

## B.2: COMPLAINTS AND APPEALS

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|---------------------|-----------------|
| Approved By         | General Manager |
| Approval Date       | 23/06/2015      |
| Date of Next Review | 06/09/2016      |

### 1.1 Policy Statement

Competency Training Pty Ltd will resolve all client complaints and appeals in a fair and equitable manner.

As per the *Standards for Registered Training Organisations (RTOs) 2015*, Competency Training's will manage and respond to complaints and allegations involving the conduct of:

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

Competency Training will also 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.

### 1.2 Responsibilities

As a Registered Training Organisation (RTO), Competency Training Pty Ltd must comply with the *Standards for Registered Training Organisations (RTOs) 2015*. Standard 6 requires that all complaints and appeals initiated by clients must be recorded, acknowledged and dealt with fairly, efficiently and effectively.

### 1.3 Definitions

**Complaints** arise when a client is not satisfied with an aspect of our services and requests that action be taken to resolve the matter.

**Appeals** arise when a client is not satisfied with a decision that has been made, often in relation to assessment, but which may also apply to other decisions such as an exclusion from a course.

### 1.4 Principles of Natural Justice

Where a complaint relates to the behaviour of a particular staff member, Competency Training Pty Ltd will respond in accordance with the principles of natural justice, which include:

- the subject of the complaint will be informed of all allegations
- he/she will have full opportunity to put his/her case
- all parties to the complaint will have the right to be heard
- all relevant submissions and evidence will be considered
- irrelevant matters will not be taken into account, and
- the decision-maker will be impartial, fair and just.

Frivolous or vexatious complaints will not be tolerated, and may result in cancellation of a student's enrolment. A complaint made in good faith is not a frivolous complaint, even if it is not eventually substantiated.

## **1.5 Complaint and Appeal Procedures**

### **1.5.1 Level 1 Complaints**

The first and preferred approach for the resolution of any complaint or appeal is for the client (the “complainant”) to raise the matter directly with the relevant staff member (the “respondent”) to seek resolution on an informal basis. It is advisable that the matter be raised as soon as is practicable and preferably within 7 days of the issue having arisen. The responding staff member must inform the General Manager of the complaint and the action/s taken (if any) to resolve the issue with the client at any early stage.

### **1.5.2 Level 2 Complaints**

If the informal approach does not yield a satisfactory resolution for the complainant, or if the complainant does not wish to raise the issue directly with the respondent for any reason, the client must address their complaint in writing to the General Manager. Once again, timeliness is important and the written complaint should be provided to the General Manager within 21 days of the issue having arisen. These Complaints and Appeals can be lodged with our **Complaints and Appeals Form**.

On receipt of the written complaint, the General Manager will make an assessment, having acted in accordance with the principles of natural justice, and advise the complainant in writing of the outcome. The complainant should normally receive the General Manager’s assessment within 7 days from the receipt of the complaint, subject to the availability of the parties concerned to put their respective cases.

Copies of the letter of complaint, the outcome, and any other materials relevant to the matter shall be kept on file.

### **1.5.3 Level 3 Complaints**

If the Level 2 procedures do not achieve a satisfactory resolution for the complainant, he/she may appeal the General Manager’s decision. On receipt of a written appeal, the General Manager will appoint an independent person to hear the appeal, in accordance with the principles of natural justice. All parties to the dispute will have an opportunity to make their case and will be advised of the outcome in writing. This process should take no more than 21 days from receipt of the letter of appeal by the General Manager.

Copies of the letter of appeal, the outcome, and any other materials relevant to the matter shall be kept on file.

Lastly, if the complainant remains dissatisfied with the outcomes of these processes they will be referred to the National Training Complaints Hotline .The National Training Complaints Hotline is accessible on 1338 73 (Monday to Friday from 8am to 6pm nationally) or via email at [skilling@education.gov.au](mailto:skilling@education.gov.au).

## **1.6 Responsibilities**

Trainers are required to act professionally and in accordance with company policy.

Trainers must also ensure that their assessments are fair, reasonable, without bias, and appropriately documented to ensure that the incidence of student appeals are minimised. In the event that a complaint or appeal is presented to a trainer, he/she must inform the General Manager of the complaint and the action taken (if any) to address the student’s concern.

The General Manager is responsible for dealing with complaints and appeals, whether presented informally to a trainer (who will subsequently inform the General Manager), or formally, in writing directly to the General Manager, in a fair and equitable manner, in accordance with the principles of natural justice.

The General Manager is responsible for the appointment of an independent person to consider any appeals made by parties dissatisfied with prior decisions.

Competency Training will also

### 1.7 Modification History

| Approval Date | Description of Change  |
|---------------|--|
| 06/09/2010    | First Issue  |
| 23/06/2015    | New Standards Update   |
| 25/05/2016    | Rebrand, addition of Complaints and Appeals Form, Review of policy |