

Feedback, Complaints and Appeals Process

Purpose

This policy and procedure is to provide clear and practical guidelines to ensure that complaints and appeals lodged with the RTO can be resolved, equitably and efficiently, in accordance with the principles of natural justice. The Complaints Policy is there to manage and respond to 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 student of the RTO.

Definitions

Complaints and Appeals include, but are not restricted to, matters of concern to a student or staff member relating to training delivery and assessment including the quality of the training, student support, learning materials, discrimination and sexual harassment,

Natural Justice is concerned with ensuring procedural fairness:

- Decisions and processes should be free from bias;
- All parties have the right to be heard;
- The respondent has a right to know of what s/he is accused;
- All parties are told the decision and the reasons for the decision.

Policy

The RTO acknowledges that a student, member of staff, or a member of the public, who has a complaint or appeal, has the right to raise the complaint or appeal and expect that every effort will be made to resolve it in accordance with this policy, without prejudice or fear of reprisal or victimisation.

The person making the complaint has the right to present the complaint or appeal formally and in writing.

The RTO will manage all complaints and appeals fairly, equitably and efficiently as possible.

The RTO will encourage the parties to approach the complaint or appeal with an open mind and to resolve problems through discussion and conciliation. Where a complaint or appeal cannot be resolved through discussion and conciliation, the RTO acknowledges the need for an appropriate external and independent person to mediate between the parties. The parties will be given the opportunity to formally present their case to the independent person.

Confidentiality will be maintained throughout the process of making and resolving complaints. The RTO seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment.

A copy of this Policy is available to all students and staff via the RTO and is available in the Student Handbook. The information will also contain details of external authorities that they may approach.

Where complaints or appeals have been received, RTOs must securely keep evidence of how the matter was dealt with and the outcome (including the timeframes). The RTO will use this information

received via any complaint to review the RTO's processes and practices to ensure the issue doesn't happen again.

Procedure

Should a complaint or appeal be lodged, the following steps are to be followed:

1. If appropriate and possible, the student should discuss the issue / complaint with the person involved to try and resolve it verbally.
2. If no resolution is reached the student should, if appropriate and possible, discuss the issue / complaint with his / her trainer to see if it can be resolved.
3. If still no resolution can be reached, or the issue is not related to a fellow student or a trainer, the student must put the following information relating to the complaint or appeal in writing using the Complaints or Appeals Form.
 - A description of the complaint or appeal.
 - State whether they wish to formally present their case.
 - Steps taken thus far to deal with issue / complaint.
 - What outcomes they would like to fix the problem & prevent it from happening again.
4. If appropriate, the person making the complaint should bring the complaint or appeal to the attention of the trainer within seven (7) days of the issue taking place.
5. If the person making the complaint is not a student, but a staff member or a member of the public, or if the complaint or appeal has not been dealt with to the student's satisfaction within a seven (7) day period, they may bring it to the attention of the CEO.

The CEO will either deal with the issue personally or arrange for it to be dealt with by a management representative. This process must commence within 48 hours from the time the CEO, or their delegate, receives written notification from the person making the complaint. A response / acknowledgment must be presented within 7 days.

The CEO / or Management Representative, must review the complaint and arrange a time for all parties to formally present their side / version of events. This should be arranged at separate times, ensuring neither party faces prejudice or fear of reprisal or victimisation.

6. Once all parties have had a chance to present their information, the CEO / Management Representative will provide a written response to all parties confirming the outcome of the complaint within the 14-day period.
7. Should the issue still not be resolved to the satisfaction of the person making the complaint, the RTO will make arrangements for an independent external person to resolve the issue. All parties will be given the opportunity to formally present their case. The time frame for this process may vary but should take no longer than 14 days.
8. If any party is still not happy with external mediation, they may lodge a complaint via the National Training Complaints Hotline on 13 38 73, or they may take their complaint to the Australian Skills Quality Authority (ASQA) or other relevant body such as the relevant state department of Fair Trading.

For more information refer to the following links:

- <http://www.education.gov.au/national-training-complaints-hotline-1>
- <http://www.asqa.gov.au/complaints/complaints.html>

- <https://rms.asqa.gov.au/registration/newcomplaint.aspx>
9. Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO will inform 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.
 10. All documentation relating to complaints or appeals will be securely archived either with the student file or in the RTO's document management system for audit purposes.
 11. The RTO's CEO will be the person responsible for the implementation and maintenance of the policy.

Related Standards/Legislation

National Vocational Education and Training Regulator (Outcome Standards for Registered Training Organisations) Instrument 2025

Standard 2.7*Outcome Standard*

- (1) Feedback and complaints management addresses concerns and informs continuous improvement of the NVR registered training organisation.

Performance Indicators

- (2) An NVR registered training organisation demonstrates:
 - (a) it operates a complaints management system that:
 - (i) allows feedback and complaints about the organisation, any third parties, and any person employed or contracted by the organisation;
 - (ii) ensures all parties are afforded procedural fairness;
 - (iii) identifies reasonable timeframes for responding to and resolving complaints; and
 - (iv) provides avenues for further action where complaints are not resolved;
 - (b) information about how to provide feedback and make complaints through the complaints management system is publicly available and easily accessible by VET students;
 - (c) VET students are supported to provide feedback and make complaints;
 - (d) outcomes of complaints are documented by the organisation and communicated to all parties to the complaint; and
 - (e) feedback and complaints are used by the organisation to inform continuous improvement.

Standard 2.8*Outcome Standard*

- (1) Effective appeal processes are available to VET students where decisions of the NVR registered training organisation or a third party adversely affect the student.

Performance Indicators

- (2) An NVR registered training organisation demonstrates:
 - (a) it operates an appeals management system that:
 - (i) allows VET students to appeal decisions of the organisation, any third parties, and any person employed or contracted by the organisation, where those decisions adversely affect the student;
 - (ii) ensures all parties to the appeal are afforded procedural fairness;
 - (iii) specifies reasonable timeframes for actioning appeals; and
 - (iv) provides avenues for review by an independent party if requested by the appellant (at no or low cost to the appellant);

- (b) information about how to appeal an adverse decision through the appeals management system is publicly available and easily accessible by VET students;
- (c) outcomes of appeals are documented by the organisation and communicated to the appellant; and
- (d) the outcomes of appeals are used by the organisation to inform continuous improvement.

Intent of Standard 2.7

An effective feedback and complaints management system enhances the overall quality of VET services and strengthens stakeholder confidence and trust in the RTO. It also helps the RTO identify and rectify systemic issues, to continuously improve and meet the outcomes described in the Standards.

RTOs are expected to be open to receiving feedback and complaints. Feedback can be gained through many avenues and from various stakeholders, including students, employers, staff and third parties.

Effective processes for handling feedback and complaints can help RTOs:

- improve the quality of training and assessment
- improve the experience and satisfaction of students (and staff)
- build positive relationships with students, staff and others
- identify opportunities for continuous improvement (see [Standard 4.4](#)).

Key elements of best practice feedback and complaints management systems include:

- **fostering a receptive, blame-free culture that is open to feedback and improvement**
- **ensuring there is no detriment to people who complain**
- **making it easy and accessible for people to provide feedback and make complaints**
 - RTOs are expected to have a range of avenues through which people may make complaints. This may be via email or a website but should also include opportunities for complaints to be made directly to relevant staff of the RTO.
- **providing transparency regarding how complaints and feedback are handled and what complainants can expect**
 - This includes transparency about complaints processes, expected timeframes for resolution of complaints and any opportunities for review of complaints outcomes.
- **addressing complaints within a reasonable timeframe**
 - Complaints should be resolved without unnecessary delay. While RTOs are expected to respond to all complaints in a timely manner, it is recognised that some complaints may require more urgent attention than others. It is also recognised that some complaints may take longer to resolve than others. RTOs are expected to have a system for triaging complaints.
 - RTOs are also expected to communicate transparently with students and others about the expected timeframes for acknowledging, resolving and communicating the outcomes of complaints. Where timeframes are not being met (because the complaint is taking longer to resolve than anticipated) the RTO should maintain regular contact with the complainant including to explain any delays. This helps ensure confidence in the complaints process and the ultimate outcome.
- **ensuring procedural fairness**

- RTOs are expected to have a system for ensuring:
 - o the complaint is handled by an unbiased person
 - o processes for assessing and resolving the complaint are clear and accessible to all parties
 - o both the complainant and the subject of the complaint are given an opportunity to be heard and to provide relevant information
 - o similar complaints are treated in a consistent manner to ensure fairness and reliability in the resolution process
 - o the privacy of complainants and the confidentiality of information included in a complaint.

Intent of Standard 2.8

Decisions made by RTOs can have significant impacts on students. This includes, for example, decisions relating to enrolment, RPL, credit transfer, assessment and other matters that affect a student's progression through a training product.

RTOs are expected to have a system (supported by policies and procedures) for managing appeals to decisions at no or low cost to the student.

As for the complaints management system, it is expected that the appeals management system should:

- **be made known to those who may be adversely affected by a decision of the RTO**
- **provide transparency regarding how appeals will be managed and what appellants can expect**
 - The appeals process should be well-documented, easily accessible and clearly communicated to all students. This includes outlining the steps to lodge an appeal, the grounds for appeal and the timeline for each stage of the process.
- **ensure appeals are considered within a reasonable timeframe**
 - This helps prevent prolonged uncertainty and stress for the student. Timely resolution is crucial for maintaining trust and confidence in the RTO's assessment processes.
- **ensure procedural fairness**
 - RTOs are expected to have a system for ensuring:
 - o the appeal is heard by an unbiased person that was not involved in the making of the original decision
 - o the appellant is given an opportunity to be heard and to provide relevant information
 - o protection of the privacy and confidentiality of all parties involved. Sensitive handling of information ensures that students feel safe and supported when lodging an appeal.

If the person making the appeal is not satisfied with the outcome, the RTO should have arrangements in place for the person to seek review by an independent third party at no or low cost to the appellant. This should form part of the appeals management system and the details of this avenue should be clearly communicated to appellants.