

Department	Vocational Education & Training – Education Services for Overseas Students (ESOS)		Author	RTO CEO	
Quality Controlled Document No. & Title	ESOS 10.0	Complaints and Appeals Policy and Procedure	Approved	RTO CEO	
Version	1.0		Authorised	RTO Academic Board	
ESOS National Code 2018	Standard 10		Distribution	Internal	Staff and Students
				External	Prospective students

Marriott Academy provides all students with the opportunity to have decisions made by Marriott Academy reviewed and appealed, and for complaints to be lodged, reviewed and resolved. Marriott Academy's procedures for dealing with complaints and appeals are founded on the principles of fairness, equal opportunity and natural justice. It is Marriott Academy's intention that all students feel supported and engage in a fair learning environment.

Accordingly, Marriott Academy's complaints and appeals procedures must ensure that:

- a) the complaints and appeals process is accessible to students
- b) the process is fair, impartial and transparent
- c) outcomes and decisions are consistent where circumstances are comparable
- d) privacy of all concerned is respected and confidentiality maintained
- e) all complaints and appeals are dealt with, and resolved, as expeditiously as possible
- f) records are maintained for a period of no less than two years after the student enrolment ceased.

It is a condition of employment that all staff adhere to the requirements of Marriott Academy's Complaints and Appeals Policy and Procedure. It is also a requirement of enrolment that all students abide by Marriott Academy's Complaints and Appeals Policy and Procedure. As such, it is expected that all staff and students affected by a complaint and/or appeal participate in the resolution process in a cooperative manner and in good faith. Where a staff member or student is determined not to be cooperative and/or not acting in good faith, then Marriott Academy reserves the right to take the appropriate disciplinary action.

Where a student wishes Marriott Academy to reconsider a decision, then Marriott Academy shall engage the services of the Dispute Settlement Centre of Victoria (DSCV) to review the student's complaint and/or appeal, and Marriott Academy's decision(s) relating to the student's application. Marriott Academy, the student, and/or their representative are expected to engage in mediation meetings. DSCV is part of the Victorian Department of Justice & Community Safety, and provides free dispute resolution services to all Victorians. Marriott Academy policy is that Marriott Academy and the student shall be bound by DSCV's decision.

Students who are not satisfied with the outcome of the complaint and appeal process may still lodge a complaint with an external agency, such as the Victorian Ombudsman or Consumer Affairs Victoria. Marriott Academy's policy and procedure does not preclude any student from seeking redress in accordance with all applicable laws.

Complaints and/or Appeals may occur because of decisions made by Marriott Academy with regards, but not limited, to the following:

- Admission, enrolment, transfer and withdrawal.
- Appeal of an assessment result.
- The quality of training provided (e.g., trainer performance, access to facilities and resources).
- Support services.
- Request for special consideration.
- Reporting unsatisfactory progress.
- Failure to meet attendance requirements.
- Refuting of evidence provided by students relating to non-academic requirements (e.g., medical certificate).
- Student disciplinary action (e.g., cheating and plagiarism).
- Fees and charges.
- Bullying.
- Discrimination.
- Harassment.
- Privacy and confidentiality.
- Any other matter, relating to their participation in training with Marriott Academy, that a student believes is having an adverse impact on their ability to meet course requirements, and/or their health and wellbeing.

Student Complaint and Appeal Procedure

1. Inform Marriott Academy staff.	In the first instance, if appropriate, all students are encouraged to discuss their concerns or issues informally with a Marriott Academy staff member. Students may approach their trainer, the Student Support and Careers Manager (SSCM), the RTO Manager, or Marriott Academy's CEO.
2. Lodge a Complaint and/or Appeal.	<p>Should a student's concerns or issues not be able to be resolved informally, then the student will need to lodge a formal complaint and/or appeal with Marriott Academy's CEO.</p> <p>Students may access the required Complaint and Appeal Form from Marriott Academy's website or student administration. The Form should be completed and lodged with Marriott Academy's CEO as soon as practicable.</p> <p>Should the student consider it inappropriate that Marriott Academy's CEO investigate the complaint and/or appeal, then this will need to be noted on the Complaint and Appeal Form, and the student will be advised of appropriate external agencies which they may approach. Irrespective, all complaints and/or appeals will be considered and investigated by Marriott Academy's CEO.</p> <p>Should the nature of the concerns or issues involve a possible criminal offence, then students are advised to contact Victoria Police and/or seek legal advice.</p> <p>The student's application details shall be entered on the RTO's Complaints and Appeals Register. All Forms and any supporting documents shall be kept in the student's file.</p> <p>At all times, all information shall be treated with the strictest confidence.</p>
3. The Student Complaint and/or Appeal is investigated.	All formal complaints and appeals shall be considered by Marriott Academy's CEO. Where warranted, the CEO shall investigate the complaint and/or appeal. The investigation must allow the student to provide any relevant information and evidence either in writing or verbally. Students will be permitted to engage support when presenting information and evidence.
4. Outcome.	<p>It is intended that all formal complaints and appeals be investigated and the student informed, in writing, of the outcome of their application, and detailed reasons for the decision, within 10 working days from the date when the complaint and/or appeal was received by Marriott Academy. Where more time is required, then the student shall be informed in writing, where a date must be provided as to when the student shall be informed of the outcome of their application. Any extension in time should not exceed an additional 20 working days.</p> <p>A copy of all correspondence shall be kept in the student's file. Details of the outcome of the student's application shall be recorded on the RTO's Complaints and Appeals Register.</p>
5. Reconsideration – Independent Review.	<p>Where a student is not satisfied with the outcome of their application, then they may, within 15 working days, request that their application be reconsidered. The student may make such an application by responding to Marriott Academy's notification of the outcome of their application. Student must provide an explanation of the grounds on which they are requesting a reconsideration, which may include additional information and/or evidence.</p> <p>Marriott Academy shall engage the services of the Dispute Settlement Centre of Victoria (DSCV) to review the student's complaint and/or appeal, and Marriott Academy's decision(s) relating to the student's application. Marriott Academy, the student, and/or their representative are expected to engage in mediation meetings. DSCV is part of the Victorian Department of Justice & Community Safety, and provides free dispute resolution services to all Victorians.</p>
6. Reconsideration Outcome.	<p>Marriott Academy and the student agree to be bound by the decision of the Dispute Settlement Centre of Victoria.</p> <p>Should the student not be satisfied with the outcome of the reconsideration process, then may seek legal advice. The student shall retain the right to take action under the Australian Law.</p> <p>All records shall be kept in the student's file. Details of the outcome of the student's reconsideration application shall be recorded on the RTO's Complaints and Appeals Register.</p>
7. Continuous Improvement.	<p>Where appropriate, Marriott Academy shall review the relevant training and assessment services, and/or RTO management and operational practices, in order to implement change to minimise the risk of reoccurrence of similar complaints and/or appeals.</p> <p>Where changes are implemented, then these shall be recorded in Marriott Academy's Continuous Improvement Register.</p>

Student Complaints & Appeals Form

Instructions to Applicant

- (1) Complete this form and submit to the RTO Manager or Chief Executive Officer as soon as possible.
- (2) Clearly state the nature of your complaint and, if appropriate, indicate what evidence you have to support your claim.
- (3) All complaints will be treated seriously, and you may be required to discuss the complaint with senior members of staff.
- (4) You will be formally notified of the outcome of your complaint.

Surname		Given Names		Student ID	
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Describe your complaint / appeal:

What action have you taken to try and resolve this complaint / appeal?

Do you have a suggested remedy to the issue(s)?

I hereby declare that the information provided on this form is true and correct.

Student's Signature Date/...../.....

Marriott Academy CEO's Signature Date/...../.....