



Complaints & Appeals Policy

PURPOSE

1. This policy is based on providing and maintaining training services that are fair and reasonable and provide an opportunity where issues or inadequacies can be resolved. The Australian College of Training process provides adequate opportunity for complaints and appeals to be forwarded to Australian College of Training management in a timely, confidential and sensitive manner.

SCOPE

2. At Australian College of Training the General Manager is appointed as the Complaints & Appeals Resolution Officer.

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

DEFINITIONS

3. The following is a description of the types of complaints that apply to this policy:
 - I. **An academic matter** is anything to do with issues related to teaching, learning, or assessment in a learner's training program or course
 - II. **An administrative matter** is anything to do with the management of the College and/or the administration of a learner's enrolment at the College including attendance.
 - III. **A more general matter** is anything to do with a learner's comfort, safety and general well-being whilst attending the College.

COMPLAINTS AND APPEALS PROCEDURE:

4. Throughout both the informal and formal resolution process all parties concerned are requested to:
 - I. Participate in the resolution process in good faith
 - II. Treat each other with dignity and respect at all times. Anything less is unacceptable.
 - III. Ensure that there is no retribution or victimisation towards any party concerned
 - IV. Have the intention to resolve the matter/s raised fairly, reasonably and quickly
 - V. Maintain the confidentiality of all parties involved; this is subject to any legal requirements of disclosure should the matter involve legal matters.

Informal process

5. Any client/stakeholder with a complaint or appeal should, as far as is practicable, raise the matter with the relevant staff member or the General Manager and attempt an informal resolution. If the complaint remains unresolved after informal attempts, then the client/stakeholder may commence formal process. Informal complaints or appeals will still be documented by the Registrar on Corrective Action Form for the purposes of continuous improvement.



Formal process

6. If a complaint of appeal is to be pursued in a formal process, the following process applies:
 - a) All formal complaints / appeals are to be committed to in writing as far as is practicable, at the earliest possible opportunity utilising the Complaints & Appeals Lodgement Form. It is recognised that some people may be unable to document their concerns in writing. Therefore all complaints, whether written (including email correspondence), or verbal (to include interview or phone contact) are acknowledged and investigated. Anonymous complaints will not be accepted.
 - b) Complaints and appeals against decisions must be submitted within 5 business days of the incident.
 - c) Clients will be provided with 10 business days to submit an appeal against an assessment decision. The client will lose all rights if the appeal is not lodged within this time.
 - d) A submitted Complaints & Appeals Lodgement Form will constitute a formal complaint or appeal from the client/stakeholder.
 - e) The General Manager of Australian College of Training will be informed of receipt of all client/stakeholder complaints and appeals.
 - f) The General Manager of Australian College of Training may delegate responsibility for the resolution of the complaint or appeal as required.
 - g) Staff will, by utilising the Corrective Action Form, document the issues raised in the complaint or appeal, perceived causes and actions taken to resolve the matter along with recommendations to minimise risk of future similar complaints.
 - h) In the case of a complaint or appeal, the General Manager of Australian College of Training will initiate a transparent, participative process to deal with the issues at hand.
 - i) Assessment appeals will be processed in accordance with the Assessment Appeals Procedure - Annex A.
 - j) Complaints or appeals where possible are to be resolved within 10-20 working days of the initial application, dependent on the complexity of the matters raised. If it is expected that the process will take more than 20 days, the General Manager will notify the complainant.
 - k) In all cases the final conclusion will be endorsement by the General Manager of Australian College of Training and documented on the Corrective Action Register.
 - l) The client/stakeholder will be advised in writing of the outcome of their complaint or appeal.
 - m) All grievances, complaints and appeals will be handled as Staff-In-Confidence.
 - n) Details concerning the scope of Australian College of Training Complaints and Appeals Policy are communicated prior to enrolment contained within the Learner Orientation Process and Learner Handbook.

Record of complaints and appeals.

7. A summary of all complaints or appeals will be submitted at Management Review meetings for continuous improvement of the processes. The summary will include the number of complaints received over the quarter, themes, actions and status (open/closed). Where, as a result of a complaint or appeal investigation a change of Institute policy, process or procedure is recommended, the General Manager will make the necessary changes.
8. All complaints grievances and appeals are to be held on file located in Australian College of Training administration.

Appeal of decision outcome process

9. If the outcome is not to the satisfaction of the client, he/she may seek an appointment with the General Manager of Australian College of Training to discuss the matter and its resolution further.



10. The General Manager of Australian College of Training decision will be final. The client, if still not satisfied with the outcome has the option to appeal the decision. The CEO of Australian College of Training, as an independent adjudicator, will review the complaint, the process and actions taken to resolve the matter.
11. The client/stakeholder will be advised in writing of the outcome of their appeal.
12. Where the internal grievance process is unable to resolve the issue, and/or the learner wishes to lodge an external appeal against the decision, the learner is given information as to how to access the External Appeals Process via ACPET. The learner is advised that there is a cost to the learner to access the External Appeals process and what the current cost is at the time the information is provided.

APPEALS

13. An appeal is different to a complaint or grievance. It is related to disputes about an administrative, management or assessment decision made by Australian College of Training.

General appeal (administrative or management decision)

14. A general appeal applies when a learner believes that they were treated unfairly or inequitably in regards to an administrative or management decision. Those decisions may include:
 - i. Refusal of enrolment into a training program
 - ii. Suspension or termination of enrolment or participation in the training program /course or expulsion from the College
 - iii. Assessment process was not in line with training package and unit requirements, principles of assessment or rules of evidence
 - iv. Any other decision made where the learner feels they have been dealt with unfairly or unreasonably dealt with

Assessment appeal

15. An assessment appeal is related to the outcome of assessments conducted by qualified College assessors. All learners have the right to appeal an assessment decision where reasonable grounds can be established. Valid reasons for an appeal may include:
 - i. Assessment evidence of competence unfairly judged or marked harshly
 - ii. The assessment process agreed to was not followed or changed without prior consultation with the learner
 - iii. Unfair treatment during assessment process including bias
16. The following appeals process is in place and the College shall act on each substantiated appeal:
 - a) When a learner believes that there are reasonable grounds for an appeal against an assessment outcome, the learner is required to discuss this with the assessor in the first instance. The assessor may decide to re-assess the learner to ensure a fair and equitable decision is gained, or may consult another qualified College assessor for a second assessment judgement.
 - b) If the outcome is still not to the satisfaction of the learner and the learner believes the grounds of appeal remain, the learner then lodges a formal appeal through the Complaint and Appeal Lodgement form. A learner wishing to appeal the assessment outcome must do so within 20 business days of their assessment outcome being confirmed.
 - c) If a learner is still dissatisfied with the decision of the College, a learner may wish to refer the matter to an external independent / third party mediator. Where a decision or outcome from the external independent or third party mediator is in favour of the



- learner Australian College of Training will follow the recommendation from that person and take the required action to satisfy the learner's appeal as soon as practicable.
- d) If they are not satisfied with the outcomes of these processes they should contact Australian Skills Quality Authority (ASQA) by completing the online complaint form.