

RTO Complaints and Appeals Policy and Procedure

PURPOSE:

This policy/procedure is based on providing and maintaining training services that are fair and reasonable and afford a forum where issues or inadequacies can be resolved. It supports the RTO to provide adequate opportunity for complaints and appeals to be actioned in a timely, confidential and sensitive manner.

SCOPE:

For all RTO related complaints and appeals the RTO Training Manager is appointed as the Complaints Resolution Officer.

The objective is to ensure that BGT staff and those acting on behalf of BGT act in accordance with the BGT Code of Practice. The process provides complainants a clear process to follow in order to register a complaint and/or appeal. It ensures that all parties involved are kept informed of the resulting actions and outcomes throughout the resolution process.

DEFINITIONS:

Complaint: A complaint is any expression of dissatisfaction with an action product or service of an education and training provider (or of the registering body) made to the registering body

Appeal: An appeal is where a client of an RTO, or interested party, may dispute a decision made by the RTO. The decision made by the RTO may be an assessment decision or may be about any other aspect of the RTO's operations.

PROCEDURE:

Where possible all non-formal attempts shall be made to resolve the matter. This may include advice, discussions, and general mediation in relation to the issue and the complainant's issue. Any staff member can be involved in this informal process to resolve issues but once a complainant has lodged a formal complaint the following procedure must be followed.

- All formal complaints should be committed to in writing to the RTO Training Manager at the earliest possible opportunity (no more than 5 working days of the incident date)
- Once a formal complaint has been received it is to be entered in the Complaints and Appeals Register.
- The RTO Training Manager will acknowledge receipt of the complaint within 5 working days.
- The RTO Training Manager will provide details to all parties identified in the complaint and any persons directly affected by the complaint

- The complainant may be assisted or accompanied by a support person regardless of the nature of the issue or complaint throughout the process at all times. Complainants have the right to access advice and support from independent external agencies/persons at any point of the complaint and appeals process. Use of external services will be at the complainant's costs.
- The complainant will be given the opportunity to present their side of the complaint to the persons hearing the complaint.
- The RTO Training Manager may delegate responsibility for the resolution of the complaint/appeal as required and will initiate a transparent, participative process to deal with the issues at hand.
- Where possible all complaints are to be resolved within 10 working days from acknowledging the initial notification.
- In all cases the final decision will be endorsed by the CEO.
- All parties involved will be advised in writing of the outcome of the complaint. Within this notification the complainant will also be notified that they have the right to appeal. To appeal a decision the RTO must receive, in writing, grounds of the appeal and follow the Appealing a Decision process.
- Copies of all documentation, outcomes, further actions required will be placed within the complainants file and documented in the Complaints and Appeals Register.

Appealing a decision:

All complainants have the right to appeal a decision made by BGT where reasonable grounds can be established. The areas in which a complainant may appeal a decision may include:

- Assessments conducted
 - Deferral, suspension or cancellation decisions made to a student's enrolment
 - Or any other decision that is made after a complaint has been dealt with by BGT
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- To activate the appeals process the appeal must be committed in writing to the RTO Training Manager detailing the grounds the appeal is based upon. The reason/s the complainant feels the decision is unfair must be clearly explained.
 - The RTO Training Manager will then determine the validity of the appeal and organise a meeting with all parties involved in an attempt to seek resolution
 - The process for all formally lodged appeals will begin within 10 working days of lodgement
 - The student shall be notified in writing of the outcome with reasons for the decision, and the Complaints and Appeals Register will be updated. If the student is still unsatisfied with BGT's decision and wish to undertake an external appeal the student shall be referred to and provided information relating to the appropriate government agencies ie Higher Education Skills Group, National Training Hotline.
 - All records and correspondence in relation to an external appeal shall be kept with the initial complaint within the Complaints and Appeals Register

Further information

If, after the RTO's internal complaints and appeals processes have been completed, you still feel that the RTO is breaching or has breached its legal requirements, you can submit a complaint to the Victorian Registration and Qualifications Agency (VRQA) by completing the online complaint form: <http://www.vrqa.vic.gov.au/complaints/Pages/tovrqa.aspx>