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INSTITUTE
DELIVERING EXCELLENCE...

COMPLAINTS AND APPEALS POLICY AND PROCEDURE

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Document Control

Version	Date	Key Changes
1.0	October 2021	New policies defined and outlined
1.1	October 2022	New policies defined and outlined
1.2	July 2023	Due to the approval of new courses policies reviewed before October

Review Process

This policy shall be reviewed annually in compliance with the [VET Quality Framework](#) including the [Standards for Registered Training Organisations \(RTOs\) 2015](#) and [Australian Qualifications Framework \(AQF Framework\)](#); and the [Education Services for Overseas Students \(ESOS\) Framework](#) including but not limited to: [The Education Services for Overseas Students Act 2000 \(ESOS Act 2000\)](#), [Education Services for Overseas Students Regulations 2019 \(ESOS Reg 2019\)](#) and the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (The National Code 2018); and all other applicable State and Commonwealth legislation.

Next review is due by **July 2024**.

COMPLAINTS AND APPEALS POLICY AND PROCEDURE

Principles

Pinnacle Institute will ensure that:

- All students have access to the complaints policy and procedures and their rights as consumers.
- Pinnacle Institute will maintain the student's enrolment during the complaint process.
- The complainant is provided with information about the complaints procedure.
- All complaints are dealt with confidentially, fairly and promptly.
- The complaint process is commenced within 10 working days from the date of complaint.
- Due to confidentiality reasons, the number of people involved in the resolution process will be limited.
- Officials involved in any aspect of the process will maintain absolute confidentiality at all times.
- The complaint resolution procedure promotes a conciliatory approach using mediation and open communication while acknowledging that in some instances this may be challenging.
- The rights of the complainant and respondent will be protected throughout the complaint resolution process.
- All parties have the right to representation during the complaint resolution process.
- Victimisation of complainants, respondents or anyone else involved in the complaint resolution process will not be tolerated.
- The complainant is provided with a written response including the outcome and reasons for the outcome within 20 business days.
- Complainants reserve the right to lodge a complaint with external agencies at any point during the complaint resolution process.

Types of complaints

The complaints may be about academic or non-academic matters including, but not limited to:

- Application procedures
- Marketing information
- Training delivery or content
- Trainers, Assessors or other staff
- Assessment methods or assessment content
- Student progress
- Issuing of Awards
- A third party delivering services on Pinnacle Institute's behalf
- A student or group of students of Pinnacle Institute
- Discrimination
- Harassment, bullying or victimisation
- Breach of privacy
- Individual conflict arising from perceived inappropriate behaviours

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- Fees or other financial matters
- Fines and payments

Procedure

Internal complaints and appeals

The internal complaints and appeals processes are conciliatory and non-legal.

1) Complaints against other Students

- a) Grievances brought by a Student against another student will be dealt with under Pinnacle Institute's Code of Conduct Policy.

2) Informal Complaints Resolution

- a) In the first instance, Pinnacle Institute requests there is an attempt to informally resolve the issue through mediation/informal resolution of the complaint.
- b) Students should continue to attend classes (if applicable) while the complaint is being processed.
- c) Students should contact their Trainer/ Teacher in the first instance to attempt mediation/informal resolution of the complaint.
- d) If Students are not satisfied with the outcome, they should contact the Student Support Officer who will attempt to resolve the matter.
- e) If the complaint is about the Student Support Officer, it can be directly brought to the CEO's attention.
- f) If the matter cannot be resolved through mediation, the matter will be referred to the CEO in writing and Pinnacle Institute's internal formal complaints and appeals handling procedure will be followed.

3) Formal Complaints Handling Procedure

- a) The process of the complaints procedure is confidential and any complaints or appeals are a matter between the parties concerned and those directly involved in the complaints handling process.
- b) The student must notify the Institute in writing (a student may complete a Student's Complaints and Appeals Form) detailing the nature and details of the complaint or appeal.
- c) Written complaints or appeals are to be lodged with the CEO.
- d) Where the internal complaints and appeals process is being accessed by an international Student because the student has received notice by the Institute that the Institute intends to report him/her for unsatisfactory course attendance, unsatisfactory course progress or suspension or cancellation of enrolment, the student has 20 working days from the date of receipt of notification in which to lodge a written appeal.
- e) Complaints and appeals processes are available to students at no cost.
- f) Each complainant or appellant has the opportunity to present his/her case to the CEO.
- g) Students and / or the Institute may be accompanied and assisted by a support



- person at all relevant meetings
- h) The formal complaints and appeals process will commence within 10 working days of the lodgement of the complaint or appeal with the CEO.
 - i) Once the CEO has come to a decision regarding the complaint or appeal, the student will be informed in writing of the outcome and the reasons for the outcome, and a copy will be retained on the student's file. A copy will also be retained in the internal 'Complaints and Appeals Register' stored in our Quality Management System within aXcelerate.
 - j) If the grievance procedure finds in favour of the complainant, Pinnacle Institute will immediately implement the decision and any corrective and preventative action required and advise the student of the outcome.
 - k) Pinnacle Institute undertakes to finalise all grievance and complaints within 20 business days.
 - l) However, should detailed investigation be required, the process may take more than 60 days. The complainant or appellant will be notified of the expected duration of the investigation process should the process take 21-60 days.
 - m) If more than 60 days are required, Pinnacle Institute will advise the complainant/appellant in writing, the reasons for why more than 60 days are required. Pinnacle Institute will regularly update the complainant or appellant of the progress of the matter.
 - n) If the Complainant or appellant is not satisfied with the outcome of their complaint or appeal, Pinnacle Institute will refer the complainant to the Resolution Institute (at a shared cost with Pinnacle Institute) or the Overseas Student Ombudsman (no cost), the student can choose. This is the commencement of the external appeals process.
 - o) Pinnacle Institute will maintain the Student's enrolment throughout the internal appeals process, and the Student must maintain their course progression.

External Appeals Processes

Overseas Students: If the student wishes to lodge an external appeal or complain about the decision, they can contact the Overseas Students Ombudsman. The Overseas Students Ombudsman offers a free and independent service for overseas Students who have a complaint or want to lodge an external appeal about a decision made by their private education or training provider. See the Overseas Students Ombudsman website www.oso.gov.au or phone 1300 362 072 for more information.

They can complain to the Overseas Students Ombudsman if they believe the provider has not followed their policy or treated them fairly.

The Ombudsman can consider complaints about:

- refusing admission to a course
- fees and refunds
- course or provider transfers

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- course progress or attendance
- cancellation of enrolment
- accommodation or work arranged by the provider
- Incorrect advice given by an education agent.

The Overseas Students Ombudsman can also investigate complaints about education agents who have an agreement with a provider to represent them in Australia or overseas. Students can also complain if a provider has failed to take action or is taking too long to take some action, like not providing course results in the normal timeframe, or not providing services included in the student's written agreement with the provider.

If Students have a complaint about the quality of training and assessment being delivered by Pinnacle Institute, they may be eligible to submit a complaint to ASQA. <http://www.asqa.gov.au/complaints/complaints.html>

They can also contact the local state & territory consumer protection agency (sometimes called 'consumer affairs' or 'fair trading') who can provide information about their rights and options.

Pinnacle Institute will identify the potential causes of complaints and appeals and take appropriate corrective action to eliminate or mitigate the likelihood of recurrence, for continuous improvement purposes.

Written records of all complaints and appeals and their outcomes will be maintained in the relevant person's file.