

STATEMENT

This policy establishes a fair, efficient, and effective process for managing complaints and appeals from students, staff, third-party providers, and external stakeholders of the RTO. It ensures compliance with the principles of natural justice and procedural fairness, with the goal of resolving complaints and appeals in a timely, transparent, and consistent manner. All complaints and appeals will be managed at no cost to the complainant, except where third-party involvement incurs fees, which will be clearly communicated in advance.

DEFINITIONS

CEO – Chief Executive Officer.

COO – Chief Operating Officer – Training.

TAG – Training Alliance Group

RTO – Registered Training Organisation:

- ABV Training & Consulting Pty Ltd (ABV) (RTO 52592)

Complainant: An individual lodging a complaint.

Appellant: An individual lodging an appeal.

SCOPE

This policy applies to all RTO students, staff, third-party providers, and external stakeholders who wish to raise complaints or lodge appeals related to the services, training, assessment, or operations of the RTO. It ensures that:

- A clear, accessible, and fair method exists for individuals to express concerns regarding RTO services, including training, assessment, student support, or any other operational issues.
- A structured and fair process is in place for challenging academic, disciplinary, or other decisions perceived as unjust, incorrect, or unfair.
- The Complaints and Appeals Policy is readily available to all individuals and will be published on the RTO's website and included in student and staff handbooks to promote transparency.

RESPONSIBILITY

It is the responsibility of the COO - Training to ensure the correct application of this policy.

POLICY PRINCIPLES

The RTO ensures:

- Complaints and appeals are managed in a constructive, timely, confidential, and sensitive manner.
- The procedures for lodging complaints and appeals are clearly communicated to students, staff, third-party providers, and external stakeholders.
- Each complaint and appeal, along with its outcome, is documented in writing.
- Complainants and appellants are provided with written communication regarding the outcomes of their complaints or appeals, including the decision and reasons for that decision.
- Complaints and appeals will be managed within ten working days of lodging, with all reasonable measures taken to finalise the process as soon as practicable.

COMPLAINTS AND APPEALS POLICY

- All complaints and appeals will be acknowledged in writing and finalised promptly, with a target completion time of thirty calendar days.
- If a complaint or appeal is expected to take more than thirty calendar days, the RTO will inform the complainant/appellant in writing, providing reasons for the delay.
- All complaints and appeals will be recorded in the RTO Complaints and Appeals Register, with outcomes securely maintained.
- No RTO staff member shall disclose information to any person without the permission of the COO - Training. Any decision to release information to third parties can only be made once the complainant/appellant has granted permission.

TYPES OF COMPLAINTS

A complaint or grievance may involve the conduct of:

- The RTO, its trainers and assessors or other staff members.
- A TAG - third-party providing services on behalf of the RTO; or
- A Student of RTO.

EXAMPLES OF COMPLAINTS

- Students: Course advice and enrolment, personal conflicts or safety concerns, customer service or administration issues, training/assessment materials and delivery, student progress and academic decisions, issues with certificates/statements of attainment, fees and charges, marketing, and promotional material.
- Staff: Disputes may also include issues such as harassment, discrimination, bullying, unfair treatment, workload allocation, interpersonal conflicts, allegations of misconduct, inadequate staff training, or unequal access to professional development opportunities.
- Third Party Provider (TAG)/ External Stakeholders: Concerns regarding the quality of training services, assessment integrity, RTO operations, communication, or the alignment of training with industry needs.

STUDENTS COMPLAINTS AND APPEALS PROCESS

The RTO provides both an Informal and Formal Complaints and Appeals process to address student concerns. This policy is grounded in the principles of natural justice and procedural fairness and aims to assist students in resolving disputes while ensuring a fair hearing.

- Confidentiality: All concerns will be managed confidentially. Lodging a complaint or appeal will not affect a student's ability to continue studying or access other eligible services.

INFORMAL PROCESS

- Students are encouraged to attempt resolving the complaint directly with the parties concerned through discussion and mutual agreement.
- If needed, students may seek support with an informal complaint by discussing it with their trainer or relevant staff members.
- Student who do not wish to discuss the complaint with the trainer (or if the complaint is about the trainer), may contact the RTO via the provided telephone number or email address to seek support from the RTO Training Coordinator or COO - Training who may refer the matter to other staff members with the student's consent.

- Students have the option to be accompanied by a chosen third party to support them during the informal discussion.
- All informal complaints, regardless of resolution, will be reported to management for review and consideration for continuous improvement actions.
- The complaint will be recorded in RTO QHSE system.
- If an informal complaint is not resolved through mutual agreement, the formal complaints process will be initiated.

FORMAL PROCESS

- Student dissatisfied with the informal resolution or wish to submit a formal complaint may do so using the Student Complaint Form and submit it to the COO - Training
- The COO - Training will respond in writing or via email to all formal student complaints within five business days of receiving the Student Complaint Form.
- If the complaint requires more than sixty calendar days to resolve, the complainant will be informed in writing, including reasons for the extended timeframe, and receive regular updates on the matter's progress.
- The COO - Training will respond to formal complaints in writing, proposing a resolution.
- The COO - Training will inform the complainant about their right to appeal the proposed solution and request for an independent adjudicator.
- Regardless of the complaint's resolution, all formal complaints will be reported to the CEO - Training for review and consideration of potential continuous improvement actions.

ASSESSMENT APPEALS

All assessment-related appeals must be lodged within three months of the competency decision. The COO - Training will investigate and provide a final decision in writing within ten business days. Valid grounds for an appeal include:

- the judgment as to whether competency has been achieved and demonstrated was made incorrectly.
- the judgement was not made in accordance with the assessment plan.
- alleged bias of the assessor.
- alleged lack of competence of the assessor.
- alleged inaccurate information from the assessor regarding the assessment process.
- alleged inappropriate assessment process for the competency.
- faulty or inappropriate equipment; and/or
- inappropriate conditions.

If the student is dissatisfied with the resolution, they may appeal to an independent third party at no cost to the student (unless otherwise agreed).

ASSESSMENT APPEALS PROCEDURE

Staff delivering training and assessment services on behalf of the RTO, will be required to:

- Provide timely guidance to all course participants regarding the assessment appeals procedure.
- Clarify any aspects of the assessment results that a student does not understand.
- Provide each student that requests an assessment appeal with the required Student Appeal form or direct them to the website.
- Communicate directly via email as soon as possible with management on any advice (written or verbal) provided by a student that they are seeking to appeal an assessment decision.

COO - Training will be required to:

- Schedule a meeting with the student when a completed assessment appeal form is received from a student.
- Communicate any outcome decision by management to uphold or overturn an assessment appeal to the student in writing clearly identifying the reason for the outcome.
- All assessment appeals will be processed by management within ten business days of receipt of an appeal. All assessment appeals must be maintained on the student's file.
- Student records will be adjusted to comply with management appeal outcome decisions.

APPEAL OUTCOMES

Appeal is upheld; in this event the following options will be available:

- RTO assessment will be re-assessed, potentially by another assessor.
- Appropriate recognition will be granted.
- A new assessment shall be conducted / arranged.

Appeal is rejected / not upheld; in accordance with the RTO Assessment Policy, the client will be required to:

- undertake further training or experience prior to further assessment; or
- re-submit further evidence; or
- submit / undertake a new assessment.

OTHER APPEALS

Students may also appeal any other decision taken by the RTO (e.g., Fee payment issue, exclusion from a course) by using the Student Appeal form. In this case, RTO Management will be required to:

- Schedule a meeting with the student when a completed appeal form is received.
- Communicate any outcome decision by management to uphold or overturn an assessment appeal to the student in writing clearly identifying the reason for the outcome.
- All appeals will be processed by management within ten business days of receipt of an appeal. All appeals records must be maintained on the student's file.
- Student records will be adjusted to comply with management appeal outcome decisions.
- Students may avail themselves of the external process should they be dissatisfied with the outcome of the internal appeal process.

EXTERNAL APPEALS

- When a student has exhausted or is dissatisfied with the internal complaint resolution process, they may seek assistance from an external agency to resolve the issue.
- Students are expected to discuss their concerns in good faith when engaging with external agencies. This means students should act honestly, transparently, and constructively, providing all relevant information and fully cooperating with the external review process.
- The RTO CEO/COO - Training will inform the student that an independent third party will be engaged to consider the nature of the complaint or appeal and seek a resolution, at no cost to the student.
- The selection of the independent third party will be communicated to the student. The choice of the third party must be mutually agreed upon by the student and the RTO.
- The RTO CEO/COO - Training will provide all relevant documentation related to the formal complaint, along with the student's contact details, to the independent third party.

- The independent third party will provide an adjudication response within seven business days from the receipt of all formal complaint and appeal documentation.
- If the appeal process requires more than thirty calendar days to resolve, the student will be informed in writing, including the reasons for the delay, and will receive regular updates on the progress of the matter
- The independent third party will contact both the COO - Training and the student to arrange a suitable time for further discussions regarding the formal complaint or appeal.
- All proposed solutions from the independent third party will be considered final and must be reported to the COO - Training management and the student in writing. Both parties are required to implement the solution immediately.

COMPLAINTS AND APPEALS PROCESS STAFF, THIRD-PARTY PROVIDER, EXTERNAL STAKEHOLDERS

The RTO adheres to the principles of natural justice and procedural fairness throughout the complaints and appeals process. All complaints and appeals are managed according to the RTO's Complaints Handling Process and Appeals Process documents. The RTO staff, third party provider (TAG) and external stakeholders are provided with a clear and consistent process for lodging a complaint or an appeal. All parties involved will be kept informed of the actions taken and the outcomes.

COMPLAINTS PROCESS

If a staff member, third-party provider (TAG), or external stakeholder has a complaint, they are encouraged to first discuss the issue informally with the COO - Training to resolve the matter.

If the complainant is not satisfied with the outcome of the informal resolution, they can formally submit a Complaint Form. The formal process will involve:

- Consultation: No action will be taken without consulting both the complainant and the respondent.
- Discussion & Cooperation: The process will involve cooperative efforts and, where appropriate, conciliation between both parties.
- Confidentiality: The process will be kept confidential, and the number of people involved will be kept to a minimum to respect privacy.
- Fairness: Both the complainant and respondent's rights will be acknowledged and protected. If necessary, separate interviews will be held.

Once a decision is made, the COO - Training will communicate the outcome to the complainant. If the complainant is not satisfied with the resolution or decision, they have the right to request that the matter be referred to an independent third party for review.

- Third-Party Review: If the complaint is referred for third-party review, the complainant will be informed of any associated costs. The RTO reserves the right to nominate or approve the independent third party and will cooperate fully with the review process.

APPEALS PROCESS

The RTO provides a fair and transparent appeals process for all staff, third-party providers (TAG), and external stakeholders who wish to challenge decisions affecting them. The appeals process is based on the principles of natural justice and procedural fairness, ensuring that all appeals are managed impartially and transparently.

To initiate an appeal, individuals are encouraged to:

COMPLAINTS AND APPEALS POLICY

- Informal Discussion: First, discuss the issue informally with the relevant staff member or department to try to resolve the matter.
- Formal Appeal: If the matter is not resolved informally, the individual may submit a formal appeal, clearly outlining the grounds for appeal and providing any supporting evidence.

Once the formal appeal is received, the RTO will:

- Acknowledgement: Acknowledge receipt of the appeal and conduct an impartial review of the matter. If necessary, an independent party will be involved to avoid conflicts of interest.
- Outcome: The individual will be informed of the outcome of the appeal in writing, including the rationale for the decision.
- Corrective Action: If the appeal is upheld, appropriate corrective action will be taken. If not, the individual will receive a clear explanation of why the original decision stands.

If the individual is dissatisfied with the outcome, they may request a third-party review of the decision.

NON-RETALIATION AND CONFIDENTIALITY ASSURANCE

The RTO guarantees that lodging a complaint or appeal will not result in any adverse consequences or retaliation. All complaints and appeals will be treated confidentially, ensuring fairness throughout the process.

COMPLAINTS AND APPEALS RECORDS

The RTO will maintain records of all complaints and appeals and their outcomes, which will be referenced in management meeting minutes for continuous improvement. All informal and formal complaints will be recorded in the QHSE system.

CONTINUOUS IMPROVEMENT

The complaints and appeals can provide invaluable data about aspects of the organisation that can be improved, and, as such, will be monitored and reviewed and integrated with the continuous improvement process. A summary of actions will be recorded in the Continuous Improvement Register.

ENDORSEMENT / REVISION NOTES

Approved by COO - Training

Approved Date: 04/12/2024