

# Complaints and Appeals Procedure

Version: 1.0 | 26/03/2018

## Purpose and Scope of the Procedure:

This procedure supports the RTO's Complaints and Appeals policy that:

- natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;
- ensures the process for handling complaints and appeals is publicly available;
- ensures that complaints and appeals are acknowledged in writing and finalised as soon as practicable; and
- provides for an independent party outside of the RTO to review the outcome of the complaint or appeal if the RTOs process fails to resolve the complaint or appeal.

The purpose of this procedure is to outline the steps for handling complaints and appeals received from clients, staff and stakeholders. A copy of this procedure is available on request from the trainer/assessor or administration office. The procedure is also publicly available on the RTOs web site and on Notice boards within the RTOs premises.

The RTO is committed to the timely, fair, efficient and effective resolution of complaints and appeals.

This document describes, in one process, the steps to be taken to handle Complaints and Appeals.

## Independent External Third-party Review and Associated Costs:

This is a review that is undertaken by an independent external third party on behalf of the appellant if they are dissatisfied with the outcome of the RTO's appeal process.

Such services can be provided by the Australian Mediation Association, <http://www.ama.asn.au>.

The RTO will agree 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 appellant.

## Definitions:

### **Academic Appeal**

The process by which a student may challenge an academic decision they received.

### **Grounds for lodging an Academic Appeal**

- The assessment process did not provide them with a fair, flexible and reasonable opportunity to demonstrate their competency.
- They were not informed in advance of the conditions and method of assessment.
- The process used was discriminatory in some way.
- They were ill or suffered misadventure at the time of assessment (must be supported by a medical certificate).

### **An appeal against a Decision made by the RTO other than an academic decision**

A student may challenge any decision made by the RTO that they believe impacts on their ability to demonstrate their positive intent, e.g. refusal for admission on specific grounds.

### **Appeal Period**

The maximum amount of time allowed from when the RTO made a decision, academic or otherwise, to when a student can appeal the decision, i.e. within 10 business days of receiving the decision.

### **Complaint**

An expression of discontent about the RTO, its staff, other learners or third parties providing services on behalf of the RTO.

## Procedure Details for Handling a Complaint or an Appeal either Academic or General:

| Action Step | Responsibility | Details |
|-------------|----------------|---------|
|-------------|----------------|---------|

|                                       |   |   |
|---------------------------------------|---|---|
| Receipt of a Complaint or Appeal      | Any staff member or Third Party acting on behalf of the RTO | <p>Verbal receipt:</p> <ul style="list-style-type: none"> <li>Advise complainant/appellant to try to resolve the matter with the person concerned.</li> </ul> <p>If the above step is unsuccessful then:</p> <ul style="list-style-type: none"> <li>Provide the complainant/appellant with access again to the Complaints and Appeals Procedure. The complainant should provide details of their complaint in writing to <a href="mailto:andy@thefirstaidgroup.com.au">andy@thefirstaidgroup.com.au</a> or post to PO Box 970, Helensvale, QLD, 4212.</li> <li>Ensure the complainant/appellant is aware that they will receive an acknowledgement of the complaint or appeal in writing within 5 days with information that will outline the process to be used to attempt to: provide a resolution within 15 calendar days; provide reasons if the complaint or appeal will take longer to resolve; and regularly update them on the matter.</li> <li>Forward the Complaint/Appeals details to the CEO for review.</li> </ul> |
| Investigate the Complaint or Appeal   | CEO or independent internal person if relevant              | <ul style="list-style-type: none"> <li>Investigate the complaint/appeal with both the complainant/appellant and the staff member or other party concerned in the appeal.</li> <li>Appoint an independent person if the CEO is directly involved in the complaint or appeal situation.</li> <li>Inform the complainant/appellant in writing of the reasons if the complaint or appeal will take longer than 15 calendar days to resolve.</li> <li>Record the outcomes of the discussion on the Complaints Register accessed in aXcelerate.</li> </ul>  |
| Determine Complaint or Appeal Outcome | CEO or independent internal person if relevant              | <ul style="list-style-type: none"> <li>Determine the outcome of the complaint and appeal and inform in writing all relevant parties of the outcome within 15 calendar days of the complaint or appeal being received.</li> <li>Ensure all parties are made aware that the complainant/appellant can request an independent third-party review of the outcome.</li> </ul>  |
| Continuous Improvement                | CEO or independent internal person if relevant              | <ul style="list-style-type: none"> <li>Record outcomes of the complaint or appeal in the relevant section of the Complaints Register in aXcelerate.</li> <li>Implement any opportunities for continuous improvement.</li> </ul>   |

**Records:**

All records related to this procedure are maintained as detailed in the Records Management Procedure.

- Complaints Register in aXcelerate