



# Complaints and Appeals Policy

## Background

Manage complaints and appeals

### Clause 6.1

The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

- The RTO, its trainers, assessors or other staff
- A third party providing services on the RTO's behalf, its trainers, assessors or other staff or
- A learner of the RTO.

### Clause 6.2

The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

### Clause 6.3

The RTO's complaints policy and appeals policy:

- Ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process
- Are publicly available
- set out the procedure for making a complaint or requesting an appeal
- Ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable, and
- Provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.

### Clause 6.4

Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:

- Informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and
- Regularly updates the complainant or appellant on the progress of the matter.

### Clause 6.5

The RTO:

- Securely maintains records of all complaints and appeals and their outcomes, and
- Identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

## **Clause 6.6**

Where the RTO is an employer or a volunteer organisation whose learners solely consist of its employees or members, does not charge fees for the training or assessment, and does not have in place a specific complaints and appeals policy in accordance with Clauses 6.1 & 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO.

### **Policy Statement**

Complaints and appeals are managed by the College in a fair, efficient and effective manner. The College will create an environment where learner's views are valued. This policy will be made publicly to the School/College community by being made available on the College's intranet and in materials provided to learners on commencement of enrolment.

The College ensures that the principles of natural justice and procedural fairness are adopted at every stage of the complaints and appeals process. The College ensures that all complaints and appeals will be heard with resolutions reached within 60 calendar days of receiving the complaint or appeal, where possible.

In the case of the time frame being longer than this, the RTO will communicate with the complainant/appellant why the process is taking longer and an estimated timeframe for resolution as well as being kept informed regarding ongoing progress.

If the processes fail to resolve the complaint or appeal, a review by an independent party will be provided if requested.

Details of all complaints and appeals will be securely maintained in a Register of Complaints and Appeals and will take appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

Any substantiated complaints, as well as the complaints and appeals policy, will be reviewed as part of the continuous improvement processes.

The college as an RTO has a complaints and appeals policy specific to the RTO operations.

A complaint can be made to the College regarding the conduct of:

- The college RTO, its trainers, assessors or other college RTO staff; and
- Students of the RTO.

An appeal can be made to the College to request a review of a decision, including assessment decisions.

### **Procedure**

#### **Complaints procedure**

On receipt of a verbal complaint:

- Resolve the complaint if possible, documenting the complaint, its cause, actions taken and decisions made in the secure Complaints and Appeals Register.
- If the complaint cannot be promptly and simply resolved, advise that an appropriate staff member will deal with the complaint, but a written record of the complaint is required.

To put a complaint in writing, advise the complainant/appellant that:

- They may use the support of a third party in progressing the complaint/appeal
- They can either put the complaint/appeal in writing themselves using the 'Students Complaints and Appeals Form', or:
- You can make a written record for them to sign. In this case:

- Note whether the complainant wants the support of a third party
- Ensure the complainant signs and dates the form
- Identify yourself, and your role within the RTO
- Sign and date the form yourself.

On receipt of a written complaint:

- If the complaint is not in relation to the RTO Manager
  - The complaint is forwarded to the RTO Manager/delegated representative
  - A written acknowledgement is sent to the complainant from the RTO Manager/delegated representative
  - The complaint is entered into the secure Complaints and Appeals Register
  
- If the complaint is in relation to the RTO Manager
  - The complaint is forwarded to the Principal/CEO of the RTO
  - A written acknowledgement is sent to the complainant from the Principal
  - The complaint is entered into a separate secure Complaints and Appeals Register, which is kept separate from the main Register

If the complaint is not finalised within 60 calendar days, the complainant is informed of the reasons in writing and regularly updated on the progress of the matter.

The RTO Manager/delegated representative will either deal with the complaint or convene an independent panel to hear the complaint; this shall be the complaints and appeals committee. The complaints committee shall not have had previous involvement with the complaint and will include representatives of:

- The RTO Manager/delegated representative
- The teaching staff
- An independent person

The complainant shall be given an opportunity to present their case and may be accompanied by other people as support or as representation.

The relevant staff member, third party or student (as applicable) shall be given an opportunity to present their case and may be accompanied by other people as support or as representation.

The outcome/decision will be communicated to all parties in writing within 60 days.

If the processes fail to resolve the complaint, the individual making the complaint will have the outcome reviewed (on request) by an appropriate party independent of the RTO.

If the complainant is still not satisfied, the RTO Manager/delegated representative will refer them to the VET Regulator website for further information about making complaints ([www.QCAA.qld.edu.au/3141.html](http://www.QCAA.qld.edu.au/3141.html)).

The root cause of any complaint will be included in the systematic monitoring and evaluation processes of the RTO so that appropriate corrective action can be instigated to eliminate or mitigate the likelihood of reoccurrence.

### **Appeals procedure**

On receipt of a verbal appeal:

- Resolve the appeal if possible, documenting the appeal, its cause, actions taken and decisions made in the secure Complaints and Appeals Register.
- If the appeal cannot be promptly and simply resolved, advise that an appropriate staff member

will deal with the appeal, but a written record of the appeal is required.

To put an appeal in writing, advise the appellant that:

- They may use the support of a third party in progressing the appeal
- They can either put the appeal in writing themselves using the 'Students Complaints and Appeals Form', or:
- You can make a written record for them to sign. In this case:
  - o Note whether the appellant wants the support of a third party
  - o Ensure the appellant signs and dates the form
  - o Identify yourself, and your role within the RTO
  - o Sign and date the form yourself.

On receipt of a written appeal:

- If the appeal is not in relation to the RTO Manager
  - The complaint is forwarded to the RTO Manager/delegated representative
  - A written acknowledgement is sent to the complainant from the RTO Manager/delegated representative
  - The complaint is entered into the secure Complaints and Appeals Register
- If the appeal is in relation to the RTO Manager
  - The appeal is forwarded to the Principal/CEO of the RTO
  - A written acknowledgement is sent to the appellant from the Principal
  - The appeal is entered into a separate secure Complaints and Appeals Register, which is kept separate from the main Register

If the appeal is not finalised within 60 calendar days, the appellant is informed of the reasons in writing and regularly updated on the progress of the matter.

The RTO Manager/delegated representative will either deal with the appeal or convene an independent panel to hear the appeal; this shall be the complaints and appeals committee.

The appeals committee shall not have had previous involvement with the appeal, and will include representatives of:

- The RTO Manager/delegated representative
- The teaching staff
- An independent person

The appellant shall be given an opportunity to present their case and may be accompanied by other people as support or as representation.

The relevant staff member, if applicable, shall be given an opportunity to present their case and may be accompanied by other people as support or as representation.

The outcome/decision will be communicated to all parties in writing within 60 days.

If the processes fail to resolve the appeal, the individual making the appeal will have the outcome reviewed by an appropriate party independent of the RTO.

If the appellant is still not satisfied, the RTO Manager/delegated representative will refer them to the VET Regulator website for further information about making complaints ([www.QCAA.qld.edu.au/3141.html](http://www.QCAA.qld.edu.au/3141.html)).

The root cause of any appeal will be included in the systematic monitoring and evaluation processes of the RTO so that appropriate corrective action can be instigated to eliminate or mitigate the likelihood of reoccurrence.

The College will include the following information on its public website.

- The school, as an RTO, has a complaints and appeals policy specific to its RTO operations.
- A complaint can be made to the school RTO regarding the conduct of:
  - o The school RTO, its trainers, assessors or other school RTO staff
  - o Students of the RTO
  - o Any third parties providing services on behalf of the school RTO (if relevant).
- An appeal can be made to the school RTO to request a review of a decision, including assessment decisions.
- The school RTO will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaints and appeals process. All complaints and appeals will be heard and decided on within 60 calendar days of receiving the complaint or appeal.
- If the school RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the complainant or appellant will be informed of the reasons in writing and will be regularly updated on the progress of the matter.
- If the processes fail to resolve the complaint or appeal, a review by an independent party will be provided if requested.
- Complaints or appeals should be directed to the Principal as CEO of the school RTO