

COMPLAINTS AND APPEALS POLICY AND PROCEDURE

P009-Complaints and Appeals and Procedure V3.0

Purpose

The complaints and appeals policy of Training Synergies is to ensure that all complaints are dealt with in a constructive and timely manner, affording all parties the opportunity to be heard and providing natural justice in the handling of all complaints and appeals. This policy also allows students to appeal assessment decisions where they feel it has been made erroneously.

Definitions

- **Informal complaint:** An informal complaint is an expression of dissatisfaction where complaint brings a matter of the attention of the RTO but does not wish further involvement in the resolution process. Informal complaints are of low level of risk.
- **Formal complaint:** A formal complaint is a written expression of dissatisfaction where the complaint is seeking rectification/ resolution in line with this policy.
- **Appeal:** An appeal is the process by which a person disputes the outcome of a formal complaint.
- **Assessment Result Appeal:** An assessment result appeal is the process by which a person disputes an assessment outcome. Students have the right to appeal an assessment outcome if they feel they have been unfairly disadvantaged or discriminated against.
- **Rules of Evidence:** Supports quality assessment by ensuring the assessment procedures evidence which is: Valid, Sufficient, Current, Authentic.

Policy

1. We are committed to continuous improvement and approach complaints as an opportunity to refine and improve our service delivery.
2. We respect both privacy and natural justice considerations when handling complaints or appeals.
3. This policy is publicly available and is published on our website and excerpt is provided in the student handbook.
4. Prospective and enrolled students are able to raise any concerns relating to training delivery or assessment, the quality of the teaching, discrimination, student amenities, sexual harassment or any other issues which may arise.
5. Any learner or staff member can raise a complaint involving the conduct of the RTO, our trainer/ assessors, other staff members, anyone delivering training/ assessment on our behalf or another learner of the RTO.

6. Learners may have decisions on their assessment review if they feel a decision has been made in error.
7. All complaints and appeals will be resolved within 60 days.
8. If the RTO requires more than 60 days to resolve any complaint or appeal, the RTO will write to all parties involved and explain why it requires more time and given expected date that a resolution will be made. The RTO will keep all parties informed during this time in writing.
9. Students will be notified in writing of outcomes of all formal complaints/ appeals, including reasons for the decision. Outcomes will be decided based on the current Government Legislation, Standards for RTO 2015, our Policies and Procedures, Rules of Evidence, Principles of Assessment, and natural justice principles.
10. If any party to the complaint is not satisfied with the outcome, they may appeal the decision with the RTO.
11. Complainants or appellants have the opportunity to have their matter reviewed by a third party external to the RTO. The cost of any external review will be covered equally by the RTO and the complainant / appellant.
12. Complaints must be lodged within 12 months of completion of course.
13. Appeals must be lodged within one month of formal complaint outcome.
14. Assessment result appeals must be lodged within one month of assessment decision.

Procedure

Complaints

1. **Informal complaints:** Students who have concerns relating to the delivery of training and/ or assessment, the RTO, trainers/assessors, RTO staff or another learner should firstly discuss the matter with the relevant trainer/assessor or staff member (as appropriate). If the concern is unable to be resolved the student may lodge a Formal Complaint.
2. **Formal complaint:** Learners may lodge a formal complaint at any stage.
 - a) The complaint will be required to complete the **Complaints and Appeals Form** which can be requested from any staff member and posted to learners.
 - The complaint is required to submit the completed **Complaints and Appeals** to the RTO either by post or email.
 - b) The complaint will be reviewed by the Administration Team (if the complaint is about the Student Support team it will be reviewed by the CEO if the complaint is about the CEO it will review viewed by the Director).
 - c) A confirmation of receipt will be sent to the complaint and show cause letter will be sent to the person to whom their complaint refers to.

- d) All parties to the complaint will have the opportunity to address the complaint or respond to the allegation/s.
- e) The Administration Team will assess all information and make a decision based on all available information - after taking into account the complaint and responsive than any other investigation which may take place.
- f) The Administration Team will write to all parties involved setting out the decision and reasons for decisions.
- g) If any party is not satisfied with the outcome of the decision, they may appeal the decision and ask for a review of the decision. Decision's appeal will be reviewed by the CEO.
- h) If the complaint is still not satisfied with the outcome of the decision they may ask for a review of the decision by an independent mediator as outlined below or may complain directly to the Australian Skills Quality Authority (details below).

External authorities

- If a complaint is still dissatisfied or is unsatisfied with the fairness of the process, they have the right to lodge a complaint externally within appropriate agency or body such as one of the those listed below;

<p>Consumer Affairs Victoria P: 1300 558 181 consumer@justice.vic.gov.au www.consumer.vic.gov.au</p>	<p>Dispute Settlement Centre of Victoria P: 9603 8370 or 1800658528 dscv@justice.vie.gov.au www.justice.vie.gov.au/ disputeinfo</p>	<p>Victorian Equal Opportunity and Human Rights P 1300 891 848 F: 1300 891 858 information@veohrc.vic.gov.au www.humanrightscommission.vic.gov.au</p>
--	---	---

<p>WorkSafe www.workcover.vic.gov.au/works/wcm/connect/WorkSafe</p>	<p>Australian Skills Quality Authority (ASQA) www.asqa.gov.au</p>	
--	--	--

Assessment Result Appeal

Assessment is the process of collecting evidence and making judgments about whether competency has been achieved. Assessments are carried out in accordance with the Principles of Assessment and Rules of Evidence.

Learners who feel they have been assessed unfairly should discuss with the assessor directly. If the matter is not resolved satisfactorily, it should be taken to the Education Coordinator in an attempt to resolve the issue at this level. Should the learner still be dissatisfied, they have the right to lodge an Assessment Result Appeal.

Lodging an assessment result appeal

The learner is the only person when assessment result appeal.

The learner is required to complete the **Complaints and Appeals Form**.

Forms can be downloaded from www.trainingsynergies.net.au

- The learner is required to submit the completed **Complaints and Appeals Forms** by either post or email.

Training Synergies will strive to resolve any assessment result appeals within 28 working days of lodgement. Students will be notified of the outcome.

Assessment Result Appeals will be reviewed against the Principles of Assessment and the rules of evidence. Assessment Result Appeals must be lodged within 1 month of assessment.

Relevant standards

Standards for RTOs 2015

Standard 5.2, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6