

STES

RTO Policy & Procedure – Complaints & Appeals

Purpose	The purpose of this Policy & Procedure (P&P) is to ensure that all complaints and appeals are dealt with in a constructive and timely manner. It outlines the procedure for dealing with a participants appeal against an assessment outcome awarded in any module or unit of competence.
Scope	This P&P provides guidance on the resolution of complaints and appeals made against the RTO by students, stakeholders or staff.
Inputs	<p>Standard 5 - Each learner is properly informed and protected.</p> <p>5.2. Prior to enrolment or the commencement of training and assessment, whichever comes first, the RTO provides, in print or through referral to an electronic copy, current and accurate information that enables the learner to make informed decisions about undertaking training with the RTO and at a minimum includes the following content:</p> <ul style="list-style-type: none">d) the learner's rights, including:<ul style="list-style-type: none">i) details of the RTO's complaints and appeals process required by Standard 6;

Standard 6 – Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

6.1. The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

- a) the RTO, its trainers, assessors or other staff;
- b) a third party providing services on the RTO's behalf, its trainers, assessors or other staff; or
- c) a learner of the RTO.

6.2. The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

6.3. The RTO's complaints policy and appeals policy:

- a) ensure 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 the RTO 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.

6.4. Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:

- a) informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and
- b) regularly updates the complainant or appellant on the progress of the matter.

6.5. The RTO:

- 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.

6.6. Where the RTO is an employer or a volunteer organisation whose learners solely consist of its employees or members, does not charge fees for the training and/or assessment, and does not have in place a specific complaints and appeals policy in accordance with Clauses 6.1 & 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO.

<p>Requirement</p>	<p>The RTO must have a policy for dealing with complaints about the organisation, third parties, staff or other learners. They must also have an appeals policy, in case there is a request to review or reconsider a decision that has been made.</p> <p>These policies must be publicly available, for example, by including them on the RTO website or displaying them in common areas for staff and learners.</p> <p>The RTO's process must follow the principles of natural justice and procedural fairness and the decision maker is to be independent of the decision being reviewed.</p> <p>The policy should disclose any costs associated with a third party review so all parties are aware of any costs they may need to pay.</p> <p>The RTO must deal with complaints and appeals promptly. The timeframes that will apply to resolution of complaints and appeals should be identified, so that complainants know how long it should take to get a response from the RTO at all stages of the process. If a complaint or appeal (including any review process) will take more than 60 days to finalise, the RTO is to write to the people involved explaining the delay.</p> <p>The RTO is to record all complaints and appeals received, and document outcomes. This information is to be used to review the RTO's processes and practices to ensure the issue doesn't happen again.</p>
<p>Reference Documentation</p>	<p>Other reference documentation which relates to this P&P includes:</p> <ul style="list-style-type: none"> • TAC Policies & Guidelines <ul style="list-style-type: none"> ○ Training Accreditation Council (TAC) Complaints Handling Policy • ASQA Publications <ul style="list-style-type: none"> ○ Making a complaint
<p>Tools & Templates</p>	<p>This P&P is supported by the Tools & Templates identified at each stage in the process.</p>
<p>Policy</p>	<p>The Complaints and appeals Policy & Procedure will be made publicly available on the STES website.</p> <p>Complaints</p> <p>STES will deal with any complaints, whether from students, clients or staff in an effective and timely manner, typically resolving all complaints within <i>60 days</i>.</p> <p>Assessment Appeals</p> <p>A student may appeal against an assessment outcome within 14 days of receiving notification of their results.</p> <p>The grounds for an assessment appeal are:</p> <ul style="list-style-type: none"> • The judgement as to whether competence has been achieved and demonstrated was made incorrectly. • The assessment plan is not flexible or fair. • Judgement was not made in line with the assessment plan. • The assessment plan does not address the collection of evidence sufficiently.



Resolution

STES will deal with any complains or student appeals in an effective and timely manner, typically resolving all complaints within 60 days.

- Each complaint or appeal and its outcomes will be recorded in writing.
- The RTO will act upon any substantiated complaints or appeals.

The CEO / Training Manager is responsible for managing the resolution of the complaints and appeals.

Where more than 60 calendar days are required to process and finalise the complaint or appeal, CEO / Training Manager:

- will informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and
- regularly updates the complainant or appellant on the progress of the matter.

All complaints and appeals are to be recorded on the STES Complaints & Appeals Register and are to be reviewed at the monthly management meetings and, if appropriate, will result in a continuous improvements activity. Also possible causes of complaints or appeals are to be identified and corrective action is to be taken to eliminate or mitigate the likelihood of reoccurrence.

If the client or student is still not satisfied with the resolution of the complaint or appeal, they can seek further assistance from TAC / ASQA.

Initial complaint	When a staff member is approached by a student or client about a complaint they should in the first instance attempt to resolve the issue themselves.	Tools & Templates
Output	Complaint resolved without intervention	
Responsibility	Administration Officer	



<p>Receiving a complaint</p>	<p>If the complaint cannot be resolved then the complainant is to be referred to CEO / Training Manager who will provide them with a copy of the STES Complaints Lodgement Form and if required assist them to complete it.</p> <p>Similarly all staff should be aware that the same process is available to them as well, should they have a complaint.</p> <p>All complaints should be brought to the attention of STES Management on the day the complaint is made.</p> <p>The written complaint must be forwarded to STES Management as soon as possible.</p> <p>STES Management should respond in writing, proposing a solution or stating their current position on the relevant matter.</p> <p>The written management response should also contain information concerning the complainant's right to appeal the decision through an Independent Adjudicator.</p> <p>All independent adjudicator outcomes will be communicated to the complainant in a timely manner.</p> <p>Each complaint and its outcomes will be recorded in writing on the STES Complaints & Appeals Register.</p>	<p>Tools & Templates</p> <ul style="list-style-type: none"> • <i>STES Complaints Lodgement Form</i> • <i>STES Complaints Register</i>
<p>Output</p>	<p>Written Record of a complaint acknowledged and responded to.</p>	
<p>Responsibility</p>	<p>CEO / Training Manager / Training Leader</p>	

<p>Assessment Appeals</p>	<p>Appeals against STES decisions including, assessment decisions, are to be submitted in writing on the STES Appeals Lodgement Form</p> <p>STES will deal with any student appeals against decisions including, assessment decisions, in an effective and timely manner, typically resolving all appeals within 60 days.</p> <ul style="list-style-type: none"> • Each appeal and its outcomes will be recorded in writing on the STES Appeals Register. • Each appeal is heard by an independent person or panel that is mutually agreed upon • Each appellant: <ul style="list-style-type: none"> ○ Has the opportunity to formally present his or her case ○ Is given a written statement of the appeals outcomes, including reasons for the decision. 	<p>Tools & Templates</p> <ul style="list-style-type: none"> • <i>STES Appeals Lodgement Form</i> • <i>STES Appeals Register</i>
<p>Output</p>	<p>Written Appeal</p>	
<p>Responsibility</p>	<p>CEO / Training Manager is responsible for managing the resolution of the appeal and will be able to supply and assist with the appeal form.</p>	



The appeal for re-assessment is proven	If an appeal for re-assessment is proven, STES will make all necessary arrangements to conduct the re-assessment of the student at a time that is mutually convenient for all parties concerned.	Tools & Templates
Output	Reassessment	
Responsibility	CEO / Training Manager	
Appeal not proven	If the appeal is not proven and the student is not satisfied with the resolution of the appeal, they can seek further assistance from TAC / ASQA.	Tools & Templates
Output	Advice sought from TAC / ASQA	
Responsibility	CEO / Training Manager / Administration Officer	
Review	All complaints and appeals are reviewed at the monthly management meeting and if appropriate will result in a continuous improvements action.	Tools & Templates <ul style="list-style-type: none">• <i>STES – Monthly Meeting</i>
Output	Continuous Improvement Action	
Responsibility	Administration Officer	
Key Performance Indicator:	The effectiveness of this P&P will be measured by the number of appeals and complaint resolved without the intervention of an independent adjudicator	