



Complaints and Appeals Policy and Procedure

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1. Purpose

The purpose of this policy and procedure is to ensure all complaints and Appeals are actioned in a fair and equitable manner.

2. Scope

This policy and procedure is applicable to:

- Any service delivery provided by the RTO, its trainers, assessors or other staff members, including but not limited to:
 - o Enrolment processes
 - o Marketing and advertising
 - o Delivery of training and assessment
 - o Assessment outcomes
 - o Course fees and refunds
- Any third party providing services on the RTO's behalf, its trainers, assessors or other staff members

3. Responsibilities

The **General Manager** is responsible for:

- Receiving and resolving formal complaints and Appeals in a timely and fair manner.
- Informing all parties involved of the decided outcome in writing.

The **RTO Compliance Officer** is responsible for:

- Maintaining and reviewing the *Complaints and Appeals Policy and Procedure* and the *Complaints and Appeals Form*.
- Recording any formal complaints and Appeals in the *Complaints and Appeals Register*.

All **administrators and trainers** are responsible for:

- Providing copies of the *Complaints and Appeals Policy and Procedure* and the *Complaints and Appeals Form* to any Students upon request.
- Ensuring any complaints or Appeals they receive are given to the General Manager as soon as reasonable possible.
- Advising the General Manager as soon as practicable that a complaint or Appeal may be lodged in the future.

4. Policy

This policy and procedure supports the RTO to provide a formal process for complaints and Appeals to be lodged and actioned. Complaints can arise when a client is not satisfied with an aspect of the services provided and requests action to be taken to resolve the matter. Transport Industries Skills Centre (TISC) will ensure the *Complaints and Appeals Policy and Procedure* is available to the public. If TISC uses third parties to deliver services, the policy and procedure shall be made available to prospective Students of the third parties.



Appeals arise when a client is not satisfied with a decision that has been made on assessment. Any complaint or Appeal must be considered in a transparent, objective and unbiased manner. The process incorporates the principles of natural justice and procedural fairness.

All complaints and Appeals received by TISC will be viewed as an opportunity for improvement.

Despite all efforts of TISC to provide satisfactory services to its Students, complaints and Appeals may occasionally arise that require formal resolution. Any person wishing to lodge a complaint or assessment Appeal against TISC concerning its conduct as an RTO, shall have access to the *Complaints and Appeals Policy and Procedure*. All formal complaints or Appeals will reviewed and decided within 20 business days of being received.

A *Complaints and Appeals Register* will be maintained, detailing all formal complaints and Appeals and their resolution. All complaints will be reviewed as part of the continuous improvement procedure.

The following procedures provide Students the opportunity to have any issues relating to a substantiated complaint or Appeal resolved. Resolutions reached should attempt to satisfy all parties involved. This complaints and Appeals process will be at no cost to the Student (unless referred to a third party; see 5.3 External Complaints and Appeals Procedure for further details).

This policy and procedure also supports the *Standards for Registered Training Organisations (RTOs) 2015 - Standard 6*.

5. Complaints and Appeals Procedure

General principles applying to all stages of these procedures which will be adhered to by TISC are:

- The Complainant and respondent will have the opportunity to present their case at each stage of the procedure.
- The Complainant and the respondent have the option of being accompanied by a support person (such as a family member, friend or counsellor) if they so desire.
- The Complainant and the respondent will not be discriminated against or victimised.
- All formal complaints and external Appeals will be recorded in writing. Reasons and a full explanation in writing for decisions and actions taken as part of this procedure will be provided to the Complainant and/or the respondent if requested.
- Records of all complaints and Appeals will be kept for a period of five years. These records will be kept strictly confidential and recorded by the RTO Compliance Officer.
- A Complainant shall have access to this *Complaints and Appeals Policy and Procedure* at any time and at no cost.
- Any Student may submit a formal complaint or Appeal to TISC with the reasonable expectation that they will be treated with integrity and privacy. There is no cost for the internal complaints process.

5.1 Informal Complaints Procedure

It is desirable that all Complaints or Appeals are initially received and reviewed informally in good faith. Where possible all attempts shall be made to resolve the complaint at this point. This may include advice, discussions, and general mediation in relation to the issue. Any staff can be involved in this informal process to resolve issues. However, once a Student has placed a formal complaint the following procedures must be followed.

TISC seeks to foster communication and co-operation and to provide an environment in which all issues can be satisfactory resolved. In the first instance the Complainant should discuss the matter with the staff member or responsible person concerned. Where this is not considered appropriate then the Complainant is encouraged to discuss the matter with the Training Supervisor or General Manager. If the complaint cannot be resolved via this process then the Student can lodge a formal complaint as outlined in the following procedure.



5.2 Formal Complaints Procedure

1. Any Student wishing to submit a formal complaint can do so by completing the *Complaints and Appeals Form* and state their case providing as many details as possible. This form can be obtained by contacting the RTO Administration or through the RTO's website.
2. All formally submitted complaints and Appeals received are to be submitted to the General Manager. All complaints must include the following information:
 - Name of Complainant
 - Type of complaints (academic or non-academic)
 - Details of the complaint
 - Date of the event which lead to the complaint
 - Attachments (if applicable)
3. The General Manager will formally acknowledge receipt of the complaint in writing within five (5) working days and arrange a suitable time for a meeting to discuss the issue.
4. A formal meeting will be conducted with the General Manager, the Student and the trainer (if appropriate) where all parties will be able to present their case.
Note: A Student may be accompanied by a support person regardless of the nature of the issue or complaint throughout the process at all times.
5. The General Manager shall then refer the matter to the appropriate staff to investigate and resolve, or make a decision on the complaint and keep the Complainant informed of any decisions or outcomes concluded.
6. Within 20 business days of the complaint being received, the General Manager shall be required to inform all parties involved of any decisions or outcomes in writing. Within the notification of the outcome of the formal complaint the Students shall also be notified that they have the right to Appeal the decision. If the decision is Appealed then the complaint will be escalated to an external Appeals process. To Appeal a decision the RTO must receive, in writing, grounds of the Appeal - referred to 4.3 External Appeals Procedure.
7. Where the formal procedure results in a decision that supports the Student, TISC must immediately implement any decision and/or corrective and preventative action as required.
8. Copies of all documentation, outcomes and further action required will be recorded in the *Complaints and Appeals Register* and the Student Management System by the RTO Compliance Officer.

5.3 External Appeals Procedure

Where a Student remains unsatisfied with the outcome of TISC's Formal Complaints Procedure they will be provided with the option of requesting an external Appeal of the decision. The Student is required to notify TISC within 20 working days of receiving the outcome if they wish to proceed with the external Appeals procedure.

A mediator will be provided by the Australian Mediation Association. TISC agrees to pay the cost of one mediation session of up to two hours and advises that, should the matter require further mediation, it will be at the cost of the Complainant or appellant.

6. Definitions

Appeal - A request to externally review a decision made by TISC in relation to a formal complaint

Complainant - refers to the person who lodges a complaint or Appeal

Informal complaints – Refers to complaints not lodged in writing, which provide a platform for all parties to try to resolve any issues and seek resolution informally, regardless of whether the complaint relates to academic or non-academic matters.



Formal complaints and Appeals - Refers to official complaints and Appeals which are formally submitted and documented. Complainants will be required to identify if the complaint or Appeal is in relation to an Academic or Non-Academic matter when submitting a formal complaint.

Academic Complaints refers to matters which relate to Student progress, training and assessment, course content or awards in a VET course of study.

Non-Academic Complaints - Non-academic matters include those matters which do not relate to Student progress, assessment, course content or awards in a course and include grievances in relation to personal information that the provider holds in relation to a Student. Non-academic grievances tend to arise from events occurring at a provider or from decisions made by a provider.

Natural Justice and Procedural Fairness – Ensuring decision making is fair and reasonable for all parties.

Student - A person who has engaged TISC to provide the Services.

Support Person - An observer of no standing to the proceedings.