

Policy

National Training (NT) acknowledges the students' right to lodge a complaint and appeal when they are dissatisfied with academic or non-academic issues.

NT recognises the need for students to have confidence that NT will deal with all complaints and appeals in a fair and equitable manner based on procedures that are appropriate, accessible and easily understood.

This policy aims to manage and respond to allegations involving the conduct of:

- a) National Training, its trainers, assessors or other staff;
- b) a third party providing services on National Training's behalf, its trainers, assessors or other staff;
- c) a Student of National Training; or
- d) appeal requests for a review of decisions, including assessment decisions, made by National Training or a third party providing services on National Training's behalf..

This policy ensures that:

- a) the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;
- b) are publicly available;
- c) set out the procedure for making a complaint or requesting an appeal;
- d) ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and
- e) provide for review by an appropriate party independent of National Training and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.

Purpose

The purpose of this policy and procedure is to define the system available students for dealing with complaints and appeals as per requirement of Standards for Registered Training Organisations 2015, Standard 6.

Scope

This procedure applies to complaints and appeals from students. The complaint and appeal may be against another student/s and or staff member/s regarding academic or non-academic issues.

The following issues are not considered complaints within the scope of this policy:

- Maintenance issues (such as broken furniture or equipment). *These should be referred to Workplace Health and Safety Policy and Procedure.*
- Accidents/incidents (such as tripping, slipping, burning).

NT will deal with all complaints and appeals according to the following principles:

- Complaints and appeals will be resolved informally where possible
- Complaints and appeals will be resolved as close as possible to the source of dissatisfaction
- Complaints and appeals procedures will be widely advertised
- Any person with any allegation against them will have the opportunity to respond to the allegation before a resolution is attempted
- Proceedings should be conducted honestly, promptly and without bias
- Issues that are of a criminal or legal nature may be referred to the police or appropriate authority

Responsibility

The Quality and Integration Manager will have overall responsibility for:

- Monitoring all complaints and appeals processes
- Reporting to management on outcomes of complaints & appeals

This policy and procedure should be communicated to all staff, students and clients upon induction employment or commencement of training.

Procedure

Complaints

NT believes that it is advantageous for complaints to be resolved wherever possible and appropriate with a minimum of formal procedures.

Students who feel they have a complaint should complete the Complaints and Appeals Form citing the exact reason for the complaint, making a note of instances why, who, how and when they occurred.

The process commences within 10 working days of the formal lodgement of the complaint and supporting information and all reasonable measures are taken to finalise the process as soon as practicable.

The following complaints procedure will be used in dealing with complaints made by all students:

- (a) Complaints from students will be directed/ lodged with the Quality and Integration Manager and will be entered into the complaint register. A Complaint Acknowledgement Letter will be prepared and sent out by the Quality and Integration Manager.
- (b) The relevant Manager will investigate the complaint and if necessary will meet with the student. *Note: The student may have a support person present at the meeting.*
- (c) If the student declines or fails to attend the scheduled meeting, a formal response will be decided in the student's absence.
- (d) If the matter is not resolved at such a meeting, the parties shall arrange for further discussion between the student and their nominated representative, if any, and more senior levels of management (Chief Executive Officer).
- (e) The student will be advised in writing of the outcome of their complaint including the reasons for such outcome.
- (f) Where National Training considers more than 60 calendar days are required to process and finalise the complaint, National Training will:
 - a) Inform the complainant in writing, including reasons why more than 60 calendar days are required; and
 - b) Regularly updates the complainant on the progress of the matter.
- (g) If the student is not satisfied with the outcome, the students can access NT's appeal process within 20 working days of the date of the complaint outcome in writing.
- (h) If the internal complaints process results in a decision that supports the student, National Training will immediately implement the decision and/or corrective action and advise the student of the outcome.

Appeals

Grounds for Appeal

An application for appeal will be considered where:

- A student claims a disadvantage because the nature of the complaint process is unfair
- A student claims disadvantage because assessment requirements specified by the trainer were unreasonably or prejudicially applied to him or her
- A student is of the view that a clerical error has occurred in the documenting of the assessment outcome
- A student claims that there is a discrepancy between the practical observation and the formal assessment.

Step 1 – Internal Appeals

- (a) Students may access the internal appeals process and are required to lodge their appeal and reasons by submitting a Complaint and Appeal Form to the Chief Executive Officer within 20 working days of the date of the complaint outcome.
- (b) There is no cost to the student for lodgement of internal Appeal.
- (c) Appeals will be logged in the Appeals register and an Appeals Acknowledgement Letter will be prepared and sent out by the CEO.
- (d) When the internal appeal process has been instigated, it will commence within 10 working days of the formal lodgement of the appeal. The Officer Manager will contact the student and allow for him/her to formally present their case (if not already done so), review the information and all reasonable measures will be taken to finalise the process as soon as practicable.
- (e) After consideration of the documentation received with an Appeal, the grounds will be assessed and the student will be notified in writing of the outcome.
- (f) Where National Training considers more than 60 calendar days are required to process and finalise the appeal, National Training will:
 - a) Inform the appellant in writing, including reasons why more than 60 calendar days are required; and
 - b) Regularly updates the appellant on the progress of the matter.
- (g) If the appeal remains unresolved, the student can access an external appeals process at minimal cost. The student is also entitled to nominate a person of their choice to support them.
- (h) If the internal appeals process results in a decision that supports the student, NT will immediately implement the decision and/or corrective action and advise the student of the outcome.

Step 2 – External Appeals

- (a) If the student is not satisfied with the result or conduct of the internal complaint handling and appeals process, NT will advise the student of his or her right to access the external appeals process at minimal cost. All external appeals must be lodged in writing within 20 working days of the date of the Internal Appeal Outcome Letter. If no notification is received within that timeframe, NT will finalise the case accordingly.
- (b) A student who wishes to lodge an external appeal may do so in writing to the relevant state:

Administrative Appeals Tribunal

VICTORIA

Tel: 03 9282 8444 or 1300 366 700
Email: melbourne.registry@aat.gov.au
Post: GPO Box 9955 Melbourne VIC 3001
Address: Level 16, HWT Tower, Southgate

Complaints and Appeals Policy & Procedure



40 City Road Southbank

QUEENSLAND

Tel: 07 3361 3000 or 1300 366 700
Email: brisbane.registry@aat.gov.au
Post: GPO Box 9955 Brisbane Qld 4001
Address: Level 4, Harry Gibbs Building
Commonwealth Law Courts
119 North Quay (entry is from Tank Street) Brisbane

NEW SOUTH WALES

Tel: 02 9391 2400 or 1300 366 700
Email: sydney.registry@aat.gov.au
Post: GPO Box 9955 Sydney NSW 2001
Address: Level 7, City Centre Tower
55 Market Street Sydney

- (c) This process is for the investigation of concerns regarding NT's policies and procedure and not extended to consideration of compassionate or compelling circumstances.
- (d) All students may be accompanied by a third person during the external appeals process.
- (e) In the event, the external complaints process results in a decision that supports the student, NT will immediately implement the decision and/or corrective action and advise the student of the outcome.
- (f) All written information regarding the complaints/appeals process must be filed in the students' file.

This document in no way replaces or modifies procedures or responsibilities that arise under other policies or under statute or any other law.

This policy and procedure does not limit the rights of individuals to take action under Australia's Consumer Protection Laws. Also, this policy and procedure does not circumscribe an individual's rights to pursue other legal remedies.

Records

National Training will:

- a) securely maintains records of all complaints and appeals and their outcomes; and
- b) identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence. (See Continuous Improvement Policy & Procedure)

Definitions

Complaint is a statement that something is unsatisfactory or unacceptable

Appeal is a process for requesting a formal change to an official decision

Academic is a matter relating to an educational or scholarly institution or environment.

Non-academic is an issues other than academic related.

Supporting Documents

- Complaints and Appeals Form
- Complaints and Appeals Register
- Complaint and Appeals Acknowledgement Letter
- Complaint and Appeals Outcome Letter

Document History

Revision	Date	Description of modifications
1.0	May 2014	Original
2.0	March 2015	Updated to include Standards for RTO's 2015
2.0	Feb 2016	Annual Review – (No change)

Document Details

Document Name: Complaints and Appeals Policy & Procedure
Department: Governance
Approved: CEO
Review Date: March 2017
Policy Drivers: Standards for RTO's 2015: 6.1, 6.2, 6.3, 6.4 & 6.5
Circulation: All Staff & Website
Location: Dropbox