

Complaints and Appeals Policy and Procedure

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1. Introduction

1.1. Purpose

The aim of this policy is to:

- a) ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;
- b) provide learners the opportunity to have any issues relating to a substantiated complaint or appeal resolved and resolutions reached that attempt to satisfy all parties involved;
- c) promote clear, honest and open communication;
- d) provide a timely and effective mechanism for learners, clients and other stakeholders to express their concerns or raise a complaint if an incident or action occurs so that options for a resolution can be identified as soon as possible;
- e) define what complaints can be handled under this Policy.

1.2. Scope

This document relates to Accell Pty Ltd (Registered Training Organisation). This policy/procedure supports Standards for Registered Training Organisations 2015 by providing a process for complaints and appeals to be heard and actioned.

1.3. Document Owner

The RTO Manager is the Document Owner and is the initial point of contact for all queries relating to this Policy and Procedure.

1.4. Definitions

Complaints are allegations made by a learner or client that relate to the conduct of an RTO, its staff, a third party offering services on its behalf, or other learners.

Appeals are requests for review of decisions made by the RTO. These decisions could involve assessments, progression to further training, enrolment or access to support services.

1.5. Relevant Documents

- a) Accell Learner Handbook – ACC-RTO-MAN-022
- b) Trainer Handbook – ACC-RTO-MAN-001
- c) Complaints and Appeals Form – ACC-RTO-FRM-023
- d) Privacy Policy and Procedure – ENT-HR-POL-023
- e) Complaints and Register – ACC-RTO-FRM-013

2. Policy

All complaints and appeals received by Accell will be viewed as an opportunity for improvement.

Any learner, client, or third party may submit a complaint with the reasonable expectation that all complaints will be treated with integrity and privacy.

Accell endeavours to provide high quality provision of services and customer service but acknowledge there will be situations where there may be differences of opinion. In such instances, Accell invites feedback from the dissatisfied party so that a resolution can be found. This feedback will be viewed as an opportunity to consolidate the feedback into a review and improvement of policies and practices.

Complaints managed by Accell are not charged, however if an external mediation service is required this service will be charged.

3. Procedure

There are two types of complaints and appeals: Informal and Formal.

3.1. Informal process

Where possible all non-formal attempts shall be made to resolve the complaint. 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 but once a Learner has placed a formal complaint / appeal the following procedures must be followed.

3.2. Formal process

A learner may be assisted or accompanied by a support person regardless of the nature of the complaint throughout the process at all times.

A learner wishing to submit a formal complaint or appeal can do so by requested and completing the 'Complaints and Appeals Form' and state their case providing as many details as possible. This application form can be obtained by contacting Accell Administration at the RTO Office.

All formally submitted complaints or appeals are submitted to the RTO Administration Manager. Complaints are to include the following information:

- Submission date of complaint
- Name of complainant
- Nature of complaint
- Date of the event which lead to the complaint
- Attachments (if applicable);

Once a formal complaint is received it is to be entered into the 'Complaints and Appeals Register' which is controlled by the RTO Administration Manager. The information to be contained and updated within the register is as follows:

- Submission date of complaint
- Name of complainant
- Description of complaint
- Determined resolution
- Date of resolution

Once the RTO Administration Manager has received the form, they will contact the complainant within 2 business days to advise their receipt of the document.

Once a complaint has been filed and logged in the complaints and appeals register the RTO Administration Manager shall notify the RTO Manager of the complaint and provide any further documentation related to the matter.

The RTO Manager shall then refer the matter to the appropriate staff to resolve, or make a decision on the complaint, within 10 business days.

Once a decision has been reached the RTO Manager shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing. Within the notification of the outcome of the formal complaint the learner shall also be notified that they have the right of appeal. To appeal a decision the RTO must receive, in writing, grounds of the appeal. The complainant are then referred to the appeals procedure.

If the internal or any external complaint handling or appeal process results in a decision that supports the complainant, Accell will immediately implement any decision and/or corrective and preventative action that is required.

Copies of all documentation, outcomes and further action required will be placed into the complaints and appeals register by the RTO Administration Manager and in the complainants file.

3.3. [Appealing a Decision](#)

All clients have the right to appeal decisions made by the RTO where reasonable grounds can be established. The areas in which a client may appeal a decision made by the RTO may include:

- a) Assessments conducted;
- b) Deferral, suspension, or cancellation decisions made in relation to the learners enrolment or;
- c) any other conclusion / decision that is made after a complaint has been dealt with by the RTO in the first instance.

There are certain timelines that must be adhered to based on the type of appeal lodged.

- d) Assessment appeals must be appealed within 7 business days of the assessment date.

- e) Where a learner has appealed a decision or outcome of a formal complaint they are required to notify the RTO in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.

The client is then required to complete a 'Complaints and Appeals Form' which is to include a summary of the grounds the appeal is based upon. The reason the client feels the decision is unfair is to be clearly explained and help and support with this process can be gained from the RTO administration office.

Once the RTO Administration Manager has received the form, they will contact the complainant within 2 business days to advise their receipt of the document.

The RTO Administration Manager shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.

The client is required to organise for themselves to attend the meeting at their own expense. Online communication may also be used to minimise any travel or costs.

The RTO Administration will coordinate with the RTO manager to resolve the matter within 10 business days.

Once a decision has been reached the RTO Manager shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing.

The learner shall be notified in writing of the outcome with reasons for the decisions, and the 'complaints and appeals register' updated. The learner shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The learner is required to notify the RTO if they wish to proceed with the external appeals process.

3.4. Assessment appeals

In the first instance, learners are to contact their trainer within the workshop to discuss a secondary assessment option. If the learner fails the secondary assessment then they are to complete the formal appeal process.

The Training Manager shall be notified and shall seek details from the assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another assessor appointed by the RTO.

The learner shall be notified in writing of the outcome with reasons for the decision, and the 'complaints and appeals register' updated. The learner shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The learner is required to notify the RTO if they wish to proceed with the external appeals process.

3.5. External appeals

If a learner is still dissatisfied with the decision of the RTO, a client may wish to escalate the matter.

Clients can contact Australian Skilly Quality Authority (ASQA) by completing the online complaint form.

Where a decision or outcome is in favour of the learner the RTO shall follow the required action and recommendation from the third party mediator such as ASQA to satisfy the appeal as soon as practicable.

Sensitive Information

Some information which may form part or all of a Compliant or Appeal may be of a sensitive nature, where this occurs all details will be protected and secured under the Companies' "Privacy Policy" and associated Procedure.

4. Flow Chart

