



ACS PY Complaints and Appeals Policy and Procedures

Definitions

Department of Education and Training – This department is responsible for national policies and programmes that help Australians access quality and affordable early child care and childhood education, school education, higher education, vocational education and training, international education and research. For further information, visit www.education.gov.au

Department of Home Affairs (formerly Department of Immigration and Border Protection) - When planning to study and work in Australia, this department provides important information regarding visa types, application requirements, obligations while in Australia, and information about complying with the conditions of your visa. For further information, visit www.homeaffairs.gov.au

Australian Computer Society's Student Code of Conduct – The Code applies to all students studying or enrolled in an ACS education program and relates to all actions and activities as well as inaction/s that may affect or impact ACS, its partners and/or others. For further information, visit www.acs.org.au

Responsibility:

- The **Director of Education** is responsible for this policy.
- The **Education Program Manager** and the **Student Service Officer** is responsible for the implementation of this policy.
- The **Education Compliance Manager** is responsible for the maintenance of this policy.

Purpose and Scope

The purpose of this Policy and Procedures document is to ensure that ACS manages and responds to any allegations involving the conduct of:

- ACS and its trainers, assessors, and staff,
- PY delivery partners (PYP) and their trainers, staff, and stakeholders,
- a third party providing services on behalf of the PYP, its trainers, assessors, or other staff, or
- a learner within the ACS Professional Year Program.

These Policies and Procedures will apply to all students enrolled in an Australian Computer Society (ACS) PY Program through an accredited partner inclusive of all program components, delivered by the ACS or its partner. At any point during a student's course of study a student may enact this policy, should they feel that:

- they have a justified grievance relating to the policies and procedures of the ACS, its delivery partner, or third parties involved in the program, or
- they have been wrongly represented and that the ACS, its delivery partner, and/or third parties have not acted in their best interests without full and fair consideration of all circumstances, or
- they have been unable to resolve a grievance informally despite previous attempts.

These ACS policies and procedures are based on the belief that, in such circumstances, students have a right to an accessible, affordable, equitable, fair, open and timely internal complaints and appeals process. Should the matter not be resolved through such processes, the student may seek accessible, affordable, equitable, fair, open, and timely counsel and advice by contacting The Council of International Students Australia who



can provide a list of [Community Legal Centres](#) who may assist. Alternatively, students can also contact the [Department of Home Affairs](#).

The policies and procedures are divided into two parts: (1) Complaints and (2) Appeals.

Note: Students are not permitted to approach or enrol with other PY Providers whilst undertaking the complaints and appeals process. Furthermore, should the final resolution deem the student ineligible to complete the PY Program, the student may not re-enrol in the PYear with any ACS accredited provider.

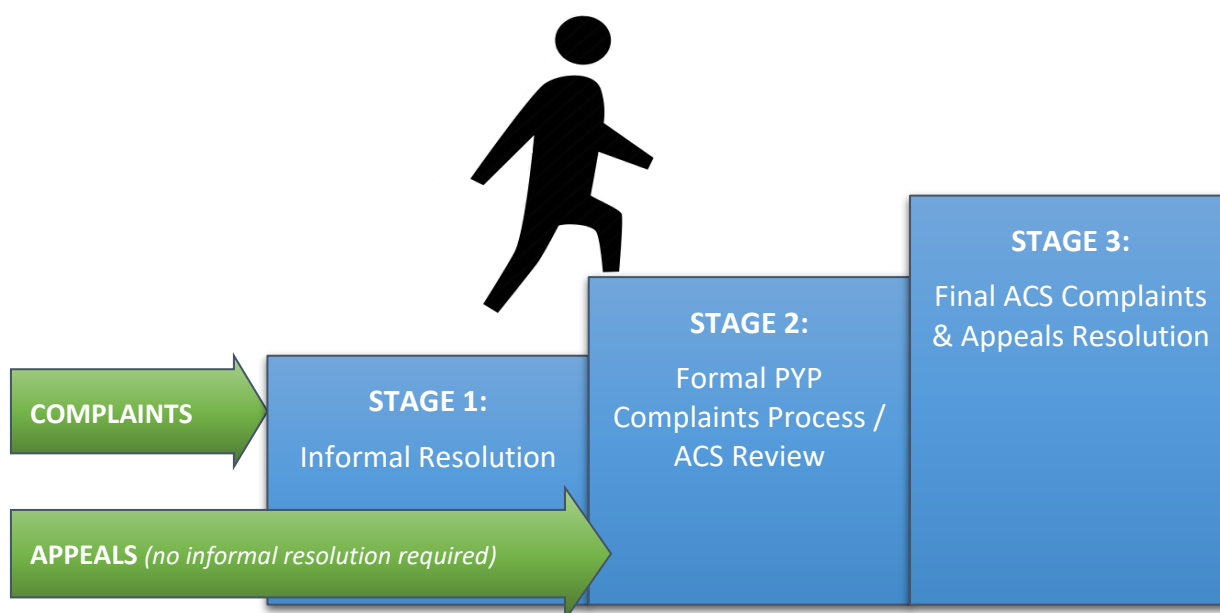
Complaints and Appeals Policy Principles

Respecting the mutual rights and responsibilities of all staff and students, the ACS has adopted the following principles as guides for addressing and resolving all complaints and appeals.

The ACS is committed to:

1. Observing the principles of natural justice in the resolution of complaints and appeals – parties involved should respect each other’s rights and responsibilities, act with openness, fairness and flexibility, and with no fear of retribution, victimization or breach of confidentiality.
2. Openly informing students as to their rights and responsibilities as students and the ACS’ policies and procedures.
3. Dealing with grievances, complaints and appeals impartially and, in the first instance, informally, and seeking resolution in a timely manner – all concerned parties will be fully informed of all outcomes/decisions and of the reasons for those decisions.
4. Respecting the right of all parties to nominate a third person to support their representation, including the use of an interpreter.
5. Maintaining full records of complaints and appeals, their processing and resolution, and making them available to all parties.
6. Respecting the rights of students to remain enrolled throughout all stages of any internal and external appeals processes they enter, except in cases of suspension or cancellation of enrolment.

All complaints and appeals will be dealt with in accordance with ACS’ Complaints and Appeals Policy and Procedures.





PY Program Complaints Procedure

The Australian Computer Society's (ACS) **Complaints Policy and Procedures** relate to situations in which a student has a grievance relating to:

- The overall quality and service levels received whilst undertaking the ACS Professional Year Program
- Unfair or unethical behaviour on the part of a trainer or delivery partner;
- A 'breach' of the ACS Student Code of Conduct by another party;
- Unfair suspension or termination from the ACS Professional Year Program by a delivery partner.

STAGE 1: Informal Resolution

Students are encouraged to resolve their grievances and/or complaints through informal avenues (e.g. phone, email, SMS) or by talking directly, or with the help of a mediator, to the person(s) of concern, their trainer, delivery partner and/or stakeholder. Where these informal approaches resolve the grievance, the agreed adjustments and changes will be implemented at that level.

STAGE 2: Formal PYP Complaint Process / ACS Review

Where informal resolution is not achieved, or the grievance is of significant and ongoing concern, the student has the right to escalate the complaint to the next level of management:

- a. If the complaint is related to their delivery partner or local students, the complainant must undertake the partner's formal complaint process. All stages within this process will be managed and documented by the delivery partner. All students are required to undertake the entire PYP Complaints Process before engaging ACS to investigate as part of Stage 3.
- b. If the complaint is directly related to ACS, its staff or trainers (either in relation to ACS Online Orientation or the PE Online component), the student must undertake an ACS Review by submitting a completed *ACS Complaints and Appeals Form* to professionalyear@acs.org.au. This form can be found in *Appendix 1* of this document.

STAGE 3: Final ACS Complaints & Appeals Resolution

Once the student has exhausted the formal grievance process and an outcome has been provided, if they are not satisfied with said outcome, the student may escalate a completed *ACS Complaints and Appeals Form (Appendix 1)* to professionalyear@acs.org.au for Final ACS Complaints & Appeals Resolution. This notice will alert ACS to commence a formal investigation of the complaint and past proceedings.

All Stage 3 reviews will commence within 10 working days of the lodgement. ACS will aim to finalise an outcome as soon as practicable and all outcomes will be conveyed to the student in a timely manner.

REMINDER: In Stage 3 proceedings, the Program Manager and the Director of Education will assess the decision and provide a response. As the principle owner of the ACS Professional Year Program, ACS has the right to determine and override all complaints and appeals outcomes. Once ACS provides a formal decision regarding the student complaint (or appeal) in Stage 3, the decision is final and cannot be contested.



PY Program Appeals Procedure

ACS' **Appeals Policy and Procedures** are designed to resolve situations in which an ACS decision made in relations to a student is seen as unreasonable and against the student's interests. Appeals procedures can be triggered by a student following an ACS decision, such as:

- a student is formally warned for unsatisfactory academic progress;
- a student is withdrawn from a course due to academic misconduct;
- a student's enrolment is suspended or cancelled as a result of a breach to the ACS Student Code of Conduct;
- a student is unable to resolve a complaint through the informal and formal complaints procedures;
- a student refund request is rejected; or
- a student leave request is rejected.

Depending on the severity of the breach or misconduct, ACS will either:

- a. hold the implementation of its original decision/outcome for a set period, allowing sufficient time for a student to appeal
- b. immediately implement the intended suspension/cancellation of enrolment.

Note: During the appeals process, students who have not had their enrolment suspended are expected to continue to meet all course progress requirements

STAGE 2: ACS Review

No informal resolution is required when appealing an ACS decision. Students may commence the appeals process from Stage 2. Upon receipt of an ACS decision, the student should review all notice details, including:

- rationale for the decision;
- the student's right to appeal within 20 working days of the receipt of the notice;
- the procedure for lodging an appeal by submitting a completed *ACS Complaints and Appeals Form (Appendix 1)* along with relevant supporting documentation.

Should the student wish to undertake an appeal, they must first submit an *ACS Complaints and Appeals Form (Appendix 1)* to professionalyear@acs.org.au stipulating suitable grounds for the appeal. This may include, but is not limited to:

- the ACS did not make the relevant policies and procedures and requirements available to the students; and/or
- the ACS did not measure/record the relevant requirements correctly, and had thereby made a demonstrably wrong decision; and/or
- the ACS did not implement its procedures in accordance with its published policies and procedures; and/or
- demonstrable and previously unconsidered compassionate and/or compelling reasons significantly contributed to the student's circumstance.

Note: When determining whether compassionate and/or compelling circumstances exist, the ACS will consider professional documentary evidence provided to support the claim, and copies of such documents will be kept, together with a record of the decision in the student management system.

Assessment of all student internal appeals will commence within 10 working days of the appeal being lodged, and finalised as soon as practicable. Apart from situations in which circumstances prevent it, all



student internal appeals will be processed within 20 working days and the outcome of the appeal will be conveyed to the student in a timely manner. If the appeal cannot be resolved within 20 working days, the student will be notified and advised when the outcome will be communicated to him/her.

Should a student fail to submit an appeal request within 20 working days of receiving ACS's written decision, or chooses to withdraw the appeal before a resolution is reached, or if the appeal is rejected, the ACS will maintain its original decision/outcome.

If a student appeals against a decision and the appeal is successful, the ACS will reverse its original decision and/or offer suitable arrangements acting in accordance with the determination.

STAGE 3: Final ACS Complaints & Appeals Resolution

Once the student has exhausted Stage 2's ACS Review and an outcome has been provided, the student may complete and escalate their appeal by completing a new *ACS Complaints and Appeals Form (Appendix 1)* and emailing professionalyear@acs.org.au if they are not satisfied with the outcome. This notice will alert ACS to commence Stage 3, which includes a formal investigation of the appeal and past proceedings.

All Stage 3 reviews will commence within 10 working days of the lodgement. ACS will aim to finalise an outcome as soon as practicable and all outcomes will be conveyed to the student in a timely manner.

REMINDER: In Stage 3 proceedings, the Program Manager and the Director of Education will assess the decision and provide a response. As the principle owner of the ACS Professional Year Program, ACS has the right to determine and override all complaints and appeals outcomes. Once ACS provides a formal decision regarding the student complaint (or appeal) in Stage 3, the decision is final and cannot be contested.

ACS Complaints and Appeals Management

Upon receipt of a student complaint or appeal, ACS Education Staff will:

1. Review the details provided (email, evidence, and *ACS Complaints and Appeals Form*) and register the case in the ACS Complaints and Appeals Register.
2. Refer the case to an appropriate ACS Student Services Officer or Program Manager
3. The appointed case officer may take any of the following actions during the investigation:
 - gather and examine the complaint and associated documentation;
 - if necessary, interview the complainant and any other relevant people involved with the complaint (all parties may nominate an appropriate support person);
 - visit the site, if required, to investigate and gather further information;
 - if escalation is required, all information will be passed on to the Program Manager or equivalent to determine an outcome and respond to the complaint.
4. The appointed case officer (ACS Student Services Officer or higher) will release a formal outcome and/or recommendation in writing to both the complainant and respondent, which may include any of the following:
 - Endorsement of a conciliated/negotiated resolution; or
 - Resolution in favour of the complainant; or
 - Complaint/appeal dismissal if there are insufficient grounds and/or unsupported evidence to sustain the complaint/appeal
 - Rationale for the decision and any actions to be taken by relevant parties as a result



It is expected that this process will be completed in a timely fashion, normally within 10 working days.

REMINDER: In Stage 3 proceedings, the Program Manager and the Director of Education will assess the decision and provide a response. As the principle owner of the ACS Professional Year Program, ACS has the right to determine and override all complaints and appeals outcomes. Once ACS provides a formal decision regarding the student complaint (or appeal) in Stage 3, the decision is final and cannot be contested.

Review and Improvement

The Australian Computer Society is committed to ongoing monitoring and improvement of its policies and procedures, and to this end has an integrated strategy including:

1. The Management Team, ACS Education conducts reviews of specific elements of the appeals policy and procedures when an appeal is upheld and thereby indicates a possible problem to be addressed. This will then be referred to the ACS Director of Education.
2. Staff at the delivery provider institution with responsibilities relating to the managing of appeals are encouraged to submit any concerns about, and suggestions for, making improvements to the appeals policies and procedures to the appropriate Manager in the delivery provider who is responsible for ensuring that appropriate responses are reported to the ACS for development.
3. The Management Team, ACS Education will review and debrief after the complaint and / or appeal concludes. All information will be documented to provide ways of continuous improvement within ACS and / or the delivery provider to prevent similar complaints and appeals from reoccurring. ACS may provide recommendations to the delivery provider to look at additional training to staff and implement support mechanisms if required.
4. The Management Team, ACS Education managing a review of all Australian Computer Society's policies and procedures relating to the ESOS National Code, every 2 years or as needed review of the written Policy and procedures documents, both of which may lead to modifications and improvements.

Related Documents

ACS Complaints and Appeals Form

ACS Complaints and Appeals Register



Appendix 1 – ACS Complaints and Appeals Form

Student Complaints and Appeals Form

This form is to be completed should you wish to lodge (1) a formal complaint or grievance, or (2) appeal against an ACS decision. Prior to lodgement of this form, all students should read the **ACS Complaints and Appeals Policy and Procedures**.

All formal complaints and appeals will be investigated in accordance with ACS Complaints and Appeals Policy and Procedures. Assessment of all student complaints and appeals will commence within 10 working days of lodgement of this form. ACS will aim to finalise an outcome as soon as practicable (normally within 20 working days) and all outcomes and delays will be conveyed to the student in a timely manner.

Please complete **ALL** sections of this Form and submit it with any supporting evidence/documentation to professionalyear@acs.org.au.

Given Name:	
Surname:	
Student ID Number:	
Education Provider:	
PE Online Course (if known):	
Email:	
Postal Address:	
Mobile:	

1. This submission relates to the following: Select TWO (✓)

(✓)	A complaint/grievance relating to:
	1. The overall quality and service levels received whilst undertaking the ACS PYEAR
	2. Unfair or unethical behaviour on the part of a trainer or delivery partner
	3. A 'breach' of the ACS Student Code of Conduct by another party
	4. Unfair suspension or termination from the ACS PY Program by a delivery partner.
	5. None of the above
(✓)	An appeal relating to an ACS decision regarding:
	1. A formal warning for unsatisfactory academic progress
	2. My withdrawal from a course/program due to academic misconduct
	3. My cancelled enrolment due to a breach to the ACS Student Code of Conduct
	4. An unresolved complaint through the informal and formal complaints procedures
	5. A rejected refund or leave request
	6. None of the above



2. What are the grounds for your complaint/appeal? Select all that apply (✓)

(✓)		
	1. PY Provider Policies and Procedures were/are not properly followed.	PY Provider
	2. PY Provider decision/outcome was based on insufficient or inaccurate information.	
	3. My PY Provider did not inform me of PY Policies or Visa Requirements.	
	4. ACS Policies and Procedures were/are not being properly followed.	ACS
	5. ACS decision/outcome was based on insufficient or inaccurate information.	
	6. ACS did not inform me of PY Policies or Visa Requirements.	
	7. New or additional information is available.	Other
	8. The decision was unfair.	
	9. Other.	

3. Please provide further details regarding your current complaint/appeal process:

TRUE	FALSE		
		1. I have lodged a complaint/appeal with my PY Provider.	PY Provider
		2. I have received an outcome from lodging a complaint/appeal with my PY Provider.	
		3. I am unsatisfied with the outcome of my complaint/appeal with my PY Provider.	
		4. I have previously notified ACS of my PY Provider complaint/appeal.	
		5. I have lodged a complaint/appeal with ACS previously.	ACS
		6. I am unsatisfied with the outcome of my previous complaint/appeal with ACS.	
		7. I have notified my PY Provider of my ACS complaint/appeal.	
		8. I have attempted to resolve my complaint informally with related parties (e.g. trainer, internship host, etc.) via talks, emails, or SMS.	Other
		9. I have reported this complaint/appeal to a third party, agency, or body.	

4. Please explain your grievance or appeal and the reasons for your submission. You should provide information and arguments to support your stance (as stated in Question 2). Please provide all details, including the main issue(s), date(s) of the event(s), names of key person(s) or any witnesses so that ACS may investigate. *Attach additional page(s) if required.*



5. If applicable, how have you tried to resolve your complaint informally?

6. If applicable, what was the outcome of your previous complaint/appeal attempt(s)?

7. What is your desired outcome now?

8. Please list and attach any evidence you have to support your submission (examples of the documents you could include are Medical Certificates, Letters from Doctors, Psychologist or Social Worker; a Police Report; photocopies of receipts, photocopies of Death Certificates, photocopies of travel documents indicating both travel dates and date travel was booked, etc.)

List of documents attached:

9. By signing this form, I agree that the information provided, together with supporting evidence, is true and accurate to the best of my knowledge.

Student Signature: _____ Date: _____

FOR OFFICE USE ONLY			
Received by (name):		Appeal Number:	
Position:		Date Received:	
Referred to:		Date Referred:	
ACS Notes/Outcome:			

ACS will only use the information provided on this form, together with any supporting documentation, to investigate your appeal and determine an outcome (if applicable). We may provide the details of your appeal to other divisions within ACS that may have a direct involvement in the resolution of your appeal. Your personal information will not be provided to any person you are complaining about, unless it is specifically required, to ensure your complaint is appropriately dealt with. None of the information you provide on this form, or any supporting documentation, will be disclosed outside of the ACS without your permission, unless ACS is required to do so by law.



End of Document

PY Complaints and Appeals Policy & Procedure

Author/s

Glanyce Attard	Brenda Stocks	Elizabeth Gregg
----------------	---------------	-----------------

Version History

Date	Version	Revision History	Author/Reviser
November 2018	1	Original draft	Glanyce Attard
January 2019	2	Revised draft and appended form	Glanyce Attard, Brenda Stocks, Elizabeth Gregg

Approvals

This document requires the following approvals.

Date of issue and version details must be entered upon approval.

Name	Title	Date of Issue	Version
Louise Smith	Director Workforce Development and Education	February 2019	2

Distribution

This document has been distributed to:

Name	Title	Date of Issue	Version

Custodian title & e-mail address:	Louise Smith - Director, Education Louise.smith@acs.org.au
Responsible Business Group:	Education
Distribution: Highlight which is applicable and provide names where applicable	General (no restriction on distribution) Restricted (distribution limited to certain (Business Systems) groups or (named) individuals.
Content Security: Highlight which is applicable	Unclassified Confidential X-in-Confidence (e.g. Commercial-in Confidence)