

## Policy and Procedure

### Complaints and Appeals

Relevant clauses: 1.13 – 1.20

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#### 1. Policy

Vocational Training Queensland (VTQ) seeks to provide a quality training experience for all learners within the RTO's stated cohort. The Complaints and Appeals policy is designed to provide clear and practical guidelines to ensure that Complaints and Academic Appeals received about the RTO, its staff or support partners, from students can be resolved equitably and efficiently, and in accordance with the principles of natural justice.

Complaints are managed by the RTO in a discrete, nonbiased manner. All complaints submitted to VTQ will be investigated and action taken to resolve substantiated issues, quickly and effectively and without prejudice by the RTO. Where a student complaint cannot be resolved, VTQ acknowledges the need for an appropriate external and independent person/party to mediate. All parties involved will be given the opportunity to formally present their case in an independent forum.

Academic appeals are managed by the RTO in a fair, efficient manner. All academic appeals will be investigated, assessed and responded to and resolved fairly and without prejudice by the RTO. Where an academic appeal cannot be resolved, VTQ acknowledges the need for an appropriate external and independent person/party to mediate. The parties involved will be given the opportunity to formally present their case in an independent forum.

Vocational Training Queensland ensures that all formal complaints and academic appeals will be heard, with resolutions reached within 60 calendar days, where possible. In the case of the time frame being longer than this, the RTO will communicate with the complainant/appellant why the process is taking longer and an estimated timeframe for resolution as well as being kept informed regarding ongoing progress.

Details of all formal complaints and academic appeals will be securely maintained in a Register of Complaints and will take appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

#### 2. Scope

This policy and procedure covers:

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

Complaints may be made regarding the conduct of any of the above parties, and academic appeals may be made for a review of decisions, including assessment decisions made by the RTO.

#### 3. Roles and responsibilities

The *Chief Executive Officer* is responsible for:

- approval of and the correct implementation of this policy and related procedures
- delegating the responsibility of receiving and recording complaints and appeals to the RTO Manager
- participating in the complaint and appeal process as chair of the panel

- appointing an independent third party to mediate in the case of the complainant/appellant not being satisfied with the process outcome.

The *RTO Manager* is responsible for:

- ensuring staff and learners are aware of this policy and procedure
- receiving and recording all formal complaints and academic appeals on the Complaints register
- investigating and providing the CEO with details of the complaint or academic appeal
- meeting with the CEO to discuss and possibly decide on an outcome
- coordinating and convening the Complaint and Appeals Committee, if an outcome is not reached
- notifying the complainant/appellant in writing of the decision and recording this in the Complaints Register, when an outcome is reached
- organising an independent third party to review the decision and mediate, in the case of the complainant/appellant being unsatisfied with the outcome of the decision
- coordinating a meeting to review the policies, procedures and strategies to mitigate the risk of the complaint or appeal occurring in the future.

The *Deputy Principal* is responsible for:

- reviewing evidence provided by the complainant/appellant in an informal complaint and make a documented decision regarding this
- participating in the complaint and appeal process as requested by the RTO Manager or CEO.

The *Trainer and Assessor* is responsible for:

- reviewing evidence provided by the complainant/appellant in an informal complaint and making a documented decision regarding this
- [articipating in the complaint and appeal process as requested by the RTO Manager or CEO.

#### **4. Procedures**

##### ***Informal complaint***

- The initial stage of any complaint shall be for the complainant to communicate directly to the Trainer and Assessor who will investigate the complaint, identify how the complaint can be resolved and take action to rectify the complaint. That action will then be recorded in the Complaints register.
- Where a student's complaint refers directly to their trainer and assessor, the student will contact the RTO Manager directly or through their Support Organisation. The RTO manager will hear the complaint and act as per the Complaint and academic appeals procedure. That action will then be recorded in the Complaints register.
- If a learner is dissatisfied with the outcome of the complaint to the Trainer and Assessor may then communicate the complaint to the RTO Manager, who will make a decision in regards to proceeding with a formal complaint or appeal process.
- Learners dissatisfied with the outcome of the informal complaint may initiate a formal complaint or academic appeal with the RTO Manager.

### ***Formal complaint or Academic appeal***

Formal complaints and academic appeals may only proceed after the informal complaint procedure has been finalised and will follow the below procedure: *(All academic appeals will require a formal process)*

- All formal complaints and academic appeals will be in writing addressed to the CEO and submitted to the RTO Manager.
- On receipt of a formal complaint or appeal the RTO Manager shall reply in writing to acknowledge receipt of the complaints or academic appeals, then inform the CEO.
- The RTO Manager and the CEO will meet to discuss the complaint or appeal and either make a decision or convene an independent panel to hear the complaint; this shall be the “Complaint and Appeal Committee” and will consist of members who have not been involved in the issue to this point. It will include the CEO, a member of staff and a representative of the Support Organisation.
- When a decision is reached this will be communicated in writing to the complainant/appellant within 60 calendar days of the complaint or appeal being received as well as being recorded in the Complaints and Appeals Register.
- If the decision will take longer than 60 calendar days the complainant/appellant will be notified in writing of the reasons why a decision has not been reached and provided regular updates regarding the progress of the matter.
- The complainant/appellant shall be given an opportunity to present their case to the committee and may be accompanied by one other person as support or as representation.
- The relevant staff member, delegate or other learner shall be given an opportunity to present their case to the committee and may be accompanied by one other person as support or as representation.
- The Complaint and Appeal Committee will make a decision on the complaint.
- The Complaint and Appeal Committee will communicate its decision on the complaint to all parties in writing and this will be recorded in the Complaints and Appeals Register.
- If the complainant/appellant is still not satisfied, the CEO will appoint an independent third party (outside the RTO) to mediate with costs being communicated to all parties prior to commencement.
- If the complainant/appellant is still not satisfied, the CEO will refer them to the Training Ombudsman for further information about making complaints.
- After the complaint or appeal is finalised the RTO Manager will organise a meeting of relevant parties to review the decision and outcome and evaluate the policies, procedures and strategies of the RTO in order to take appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

## **5. Records and documentation**

### **Complaints Register**