

Complaints and Appeals Policy and Procedure

1. PURPOSE

The purpose of this policy is to ensure Mobile Learning Express (MLE) has in place a policy for dealing with customer complaints and appeals that includes a mechanism to allow for the complainant to formally present their case and for an appeal to be heard before an independent person or panel.

2. SCOPE

The scope of this policy applies to all staff and contractors who will be engaged by MLE but primarily those involved in the provision of training and assessment services to clients of MLE.

3. RESPONSIBLE PARTIES

CEO – policy control, issue, compliance and adjustment

4. DEFINITIONS

Appeal - In law, an appeal is a process for requesting a formal change to an official decision.

Complaint - A statement that a situation is unsatisfactory or unacceptable

5. POLICY

MLE will provide appropriate mechanisms and services for students to have complaints and appeals addressed efficiently and effectively and will ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process by applying the procedures outlined below:

MLE is committed to a fair and equitable process for dealing with client complaints and appeals against assessment outcomes.

To ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process, MLE will:

- Make its complaints and appeals policy publicly available by producing it in Student Handbook and making it available to all students.
- Ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable as outlined in complaints process Point 6
- Provide for review by an appropriate party independent of MLE and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal

If an appeal is to be lodged, in the first instance, issues should be raised directly with the relevant person and attempt to resolve the issue.

Students wishing to appeal an assessment result will be required to lodge the appeal on the Appeals Form clearly outlining their reasons for the appeal and lodge the document with MLE within fourteen days of receipt of assessment result. Students will be advised of the

process and of their rights, with regard to complaints and appeals, prior to enrolment and commencement of program delivery. This information will also be conveyed as part of any initial program delivery or process.

These processes are outlined in the Student Handbook and Staff Handbook

The steps in the Complaints and Appeals Process are:

(a) Local Level Resolution

1. We encourage open communication and an environment of trust. Therefore, any student with a complaint is encouraged to firstly raise the matter directly with MLE staff involved.
2. When a complaint is received – verbal, phone, email or otherwise – it shall be immediately referred to MLE Chief Executive Officer (or their appointed representative) (herein after referred to as the nominated representative) by the recipient.
3. The nominated representative shall immediately contact the staff member concerned and discuss the matter, obtain all the facts and evidence; and shall attempt to mediate a resolution. In many cases complaints involve fees, or refund requests, and resolution is generally achieved at this level.
4. If a resolution is achieved this shall be advised to the client in writing via email; and recorded on the in - MLE Complaints Log.
5. If no resolution is made, then a formal meeting or phone discussion will be arranged between the claimant and the nominated representative, at which time the matter in dispute will be discussed. It is hoped that resolution will be achieved at this meeting.
6. The claimant has the right to bring an advocate with them to all meetings/discussions during the complaints process.
7. Notes of all discussions and meetings will be retained by MLE and the claimant will be provided with a copy.

(b) Resolution by nominated representative

The claimant will be provided with MLE Complaints Form, which must be completed and emailed to MLE

- The nominated representative will:
 - acknowledge receipt of the complaint within twenty-four hours of receipt
 - document the date acknowledgment was made on the Complaints Form
 - attach a copy of the acknowledgement to the Complaints Form
 - file the form in the student’s personal file
- The claimant will be given opportunity to discuss the complaint with the nominated representative
- During the process all actions and decisions will be documented

- Once all aspects have been considered and a decision reached, the outcome will be presented to the claimant, they will be given the option of receiving this information either face to face or via email

(c) Resolution by Arbitration

Should the matter remain unresolved following step b, the nominated representative will contact Mr Ray Kerkmez of Caringbah NSW (phone 02 9540 4665 a member of Leadr (a national mediation service) at the claimant's own cost, to review the dispute and suggest an amicable resolution.

Appeals Process

Note: Appeals against decisions or assessment outcomes must be lodged immediately and no later than 14 days from the date of the receipt of the outcome. It is MLE desire to process appeals quickly and reach a resolution in a short time frame so that the student may continue learning activities and completion of their training program. Should a student wish to appeal a decision or assessment outcome, they should follow the process outlined below:

- The appeal must be lodged on the Appeal Form within 14 days of receipt of the result.
- Discussion on the appeal will be conducted between the relevant parties within 24 hours of receipt of notice of the appeal.
- MLE will attempt to resolve the issue(s) within seven (7) working days from receipt of the lodgement of the appeal
- the appellant will be notified in writing of the result
- The appellant will be notified in writing of the outcome with reasons for the decision, and the 'Appeals Register' updated. The Candidate will also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The Candidate is required to notify - MLE if they wish to proceed with the external appeals process

COMPLAINTS AND APPEALS PROCESS

