

PRTO13 Complaints and Appeals Policy and Procedure

Policy

St Michaels Association (STMA) manages complaints and appeals in a transparent manner which enables learners to be informed of understand their rights and obligations and the RTO's responsibilities in relation to complaints and appeals as outlined in the Standards for Registered Training Organisations (RTOs) 2015 .

STMA manages and responds to complaints in relation to the quality of training and assessment; the quality of client service; and compliance with the VET Quality Framework, including allegations involving the conduct of:

- the RTO, its trainers, assessors or other employees
- a third party providing services on the RTO's behalf, its trainers, assessors or other employees
- a learner of the RTO

STMA manages appeals or requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

Complaints and appeals are handled in the strictest of confidence and records are secured in accordance with the STMA Records Management Policy and Australian Privacy Principles.

Definition

A complaint or appeal may include, but is not limited to:

Complaints

- Course advice and enrolment
- Suspension and/or cancellation of enrolment
- Program delivery
- Marketing and promotional activity
- Personal safety
- Customer service and administration
- Issue of results, certificates, statement of attainment
- Learning resources
- Fees and charges
- Access and Equity, discrimination, harassment and bullying

Appeals

- Assessment process and decision
- Learner progress and progress decisions

CODE	VERSION	NAME	DATE CREATED	APPROVED BY	DATE REVIEWED
PRTO13	1.3	Complaints and Appeals Policy	3/9/2012	John Gilpin, CEO	25/10/2018

Responsibilities

All RTO employees are responsible for:

- conducting themselves in a professional manner to minimise the incidence of complaints and allegations
- the accurate and timely documenting of complaints and appeals as outlined in this procedure
- ensuring that learners are fully informed of the STMA's policy and procedures for handling complaints and appeals
- assisting a complainant or appellant to resolve concerns directly and informally with parties involved in the first instance
- assisting a complainant or appellant to lodge a formal complaint or appeal

The Chief Executive Officer is responsible for:

- ensuring that complaints and appeals are managed in a transparent manner in accordance with the principles of natural justice and procedural fairness
- offering independent review of decisions, where required

The RTO Manager is responsible for:

- ensuring that the complaints and appeals process operates in a transparent manner in accordance with the principles of natural justice and procedural fairness
- determining independent internal or external third parties to review complaint and appeal processes
- ensuring that complaints and appeals outcomes are used to inform continuous improvement strategies within STMA RTO through the internal audit process
- maintaining STMA RTO's Complaints and Appeals Register
- ensuring that complaints and appeals outcomes are used to inform continuous improvement strategies within the RTO and third party providers, through the internal audit process

Third Party Trainers and Assessors are responsible for:

- conducting themselves in a professional manner to minimise the incidence of complaints and allegations
- the accurate and timely documenting of complaints and appeals as outlined in this procedure
- ensuring that learners are fully informed of the STMA's policy and procedures for handling complaints and appeals
- assisting a complainant or appellant to resolve concerns directly and informally with parties involved in the first instance
- assisting a complainant or appellant to lodge a formal complaint or appeal
- ensuring all complaints and appeals are documented and reported to the RTO Manager immediately

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Procedure

1. It is expected that prior to initiating a formal complaint or appeal process, the parties involved will attempt to resolve concerns directly wherever possible. It is expected that many concerns will be resolved in the first instance.
2. Learners are encouraged to raise concerns directly with the trainer, particularly where the concerns are adversely affecting the learning environment.
3. Where the parties involved are unable to successfully resolve the concern directly, then a formal complaint or appeal may be lodged with the RTO Manager in writing outlining the following:
 - complainant's full name, address, phone/email address
 - details of the concern raised by the complainant
 - the complainant's desired outcome
 - reasons outlining the escalation to a formal process
 - if the complaint relates to another party, that party's full name and position
4. The RTO Manager will acknowledge receipt of all complaints and appeals in writing. The acknowledgement will also outline the anticipated review period.
5. The RTO Manager will notify the CEO of the complaint or appeal which is recorded on the RTO Complaints and Appeals Register.
6. The RTO Manager will endeavour to resolve all complaints and appeals within 60 days
7. Where the RTO Manager considers more than 60 calendar days are required to process and finalise the complaint or appeal, the complainant or appellant will be informed in writing and will receive regular updates on the progress of the matter.
8. If a complaint cannot be investigated by the RTO (for whatever reason), then the RTO Manager will inform the complainant at this point and refer them to the most appropriate body.
9. Where the RTO is unable to make a determination or the complainant is dissatisfied with the outcome they can appeal and request a review of the decision from a third party. Appeals or requests for review of decisions are to be lodged in writing within 28 days of the decision or outcome.
10. Requests for appeal or review of decisions are referred to the CEO who will identify and assign an internal review officer within STMA, but independent of the RTO or decision. The CEO may be assigned as an independent reviewer.
11. The RTO Manager will acknowledge receipt of the request for internal review in writing outlining the anticipated review period and the designated review officer. The review process and review officer is recorded in the RTO Complaints and Appeals Register.
12. The review officer makes a determination and advises the appellant of the decision or outcome in writing. The RTO Manager will also be notified of the outcome and any action to be implemented.
13. Documentation is securely filed and the outcome and continuous improvement action is noted in the RTO Complaints and Appeals Register.

Related Standards

Clauses 1.7, 5.4 and 6.1 to 6.6

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