

SC4: Complaints and Appeals Policy

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Purpose

The purpose of this policy and procedure is to outline the RTO's approach to managing dissatisfaction, formal complaints and appeals of students, clients, staff and other members of the community. It provides a transparent approach for all complaints and appeals to be acknowledged, addressed, and recorded in a fair, efficient and confidential manner. The RTO acknowledges and agrees that it will respond to and co-operate in good faith with any complaints handling mechanism or process required by regulatory bodies, for the purpose of resolving student complaints or other issues in relation to the RTOs Training Services.

This policy and related procedures ensures compliance with Standard 6 of the RTO 2015 Standards, Victorian Skills First Quality Charter Principle 6 that underpin the relevant RTO Government Funding Contracts.

Definitions

ASQA means Australian Skills Quality Authority, the national VET regulator and the RTO's registering body

Appeal means a request for a decision made by the RTO to be reviewed

DET means Department of Education and Training

Complaint means a person's formal expression of dissatisfaction with any product or service provided by the RTO.

Services means training, assessment, related educational and support services and/or activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation or ICT support

Standards means the Standards for Registered Training Organisations (RTOs) 2015 from the VET Quality Framework

Quality Charter means the Skills First Program - Quality Charter, or its successor.

Skills First Program means the Victorian Government's program for funding individuals' Entitlement to Funded Training.

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Policy

1. Nature of complaints and appeals

- The RTO responds to all allegations involving the conduct of:
 - the RTO, its trainers and assessors and other staff
 - any third party providing Services on behalf of the RTO
 - any student or client of the RTO
- Complaints may be made in relation to any of the RTO's services and activities such as:
 - the application, Pre -Training Review and enrolment process
 - marketing information
 - the quality of training and assessment provided
 - training and assessment matters, including student progress, student support and assessment requirements
 - the way someone has been treated
 - the actions of another student, staff or persons
- An appeal is a request for a decision made by the RTO to be reviewed. Decisions may have been about:
 - course admissions
 - refund assessments
 - response to a complaint
 - assessment outcomes / results
 - other general decisions made by the RTO

2. Principles of resolution

- The RTO is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice. Through this policy and procedure, the RTO ensures that complaints and appeals:
 - Are responded to in a consistent and transparent manner.
 - Are responded to promptly, objectively, with sensitivity and confidentiality.
 - Are able to be made at no cost to the individual.
 - Are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.
- The RTO will inform all persons or parties involved in any allegations made as well as providing them with an opportunity to present their side of the matter.
- Nothing in this policy and procedure limits the rights of an individual to take action under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.

3. Timeframes for resolution

Complaints and appeals will be finalised as soon as practicable or at least within 30 calendar days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time that the matter is resolved.

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4. Records of complaints and appeals

The RTO will maintain a record of all complaints and appeals and their outcomes on the *Complaints and Appeals Register*, which will be securely stored according to the Privacy Policy and Procedures.

5. Making a complaint of appeal

- Complaints about a particular incident should be made as soon as possible after the incident occurring and appeals must be made within thirty (30) calendar days of the original decision being made.
- Complaints and appeals should be made in writing using the *Complaints and Appeals Form*, or other written format and sent to the RTO's head office at: 105 South Gippsland Hwy Dandenong South VIC 3175 attention to the Chief Executive Officer.

When making a complaint or appeal, provide as much information as possible to enable the RTO to investigate and determine an appropriate solution. This should include:

- The issue you are complaining about or the decision you are appealing – describe what happened and how it affected you.
 - Any evidence you have to support your complaint or appeal.
 - Details about the steps you have already taken to resolve the issue.
 - Suggestions about how the matter might be resolved.
- Your complaint or appeal will be acknowledged in writing within 3 business days and action will be taken towards addressing the complaint and appeal within 7 business days.

6. Resolution of complaints and appeals

- Some or all members of the management team of the RTO will be involved in resolving complaints and appeals as outlined in the procedures.
- Where a complaint or appeal involves another individual or organisation, they will be given the opportunity to respond to any allegations made.
- Where a third party delivering Services on behalf of the RTO is involved, they will also be included in the process of resolving the complaint or appeal.
- Each party involved in the complaint or appeal may have a support person of their choice present at meetings scheduled to resolve the issue.
- In the case of an assessment appeal, an assessor who is independent from the original decision will assess the original task again. The outcome of this assessment will be the result granted for the assessment task.
- Complaints and appeals will be finalised within thirty (30) calendar days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time as the matter is resolved.
- The complainant or appellant will be advised in writing of the outcome of the process and the reasons for the findings made.
- The enrolment status of a student will be handled as follows:
 - For students that choose to access this policy and procedure, the RTO will maintain the student's enrolment while the complaints and appeals process is ongoing.

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7. Independent Parties

- The RTO acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter. Costs associated with independent parties to review a matter must be covered by the complainant/appellant unless the decision to include an independent party was made by the RTO.
 - For students, complainants and appellants are able to use their own external party at their own cost. Students may also access the external complaint avenues indicated below free of charge.
 - The RTO will provide complete cooperation with the external mediator investigating the complaint/appeal and will be bound by the recommendations arising out of this process.
 - The CEO will ensure that any recommendations made are implemented within twenty (20) days of being notified of the recommendations. The complainant or appellant will also be formally notified in writing of the outcome of the mediation.

8. External complaint avenues

- Complaints can also be made via the following avenues:
 - National Training Complaints Hotline:

The National Training Complaints Hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint. Consumers can register a complaint with the National Training Complaints Hotline by:

 - Phone: 13 38 73, Monday–Friday, 8am to 6pm nationally.
 - Email: ntch@education.gov.au

- Australian Skills Quality Authority (ASQA):

Complainants may also complain to the RTO's registering body, Australian Skills Quality Authority (ASQA).

ASQA can investigate complaints about the RTO in relation to:

- the quality of our training and assessment
- our marketing and advertising practices

For students:

- ASQA may not be able to investigate complaint if you do not include evidence that you have already exhausted our formal internal complaints process as above.
- If your complaint does not fall within ASQA's jurisdiction, it may be resolved more quickly if you directly contact the agency responsible as listed on the relevant webpage below.
- Please refer to the relevant webpage below before making a complaint to ASQA:
 - **Students:** <https://www.asqa.gov.au/complaints/make-complaint-domestic-students/before-you-make-complaint>

For other stakeholders:

- Information about the process and information you should provide is available here: <https://www.asqa.gov.au/complaints/make-complaint-other-stakeholders>

9. Publication

This policy and procedure will be published in the Student Handbook and on the RTO's website.

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Supporting Documents

- SC4.1 VETtrak - Complaints & Appeals Register
- SC4.2 Complaints and Appeals Flowchart
- SC4.3 Complaints and Appeals Form

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