VE-HRP01 COMPLAINT AND APPEAL HANDLING POLICY AND PROCEDURE

Abbreviations

Apex or Apex Australia	Apex Australia Vocational Education
ASQA	Australian Skills Quality Authority
CEO	Chief Executive Officer
CoE	Confirmation of Enrolment
DHA	Department of Home Affairs
ESOS	Education Services for Overseas Students
PRISMS	Provider Registration and International Student Management System
RTO	Registered Training Organisation

1. Scope

1.1 This policy applies to feedback, complaints and appeals concerning Apex's education, training, assessment, administration, services and learning environment, including conduct or decisions of staff, contractors, education agents, work-placement providers and other third parties delivering services for Apex.

1.2 Prospective, current and former students, applicants, employers, representatives and other affected people may give feedback or complain. Student appeal rights cover any adverse decision by Apex, its staff or contracted persons and third parties; they are not limited to decisions made after a complaint. Access does not depend on signed enrolment conditions, current fee status or a particular study mode.

1.3 There is no automatic exclusion for a complaint made more than ten working days after an incident or more than six months after enrolment ends. Encourage prompt reporting and assess available evidence and fairness in historical matters. Separate statutory appeal/claim periods remain applicable and must be explained.

2. Purpose

2.1 Apex provides an accessible, fair, timely and documented process to resolve concerns, review adverse decisions, protect students and improve services. Internal processes are free. Independent review is available at no or low cost; Apex's arranged review under clause 14.3 is free to the student.

2.2 This policy implements Outcome Standards 2.7–2.8 of the 2025 RTO Standards, National Code Standard 10 and related ESOS obligations. It must be read with the decision-specific rules in section 15; lodging a complaint does not create a universal hold on every PRISMS obligation.

3. Policy Statements

3.1 Make this policy and accessible complaint/appeal information publicly available on Apex's website and through the student handbook, orientation and Reception. Tell students how to complain, seek support, appeal and obtain independent review. No agent's permission, payment, compulsory informal meeting or special form is required to access the process.

3.2 Treat all parties with respect, procedural fairness and freedom from discrimination or victimisation. Explain the issues and process; consider relevant evidence and responses; disclose the substance of adverse material fairly; and use an impartial decision-maker without a real or apparent conflict. Protect witnesses and respondents as well as complainants.

3.3 The Academic Manager coordinates complaints; the RTO Manager coordinates internal appeals and register oversight; the CEO is accountable for resourcing, independence and implementation. A person who is the subject of a complaint or made the original decision must not determine the complaint/appeal about that matter. They may provide evidence but cannot direct the outcome.

3.4 If the Academic Manager is involved, refer to the RTO Manager or an uninvolved CEO delegate. If the RTO Manager is involved, the CEO appoints an uninvolved suitably qualified reviewer. If the CEO is involved, an uninvolved governing person must arrange an independent external reviewer; where no such governing person is available, the RTO Manager arranges an external reviewer with no prior involvement and independent professional judgement. Give the complainant the reviewer's contact and direct external avenues without requiring the respondent's permission.

3.5 Provide reasonable adjustments, accessible formats, help recording oral complaints, interpreters, cultural support and an authorised representative as needed. Consult the person about adjustments and explain any limitation and alternative promptly. Do not impose a blanket ban on a lawyer acting as a support person or authorised representative; manage role, confidentiality and conflicts reasonably. A support person may accompany and assist at relevant meetings.

3.6 Keep information confidential on a need-to-know basis, subject to procedural fairness, consent, safety and lawful disclosure. Do not promise absolute secrecy or unrestricted access to other people's records. Explain necessary disclosures and available protections. No person is disadvantaged for making or supporting a complaint or appeal in good faith.

4. Policy Principles

4.1 A person may use a representative, complain anonymously or request confidential handling. Verify representative authority before disclosing personal information. Explain where anonymity limits investigation; still assess risk and available evidence. Record significant verbal/informal feedback and any agreed resolution so recurring problems are identified.

4.2 Triage urgent safety, discrimination, harassment, sexual harm, child-protection, fraud, fee diversion and privacy concerns immediately. Arrange proportionate interim protection and support, preserve evidence and make required external notifications. Do not require mediation or direct contact with an alleged perpetrator. Call 000 for an emergency requiring immediate police, fire or ambulance assistance. A criminal or external investigation does not automatically remove Apex's duty to consider safe internal action.

4.3 For health, disability, trauma, language, location or cultural reasons, offer flexible meetings, written submissions and support. Explain how to access Student Support through support@apexaustralia.edu.au or Reception. Apex arranges necessary interpretation/access assistance without an internal complaint fee. TIS National can be contacted on 131 450; request Apex assistance to organise an appropriate interpreter rather than assuming every external service is free.

4.4 Apply the timeframes below to all complaints and appeals as Apex's minimum service controls. The National Code deadlines identified are mandatory for overseas-student cases. Count working days from the next working day after receipt/notification, excluding weekends and applicable public holidays at the handling campus, while applying any different statutory counting rule where required. Acknowledge the date received and provide the actual due date in each notice.

Action	Timeframe and status
Receipt and urgent risk check	Record on receipt; address immediate risk without waiting for the standard timetable.
Acknowledge complaint or appeal	Within 3 working days of receipt (Apex target).
Start substantive assessment	Within 10 working days of being made (National Code 10.2.3); apply to all cases. Acknowledgement alone is not assessment.
Internal complaint or appeal outcome	Aim to finalise within 20 working days of receipt and in all cases as soon as practicable (Apex target; not a licence to delay a simple case).
Progress updates and extensions	At least every 10 working days while open; advise reasons, action and revised date before a target is missed where practicable.
General internal appeal request	Normally within 20 working days after notification of the adverse decision. Consider late requests fairly under clause 9.4.
Required ESOS internal appeal access	20 working days for relevant Standard 8/9 notices and Standard 7 transfer-refusal notices; see section 15.
External advice after unsuccessful internal review	Give appropriate contact details and rights within 10 working days of conclusion (National Code 10.3); normally include them with the outcome.
Student-favourable overseas-student outcome	Immediately implement the decision/recommendation and/or required preventive/corrective action and advise the student (National Code 10.4).

4.5 If more than 60 calendar days is likely, the RTO Manager must give written reasons before that point, a revised completion date, outstanding actions and regular updates, and escalate to the CEO. This is an Apex escalation control, not a statutory processing allowance or authority to delay resolution. A person may seek independent review of unreasonable delay without waiting 60 days.

4.6 Do not dismiss a concern merely because it is repeated, strongly expressed, unsupported initially or inconvenient. After fair assessment, an authorised uninvolved manager may limit duplicated or abusive conduct using proportionate communication arrangements while retaining a way to raise new substantive issues. Give reasons and review avenues; separate conduct management from the merits and never label a complaint malicious solely because it is unsubstantiated.

5. Grievance and Complaint Process

5.1 Informal discussion with the relevant staff member or Academic Manager is optional where safe and suitable. A person may proceed directly to a formal complaint, especially for serious misconduct, conflict, safety, discrimination or privacy concerns. Attempting informal resolution does not shorten a statutory appeal period; explain the separate deadline and register an appeal where the person is challenging an adverse decision.

5.2 Lodge a complaint using the Complaints and Appeals Form, an email or letter, in person, by telephone or with staff assistance. The form and a "Complaint" subject line are helpful but not compulsory. Staff receiving an oral complaint must document it, confirm the substance and desired outcome with the person where possible, and forward it promptly to the case coordinator. Do not restart the receipt date after an internal handover.

5.3 Email support@apexaustralia.edu.au, marked for the Academic Manager for complaints or RTO Manager for appeals; deliver to Reception at any Apex campus; or ask any staff member to arrange confidential contact. The policy and form are available at https://vet.apexaustralia.edu.au/policies-and-procedures/. If the named manager is involved, request the alternative allocation in clause 3.4; the receiving staff member must not send confidential allegations to the respondent for decision.

5.4 Ask for contact details, the issue/decision, relevant dates, available evidence, any attempted resolution, preferred outcome and support needs. Help clarify missing information and make reasonable follow-up attempts. An incomplete form, lack of new evidence or inability to write in English is not an automatic refusal. Advise promptly if an issue is outside this policy and provide the appropriate route, while retaining any student-service component.

5.5 Acknowledge in writing within three working days, giving a case reference, receipt date, contact/decision-maker, next steps and dates, support and representation options, confidentiality limits and any immediate protection. Confirm whether the matter is a complaint, appeal or both. If acknowledgement is not received, the person may contact Reception, the RTO Manager or an appropriate external body; Apex remains responsible for follow-up.

6. Investigation of Complaint

6.1 Record the matter in the Complaints and Appeals Register; assess urgency, jurisdiction, relevant decision-specific deadlines, conflicts, requested outcomes and support. Allocate a competent investigator and impartial decision-maker. Start substantive assessment within ten working days of receipt and seek to resolve promptly, with clause 4.4 updates.

6.2 Gather relevant evidence proportionately: student agreements, fees/receipts and agent communications; enrolment and PRISMS records; marked work and assessment evidence; training materials; placement/resource records; support/adjustment records; communications, witness accounts and applicable policy/law. Preserve originals and an audit trail. Ask questions neutrally and distinguish established facts, disputed facts and opinion.

6.3 Tell each affected party the substance of allegations or adverse evidence and provide a reasonable opportunity to respond before an adverse finding. Redact unnecessary personal information or provide an adequate summary where justified, recording reasons. Where a safety or legal concern limits disclosure, use a fair alternative and seek specialist advice as needed. No party must obtain another person's protected records to access the process.

6.4 Concerns about agents or other third parties remain Apex's responsibility. Seek their response and records and apply separate immediate agent, safety, privacy or regulatory duties where triggered. A complaint investigation must not defer mandatory action under the Education Agent Policy or other applicable law. Do not require the student to settle with the agent first.

7. Interview Conducted

7.1 Offer a reasonable opportunity to present the case in person, remotely or in writing. Meetings are used where helpful and are not a compulsory confrontation or an additional barrier. Give adequate notice, purpose and relevant issues, and allow a support person/authorised representative and reasonable adjustments. The investigator keeps accurate notes and allows correction of material factual errors.

7.2 Discuss recording arrangements beforehand. Permit note-taking and consider agreed recording as a reasonable adjustment with appropriate consent, security and retention. No party may make or disclose a recording contrary to applicable surveillance, privacy or other law. Assess reasonable requests for lawful recording or an agreed accessibility adjustment individually.

8. Resolution of Complaint

8.1 The impartial decision-maker assesses evidence and gives a written outcome as soon as practicable, aiming for twenty working days from receipt. State the issues, material findings, reasons, policy/legal basis, whether each issue is upheld, any remedy or corrective/preventive action, responsible officer and implementation date. Give relevant parties enough information about the outcome to be fair while protecting unrelated personal/confidential information.

8.2 Tell the complainant how and by when to seek internal appeal and independent/external review. For an unsuccessful overseas-student internal review, meet the ten-working-day external-advice requirement in clause 14.2. Do not condition a refund, correction or student-favourable outcome on surrendering complaint rights or signing an inappropriate confidentiality/release term.

8.3 Immediately implement a student-favourable overseas-student decision/recommendation and/or required preventive/corrective action under National Code 10.4, and notify the student. Apply prompt implementation to all other cases, subject to lawful orders and the approved action plan. Statutory refunds, reporting and other duties retain their own deadlines; a pending complaint is not a blanket extension.

8.4 Record the outcome, delivery evidence, actions and available review periods. Administrative closure does not extinguish appeal or external rights. Silence for ten days is not proof of acceptance, withdrawal or a decision not to seek an ESOS appeal. Reopen or refer further information where appropriate and retain evidence of any express withdrawal.

9. Appeals Process

9.1 A student may directly appeal an adverse academic or administrative decision by Apex or a third party, including assessment, RPL/credit, admission/enrolment, fees/refunds, disciplinary action, course progress, transfer refusal or a complaint outcome. A prior complaint is not required. The RTO Manager coordinates a reviewer not involved in making or defending the original decision, subject to clause 3.4.

9.2 Use the same accessible lodgement routes in section 5, marked “Appeal” where possible. Explain the decision, reasons for disagreement, available evidence and desired remedy. Do not require a special form or new evidence as a condition of hearing an appeal. Acknowledge within three working days and begin substantive assessment within ten working days.

9.3 The normal request period is twenty working days from notification of the adverse decision. For the ESOS notices in section 15, provide the required twenty-working-day access period and actual deadline. Calculate from effective notification under the applicable process; retain evidence of delivery and account for language/accessibility or delivery failures. Do not shorten the applicable access period through another internal procedure.

9.4 Consider late appeals promptly and fairly, including notice defects, disability, trauma, illness, language barriers, new information and other compelling reasons. Record reasons for accepting or declining a late request and further review avenues. Discretionary acceptance does not automatically amend a statutory period or reverse a report already lawfully made; the RTO Manager must assess current status, any hold, correction and remedial obligations.

10. Grounds of Appeal

10.1 Grounds may include incorrect facts, overlooked evidence, wrong policy/law, bias/conflict, procedural unfairness, unreasonable or disproportionate action, unmet support/adjustment duties, an assessment judgement inconsistent with requirements, or relevant new evidence. The reviewer must consider the substance rather than demand a particular legal formulation.

10.2 Students may challenge the fairness, validity, reliability or implementation of assessment methods, training delivery and workload where relevant to an adverse decision or service concern. Financial consequences alone do not establish competency, but they do not bar an appeal. Do not apply blanket exclusions to concerns about delivery or assessment design.

10.3 For assessment/RPL/credit appeals, preserve the original evidence and arrange review by a suitably credentialled and vocationally competent assessor who did not make the original judgement. Review the relevant training product, principles of assessment, rules of evidence and approved adjustments. Any reassessment or amended judgement must be supported by evidence; an administrative complaint outcome cannot itself establish competency.

11. Review of Appeal

11.1 The independent internal reviewer checks the original reasons, complete evidence, appeal grounds, relevant law/policy and procedural fairness. Obtain further information and provide a fair response opportunity where needed. Consult relevant staff for evidence without allowing the original decision-maker to control the outcome. The CEO must not participate as appeal decision-maker if conflicted or previously involved.

11.2 Record the appeal, reviewer independence, substantive start date, actions, support and relevant enrolment/PRISMS protections. Maintain section 4 timeframes and progress updates. A delay in assembling evidence must be managed and explained; it is not a reason to leave the appeal unregistered or reset receipt dates.

12. Interview Conducted

12.1 The appellant may formally present the case at a reasonable arranged meeting or through written/remote participation. Apply section 7 support, accessibility, notice, recording and note-checking rules. No person must meet the original respondent alone. Consider a representative's submissions with verified authority while retaining the student's own opportunity to be heard.

13. Resolution of Appeal

13.1 Give a written determination with detailed reasons, findings and evidence basis, applicable policy/law, whether the original decision is confirmed, varied, set aside or referred for reassessment, and implementation actions/dates. Aim for twenty working days from receipt and finalise as soon as practicable. Provide extension/progress notices under section 4 where needed.

13.2 Include the appropriate independent/external route, full contact details, costs, any applicable timeframe and practical steps. For overseas students, provide that advice within ten working days of concluding an unsuccessful internal review, preferably in the outcome itself. State the specific enrolment/PRISMS effect under section 15; do not use a generic cancellation statement for every type of appeal.

13.3 Implement favourable overseas-student decisions/recommendations immediately and/or take required action, and advise the student; record completion and verify effectiveness. Record administrative closure separately from statutory appeal access. An appeal is not withdrawn because the student is silent for ten working days. Preserve all reasons, notices, delivery and review information.

14. External Independent Review

14.1 If dissatisfied with the internal outcome or unreasonable delay, the person may request independent review or use an external body with jurisdiction. Ordinarily use the internal process first where safe and effective, but this policy does not prevent direct access to police, a regulator, an ombudsman, a discrimination/privacy body, legal advice or a court when permitted. There is no requirement to obtain Apex's permission or waive statutory rights.

14.2 Within ten working days of an unsuccessful overseas-student internal review, Apex must advise the student of the right to external complaint/appeal at minimal or no cost and give appropriate contact details (National Code 10.3). Apply clear external-advice practice to all students. The RTO Manager must assist with suitable referral and needed records; Apex will not refuse further help merely because one external process has ended.

14.3 Where an appellant requests independent review and no suitable existing external scheme can review the issue, the RTO Manager arranges a genuinely independent, appropriately skilled external reviewer with no prior involvement or material conflict, at no charge to the student. A conflicted manager is replaced under clause 3.4. Acknowledge the request within three working days, aim to provide reviewer/contact/terms within ten working days, and agree a reasonable review timetable with regular updates. Lack of agreement on a preferred person must not indefinitely block review; provide reasons and a suitable alternative.

14.4 The reviewer may examine procedural fairness and substantive issues within their expertise and scope. Academic competency review requires an appropriately qualified assessor. A mediator assists agreement and is not automatically an adjudicator; do not describe every external recommendation as a legally binding award. Apex must immediately implement a decision/recommendation in favour of an overseas student and/or the preventive/corrective action required under National Code 10.4 and advise the student; comply separately with any binding order or legal direction.

14.5 For an overseas-student course-progress/attendance case, Apex ordinarily allows twenty working days after the internal appeal outcome to access external review and asks the student to provide a lodgement reference or other evidence promptly. This is an Apex administrative protection, not an external agency's limitation period. Apply clause 15.2 before reporting. A student may have external rights beyond that period; do not automatically equate silence with informed refusal or require the external agency to contact Apex before recognising a valid pending appeal.

External pathways and contact details

Pathway	Role and access
Commonwealth Ombudsman – overseas students	Free independent complaints service for eligible future, current and former overseas students about private VET providers/agents. Online: https://www.ombudsman.gov.au/complaints/international-student-complaints Phone: 1300 362 072. The Ombudsman decides jurisdiction and process.
Apex-arranged independent reviewer	Request through support@apexaustralia.edu.au, marked for the RTO Manager. Available for appropriate student appeals under clause 14.3; Apex meets the review cost.
ASQA	Accepts regulatory concerns about RTO compliance; cannot resolve an individual student dispute or act as a merits appeal tribunal. https://www.asqa.gov.au/for-students/student-support/how-asqa-can-help
National Training Complaints Hotline	Referral service, not an investigator or adjudicator. https://www.dewr.gov.au/national-training-complaints-hotline Student enquiry line: 13 38 73.
Consumer and civil remedies	For fees, refunds or consumer rights: relevant state consumer agency, tribunal/court or legal adviser, subject to jurisdiction. NSW: https://www.nsw.gov.au/departments-and-agencies/fair-trading Victoria: https://www.consumer.vic.gov.au/
Discrimination and privacy	Australian Human Rights Commission: https://humanrights.gov.au/complaints/how-to-make-a-complaint Privacy matters covered by the Privacy Act: https://www.oaic.gov.au/privacy/privacy-complaints. Generally complain to the organisation first and allow 30 days for a response for an OAIC complaint.
National Student Ombudsman	Currently covers higher education, not VET-course complaints. Do not use it as Apex VET's default external reviewer. https://www.education.gov.au/national-student-ombudsman

14.6 External bodies set their own jurisdiction, processes and time limits. State those applicable to the case and help the person find a suitable route. Apex's internal timeframes do not limit consumer, privacy, discrimination or court rights. Self-chosen legal/professional representation may have its own costs; Apex does not charge for internal handling or its arranged independent review.

15. Reporting in PRISMS

15.1 The RTO Manager and authorised PRISMS officer must identify the actual decision, legal reporting ground, notice/access period and applicable hold before taking action. Do not treat refusal of a course extension, late enrolment, non-payment, non-commencement, transfer refusal and unsatisfactory progress as the same reporting event. Explain that only Home Affairs determines visa consequences; Apex staff must not predict or decide visa cancellation.

15.2 For unsatisfactory course progress or attendance where attendance monitoring/reporting legally applies, give the written reasons and intention-to-report notice and twenty working days to access internal appeal (National Code 8.13). Under Standard 8.14, report under ESOS s 19(2) only when: (a) internal and external processes are complete and the decision/recommendation supports Apex; or (b) the student chooses not to access internal appeal within the twenty-working-day period; or (c) chooses not to access external appeal; or (d) withdraws from the internal/external appeal in writing. Retain evidence of the applicable condition. An upheld internal outcome alone is insufficient where external review is being accessed.

15.3 Before relying on a choice not to seek external appeal, confirm external rights/contact details and an appropriate access period were properly communicated, make a reasonable follow-up and check for a known or notified pending process. Keep delivery/follow-up evidence and the reasoned decision. A student's valid evidence of external lodgement is sufficient to trigger checking/protection; waiting for agency contact is not required. Do not create an indefinite hold through repeated unsupported claims, but establish the facts fairly before release of the hold.

Decision-specific protections

Decision or event	Required treatment
Course progress/attendance – Standards 8.13–8.14	Maintain enrolment during applicable internal and external appeal processes and do not report the breach until a Standard 8.14 condition is established. Continue appropriate study/support while review proceeds.
Provider-initiated suspension/cancellation – Standard 9	Give written intention/reasons and twenty working days for internal appeal under 9.4. Under 9.6 it cannot take effect until internal appeal is complete, unless the student's health/wellbeing or others' wellbeing is likely to be at risk. Standard 8 cases retain their additional external protection. Standard 9 does not create an automatic external-appeal hold in every non-payment/misconduct case.
Transfer refusal – Standards 7.5–7.6	Give written reasons and twenty working days for complaints/appeal. Do not finalise refusal in PRISMS until the appeal supports Apex, the student chooses not to access within that period, or withdraws. Apply the amended Standard 7 transfer framework separately; a transfer decision is not a progress-breach report.
Course extension / non-commencement / other changes	A denied extension is appealable but not itself a progress-breach report. Apply Standards 8.16–8.17 to extension decisions. Assess any actual non-commencement, termination or course change under its own ESOS s 19 provision, notice duties and deadline; this policy supplies no general reporting exemption.

15.4 For other decisions, maintain access and enrolment pending internal review as an Apex default where lawful and practicable, subject to the specific ESOS rules above, risk and lawful directions. Record and explain any proportionate interim safety restriction, reasons, support and review date; do not use a safety label to avoid an appeal. Do not promise an automatic CoE extension or external-review hold for every case.

15.5 Continue advising students to study and meet requirements while review is pending, subject to approved arrangements and risk controls. Refer potential visa implications and any need for a new visa to Home Affairs or an authorised migration adviser. A CoE end date does not justify ignoring a statutory appeal hold; review study/extension status lawfully and document action.

15.6 Once reporting is lawful and required, record the authorising officer, legal ground, evidence, actual event/report dates and PRISMS receipt. Progress/attendance reports under s 19(2) are made as soon as practicable after the relevant lawful trigger. Track other s 19 event-based deadlines separately (generally 31 days; 14 days for under-18 non-commencement/termination cases). Escalate errors or overdue reports immediately and correct through authorised processes without backdating. A complaint must not be used to conceal an unrelated reportable event.

16. Recordkeeping and Reporting for Complaints and Appeals

16.1 Maintain a secure case file and register recording receipt/channel, issues, classification/risk, parties, responsible officers/conflicts, deadlines, support/adjustments, evidence/responses, substantive start date, meetings, notices/delivery, reasons/outcomes, internal/external status, enrolment/PRISMS holds, actions and closure/effectiveness checks. Preserve informal feedback and significant early resolutions proportionately.

16.2 As an Apex retention rule, keep complaint/appeal files for at least seven years after final closure, and longer for a legal hold, investigation, funding condition or other applicable requirement. ESOS records and transfer-request records must meet their separate minimum periods, including two years after the person ceases to be an accepted student where required. Apply longer assessment/certification retention requirements to underlying records rather than deleting them with the complaint file.

16.3 Restrict access to authorised people, use secure storage/transmission and back up records. Provide a person access to their own information and sufficient reasons/evidence to ensure fairness, subject to privacy, lawful confidentiality and appropriate redaction. A request is not a right to the entire unredacted file of another party. Explain any refusal or redaction and review options under the applicable privacy process.

16.4 The RTO Manager reports quarterly to the Risk Management Committee on volumes, themes, timeliness, outcomes, repeat concerns, third parties, safeguards and outstanding actions, using de-identified data where appropriate. Escalate serious risks immediately. Record improvement actions, owners, dates and effectiveness checks in the Continuous Improvement Register and report to the Continuous Improvement Committee.

17. Definitions

Term	Meaning
Feedback	Comment, suggestion, concern or compliment used to improve services; an expression of dissatisfaction requiring a response is handled as a complaint even if not labelled one.
Complaint / grievance	An expression of dissatisfaction about Apex's services, action/inaction or the conduct of its staff/third parties for which a response or resolution is sought or reasonably expected. "Grievance" does not create an obligatory extra stage.
Appeal	A request to review an adverse decision by Apex, its staff/contracted persons or a third party, including a complaint outcome. New evidence is not a compulsory prerequisite.
Internal review	Apex's complaint/appeal process using a fair, competent and uninvolved decision-maker; not an independent external scheme merely because a different manager participates.
Independent review	Review by a person/body with appropriate expertise and no prior involvement or material conflict in the matter, available as described in section 14.

Term	Meaning
Procedural fairness	An unbiased decision-maker, a fair opportunity to know and answer material adverse issues, genuine consideration of evidence and reasoned decisions.
Working day	A weekday excluding relevant public holidays at the handling campus, subject to applicable statutory rules; actual due dates are stated in notices.

18. Review of Complaints and Appeals

18.1 Management reviews complaints, appeals, feedback and corrective actions at least quarterly, with immediate escalation of significant risks. Check student understanding/access, reviewer independence, response times, recurring themes and agent/third-party performance; verify actions changed practice and did not cause unintended disadvantage. Use findings to improve services under Outcome Standards 2.7–2.8 and 4.4.

18.2 The RTO Manager maintains public information, contact routes, forms, staff instructions and accessible support. Before release, the CEO authorises this revision and responsible staff are briefed on independence, timelines, external pathways and decision-specific PRISMS gates. Check operational capability and register controls; do not treat the policy alone as evidence that implementation occurred.

19. Relevant Legislation

Use current in-force texts and applicable transitional provisions. Primary sources and their direct relevance are listed below; guidance assists implementation but does not override law.

National Vocational Education and Training Regulator Act 2011 and 2025 instruments

National Vocational Education and Training Regulator (Outcome Standards for Registered Training Organisations) Instrument 2025, Schedule 1 Standards 1.4, 2.4–2.8 and 4.1–4.4; and the Compliance Standards for NVR Registered Training Organisations and Fit and Proper Person Requirements Instrument 2025, particularly ss 16–17 and 20.

https://www.legislation.gov.au/F2025L00354/latest/text

ESOS Act and National Code

Education Services for Overseas Students Act 2000 (including ss 19 and 21); ESOS Regulations 2019; National Code 2018 Standards 3, 7–10, as amended, including the Overseas Student Transfers amendment F2026L01351 effective 2 October 2026. Read the compilation with subsequent operative amendments.

https://www.legislation.gov.au/F2017L01182/latest/text

Refund matters

Education Services for Overseas Students (Calculation of Refund) Instrument 2024, F2024L01231, where applicable. It replaces the superseded 2014 Specification cited in V10.2. Apply refund/default duties independently of complaint targets.

https://www.legislation.gov.au/F2024L01231/latest/text

Access equality and privacy

Disability Discrimination Act 1992; Disability Standards for Education 2005 as amended (including the in-force August 2026 compilation); Racial Discrimination Act 1975; Sex Discrimination Act 1984; Age Discrimination Act 2004; Privacy Act 1988/APPs and applicable state privacy and anti-discrimination laws.

https://www.legislation.gov.au/F2005L00767/latest/text

Other applicable rights and protections

Competition and Consumer Act 2010 Schedule 2 (Australian Consumer Law); Ombudsman Act 1976; applicable state/territory fair trading, tribunal, work health/safety, child protection, surveillance/recording and victimisation requirements. NSW/Victoria requirements apply according to the conduct and location.

https://www.legislation.gov.au/

Operational sources: ASQA Feedback, complaints and appeals practice guide; Commonwealth Ombudsman international-student guidance; Department of Education National Code guidance; DEWR National Training Complaints Hotline; OAIC privacy complaint guidance; Apex's published policy lodgement contact. Contacts in section 14 must be checked at scheduled review and before individual referral.

20. Related Policies and Forms

Read with Access and Equity; Assessment; RPL and Credit Transfer; Course Progress Monitoring and Intervention; applicable Attendance; Course Transfer; Deferring, Suspending or Cancelling Enrolment; Fees and Refunds; Student Support/Wellbeing; Bullying/Harassment and Discrimination; Critical Incident/WHS; Privacy; Student Record Management; Education Agent Policy V5.1 and associated agreement; and Issuing Qualifications policies.

Operational records: Complaints and Appeals Form and Register; conflict/allocation record; acknowledgement and progress notices; investigation/appeal checklist; outcome and external-review advice templates; independent-review referral record; PRISMS decision checklist; corrective-action/effectiveness record. Update forms and templates to match this policy before use.

21. Document Control

Document Name	Complaint and Appeal Handling Policy and Procedure
Document Code	VE-HRP01
Approved By	Livleen Sodhi, CEO
Historical approval dates	July 2020, July 2022, February 2024, as recorded in V10.2.
Department	Academic and Operations
Current Version	V10.3
Review Cycle	September 2026 cycle; source V10.2 revision dated 9 September 2026.
Review Due	September 2028, or earlier following legislative, regulatory, service or risk changes.
Organisation	Apex Australia Vocational Education
Document Controller	RTO Manager

Revision History

Version	Date of Changes	Change Summary	Author	Review Due
V1.0	July 2020	New Document.	CEO	July 2022
V10.0	July 2022	Reviewed to ensure information is up to date.	Academic Manager	July 2024
V10.1	February 2024	Reformat; update legislation, fairness/equity/reasonableness/transparency and document control; source history also records site emergency contacts.	Senior Compliance and Risk Manager	February 2026
V10.2	9 September 2026	Reformat document and update legislation links. Preparatory version for comprehensive review at a later date	RTO Manager	September 2028
V10.3	21 September 2026	Comprehensive 2025 Standards/ESOS/accessibility review; see section 22.	RTO Manager as policy owner	September 2028