



Kaplan Professional Grievances, Complaints and Appeals Policy

**Vocational Education and
Higher Education**



Scope

This policy is applicable to Kaplan Education Pty Ltd and Kaplan Higher Education Pty Ltd, both trading as Kaplan Professional (referred to as 'Kaplan Professional').

This policy applies to:

- all current students who have accepted Kaplan Professional's Enrolment Terms and Conditions.
- all applicants who have formally applied to be enrolled at Kaplan Professional.
- prospective students who have had some interactions with Kaplan Professional, including former Kaplan Professional students (within 12 months from the date they ceased to be enrolled with Kaplan Professional)
- parents or legal guardians of current or prospective students under the age of 18 years.
- all Kaplan Professional staff and contractors involved in the provision of education and training products and services for students and clients.
- any third-party providing services on Kaplan Professional's behalf to current or prospective students.
- all staff members involved in the management of grievances, complaints and appeals processes.

This policy is to be used in the management of grievances, complaints and appeals relating to all aspects of a student's educational experience and learning environment at Kaplan Professional.

Purpose

The purpose of this policy is to provide:

- a framework for managing grievances, complaints and appeals.
- a process for the investigation of grievances, complaints and appeals.
- a fair, equitable and confidential means of resolving grievances, complaints and appeals.

Kaplan Professional is committed to compliance with applicable Standards for Registered Training Organisations (RTOs) 2015 5.2d(i), 6.1-6.5, 2.2b, the guidelines of the Higher Education Standards Framework (Threshold Standards) 2021 Section 2.4 (Standards 2.4.1 – 2.4.5), as well as other relevant legislation.

Kaplan Professional is committed to resolving any complaint or grievance promptly, equitably and in a professional manner that respects the privacy of all parties involved.

Definitions

Grievance	A grievance is a minor issue that is suitable to be addressed informally and usually resolved easily by having a discussion with a staff member.
Complaint	<p>A complaint is an expression of dissatisfaction by a student or person, that involves a formal process for resolution requiring review, investigation, or action. Examples of activities which may give rise to academic and/ or non-academic complaints covered by this policy are listed below, but not limited to:</p> <ul style="list-style-type: none">• Qualification or Academic programs (content or structure).• Subject enrolment, delivery, assessment, learning environment; outcomes, access to resources.• Student services and their processes (including contractor or employee conduct).• Individuals who believe that they have been treated unfairly on the grounds of access and equity.• Health and safety concerns related to subject delivery and/or assessment.• Administrative action/inaction, procedure, or decision.



Appeal	An appeal is when a student requests Kaplan Professional to review the process by which a decision was made. Appeals do not review the decision but focus on the decision-making process. For example, a student can appeal a decision because the student believes a complaint was not conducted fairly, but the student is not able to appeal a decision simply because the student disagrees with the decision. As a result, any appeal must also provide new evidence or information not previously provided in support of the complaint.
Academic complaints	Academic complaints include, but are not limited to: <ul style="list-style-type: none">• Academic staff members• Assessment• Course Content• Participation• Qualification outcome• Quality of Course Delivery• Student Academic Progress
Appellant	The person seeking an appeal of the decision following a formal complaint.
Complainant	The person making a formal complaint.
Non-academic complaints	Non-academic complaints include, but are not limited to: <ul style="list-style-type: none">• Access to resources.• Administration staff members• Enrolment• Kaplan Professional Policies and Procedures• Payment of fees/student charges• Racial/sexual harassment and/or discrimination• Student support services
Respondent	The education provider – Kaplan Professional.
Under 18 Point of Contact	The team that manages all contact with students who are under 18 and their parents/guardians.

Policy Principles

The following principles guide Kaplan Professional in management and resolution of complaints and appeals.

- Complaints and appeals will be dealt with in a timely manner in accordance with the timeframes in the process.
- All complaints and appeals will be dealt with at no charge to the complainant.
- The complainant and respondent will not be victimised or discriminated against in any manner, and all details of the matter will remain strictly confidential.
- Students will continue their studies as usual during the complaint or appeal resolution process, except in circumstances where their health or safety is potentially at risk, or if they pose a health or safety risk to others.
- All complaints and appeals will be treated seriously and investigated thoroughly. A student may seek confidential, independent professional advice at any stage of a complaint.
- The complainant is entitled to ask for assistance in the form of a translator or interpreter, at any time during the process. The complainant and respondent may bring a support person (such as a friend, family member, counsellor or other third party) to assist them during any meetings that may be held in the process of resolving the complaint or appeal. The support person should not be a legal practitioner and the complainant is obliged to notify Kaplan Professional that the person will be attending before the meeting.
- The meetings are not to be recorded on any device by either the complainant or the respondent without the consent of all parties involved in the meeting. though both parties present during the meeting are, however, permitted to take handwritten or typed notes during the meeting.



- Details of the complaint or appeal, its investigation and outcome will be documented and stored appropriately, and can be requested at any stage of the process by the complainant or respondent.
- Resolution of the complaint or appeal can occur at any stage. Once resolved, all further investigation will stop unless, in order to improve services or avoid similar situations occurring again, it is decided that further investigation should occur.
- Complainants have a right to appeal if they believe the process by which a decision was made was not adequate.
- If a complainant is dissatisfied with the outcome of the appeals process, Kaplan Professional and the complainant may appoint an independent arbiter to review the appeal process and recommend a solution. Kaplan Professional will pay the cost of this process.
- The outcome of each complaint and appeal will be analysed and recommendations for improvement of services will be recorded in the “Continuous Improvement Register” and implemented where reasonably possible.
- Complaints and appeals that are frivolous, unreasonable, or lacking substance will be dismissed once the complaint and the supporting evidence have been investigated and considered by either Kaplan Professional or the Appeals Committee.
- The procedures set out in this document do not replace or modify the complainant’s rights under Australian consumer protection laws, or their rights to pursue other legal remedies.
- Any complaints or appeals raised by a student who is under 18 must include the parent/guardian in consultation with the Under 18 Point of Contact. If the student has raised an issue related to an allegation of abuse or harm, then the student should send an email to safe@kaplan.edu.au.

Guiding procedures - Grievances and Complaints

Stage 1: Grievance received

In the first instance, issues relating to the grievance should be raised informally with a Student Services/Student Experience team member either verbally or in writing – see table below. If the grievance cannot be resolved by the relevant Kaplan Professional team member, the matter will be referred to the Student Resolutions team. If the student is not satisfied with the resolution of the grievance, a formal written complaint may be lodged with Kaplan Professional. All possible options will be considered for a grievance to be resolved without leading to a formal complaint.

Kaplan Professional	Phone	Email
Vocational Education – Student Services	1300 662 203	mail@kaplan.edu.au
Higher Education – Student Experience	1300 135 798	studentadvice@kaplan.edu.au

Stage 2: Lodging a Formal Written Complaint

All formal written complaints (academic and non-academic) must be submitted within 10 working days of the incident.

In exceptional circumstances Kaplan Professional may allow a formal verbal complaint to proceed – e.g. instances whereby a student is unable to provide a written submission due to a special circumstance.

To make a formal complaint, the complainant should complete the Student Complaint Form available from the Kaplan Professional website and email it to the Student Resolutions Team at studentadviser@kaplan.edu.au. To assist in the resolution of a complaint, students are advised to include the following information when communicating their complaint.

- Use the word “Complaint” in the email subject line.
- If applicable, identify the subject/course and study period.
- Summarise the issues relating to the complaint.
- Provide any evidence of attempts to resolve the complaint, including but not limited to emails, examples, dates, times etc.
- Specify the outcome that is being sought.

The complaint will be assigned to the relevant manager. The complainant will receive written confirmation within five working days that their written complaint has been received. The complainant is advised to contact Kaplan Professional if they have not received confirmation that their complaint has been received within the five working days period.



Stage 3: Investigating the Complaint

Upon receipt of a formal complaint, details will be recorded in Kaplan Professional's Complaints and Appeals Register. All complaints will be investigated once Kaplan Professional acknowledges receipt of the complaint.

The complaint will be investigated by the Manager, Student Resolutions, relevant Business Unit Head, or their delegate, who may call on relevant staff, as required. The investigation of complaints may involve:

- Reviewing completed assignments and exams.
- Reviewing course materials or resources.
- Consulting other course participants.
- Reviewing course evaluations.
- Reviewing processes.
- Reviewing information provided if the complaint relates to bullying and/or harassment.
- Reviewing potential unfair treatment of individuals on grounds of access and equity.
- Speaking to relevant Kaplan Professional staff members to obtain further information.

Where there are grounds for further investigation of the complaint, particularly where it relates to learning, assessment or access and equity, a formal interview or meeting with the student/s involved in the complaint may be conducted to agree on an appropriate resolution. Complainants may bring one person (such as a friend, family member or counsellor) to support them in any interview.

Stage 4: Resolving the Complaint

Once the investigation has been conducted and a determination made, the complainant will receive a written response from Kaplan Professional detailing the actions taken in response to the complaint and reasons of the outcome. This will usually occur within 10 working days of acknowledgement of the complaint, or as soon as practicable (depending on the nature of the complaint). If the investigation or determination will extend beyond 10 working days, the complainant will be advised in writing.

If Kaplan Professional receives no communication from the complainant within 10 working days from the date the written response is sent by Kaplan Professional, the complaint will be considered closed, except in exceptional circumstances.

Any determination made in relation to a formal complaint will be documented in the Complaints and Appeals Register.

Guiding procedures – Appeals

Stage 1: Submitting an Appeal

Right to Appeal

Where a student, having lodged a formal complaint, subsequently receives a determination in circumstances that they believe provides grounds for appeal, the student has the right to appeal under this policy.

Academic appeals by students are referred to the Appeals Subcommittee/Committee for determination according to the processes stated within this policy.

Non-academic appeals by students are referred to the Head of Student Experience or delegate for determination according to the processes stated within this policy.

Notice of Appeal

If a complainant decides to appeal a determination, they must lodge a written Notice of Appeal available from the Kaplan Professional website and email it to the Student Resolutions Team at studentadviser@kaplan.edu.au within 10 working days of the determination being made.

In exceptional circumstances, Kaplan Professional may accept an appeal outside the 10 working days.

The appeal must set out the grounds of appeal and provide evidence supporting the grounds of appeal or any new information not previously provided in support of the complaint. It should also specify the outcome sought.

There is no cost for lodging an appeal and students will be treated fairly and respectfully, with a transparent process.



Failure to provide a completed Notice of Appeal, with supporting new evidence as required, will result in the appeal not being heard.

Kaplan Professional will provide the complainant with formal written acknowledgment of the appeal.

Grounds of appeal

An appeal of a determination may be made on one or more of the following grounds:

- The penalty imposed was excessive considering the facts of the matter.
- New evidence of a relevant nature is available that might alter the original decision.
- The decision was made without due consideration of all the facts, evidence or circumstances.
- There was bias, prejudice or a conflict of interest by the person or people investigating or making the decision.
- Some significant policy or procedural irregularity occurred in the investigative process.

Students may not appeal against results/grades based on:

- subject structure and assessment methods, including assessments relating to Recognition of Prior Learning (RPL) and/or Credit Transfer (CT).
- student workload or the amount of work the student has done.
- financial implications of not passing a subject or having RPL/CT approved.
- results/grades received by the student in other subjects.
- the need for additional marks to enable a competent result or pass/better grade.
- an unsubstantiated claim of incorrect marking or assessment of RPL/CT.

Stage 2: Investigating the Appeal

Formation of the Appeals Subcommittee (Vocational Education) or Appeals Committee (Higher Education)

For relevant Vocational Education academic matters, the Head of Student Experience will appoint the Appeals Subcommittee.

For relevant Higher Education academic matters, the Academic Board appoints the Appeal Committee.

The Subcommittee or Committee will comprise of at least three members and must not include any member who has:

- a personal involvement or connection with the complainant, or with the matters to be heard, or
- been involved in any activity that has or could potentially lead to bias, prejudice or a conflict of interest or would lead a reasonable person to conclude a bias, prejudice or conflict of interest existed in relation to the matter.

Membership of the Appeals Subcommittee/Committee may also include a non-voting secretary who is responsible for keeping records of the hearing.

Academic Appeals:

Duties of the Head of Student Experience for the Appeals Subcommittee (Vocational Education)

Duties of the Chair of the Appeals Committee (Higher Education)

On receiving an appeal application from an appellant in relation to an academic matter, the Head of Student Experience or delegate, or the Chair or delegate will review all aspects of the application and make the decision whether:

- to allow the appeal to proceed to the Appeals Subcommittee/Committee or
- in the appellant's interests, to defer the appeal or
- to dismiss the appeal by the appellant.

Where the relevant Kaplan Professional representative determines that a valid case is established by the appellant within the requirements of this policy, the relevant Kaplan Professional representative will decide that the Appeal will proceed to the Appeals Subcommittee/Committee.

If the relevant Kaplan Professional representative finds that there are issues in relation to the appeal which, in the student's interests suggest that the student's appeal should be placed on hold pending the results of current subjects being studied, the relevant Kaplan Professional representative has discretion to decide to defer the Appeal pending those results. Once those results are made available the relevant Kaplan Professional representative must decide to allow or dismiss the appeal within 10 working days.



If the relevant Kaplan Professional representative finds that there are no grounds for appeal, or that the appeal is lacking in substance or is frivolous or vexatious, then the relevant Kaplan Professional representative will make the decision that the appeal will be dismissed without proceeding to a hearing by the Appeals Subcommittee/Committee. The appellant will receive written notification within five working days of the decision and will be informed of further external appeal opportunities available at this stage.

Non-Academic Appeals: Duties of the Head of Student Experience (both Vocational and Higher Education)

On receiving an appeal application relating to a non-academic matter, the Head of Student Experience or delegate will review the application and determine whether to grant or dismiss the application. The Head of Student Experience or delegate may also consult with the relevant stakeholders on the appeal application.

The decision made by the Head of Student Experience or delegate will be communicated to the appellant in accordance with the standards stated in this Policy.

Where the appeal application is dismissed, the appellant will receive written notification within five working days of the decision and will be informed of further external appeal opportunities available at this stage.

Stage 3: Appeal Hearing (Academic Matters only)

If the decision by the Head of Student Experience or delegate, or the Chair or delegate decides that the appeal should proceed to a meeting of the Appeals Subcommittee/Committee, that meeting will, wherever possible, be convened not more than 10 working days after the Notice of Appeal is received by Kaplan Professional.

The Appeals Subcommittee/Committee will determine the general conduct of the appeal hearing and the procedures to be adopted, as it thinks fair, based on general principles of natural justice and procedural fairness.

The Appeals Subcommittee/Committee has the power to:

- hear the appeal in relation to the determination of the complaint.
- review, uphold, dismiss, or vary the determination of the complaint.
- refer the matter back to Kaplan Professional for further inquiry and determination.

The Appeals Subcommittee/Committee will consider all documentation submitted in connection with the appeal, including any written submissions from the appellant and any representative of Kaplan Professional. The Appeals Subcommittee/Committee may also refer to documentation or evidence tendered during the investigation or hearing, as well as any other information relevant to the appeal.

At the appeal hearing, the appellant concerned may be accompanied or assisted by a third party, if so desired, but must advise Kaplan Professional prior to the hearing if they intend to do so.

Both parties, the appellant and Kaplan Professional, cannot appoint a legal representative to represent them at the appeal hearing.

The Appeals Subcommittee/Committee may adjourn at any time during the appeal hearing to consider any matter it deems relevant.

Stage 4: Resolving the Appeal

Once a decision has been made by the relevant Kaplan Professional representative, it will be communicated in writing to the appellant in accordance with the standards stated in this Policy, usually within 10 working days of the decision being made or as soon as practicable (depending on the nature of the appeal). If for some reason the investigation or determination takes longer, the appellant will be advised in writing. Kaplan Professional is also responsible for carrying out any recommendations.

The appellant may withdraw their appeal at any stage in the process. If the appellant does this, no further appeals will be accepted. The appeal will be deemed resolved.

Upon upholding an appeal, the relevant Kaplan Professional representative, as appropriate, may determine what action is to occur. Where the appeal is dismissed, the original determination is confirmed and may be processed along with any recommendation originally made.



The proceedings and decision of an appeal will be kept private and confidential, as outlined in Kaplan's Privacy Policy. A student may request access to records of the hearing and reasons for the determination. The decision from the relevant Kaplan Professional representative is final and binding on all parties. The appellant may pursue relevant action available to them under Commonwealth or State legislation.

External Independent Review

If the appellant wishes to appeal the decision of Kaplan Professional, the appellant can lodge an external appeal. The appellant will have 10 working days to request an external review from the date of Kaplan Professional's letter notifying the appellant of the outcome of their appeal.

An external appeal should only be made after all internal appeal processes under this policy have been addressed. However, at any part in the complaints or appeals process the complainant can refer the matter to an external agency.

Students may request mediation or an external review through the [Resolution Institute](#). Mediation and external reviews will be conducted in accordance with the [Resolution Institute Mediation Rules](#).

No further appeals will be accepted after mediation or external review.

Please note that applying for an external review with the Resolution Institute will incur a fee that will have to be paid by the person complaining/appealing a decision. For the exact fees, complainants/appellants should contact the Resolution Institute.

Furthermore, students may want to consider contacting the [Australian Skills Quality Authority \(ASQA\)](#) or [Tertiary Education Quality and Standards Agency \(TEQSA\)](#) for certain types of complaints.

The parties will agree to be bound by the external independent mediator's recommendations and Kaplan Professional will ensure that any recommendations arising from the decision will be implemented as soon as practicable from the time of the receipt of the decision by Resolution Institute, ASQA, TEQSA or any other external independent review body engaged in the appeals process.

Contact details for External Independent Review Bodies:

Resolution Institute	Telephone: 02 9251 3366 / 1800 651 650 Email: infoaus@resolution.institute Website: https://www.resolution.institute/
Australian Skills Quality Authority (ASQA)	Telephone: 1300 701 801 Email: enquiries@asqa.gov.au Website: www.asqa.gov.au
Tertiary Education Quality and Standards Agency (TEQSA)	Telephone: 1300 739 585 Email: enquiries@teqsa.gov.au Website: https://www.teqsa.gov.au/complaints

Please note:

- If students prefer to make a complaint in a language other than English, they can call the Translating and Interpreting Service (TIS) on 131 450 or visit <https://www.tisnational.gov.au/> for more information.
- Kaplan will maintain the student's enrolment while the internal or external complaint/appeal process is ongoing.
- For students in South Australia, the South Australian Skills Commission is able to provide:
 - advocacy services for both domestic and international students.
 - assistance in the resolution of disputes through independent mediation.

More information on the services offered can be found at [South Australian Skills Commission](#).

- The availability of this complaints and appeals process does not remove the right of the student to take action under Australian Consumer Protection Laws if Australian Consumer Law applies.



Recordkeeping for Complaints and Appeals

A record of formal complaints and appeals, the resolution processes used, and decision reached will be retained by Kaplan Professional. If the complaint or appeal is related to an individual associated with Kaplan Professional, relevant information will also be retained.

Where a complainant/appellant lodges a formal complaint or appeal they must be advised of:

- the receipt of the complaint or appeal by Kaplan Professional and any proposed action to be taken.
- the outcome and the reasons for the outcome of the complaint or appeal and any further avenues for appeal available.

All records relating to the complaint and/or appeal will be recorded on the complainant's record and maintained as outlined in the Student Record Management Policy to allow both parties access to these records upon written request.

As well as being a record of such events, this information will be used to improve Kaplan Professional products, services and processes where deficiencies are identified.

All records are considered private and confidential and will be treated in accordance with Kaplan Professional's Privacy Policy.

Relevant Legislation

As a registered education provider, Kaplan Professional operates under strict laws and regulations. Policies and procedures are in place to ensure compliance with such laws. Below lists the most relevant the legislation which apply to this Policy:

- Age Discrimination Act 2004
- Disability Discrimination Act 1992
- Disability Standards for Education 2005
- Discrimination Act 1991
- Higher Education Standards Framework (Threshold Standards) 2021
- Human Rights and Equal Opportunity Commission Act 1986
- Privacy Act 1988
- Racial Discrimination Act 1975
- Sex Discrimination Act 1984
- Standards for Registered Training Organisations (RTOs) 2015
- Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)

Related Policies

This Policy should be read in conjunction with the following Kaplan Professional policies and documents:

- Academic Integrity and Conduct Policy
- Access and Equity Policy (Vocational Education only)
- Assessment Policy
- Continuous Improvement Policy
- Diversity, Inclusion and Equity Policy (Higher Education only)
- Electronic Media Policy (Higher Education only)
- Health and Safety Policy
- Prevention of Harassment and Bullying Policy
- Privacy Policy
- Progression Policy (Higher Education only)
- Refund Policy
- Sexual Misconduct Prevention and Response Policy
- Student Record Management Policy.



Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and Responsible Officer to ensure compliance with this Policy.

Policy Category	Service			
Responsible Officers	Head of Student Experience (Vocational Education) Vice President, Academic (Higher Education)			
Implementation Officers	Manager, Student Resolutions; Manager, Student Experience			
Review Date	September 2026			
Approved by				
Policy Committee (Vocational Education) Academic Board (Higher Education)				
Version	Authored by	Brief Description of the changes	Date Approved	Effective Date
1.0	Head of Student Experience	New procedures	31.3.2016	01.04.2016
2.0	Head of Student Experience	Updates to External Independent Review section Inclusion of Student Resolutions team as point of contact	31.01.2018	03.09.2018
3.0	Quality, Regulations and Standards team	Applied new template. Revised definitions and guiding procedures. Forms, Updated job titles	19.05.2022	31.05.2022
4.0	Quality, Regulations and Standards team	Alignment of Vocational and Higher Education policies into one Amendments to Definitions section Clarification around duties and processes External Review notification timeframe amended	21.09.2023	23.09.2023