

# SC4: Complaints and Appeals Procedure

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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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## Procedures

### 1. Complaints management

Procedure	Responsibility
<b>A. Receive and acknowledge complaint</b> <ul style="list-style-type: none"><li>As per policy, complaints are to be made in writing by the complainant, attention to the CEO.</li><li>The CEO should review all complaints upon receipt.</li><li>Acknowledge receipt of complaint in writing by sending a letter to complainant within 3 working days of receipt.</li><li>Record details of the complaint on the <i>Complaints and Appeals Register</i>.</li><li>Commence process of investigation within 10 days of receiving the complaint.</li></ul>	CEO and/or Delegate  Administration Team
<b>B. Investigate the complaint</b> <ul style="list-style-type: none"><li>Upon receiving the complaint, the matter is to be investigated to ensure all relevant information is available and it is accurate and complete.</li><li>Further details from the complainant, respondent or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face. Where the meeting is face to face, the complainant may be accompanied by a support person.</li><li>If the matter is in relation to a third party delivering Services on behalf of the RTO, the third party should be involved in the resolution of the complaint.</li><li>The CEO will review the information and decide on an appropriate response. Where deemed necessary by the CEO, the matter may be reviewed by other members of the management team to arrive at an appropriate resolution.</li><li>Note: The complaint must be completely resolved within 30 calendar days of receipt of the original complaint. If the matter is particularly complex and it is going to take longer to resolve, the complainant is to be advised in writing along with reasons for the extra time. They must be provided with updates on progress on a weekly basis thereafter until the matter is resolved.</li></ul>	CEO and/or Delegate
<b>C. Advise of the outcome and update records</b> <ul style="list-style-type: none"><li>Provide a written response to the complainant outlining:<ul style="list-style-type: none"><li>The RTO's understanding of the complaint</li><li>The steps taken to investigate and resolve the complaint</li><li>Decisions made about resolution, with reasons for the decisions made</li><li>Areas that have been identified as possible causes of the complaint and improvements to be recommended</li><li>Their right to access the appeals process if they are not satisfied with the outcome of the complaints process.</li></ul></li><li>Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the complaint.</li></ul>	CEO and/or Delegate

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Procedure	Responsibility
<ul style="list-style-type: none"> <li>Update the <i>Continuous Improvement Register</i> if applicable for any improvements to be made as an outcome.</li> <li>Keep a copy of the complaint and supporting documents in the Complaints file and in the student or staff file (where relevant).</li> </ul>	
<b>D. Review complaints</b> <ul style="list-style-type: none"> <li>Discuss the complaints process and its outcome at the next management meeting to consider whether there are any improvements to be made to prevent recurrence.</li> </ul>	Senior Management team

### 2. Appeals management

Procedure	Responsibility
<b>A. Receive and acknowledge appeal</b> <ul style="list-style-type: none"> <li>Upon receipt of a request for an appeal, acknowledge receipt of appeal in writing by sending a letter to appellant within 3 working days of receipt to ensure appellant receives it within 7 days. Use <i>Complaint/Appeal Acknowledgement Letter</i>.</li> <li>Record details of appeal on the <i>Complaints and Appeals Register</i>.</li> </ul>	CEO and/or Delegate
<b>B. Respond to assessment appeals</b> <ul style="list-style-type: none"> <li>In the case of appeals against assessment decisions, the original assessment decision will be reviewed by having an assessor independent of the original decision, mark the assessment task again.</li> <li>The assessment decision made during the appeals process will be considered the actual assessment outcome for the task.</li> <li>Advise the student of the outcome of the appeal as per point G below.</li> </ul>	CEO and/or Delegate  Assessor/s
<b>C. Respond to appeals against non-academic decisions</b> <ul style="list-style-type: none"> <li>Upon receiving the appeal, the matter is to be investigated to identify the original decision made and the reasons for the decision.</li> <li>Further details from the appellant, respondent, the person who made the original decision, or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face.</li> <li>If the matter is in relation to a third party delivering Services on behalf of the RTO, the third party should be involved in the resolution of the appeal.</li> <li>The appellant may request for an independent party (mediator) to be involved in the process. Where this is requested by the appellant, they will bear the costs associated. Additionally, the RTO may decide to call upon an independent mediator to assist to resolve the issue where a decision cannot be reached internally. This will be at the RTO's cost.</li> <li>The RTO's Management team will review all relevant information and decide on an appropriate response.</li> </ul>	CEO and/or Delegate  Management team

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Procedure	Responsibility
<ul style="list-style-type: none"> <li>Note: The appeal must be resolved within 30 calendar days of receipt of the original appeal. If the matter is particularly complex and it is going to take longer to resolve, the appellant must be advised in writing along with reasons for the extra time. They must be provided with progress updates on a weekly basis thereafter until the matter is resolved.</li> </ul>	
<p><b>D. Advise appellant of the outcome and update records</b></p> <ul style="list-style-type: none"> <li>Provide a written response to the appellant outlining: <ul style="list-style-type: none"> <li>The RTO's understanding of the reasons for the appeal</li> <li>The steps taken to investigate and resolve the appeal</li> <li>Decisions made about resolution and reasons for the decisions</li> <li>If relevant, areas that have been identified as possible causes of the appeal and improvements to be recommended</li> <li>Their right to, and information on, the external appeals process.</li> </ul> </li> <li>Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the appeal.</li> <li>Update the <i>Continuous Improvement Register</i> if applicable for any improvements to be made as an outcome.</li> <li>Keep a copy of the appeal and supporting documents in the Complaints file and in the student or staff file (where relevant).</li> <li>Discuss the appeal and its outcome at the next management meeting.</li> </ul>	<p>CEO and/or Delegate</p> <p>Quality and Compliance Manager</p> <p>Administration Team</p>
<p><b>E. Review appeals</b></p> <ul style="list-style-type: none"> <li>Discuss the appeal and its outcome at the next management meeting to consider whether there are any improvements to be made to prevent recurrence.</li> </ul>	Management team

### 3. External complaint or appeal

Procedure	Responsibility
<p><b>A. External complaint or appeal</b></p> <ul style="list-style-type: none"> <li>If dissatisfied with the internal processes, the complainant/appellant may initiate an external complaint or appeal.</li> <li>Additionally, a complainant or appellant who has been through the internal processes may request the RTO to appoint an independent party to review the matter.</li> <li>For students, complainants and appellants are able to seek their own external parties at their own cost. Students may access the external services listed in the policy free of charge.</li> <li>the RTO will co-operate fully in the process of the external party to investigate and review the matter. This will include and not be limited to providing full access to the relevant student file/s and the internal complaints records where permitted to do so by law. All staff will be instructed to cooperate in such instances and to give an accurate account of the events as they understand them.</li> </ul>	<p>CEO and/or Delegate</p> <p>Staff as required</p>

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Procedure	Responsibility
<b>B. Review external complaints or appeals</b> <ul style="list-style-type: none"><li>In the event that the external party finds in favour of the student, immediately organise a management meeting to discuss the external process and its outcome.</li><li>At the meeting, discuss the decision made and actions to be taken to implement the decision, including both corrective/preventative actions.</li><li>Following the meeting immediately implement actions.</li><li>Advise the student of the outcome of the complaint or appeal and the actions taken.</li></ul>	CEO and/or Delegate  Management team

### Supporting Documents

SC4.1 - Complaints and Appeals Register

SC4.3 - Complaints and Appeals Flow Chart

SC4.4 - Complaints and Appeals Form

QA1.1 - Continuous Improvement Register

QA1.3 - Continuous Improvement Flow Chart

### Document Control

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