

Complaints and Appeals Policy

Purpose

To ensure any decisions that effect the student have procedural fairness.

This policy is underpinned by the following principles.

1. The complaints and appeals procedure relating to this Policy will be given to students prior to enrolment and again in the course support documentation provided within 7 days of commencement of the course.
2. The consideration of complaints and appeals will be dealt with fairly and confidentially and according to principles of procedural fairness which respects the right of a complainant to be heard by an impartial party if requested.
3. The consideration of complaints and appeals will be dealt with according to principles of procedural fairness which respects the rights of the respondent.
4. Attempts will be made to resolve complaints as soon as practicable and as close to the source as possible.
5. Complainants and respondents will not be subject to discrimination, harassment or vilification (including antisemitism) resulting from their participation in the complaints process.
6. This complaints process does not restrict a student's or person's right to pursue other legal remedies.
7. Staff will make all attempts to respond to complaints within the time limits set out in this policy.
8. All procedures will be made available to the public on the RTO 22215 website, student course support documentation and staff induction materials.
9. Complainants and/or respondents have the right to be represented by a third party other than a qualified legal practitioner (family member, friend, counsellor or other professional support person) if they so desire.
10. All communications arising from the complaints process, together with the proceedings of the Appeals and Complaints Committee, will remain confidential, except to the extent necessary to give effect to this Complaints and Appeals Policy.
11. Where the appeal relates to suspension of enrolment, students may maintain their enrolled status whilst awaiting the outcome of the appeal.
12. The complainant or appellant has the opportunity to formally present their case at no cost to them.
13. Complainants have access to an independent arbiter.
14. Complainants are clearly informed in writing of the outcomes of the complaint or appeal.

15. Complaints and appeals are resolved within realistic and fair timelines.
16. Students may raise any matters of concern relating to training delivery and assessment, the quality of the teaching, student amenities, discrimination, vilification (including antisemitism), sexual harassment and other issues which may arise.
17. All complaints will be managed in a manner that supports the wellbeing and psychological safety of all parties involved. Where appropriate, access to support services and/or referral pathways may be provided to assist students throughout the complaints process.
18. The RTO will provide the student with details of external authorities.
 - These external authorities will be independent from the RTO. The external arbiter utilised by RTO 22215 is the Racing Authority Chief Stipendiary Steward or delegate.
 - Students are referred to the external arbiter when all attempts to resolve the dispute internally have failed. The student may represent him/herself or may have a nominated person accompany him/herself.
 - If the dispute is not settled in the mediation process, either party may seek other legal remedies.
 - Other agencies to which the student could be referred to include: Consumer Affairs, and the State Department of Education.
 - They may also contact the National Training Hotline.
 - Any other legal avenues.

Procedure of Complaint and Appeal

Verbal Complaint:

1. student or relevant party has a complaint
2. approaches Trainer/ Executive Officer with complaint
3. trainer/Executive Officer resolves complaint internally on an informal basis OR Student or relevant party is asked to formalise complaint in writing to Executive Officer.

Written Complaint:

To the Executive Officer:

1. student or relevant party has a complaint. The Complaints and Appeal Form is accessible from the student portal or RTO website and is located at the end of this document
2. student or relevant party lodges the complaint in writing to the Executive Officer within 5 business days of the incident occurring
3. the written complaint will be acknowledged by Executive Officer in writing, along with an outline of the processes to be followed and an estimated time frame.
4. Executive Officer to review and respond to the complaint within 10 working days of the written complaint being received, the outcome of the complaint review will be mailed to the student
5. the student's enrolment will be maintained during the review process
6. in the event of a favourable outcome for the student or relevant party, the RTO will immediately advise and implement any decision
7. if student or relevant party not satisfied with result, the student is able to lodge appeal in writing to the Board of Management.

To the Board of Management:

1. student or relevant party has an appeal subsequent to an initial complaint outcome. The Complaints and Appeal Form is accessible from the Training Tracker or RTO website and is located at the end of this document
2. student or relevant party lodges the appeal in writing to the Board of Management within 5 business days of the post mark of the notice of the initial complaint outcome
3. the written appeal will be acknowledged by Board of Management in writing, along with an outline of the processes to be followed and an estimated time frame
4. Board of Management to review and respond to the appeal within 10 working days of the next scheduled quarterly meeting, the outcome of the review will be mailed to the student.
5. the student's enrolment will be maintained during the review process
6. in the event of a favourable outcome for the student or relevant party, the RTO will immediately advise and implement any decision
7. if student or relevant party not satisfied with result, the student is able to lodge appeal in writing to External Agency (Racing Authority).

To the Racing Authority:

1. student or relevant party has a complaint regarding an appeal. The Complaints and Appeal Form is accessible from the student portal or RTO website and is located at the end of this document
2. student or relevant party lodges the appeal in writing to the Racing Authority and follows due process
3. in the event of a favourable outcome for the student or relevant party, the RTO will immediately advise and implement any decision.

