure supports 'Standard 10 – Student Support Services' of the 'National Code of Practice 2018 for Providers of Education & Training to Overseas Students',

which states:

The registered provider must:

- have and implement a documented internal complaint handling and appeals policy and process;
- advise, 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; and
- 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.

This policy and procedure support Standard for Registered Training Organisation Standard 6 Clause 6.1 - 6.6 in providing a process for complaints and appeals to be heard and acted on.

This policy/procedure also supports clauses 5.2d of chapter 2 – Each learner is properly informed and protected, where Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides, in print or through referral to an electronic copy, current and accurate information that enables the learner to make informed decisions about undertaking training with the RTO and at a minimum includes the following content:

The RTO's obligations to the learner, including that the RTO is responsible for the quality of the training and assessment in compliance with these Standards, and for the issuance of the AQF certification documentation.

SCOPE

This policy applies to all current, prospective, and previous students and other stakeholders of RI

POLICY

RI is dedicated to providing excellent services and maintaining a friendly relationship at all levels from top management including employers, down towards our Students. RI is committed to maintaining compliance with all regulatory, legislative and contractual requirements and has Complaints and Appeals Policy to ensure all complaints and appeals are handled as efficiently and effectively to be actioned within 10 business working days of receipt. As a student with us, you are entitled to make an appeal to unfavourable outcome of any application made to RI or assessment decision within 20 working days. The following outlines our policy and procedures for the handling of verbal and written complaints and appeals.

Our Responsibilities to you if you have a complaint or appeal:

- Take all grievances, complaints and appeals seriously
- To provide an efficient, fair and structured mechanism for handling complaints and appeals processes for all Students.
- Act upon the subject of any grievances, complaint or appeal found to be substantiated.
- To provide our prospective Students with access to the complaints and appeals process before making an agreement to enrol, including those Students with any disabilities or special needs.
- Formal complaints and appeals can be written, or if verbal, a staff member will document the complaint or appeal and either the complainant or assisting staff member must sign-off the Complaints and Appeals Form.
- Action within 10 working days of receipt of the complaint or appeal.
- Handle all grievances, complaints and appeals professionally and confidentially in order to achieve a satisfactory resolution.
- To keep complainant or appellant informed about the progress of their complaint or appeal and the expected timeframe for resolution.
- To resolve the complaint or appeal as soon as practicable.
- To review complaints and appeals so that we can improve our service.
- To maintain the Student's enrolment whilst an internal complaint or appeal is in progress and the outcome has not been determined.
- Provide details of external authorities' complainant may approach, if required.
- to overseas students that in most cases, the purpose of the RI will make sure the following:
 - RI will give overseas students the contact details of the appropriate external complaints handling and appeals body. The Overseas Student Ombudsman (OSO), for private providers (except for issues of broader educational quality).
 - RI will make specific arrangements for independent review of complaints about issues not covered by the Australian Competition and Consumer Commission (ACCC) or the OSO.
 - RI will make it clear to students that external appeals process is to consider whether the registered provider has followed its policies and procedures, rather than make a decision in place of the institution. For example, if an overseas student appeals against his or her subject results and goes through the registered provider's internal appeals process, the external appeals process would look at the way in which the internal appeal was conducted; it would not make a determination as to what the subject result should be.
- RI will report an overseas student for unsatisfactory course progress in PRISMS after:
 - the internal and external complaints processes have been completed and the breach has been upheld;
 - the overseas student has chosen not to access the internal complaints and appeals process within the 20 working day period;
 - the overseas student has chosen not to access the external complaints and appeals process; or
 - the overseas student withdraws from the internal or external appeals process, by notifying the registered provider in writing.

When an external appeals process has been completed, the RI will immediately implement the decision or recommendations and/or take the preventative or corrective action required by the outcomes of the external complaints handling or appeals process, and notify the overseas student of the outcome.



DEFINITIONS

Complaint can be defined as a person's expression of dissatisfaction with any aspect of RI's services and activities, including both academic and non-academic matters.

Examples of complaints would be where a member of the public or a student considers that there has been:

- Harassment, bias or unfair discrimination.
- Dissatisfaction about the enrolment, induction/orientation process.
- Dissatisfaction about the quality of education provided.
- Academic issues, including student progress, assessment, curriculum and awards in a VET course of study.
- Unauthorised handling of personal information and access to personal records.
- Failure to provide a service at the right time or to the standard expected of the service.
- Dissatisfaction in answering a query or responding to a request for a service. Failure to follow RI's agreed policy, or procedures.
- Failure to take proper account of relevant matters in coming to a decision.
- Discourteous or dishonest behaviour by a member of staff.

If you are dissatisfied or have concerns about the standard of service, actions or lack of action by RI or its staff, we have a formal complaints procedure.

An appeal is where a member of the public or student seeks a review of the decision made by the RI. An appeal could relate to:

- Any decisions made in relation to a complaint outcome.
- Any decisions made in relation to a refund application.
- Any decisions made in relation to an academic decision, for example, about admission (or re-enrolment) to study, an assessment, a certificate, progression within a course of study or termination of study, etc.

Our service standard is to contact the complainant within 2 business days to acknowledge in writing receipt of their complaint/appeal.

Appellant(s) is/are the person(s) lodging an appeal to the outcome of a complaint or grievance.

Complainant(s) is/are the person(s) lodging the complaints or grievance.

Grievance is a concern about academic matters, perceived discrimination, a situation, a process, a person or people, a facility or a support service provided by RTO, which the student brings to the attention of the RTO in an informal way, i.e. it is spoken about, not written down.

Respondent is/are the person(s) against whom the complaints or grievance has been made.

External Appeal: Overseas Student Ombudsman Website: <http://www.ombudsman.gov.au>
Call: 1300 362 072* (within Australia) Call +61 2 6276 0111. (Outside Australia) Online Form
Email: ombudsman@ombudsman.gov.au Post: GPO Box 442, Canberra ACT 2601

Formal Complaint: Means a Formal Complaint managed under the Complaint and appeal Procedure.

Informal Complaint: Means an Informal Complaint managed under Complaint and appeal Procedure

Internal Appeal: An appeal to a Staff member at RI.

International Student: A person holding an Australian student visa, enrolled in a CRICOS registered course, as a Student of RI.

Party: Means a person lodging an Appeal and the Respondent.

Privacy: Means information protected under The Queensland Information Privacy Act 2009 (the Act).

Procedures: Means Institutes Procedures published on the RI's website and student Handbook.

Respondent: A person who must respond to the Appeal on behalf of the RI.

Staff: Any person who is an employee/contractor/representative of RI at the time of the Complaint.

Student: Any person enrolled as a student of RI.

Support Person: Means an observer (who is not legally trained) who accompanies a Party during the Complaint.

PROCEDURES

General Process

- The Complaints and Appeals policy & procedure, and forms are made available to all students and other stakeholders by directly contacting RI, through the RI's website. The Complaints and Appeals policy and Procedure is in student handbook as well.
- Where possible all informal attempts shall be made to resolve the issue (Informal Complaint). This may include advice, discussions, meeting with the student or stakeholder, emails and general mediation in relation to the issue and the student / stakeholder issue.
- Any staff member can be involved in this informal process to resolve issues but once a student/other stakeholder/or anyone has placed a formal complaint / appeal, the following procedures must be followed.
- Any student, potential student, employee or third party may submit a formal complaint to RI with the reasonable expectation that 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.

- Complainants have the right to access advice and support from independent external agencies/persons at any point of the complaint and appeals process. Use of external services will be at the complainant's costs unless authorized by the Chief Executive Officer (CEO).
- Any person wishing to submit a formal complaint or appeal can do so by completing the Complaints and Appeals Form and state their case providing as many details as possible. This form can be obtained by contacting Administration staff at RI, or through the RI website.
 - As per policy, complaints are to be made in writing by the complainant.
 - RI should review all complaints upon receipt.
 - Acknowledge receipt of complaint in writing by sending a letter to complainant or email.
 - Record details of the complaint on the Complaints and Appeals Register.

- Once a complaint or appeal is received and checked for, it should be forwarded to the appropriate personnel for review.
- There will be no charge to the complainant or appellant for the lodgement or presentation of their case. Incidental expenses for attending RI offices to lodge the document or attend a meeting or any charges incurred (e.g. telephone) will NOT be reimbursed.
- All complainants and appellants must be given the opportunity to formally present their case and to be accompanied by a friend or third party to support them (and if language is an issue, to help them present their case). Any payments to accompany the friend/third party will be made by complainants or appellants.
- The Review Personnel may gather evidence and constitute a review committee as they see fit. This process must be completed within 10 working days of the lodgement of the complaint or appeal (and receipt of all supporting evidence).
- If further evidence is requested, then the Review Personnel must communicate with the complainant or appellant as soon as possible and within 5 working days of asking for evidence, it should be submitted. The complainant must be kept informed all the times.
- The process will be put on hold until the evidence is received. The decision will be advised in the written response to the complainant or appellant.
- In case of complaint, if the complainant is not happy with the decision they may appeal. That appeal is on the fairness and objectivity of the decision.
- All documentation relating to a formal complaint or appeal MUST be recorded on the student file, in case of student. This must include the initial form, supporting evidence, meeting minutes, copy of correspondence with all concerned parties. This information will be kept confidentially and stored securely for 7 years.
- Documentation of all complaints and appeals and their outcomes is securely maintained. Potential causes of complaints and appeals are identified and RI takes appropriate corrective actions to eliminate or mitigate the likelihood of reoccurrence.
- All complaints or appeals must be logged in the Complaints and Appeals Register.

A complaint or appeal is a learning opportunity for RI. The outcome will be seen as an input to the continuous improvement process. Any decisions that support students will be immediately implemented.

Detailed Process

Complaints may be made in relation to any of RI's services and activities such as:

- The application and enrolment process
- Marketing information
- The quality of training and assessment provided
- Training and assessment matters, including course progress, student support and assessment requirements
- Student amenities and facilities
- Discrimination
- Sexual harassment
- The way someone has been treated
- The actions of another student
- Other issues that may arise

Appeals should be made to request that a decision made by RI has to be reviewed. Decisions may have been about

- Course admissions
- Refund assessments.
- Response to a complaint
- Assessment outcomes / results
- Other general decisions made by RI.

RI is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice. Through this policy and procedure, RI ensures that complaints and appeals:

- Are responded to in a consistent and transparent manner.
- Are responded to promptly, objectively, with sensitivity and confidentiality.
- Are able to be made at no cost to the individual.
- Are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.

Where possible, all informal attempts shall be made to resolve the issue (Informal Complaint). This may include advice, discussions, meeting with the complainant, emails and general mediation in relation to the issue.



Any staff member can be involved in this informal process to resolve issues, but once a complainant has placed a formal complaint / appeal, the following procedures must be followed.

Regardless of the nature of the complaint (formal or informal) will be recorded in the complaints and appeals register.

If a complainant is uncomfortable in speaking directly to the person involved or the informal process does not resolve the issue to the complainant's satisfaction, the formal process should be followed as described later on in the document.

Where a student is unhappy with the outcome of an assessment decision, this will be dealt with under internal appeals. Please refer to Assessment appeals points in the Appeals section.

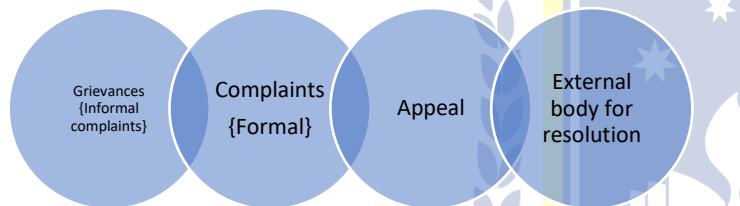
RI reduce complaints through:

- providing excellent ongoing service
- addressing complaints quickly and fairly
- making sure similar kind of complaint/incident does not occur again.

When a complainant has a genuine complaint, RI may:

- thank them for raising the matter
- treat them with genuine empathy, courtesy, patience, honesty and fairness
- respond to the complaint quickly
- tell the complainant how RI will handle it and when to expect a response
- speak to the complainant in person

Diagram of the Different Steps/ Procedures in the complaints management process:



Informal Complaint

- The RI staff will record the complaint in the complaints and appeals register
- RI staff will try to resolve the complaint as early as practicable within 30 calendar days and will inform the complainant about the resolution of the complaint.
- Students / potential students / stakeholders are encouraged, wherever possible, to resolve grievances directly with the person(s) concerned. For example: if the issue concerns an academic matter, the complainant should talk honestly to the trainer through Student Support Staff about his/her concerns. Issues about fees should be discussed in the first instance with the Accounts Department through Student Support.
- Any student with a question or complaint may raise the matter with RI Student Support staff and attempt an informal resolution of the question or complaint. This can be done online, face to face or by telephonic conversation.
- If the student / potential student / stakeholder has attempted to resolve the issue directly, but is not satisfied with the outcome or does not wish to approach the person(s) concerned directly, then he/she may discuss the issue with the CEO. In case of face-to-face meeting, he/she may be accompanied or assisted by a support person during this process.
- The CEO/designated officer will consider the issue and may either suggest a course of action to resolve the issue, or attempt to mediate between the complainant and the person(s) concerned.
- Within ten (10) days of receiving the grievance, the CEO will provide the complainant and any other person(s) directly concerned, with a written report summarising the actions that were taken, or will be taken, to resolve the issue.
- If the complainant is not satisfied with the outcome, a formal complaint can be lodged under this policy.

Formal Complaint

- Students or any other stakeholders who are not satisfied with the outcome of the informal process, or who want to register a formal complaint may do so.
- To register a formal complaint, a student must complete the Complaints and Appeals Form and contact the Student Support Staff to arrange a meeting with CEO, if required (a nominated person if CEO is not present for the particular case). It is better to provide as many details as possible.
- Once a formal complaint is received it will be entered into the Complaints and Appeals Register and written acknowledgment will be sent to complainant. The information to be contained and updated within the register is as follows:

- Complainant's Name
- Position at Institute (if associated with RI Institute)
- Date of Complaint
- Staff member responsible
- Department of complaint
- Description of Complaint/Appeal
- Actions
- Outcome
- Date of resolution
- Has Complainant has been informed?

- There is no cost for the complaints process unless it is referred to a third party.
- Complainants have the right to access advice, support, assistance or company from independent external agencies/persons at any point of the complaint and appeals process. Use of external services will be at the complainant's costs unless authorised by the CEO.
- At the stage of the complaint meeting (if required), the complaint must be recorded in writing and signed and dated. The complaint is recorded in writing by completing the Complaints and Appeals Form prior to the meeting or a new document can be prepared and signed during the meeting.
- The CEO will then refer the matter to the appropriate staff members to resolve, or make a decision on the complaint within 10 working days and keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.
- Where a decision is expected to take longer than 60 days, RI will advise the student/complainant in writing of the delay and including the reasons for the delay. Thereafter the student/ complainant will be provided with weekly updates in writing of the progress of the complaint.
- Weekly updates to both complainant and appellant will be provided by the Compliance officer.
- If decision is taking more than 60 days, matter can be forwarded to an external complaints resolution organisation as well for resolution.
- At the end of the resolution phase, the CEO will report RI decision to the complainant in writing. The decision and reasons for the decision will be documented by the CEO and will update the records accordingly.
- Following the resolution phase, RI must implement the decision as conveyed to the complainant. RI will immediately implement any decision and/or corrective and preventative actions that are required.
- Where the formal complaint process does not find in favour of the complainant, s/he will be notified that they have the right of appeal. He/she may institute an internal appeals process by completing the Complaints and Appeals Form.
- To appeal a decision, RI must receive, in writing, grounds of the appeal within 10 days of the date of the notice of the decision. Copies of all documentation, outcomes and further action required will be placed on the Complaints and Appeals Register by the CEO or representative and also in the student's file, in case of student as complainant.
- We will ensure that the investigation process is impartial and encompasses the Principles of Natural Justice. No assumptions will be made nor any action be taken until all relevant information has been collected and considered.
- There will be no victimisation against anyone who makes a complaint.
- Nothing in this procedure inhibits complainant's rights to pursue other legal remedies. Complainants are entitled to resolve any dispute by exercising their rights to other legal remedies. Complainants wishing to take this course of action are advised to:

- Contact a solicitor; or
- Contact Legal Aid Vic (<https://www.legalaid.vic.gov.au>) at **1300 792 387** and please refer to <https://www.legalaid.vic.gov.au/node/11550#melbourne-offices> for locations of the offices.
- Contact Community legal centres on https://www.fclc.org.au/find_a_community_legal_centre
- Students can also refer to <https://www.probonocentre.org.au/legal-help/individual/vic/> for further information.

Internal Appeals

- All students and stakeholders have the right to appeal decisions made by RI where reasonable grounds can be established. The areas in which a student or stakeholder may appeal a decision made by RI may include:
 - Any conclusion/decision that is made after a complaint has been dealt with RI in the first instance as described in the complaints process above. This is referred to as general appeals and internal appeals).
 - Assessments decisions as set out below (assessment appeals).
- To activate the appeals process, the appellant must complete a Complaints and Appeals Form that is to include a summary of the grounds the appeal is based upon. The reason the appellant feels the decision is unfair, is to be clearly explained and help and support with this process can be gained from RI staff.
- Where an appellant has appealed a decision or outcome of a formal complaint, s/he is required to notify RI in writing within 10 working days, of the grounds of her/his appeal. Any supporting documentation should also be attached to the appeal.
- A RI representative must record the details in the Complaints and Appeals Register. The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged in writing.
- The CEO or a nominee appointed by CEO will be notified and will seek details regarding the initial documentation of the appeal and make a decision based on the grounds of the appeal.
- The appellant will be notified in writing of the outcome with reasons for the decisions, and the Complaints and Appeals Register updated. Particularly the appellant will also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The appellant is required to notify RTO if they wish to proceed with the external appeals process.
- CEO ensures RI acts on any substantiated appeal. CEO determines the validity of the appeal and organises a meeting with all parties involved in the matter and attempts to seek resolution where appropriate.



- Where students wish to appeal an assessment or RPL, they are required to notify their Trainer / Assessor in the first instance. Where appropriate their Assessor may decide to re-assess the student to ensure a fair and equitable decision is gained. The Assessor shall complete a written report regarding the re-assessment outlining the reasons why re-assessment was - or was not - granted.
- If this is still not to the student's satisfaction, the student may formally lodge an appeal. They will lodge this with the CEO or a nominee appointed by the CEO and the appeal will be entered in the Complaints and Appeals Register.
- The CEO will be notified and will seek details from the Assessor involved and any other relevant parties. A decision will 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 will be another Trainer/Assessor appointed by RI.
- The student will be notified in writing of the outcome with reasons for the decision, and the Complaints and Appeals Register will be updated. The student will 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 RI if they wish to proceed with the external appeals process.
- We recognise the right of individuals to approach an external agency if the formal complaint or internal appeal has not resolved the issue to their satisfaction. The student's enrolment must be maintained whilst an appeal is in progress and the outcome has not been determined.
- A maximum time of 30 calendar days from the commencement of the appeal resolution phase will be allowed for the appeal resolution unless all parties agree in writing to extend this time.

External Appeals

- If not satisfied with the internal appeal processes, the complainant / appellant may request that the matter be further reviewed by an external dispute resolution process.
- The complainant / appellant may request that the matter be further reviewed by an external dispute resolution process.
- The details of these external bodies will be provided to the appellant.

Complainant/Appellant can refer to Vic Ombudsman on the following links:

<https://www.ombudsman.vic.gov.au/>
<https://www.disputes.vic.gov.au/about-us/mediation>

- The division of the expenses associated with the mediation e.g. mediator's fee, room hire and possibly travel expenses are to be shared equally between RI and the complainant / appellant.
- RI will immediately implement recommendations arising from the external review within at least 10 working days of the receipt of the recommendations.
- If a student or stakeholder are still dissatisfied with the decision of RI, they may wish to seek advice or make a complaint about RI to ASQA directly. If, after RI's internal complaints and appeals processes have been completed, and they still believe RI is breaching or has breached its legal requirements, they can submit a complaint to ASQA by completing the "The Complaint about a training organisation operating under ASQA's jurisdiction" form. While ASQA will not be able to act as their advocate, the lodgement of their complaint will inform ASQA's risk assessment of RI and a complaint audit may be conducted.
- Contact details for ASQA are:

Australian Skills Quality Authority

- Melbourne - Level 6, 595 Collins Street
- Brisbane - Level 7, 215 Adelaide Street
- Sydney - Level 10, 255 Elizabeth Street
- Canberra-Ground Floor, 64 Northbourne Avenue
- Perth - Level 11, 250 St Georges Terrace
- Adelaide - Level 5, 115 Grenfell Street
- Hobart - Level 11, 188 Collins Street
- Telephone: 1300 701 801
- Email: complaintsteam@asqa.gov.au
- Website: www.asqa.gov.au

Overseas Students Ombudsman (OSO)

- OSO investigates complaints about problems that overseas students have with private education and training in Australia.
- provides information about best practice complaints handling to help private education providers manage internal complaints effectively.

The Ombudsman:

- provides a free service
- is independent and impartial, and does not represent either overseas students or private education providers
- can make recommendations arising out of investigations
- is a function of the Commonwealth Ombudsman

The Ombudsman can only investigate a complaint if:

- it relates to a private education provider registered with the Australian Government on the Commonwealth Register of Institutions and Courses for Overseas students (CRICOS)
- the problem relates to an overseas student who is already studying in Australia on a student visa or is intending to come to Australia soon

The Ombudsman cannot investigate a complaint if:

- it relates to a public or government education provider. These complaints can be directed to the Ombudsman for your state or territory.

The Ombudsman may also decide not to investigate complaints if:

- the complaint has not first been raised with the education provider. Another organisation is better able to help.

Apply for External Review

This is the process to be followed if a student is not satisfied with the outcome of an internal complaint or appeal made by them and/or they wish to make an external complaint for independent review.

Online

A student can make a complaint online by visiting the website and completing the online form:

<https://forms.business.gov.au/smartforms/servlet/SmartForm.html?formCode=oco-complaint-form>

Telephone

Students can contact OSO by telephone, 9am to 5pm Monday to Friday, Australian Eastern Standard Time (AEST). In Australia, call: 1300 362 072 (calls from mobile phones at mobile phone rates). Outside Australia, call +61 2 6276 0111.

Using an interpreter

If a student wants to make a complaint in their own language they can call the Translating and Interpreting Service (TIS) in Australia on 131 450, outside Australia call +61 3 9203 4027. OSO will pay for the interpreter.

Deaf, hearing or sight impaired

Contact OSO via the National Relay Service. Teletypewriter (TTY) users phone 133 677 and then ask for 1300 362 072. Speak and Listen users phone 1300 555 727 and then ask for 1300 362 072. Internet Relay users connect to the National Relay Service www.iprelay.com.au and then ask for 1300 362 072

Fax

Students can send OSO a fax.

- In Australia: 02 6276 0123.
- Outside Australia: +61 2 6276 0123

Mail

You can write a letter and post it to:

Overseas Students Ombudsman
GPO Box 442
Canberra ACT 2601
AUSTRALIA

OSO External Complaints Process – Post Student Application

When a complaint is received, an assessment is first made about whether it is an issue that the Ombudsman can investigate. In some cases, the Ombudsman may decide not to investigate a complaint. This might be because:

- the student has not complained to the education provider first, or
- another organisation is better able to deal with the complaint

If a decision is made to investigate a complaint, the Ombudsman will ask the education provider about the problem. The Ombudsman may request relevant documents, or information such as student records from the provider.

The Ombudsman can use formal powers to obtain documents from the provider. The Ombudsman also has the power to enter premises or require a provider to answer questions as part of an investigation.

Standard 8.4 of the Code requires that the registered provider must maintain the student's enrolment while the complaints and appeals process is ongoing. This means that the provider must maintain the student's enrolment (i.e. not report the student for unsatisfactory progress or attendance) until the external complaints process is complete and has supported the provider's decision to report.

The Ombudsman will notify the provider when it commences an external complaint and appeal process and when this process is completed. However, if the student lodges an external appeal outside the provider's stated timeframe for reply, then RI has the right to report the student.

The provisions of standard 8.5 also still apply, which means that if the Ombudsman's investigation results in a decision that supports the student, the RI must immediately implement any decision and/or corrective and preventative action required and advise the student of the outcome.

Outline of Fees

The Overseas Students Ombudsman's services are free.

Outcomes of the decision

At the end of an investigation the Ombudsman may conclude that the provider has not acted unreasonably, and will advise the student and the provider of this decision. In other cases, the Ombudsman may conclude that the provider failed to take appropriate action or the action appears to have been:

- contrary to law
- unreasonable, unjust, oppressive or improperly discriminatory or
- otherwise, in all the circumstances, wrong

Where that happens, the Ombudsman may recommend that a provider remedy the problem for example by:

- apologising to a student
- reconsidering a decision affecting a student
- providing a refund
- providing clearer information or
- changing a policy or procedure.



RIVERDALE INSTITUTE

RTO NO: 45754 | CRICOS CODE: 03949M

Education providers are given an opportunity to comment on any recommendations made by the Ombudsman. Providers will be asked to detail how the recommendations will be implemented, and the Ombudsman will follow up to see that this has occurred.

Education providers are expected to comply with Ombudsman recommendations unless they have good reasons for not doing so. Education providers have an opportunity to give these reasons to the Ombudsman before an investigation is finalised. If they do not act on the recommendations, the Ombudsman may publish a formal report.

PRINCIPLES OF NATURAL JUSTICE AND PROCEDURAL FAIRNESS

- RI Staff may also use this complaints and appeals process. RI will use all complaints as an opportunity for continuous improvement.
- All parties to a complaint or appeal have the opportunity to put their case and have this properly considered.
- Any allegation against a RI staff member or member of a subcontractor party is made known to that person and RI will provide an opportunity to present their side of the matter.
- Investigations and decisions are made by persons who do not exercise bias.
- A complainant/appellant should feel confident that they will not suffer any discrimination as a result of using the complaint or appeal process.
- Confidentiality shall be maintained to the extent of the people that need to be directly involved in the complaint or appeal process.
- All the information regarding this policy can also be found:
 - On the RI website;
 - In the Student Handbook;
 - In the Staff Handbook.
- The complainant / appellant can be supported or accompanied by an independent person or friend during the complaints and appeals process.
- It is normal RI policy that whilst a student is going through any formal complaint or appeals process, the student remains enrolled at RI and continues their studies and assessments in the normal way. It should be noted that if the complaint or appeal has resulted in the student being suspended or excluded due to a breach of the Student Code of Conduct, then the suspension or exclusion shall continue until either it has expired or the result of the complaint or appeal is decided in the student's favour.
- RI has a fair and transparent informal and formal complaints and appeals process, but should the complainant / appellant require it, access is available to an independent mediator who can review the complaint and/or appeals process.

NOTE: If the outcome is in the appellant's favour then RI will implement any changes recommended by the adjudicator immediately and advise the appellant of the outcome and actions taken.

RESPONSIBILITIES

- CEO has overall responsibility for this policy.
- CEO conducting investigation into all formal complaints.
- Student Support Services will assist stakeholders at every phase, as required.



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