

POLICY NAME

PURPOSE	The purpose of this policy and procedure is to outline Southern Solutions Training Services (SSTS)'s approach to managing dissatisfaction, formal complaints and appeals of students, clients, staff and other members of the community. It provides a transparent approach for all complaints and appeals to be addressed in a fair, efficient and confidential manner.
WHO IS RESPONSIBLE	Operations Manager
WHEN	On going
POLICY	<p>1. Nature of complaints and appeals</p> <ul style="list-style-type: none"> • SSTS responds to all allegations involving the conduct of: <ul style="list-style-type: none"> • The RTO, its trainers and assessors and other staff. • Any third party providing Services on behalf of SSTS. • Any student or client of SSTS. • Complaints may be made in relation to any of SSTS's services and activities such as: <ul style="list-style-type: none"> • the application and enrolment process • marketing information • the quality of training and assessment provided • training and assessment matters, including student progress, student support and assessment requirements • the way someone has been treated • the actions of another student • An appeal is a request for a decision made by SSTS to be reviewed. Decisions may have been about: <ul style="list-style-type: none"> • course admissions • refund assessments • response to a complaint • assessment outcomes / results • other general decisions made by SSTS <p>2. Principles of resolution</p>

- SSTS is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice. Through this policy and procedure, SSTS ensures that complaints and appeals:
 - Are responded to in a consistent and transparent manner.
 - Are responded to promptly, objectively, with sensitivity and confidentiality.
 - Are able to be made at no cost to the individual.
 - Are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.
- SSTS will inform all persons or parties involved in any allegations made as well as providing them with an opportunity to present their side of the matter.
- Nothing in this policy and procedure limits the rights of an individual to take action under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.

3. Timeframes for resolution

Complaints and appeals will be finalised as soon as practicable or at least within 30 calendar days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly in writing on the progress of the matter until such a time that the matter is resolved.

Once a decision has been reached, the Operations Manager will notify all of the relevant parties involved of the decision and outcome which is to be concluded in writing within 15 business days from the date the complaint was first received. Within the notification of the outcome, the student will be advised that they have the right to appeal the decision made by SSTS. Students will be referred to the appeals procedure as outlined below.

4. Records of complaints and appeals

SSTS will maintain a record of all complaints and appeals and their outcomes on the *Complaints and Appeals Register*, which will be securely stored.

5. Making a complaint of appeal

- Complaints about a particular incident should be made as soon as possible after the incident occurring and appeals must be made within thirty (30) calendar days of the original decision being made.
- Complaints and appeals should be made in writing and emailed to info@ssts.edu.au
When making a complaint or appeal, provide as much information as possible to enable SSTS to investigate and determine an appropriate solution. This should include:
 - The issue you are complaining about or the decision you are appealing – describe what happened and how it affected you.
 - Any evidence you have to support your complaint or appeal.
 - Details about the steps you have already taken to resolve the issue.

- Suggestions about how the matter might be resolved.
- Your complaint or appeal will be acknowledged in writing within 3 business days and action will be taken towards addressing the complaint and appeal within 7 business days.
- **Resolution of complaints and appeals**
- Some or all members of the management team of SSTS will be involved in resolving complaints and appeals as outlined in the procedures.
- Where a complaint or appeal involves another individual or organisation, they will be given the opportunity to respond to any allegations made.
- Where a third party delivering Services on behalf of the RTO is involved, they will also be included in the process of resolving the complaint or appeal.
- Each party involved in the complaint or appeal may have a support person of their choice present at meetings scheduled to resolve the issue.
- In the case of an assessment appeal, an assessor who is independent from the original decision will assess the original task again. The outcome of this assessment will be the result granted for the assessment task.
- Complaints and appeals will be finalised within thirty (30) calendar days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time as the matter is resolved.
- The complainant or appellant will be advised in writing of the outcome of the process and the reasons for the findings made.
- The enrolment status of student will be handled as follows:
 - For students that choose to access this policy and procedure, SSTS will maintain the student's enrolment while the complaints and appeals process is ongoing.

Independent Parties

- SSTS acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter. Costs associated with independent parties to review a matter must be covered by the complainant/appellant unless the decision to include an independent party was made by SSTS.
 - For domestic students, the independent party recommended by SSTS is Australian Human Rights Commission or the NSW Vocational Training Tribunal – Department of Education and Communities, however complainants and appellants are able to use their own external party at their own cost.
 - SSTS will provide complete cooperation with the external mediator investigating the complaint/appeal and will be bound by the recommendations arising out of this process.
 - The Operations Manager will ensure that any recommendations made are implemented within twenty (20) business days of being notified of the recommendations. The

	<p>complainant or appellant will also be formally notified in writing of the outcome of the mediation.</p> <p>External complaint avenues</p> <ul style="list-style-type: none"> • Complaints can also be made via the following avenues: <ul style="list-style-type: none"> • <u>National Training Complaints Hotline:</u> The National Training Complaints Hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint. Consumers can register a complaint with the National Training Complaints Hotline by: <ul style="list-style-type: none"> ○ Phone: 13 38 73, Monday–Friday, 8am to 6pm nationally. ○ Email: ntch@education.gov.au • <u>Australian Skills Quality Authority (ASQA):</u> Complainants may also complain to SSTS’s registering body, Australian Skills Quality Authority (ASQA). ASQA can investigate complaints about SSTS in relation to: <ul style="list-style-type: none"> - the quality of our training and assessment - our marketing and advertising practices For students: <ul style="list-style-type: none"> - ASQA may not be able to investigate complaint if you do not include evidence that you have already exhausted our formal internal complaints process as above. - If your complaint does not fall within ASQA's jurisdiction, it may be resolved more quickly if you directly contact the agency responsible as listed on the relevant webpage below. - Please refer to the relevant webpage below before making a complaint to ASQA: <ul style="list-style-type: none"> ○ Domestic students: https://www.asqa.gov.au/complaints/make-complaint-domestic-students/before-you-make-complaint For other stakeholders: <ul style="list-style-type: none"> - Information about the process and information you should provide is available here: https://www.asqa.gov.au/complaints/make-complaint-other-stakeholders • Publication This policy and procedure will be published in the Student Handbook and on SSTS’s website.
PROCESS	<p>A. Receive and acknowledge complaint</p> <ul style="list-style-type: none"> • As per policy, complaints are to be made in writing by the complainant, attention to the Operations Manager. • The Operations Manager should review all complaints upon receipt.

- Acknowledge receipt of complaint in writing by sending a letter to complainant within 3 business days of receipt.
- Record details of the complaint on the *Complaints and Appeals Register*.

Commence process of investigation within 10 business days of receiving the complaint.

B. Investigate the complaint

- Upon receiving the complaint, the matter is to be investigated to ensure all relevant information is available and it is accurate and complete.
- Further details from the complainant, respondent or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face. Where the meeting is face to face, the complainant may be accompanied by a support person.
- If the matter is in relation to a third party delivering Services on behalf of the RTO, the third party should be involved in the resolution of the complaint.
- The Operations Manager will review the information and decide on an appropriate response. Where deemed necessary by the General Manager, the matter may be reviewed by other members of the management team to arrive at an appropriate resolution.

Note: The complaint must be completely resolved within 30 calendar days of receipt of the original complaint. If the matter is particularly complex and it is going to take longer to resolve, the complainant is to be advised in writing along with reasons for the extra time. They must be provided with updates in writing on progress on a weekly basis thereafter until the matter is resolved.

C. Advise of the outcome and update records

- Provide a written response to the complainant outlining:
 - The RTO's understanding of the complaint
 - The steps taken to investigate and resolve the complaint
 - Decisions made about resolution, with reasons for the decisions made
 - Areas that have been identified as possible causes of the complaint and improvements to be recommended
 - Their right to access the appeals process if they are not satisfied with the outcome of the complaints process.
- Update the *Complaints and Appeals Register* so it includes the outcome of the complaint.
- Update the *Continuous Improvement Register* if applicable for any improvements to be made as an outcome.

Keep a copy of the complaint and supporting documents in the Complaints file and in the student or staff file (where relevant).

Appeal management

A. Receive and acknowledge appeal

- Upon receipt of a request for an appeal, acknowledge receipt of appeal in writing by sending a letter/**email** to appellant within 3 **business** days of receipt.

Record details of appeal on the *Complaints and Appeals Register*.

B. Respond to assessment appeals

- In the case of appeals against assessment decisions, the original assessment decision will be reviewed by having an assessor independent of the original decision, mark the assessment task again.
- The assessment decision made during the appeals process will be considered the actual assessment outcome for the task.

Advise the student of the outcome of the appeal in writing within 30 calendar days.

C. Respond to appeals against non-academic decisions

- Upon receiving the appeal, the matter is to be investigated to identify the original decision made and the reasons for the decision.
- Further details from the appellant, respondent, the person who made the original decision, or other involved parties may be requested during this stage. This may be in writing, over the phone, or face-to-face.
- If the matter is in relation to a third party delivering Services on behalf of the RTO, the third party should be involved in the resolution of the appeal.
- The appellant may request for an independent party (mediator) to be involved in the process. Where this is requested by the appellant, they will bear the costs associated. Additionally, SSTS may decide to call upon an independent mediator to assist to resolve the issue where a decision cannot be reached internally. This will be at SSTS's cost.
- SSTS's Management team will review all relevant information and decide on an appropriate response.

Note: The appeal must be resolved within 30 calendar days of receipt of the original appeal. If the matter is particularly complex and it is going to take longer to resolve, the appellant must be advised in writing along with reasons for the extra time. They must be provided with progress updates on a weekly basis thereafter until the matter is resolved.

D. Advise appellant of the outcome and update records

- Provide a written response to the appellant outlining:
 - The RTO's understanding of the reasons for the appeal
 - The steps taken to investigate and resolve the appeal
 - Decisions made about resolution and reasons for the decisions
 - If relevant, areas that have been identified as possible causes of the appeal and improvements to be recommended
 - Their right to, and information on, the external appeals process.
- Update the *Complaints and Appeals Register* so it includes the outcome of the appeal.

- Update the *Continuous Improvement Register* if applicable for any improvements to be made as an outcome.
- Keep a copy of the appeal and supporting documents in the Complaints file and in the student or staff file (where relevant).

Discuss the appeal and its outcome at the next management meeting.

E. Review appeals

Discuss the appeal and its outcome at the next management meeting to consider whether there are any improvements to be made to prevent recurrence.

External compliant or appeal management

A. External complaint or appeal

- If dissatisfied with the internal processes, the complainant/appellant may initiate an external complaint or appeal.
- Additionally, a complainant or appellant who has been through the internal processes may request SSTS to appoint an independent party to review the matter.
- SSTS will co-operate fully in the process of the external party to investigate and review the matter. This will include and not be limited to providing full access to the relevant student file/s and the internal complaints records where permitted to do so by law. All staff will be instructed to cooperate in such instances and to give an accurate account of the events as they understand them.

B. Review external complaints or appeals

- In the event that the external party finds in favour of the student, immediately organise a management meeting to discuss the external process and its outcome.
- At the meeting, discuss the decision made and actions to be taken to implement the decision, including both corrective/preventative actions.
- Following the meeting immediately implement actions.

Advise the student of the outcome of the complaint or appeal and the actions taken.