



# AA\_CG8-Complaints and Appeals V1CG 8: Complaints and Appeals Policy & Procedure

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## Purpose

The purpose of this policy and procedure is to outline Australian Academy’s approach to managing dissatisfaction, formal complaints and appeals of learners, staff, third parties and other members of the community. It provides a transparent approach for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

This policy and procedure ensures compliance with Standard 6 of the Standards.

## Definitions

**ASQA** means Australian Skills Quality Authority, the national VET regulator and the RTO’s registering body

**Appeal** means a request for a decision made by Australian Academy to be reviewed

**DET** means Department of Education and Training

**Complaint** means a person’s formal expression of dissatisfaction with any product or service provided by Australian Academy.

**Services** means training, assessment, related educational and support services and/or activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation or ICT support

**Standards** means the Standards for Registered Training Organisations (RTOs) 2015 from the VET Quality Framework

## Policy

- Australian Academy responds to all allegations involving the conduct of:
  - The RTO, its trainers and assessors and other staff.
  - Any third-party providing Services on behalf of Australian Academy.
  - Any student or client of Australian Academy.
- Complaints may be made in relation to any of Australian Academy’s services and activities such as:
  - the application and enrolment process
  - marketing information
  - the quality of training and assessment provided
  - training and assessment matters, including student progress, student support and assessment requirements



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- course curriculum
  - issuance of testamurs/statements of attainment or other official documents
  - the way someone has been treated.
  - the actions of another student
  - the actions of any Australian Academy staff
  - the actions of any Third parties (e.g. agents)
3. Appeals should be made to request that a decision made by Australian Academy is reviewed. Decisions may have been about:
- course admissions
  - refund assessments
  - response to a complaint
  - assessment outcomes / results
  - other general decisions made by Australian Academy
4. Australian Academy will make this policy and procedure available to the public through its website  
Australian Academy is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice.
5. Through this policy and procedure, Australian Academy ensures that complaints and appeals:
- Are responded to in a consistent and transparent manner.
  - Are responded to promptly, objectively, with sensitivity and confidentiality.
  - Are able to be made at no cost to the individual.
  - Enable the complainant to present their side of the matter
  - Enable those involved to be informed of the allegations
  - Enable the complainant or appellant to be accompanied by a support person at any meetings that occur during the process.
  - Are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.
6. Australian Academy acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter. Costs associated with independent parties to review a matter must be covered by the complainant/appellant unless the decision to include an independent party was made by Australian Academy.
7. Complainants and appellants are able to use their own external party at their own cost.
8. Complaints and appeals should be made in writing using the *Complaints and Appeals Form*, or other written format and sent to Australian Academy's head office at level 2, Unit 32, 207 Currumburra Road, Ashmore QLD 4214 attention to the Administration Manager.
- Appeals must be made within 30 working days of the original decision being made.
- When making a complaint or appeal, provide as much information as possible to enable Australian Academy to investigate and determine an appropriate solution. This should include:
- The issue you are complaining about or the decision you are appealing – describe what happened and how it affected you.
  - Any evidence you have to support your complaint or appeal.
  - Details about the steps you have already taken to resolve the issue.
  - Suggestions about how the matter might be resolved.



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9. Some or all members of the management team of Australian Academy will be involved in resolving complaints and appeals as outlined in the procedures. Where a third-party delivering Services on behalf of the RTO is involved, they will also be included in the process of resolving the complaint or appeal.
10. Where a student chooses to access this policy and procedure, Australian Academy will maintain the student's enrolment while the complaints/appeals handling process is ongoing.
11. The enrolment status of student will be maintained while the complaints and appeals process are ongoing.
12. Complaints and appeals will be finalised within 14 working days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time as the matter is resolved.
13. Australian Academy will maintain a record of all complaints and appeals and their outcomes on the *Complaints and Appeals Register*.
14. Nothing in this policy and procedure limits the rights of an individual to take action under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.



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## Procedure

### 1. Complaints

Procedure	Responsibility
<p><b>A. Receive and acknowledge complaint</b></p> <ul style="list-style-type: none"> <li>• As per policy, complaints are to be made in writing by the complainant, attention to the Administration Manager.</li> <li>• The Administration Manager should review all complaints upon receipt.</li> <li>• Acknowledge receipt of complaint in writing by sending a letter to complainant within 3 working days of receipt. Use <i>Complaint/ Appeal Acknowledgement Letter</i>.</li> <li>• Record details of the complaint on the <i>Complaints and Appeals Register</i>.</li> </ul>	Administration Manager
<p><b>B. Investigate the complaint</b></p> <ul style="list-style-type: none"> <li>• Commence process of investigation within 10 days of receiving the complaint.</li> <li>• Upon receiving the complaint, the matter is to be investigated to ensure all relevant information is available and it is accurate and complete.</li> <li>• Further details from the complainant, respondent or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face. Where the meeting is face to face, the complainant may be accompanied by a support person.</li> <li>• If the matter is in relation to a third-party delivering Services on behalf of the RTO, the third party should be involved in the resolution of the complaint.</li> <li>• The Administration Manager/Training Coordinator will review the information and decide on an appropriate response. Where deemed necessary by the Administration Manager/Training Coordinator, the matter may be reviewed by other members of the management team to arrive at an appropriate resolution.</li> <li>• Note: The complaint must be completely resolved within 60 calendar days of receipt of the original complaint. If the matter is particularly complex and it is going to take longer to resolve, the complainant is to be advised in writing along with reasons for the extra time. They must be provided with updates on progress on a weekly basis thereafter until the matter is resolved.</li> </ul>	Administration Manager/Training Coordinator



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Procedure	Responsibility
<p><b>C. Notification of the outcome and update records</b></p> <ul style="list-style-type: none"><li>• Provide a written response within 14 days to the complainant outlining:<ul style="list-style-type: none"><li>– The RTO’s understanding of the complaint</li><li>– The steps taken to investigate and resolve the complaint.</li><li>– Decisions made about resolution, with reasons for the decisions made.</li><li>– Areas that have been identified as possible causes of the complaint and improvements to be recommended.</li><li>– Their right to access the appeals process if they are not satisfied with the outcome of the complaints process.</li></ul></li><li>• Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the complaint.</li><li>• Update the <i>Continuous Improvement Register</i> if applicable for any improvements to be made as an outcome.</li><li>• Keep a copy of the complaint and supporting documents in the Complaints file and in the student (Student Management System) or staff file (where relevant).</li><li>• Discuss the complaint and its outcome at the next management meeting.</li></ul>	Administration Manager



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## Appeals

Procedure	Responsibility
<p><b>A. Receive and acknowledge appeal</b></p> <ul style="list-style-type: none"> <li>• As per policy, appeals are to be made in writing by the appellant, attention to the RTO Manager.</li> <li>• The RTO Manager should review all appeals upon receipt.</li> <li>• Acknowledge receipt of appeal in writing by sending a letter to appellant within 5 working days of receipt. Use <i>Complaint/Appeal Acknowledgement Letter</i>.</li> <li>• Record details of appeal on the <i>Complaints and Appeals Register</i>.</li> </ul>	RTO Manager
<p><b>B. Response to assessment appeals</b></p> <ul style="list-style-type: none"> <li>• In the case of appeals against assessment decisions, the original assessment decision will be reviewed by having an assessor independent of the original decision, mark the assessment task again.</li> <li>• The assessment decision made during the appeals process will be considered the actual assessment outcome for the task.</li> <li>• Advise the student of the outcome of the appeal as per point D below.</li> </ul>	Training Coordinator
<p><b>C. Response to appeals against non-academic decisions</b></p> <ul style="list-style-type: none"> <li>• Upon receiving the appeal, the matter is to be investigated to identify the original decision made and the reasons for the decision.</li> <li>• Further details from the appellant, respondent, the person who made the original decision, or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face.</li> <li>• If the matter is in relation to a third-party delivering Services on behalf of the RTO, the third party should be involved in the resolution of the appeal.</li> <li>• The appellant may request for an independent party (mediator) to be involved in the process. Where this is requested by the appellant, they will bear the costs associated. Additionally, Australian Academy may decide to call upon an independent mediator to assist to resolve the issue where a decision cannot be reached internally. This will be at Australian Academy's cost.</li> <li>• Australian Academy's Management team will review all relevant information and decide on an appropriate response.</li> <li>• Note: The appeal must be resolved within 60 calendar days of receipt of the original appeal. If the matter is particularly complex and it is going to take longer to resolve, the appellant must be advised in writing along with reasons for the extra time. They must be provided with progress updates on a weekly basis thereafter until the matter is resolved.</li> </ul>	RTO Manager/Third Party
<p><b>D. Notification appellant of the outcome and update records</b></p> <ul style="list-style-type: none"> <li>• Provide a written response to the appellant outlining:               <ul style="list-style-type: none"> <li>– The RTO's understanding of the reasons for the appeal</li> <li>– The steps taken to investigate and resolve the appeal.</li> <li>– Decisions made about resolution and reasons for the decisions</li> </ul> </li> </ul>	RTO Manager



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Procedure	Responsibility
<ul style="list-style-type: none"> <li>- If relevant, areas that have been identified as possible causes of the appeal and improvements to be recommended.</li> <li>- Their right to, and information on, the external appeals process.</li> <li>• Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the appeal.</li> <li>• Update the <i>Continuous Improvement Register</i> if applicable for any improvements to be made as an outcome.</li> <li>• Keep a copy of the appeal and supporting documents in the Complaints file and in the student (Student Management System) or staff file (where relevant).</li> <li>• Discuss the appeal and its outcome at the next management meeting.</li> </ul>	

## 2. Independent Reviews by External Party

Procedure	Responsibility
<p><b>A. External complaint or appeal</b></p> <ul style="list-style-type: none"> <li>• If dissatisfied with the internal processes, the complainant/appellant may initiate an external complaint or appeal and must inform the CEO and RTO Manager in writing.</li> <li>• The student must advise the CEO and RTO Manager within ten (10) working days of the request, the external mediator who will be handling your case and of the process for the appeal.</li> <li>• Additionally, a complainant or appellant who has been through the internal processes may request Australian Academy to appoint an independent party to review the matter.</li> <li>• The independent party used is outlined in the policy, however complainants and appellants are able to seek their own external parties at their own cost.</li> <li>• Australian Academy will co-operate fully in the process of the external party to investigate and review the matter. This will include and not be limited to providing full access to the relevant student file/s and systems and the internal complaints records where permitted to do so by law. All staff will be instructed to cooperate in such instances and to give an accurate account of the events as they understand them.</li> <li>• The CEO/RTO Manager will ensure that any recommendations made are implemented within twenty (20) days of being notified of the recommendations.</li> </ul>	RTO Manager, CEO and other Staff as required

### Document Control

<b>Document No. &amp; Name:</b>	CG 8I-Complaints and Appeals P&P V1.0-01-06-2016
<b>Quality Area:</b>	Corporate Governance
<b>Status:</b>	Approved
<b>Approved By:</b>	Management Team
<b>Approval Date:</b>	June 2016
<b>Review Date:</b>	October 2020
<b>Standards:</b>	Standard 6, Clause 6.1, 6.2, 6.3, 6.4, 6.5 & 6.6 National Code Standard 8