

## Complaints and Appeals Policy

RTO's Management shall ensure that all complaints and appeals are dealt in accordance with the principles of natural justice and procedural fairness and remains publically available. All complaints and appeals shall be subject to notification within the RTO's management meeting and require the implementation of the RTO's complaints and appeals process.

### Scope of Complaints and Appeals Policy

The RTO will manage and respond to allegations involving the conduct of:

- a) the RTO, its trainers, assessors or other staff;
- b) a third party providing services on the RTO's behalf, its trainers, assessors or other staff; or
- c) a learner of the RTO.

## Complaints and Appeals Procedures

Learners may choose to submit a complaint to the RTO staff via the Informal Process or Formal Process. (Please note 'RTO staff' will be considered to include third parties or partnering organisation staff)

### Informal process

- Learners may submit a complaint (verbally or in writing) directly to the RTO's staff with the purpose to resolve a complaint through discussion and through mutual agreement. All complaints received will be acknowledged in writing by the RTOs Management.
- The RTO staff are required to explain to the Learner the Informal, Formal and complaints and appeals processes available to them.
- Learners may be accompanied by a third party of their choice to support them in the informal process discussion.
- All informal complaints when finalised shall be reported to the RTO's Management by the RTO's staff (via a stakeholder feedback form) for further review and consideration for potential continuous improvement actions, regardless of whether the complaint was resolved or not.
- All informal complaints that are not resolved with Learners by mutual agreement with the RTO's staff will require the completion of the formal complaints process.

### Formal Process

- When a Learner wishes to submit a formal complaint or is dissatisfied with the attempt to resolve a complaint informally (directly with staff) the Learner may submit a formal complaint to the RTO's management utilising the '**Student Complaint Form**'.
- The RTO's Management will respond in writing to all formal Learner complaints within 5 days of receipt of a 'Student Complaint Form'.
- When a Complaint is recognised as requiring more than 60 calendar days to resolve the RTO's management must inform the complainant in writing, including reasons why more than 60 calendar days are required; and regularly update the complainant on the progress of the matter.
- The RTO's Management shall respond to formal complaints from Learners in writing proposing a resolution to the complaint.
- The RTO Management responses to the complainant shall include information and procedures concerning the complainant's right to appeal the proposed solution and request for an independent adjudicator.
- All formal complaints when finalised shall be reported to the RTO's Management by the RTO's staff (via a stakeholder feedback form) for further review and consideration for potential continuous improvement actions, regardless of whether the complaint was resolved or not.

## Appeals Process

In the event of a Learner advising that they are dissatisfied with the proposed solution for a formal complaint to the RTO's management, the CEO shall provide an additional opportunity to provide a solution and shall apply the External Appeal process.

### External Appeals

- The CEO shall advise the Learner that an Independent Third party shall be sought to consider the nature of the complaint and a possible further resolution at no cost to the Learner.
- The selection of the Independent Third party shall be communicated with the Learner and the selection must be with the mutual agreement of the Learner.
- The RTO's management shall make contact with the Independent Third party and provide all documentation related to the formal complaint and Learner contact details.
- Independent adjudication responses must be within 7 days from the date that all formal complaint documentation is provided to the Independent Adjudicator.

- When an Appeal process is recognised as requiring more than 60 calendar days to resolve the RTO's management must inform the appellant in writing, including reasons why more than 60 calendar days are required; and regularly update the appellant on the progress of the matter.
- On receipt of the formal complaint documentation the Independent Third party shall make contact with the RTO's Management staff and the Learner and arrange a suitable time for further discussion pertaining to the formal complaint.
- All Independent Third Party proposed solutions shall be final and be reported to the RTO's management and the Learner in writing and will require immediate implementation by both parties.

## **Assessment result appeals**

All appeals from Learners relating to assessment results must be received in a period no longer than 3 months following the competency decision.

### **Assessment Appeals Procedure**

Staff delivering training and assessment services on behalf of the RTO will be required to:

- Provide timely guidance to all course participants regarding the assessment appeals procedure.
- Clarify any aspects of the assessment results that a student does not understand.
- Provide each student that requests an assessment appeal with the required '**Assessment Appeal form**'.
- Communicate directly via email as soon as possible with the RTO's management on any advice (verbal or written) provided by a student that they are seeking to appeal an assessment decision.
- Schedule a meeting with the student and the RTO's management when a completed assessment appeal form is received from a student.
- Communicate any outcome decision by the RTO's management to uphold or overturn an assessment appeal to the student's by completing the assessment appeal form clearly identifying the reason for the outcome.
- All assessment appeals will be processed by the RTO's staff and management within 10 days of receipt of an appeal. All assessment appeals must be maintained on the students file.
- Student records will be adjusted to comply with the RTO's management appeal outcome decisions.

### **Complaints and appeals records**

The RTO's management shall maintain records of all complaints and appeals and their outcomes and reference complaints and appeals in the RTO's Management meeting minutes identifying potential causes of complaints and appeals and takes appropriate corrective actions to eliminate or mitigate the likelihood of reoccurrence.

Records of all Informal, Formal complaints and appeals will be recorded in the RTO's Review meeting minutes and all written student complaints records will be retrievable through the Student Complaints PCFs.