

Responsible officer	HEAD OF STUDIES CEO
Compliance	<p>Policy adheres to compliance with RTO standards 2015 Standard 6 Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively</p> <p>6.1 The RTO has a complaints policy to manage and respond to allegations involving the conduct of a) the RTO, its trainers, assessors or other staff b) a third-party providing services on the RTO's behalf, its trainers, assessors or other staff c) a learner of the RTO.</p> <p>6.2 The RTO has an appeals policy to 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</p> <p>6.3 The RTO's complaints policy and appeals policy</p> <p>6.4 Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO: a) informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required b) regularly updates the complainant or appellant on the progress of the matter</p> <p>6.5 The RTO: a) securely maintains records of all complaints and appeals and their outcomes b) identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence</p> <p>6.6 Clause 6.6 Where the RTO is an employer or a volunteer organisation whose learners solely consist of its employees or members, does not charge fees for the training or assessment, and does not have in place a specific complaints and appeals policy in accordance with clauses 6.1 and 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO.</p>

1. Scope

This policy provides a transparent approach of ASTAR Training in dealing with any Complaint and Complaint Appeals to ensure they are addressed in a fair, efficient and confidential manner.

2. Purpose

The purpose of this policy is to manage dissatisfaction, formal Complaint, Complaint Appeals of students, clients and staff members. This policy also sets out ATI's Complaint and Complaint Appeals handling procedure.

Definitions

Complaint

A Complaint is generally a negative feedback about services or staff which has not been resolved locally. A complaint may be received by ATI in any form and does not need to be formally documented by the complainant in order to be acted on. Complaint may be made by any person but are generally made by student and/or employers.

What is an appeal?

An appeal is an application by a learner for reconsideration of an unfavorable decision or outcome of their formal complaint during their time with ATI. An appeal must be made in writing and specify the particulars of the decision or finding in dispute.

It is important to note that a learner may appeal any decision that ATI may take. Contrary to the popular belief that appeal relates only to assessment decisions, appeals can relate to administrative decisions that ATI may take.

Examples of this include an appeal of a decision to deny a refund or to deny an application for credit transfer. As the process for handling and assessment appeal compared with an appeal of an administrative decision is slightly different, this difference has been catered for within this policy with adjusted processes for both situations.

3. Complaints and Appeal Procedure

3.1 ATI responds to all allegations involving the conduct of

- RTO, its trainers and assessor and other staff
- Any student or client of ATI
- Any third party providing services on behalf of the ATI

3.2 Complaints may be related to:

- Complaints by currently enrolled students about ATI's product, process, people or service delivery
- Administrative process involved in the pre-enrolment and enrolment process
- Training and assessment services
- Fees and Financial matters
- Marketing services
- Student service provisions
- Students may refer to Assessment Appeal Policy when student believes there is unfavorable decision of their assessment

The Complaint handling process will expose any shortcomings in the training and assessment system flow into the continuous improvement system as opportunities for improvement

4. Appeals should be made to request where the decisions made by ATI is reviewed in relation to decisions with response to a complaint for the above areas.

5. Information

- All students are advised during the Enrolment and orientation of Complaints and Appeals policies and procedures
- ATI will have Complaints Policy and Procedure and Complaint Form and Complaints Appeals Form accessible from ATI website and Student hand book
- Any persons involved would have to display respect and be courteous to staff during complaint handling process.
- ATI may not be able to proceed to offer any effective resolution in the event any sort of abuse, threats & harassment towards ATI staff
- ATI believes that the handling of a Complaint will take place in a more informal environment
- ATI would be providing a complainant a fair, equitable, confidential and safe environment to make a complaint and restore this environment until the complaint was resolved
- This outcome of Complaints handling will have a very positive and should be actively applied by all persons involved. It is for this reason that Complaints received from stakeholders should be seen in a positive light and as opportunities for improvement
- For ATI to investigate a compliant student must have all necessary forms of evidence
- ATI shall maintain the enrolment of the Complainant during the Complaint handling process.
- Decisions or outcomes of the Complaint handling process that find in the favor of the learner shall be implemented immediately.
- Complaints are to be handled in the strictest of confidence.
- No ATI representative is to disclose information to any person without the permission of ATI Chief Executive Officer.
- A decision to release information to third parties can only to be made after the Complainant has given permission for this to occur.
- Complaints are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the Complaint handling process. This means that the Complainant is entitled to be heard with access to all relevant information and with the right of reply.
- The Complainant is entitled to have their Complaint heard by a person that is without bias and may not be affected by the decision.
- A decision must be made based on logical evidence and decisions will take account of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations. Further guidance on principles of natural justice and procedural fairness can be accessed at the following link: [Principles of Natural Justice and Procedural Fairness](#)
- A written record of all Complaints is to be kept by ATI including all details of lodgment, response and resolution. Records relating to Complaint handling is



stored securely to prevent access to unauthorised personnel. It is also placed in the student's file.

6. Responsible People

Area of Concern	Staff responsible	Responsible	Appeal of decision if required
Training and assessment	Trainers	Head of Studies	CEO
Finance matters	Accounts	Head of Studies	CFO
Administration services	Compliance Administrator	Head of Studies	CEO
Marketing Services	Marketing Manager	Head of Studies	CEO
Student Service Provisions	Training Administrator	Head of Studies	CEO

7. Complaints

Procedure	Responsibility
<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 Head of Studies. • The Head of Studies should review all complaints upon receipt. • Acknowledge receipt of complaint in writing within 3 working days of receipt. • Record details of the complaint on the <i>Complaints and Appeals Register</i>. • Commence process of investigation within 7 days of receiving the complaint. 	<p>Head of Studies</p>
<p>B. Investigate the complaint</p> <ul style="list-style-type: none"> • 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 Head of Studies will review the information and decide on an appropriate response. Where deemed necessary by the Head of Studies, 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 60 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 on progress on a weekly basis thereafter until the matter is resolved. 	<p>Head of Studies</p>
<p>C. Advise of the outcome and update records</p> <ul style="list-style-type: none"> • Provide a written response to the complainant outlining: <ul style="list-style-type: none"> – 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 	<p>Head of Studies</p>

Procedure	Responsibility
<p>complaint and improvements to be recommended</p> <ul style="list-style-type: none"> – Their right to access the appeals process if they are not satisfied with the outcome of the complaints process. • Update the <i>Complaints and Appeals Register</i> so it includes the outcome of the complaint. • Update the <i>Continuous Improvement Register</i> 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). • Discuss the complaint and its outcome at the next management meeting. 	

8. Complaints and Appeals

Procedure	Responsibility
<p>A. Receive and acknowledge appeal</p> <ul style="list-style-type: none"> • As per policy, appeals are to be made in writing by the appellant, attention to the CEO. • The CEO should review all appeals upon receipt. • Acknowledge receipt of appeal in writing by sending a letter to appellant within 3 working days of receipt. • Record details of appeal on the <i>Complaints and Appeals Register</i>. 	CEO
<p>B. Respond to assessment appeals</p> <ul style="list-style-type: none"> • 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 	CEO
<p>C. Respond to appeals against non-academic decisions</p> <ul style="list-style-type: none"> • 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 	CEO and Management team

Procedure	Responsibility
<p>resolution of the appeal.</p> <ul style="list-style-type: none"> • 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. • ATI Management team will review all relevant information and decide on an appropriate response. • Note: The appeal must be resolved within 60 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. 	
<p>D. Advise appellant of the outcome and update records</p> <ul style="list-style-type: none"> • Provide a written response to the appellant outlining: <ul style="list-style-type: none"> – 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 <i>Complaints and Appeals Register</i> so it includes the outcome of the appeal. • Update the <i>Continuous Improvement Register</i> 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. 	<p>CEO Head of Studies</p>

9. Independent Reviews by External Party

Procedure	Responsibility
<p>A. External complaint or appeal</p> <ul style="list-style-type: none"> • 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 ATI to appoint an independent party to review the matter. However, complainants and appellants are able to seek their own external parties at their own cost. • ATI will co-operate fully in the process of the external party to 	<p>CEO Staff as required</p>

Procedure	Responsibility
<p>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.</p>	
<p>B. Advise appellant of the outcome and update records</p> <ul style="list-style-type: none"> • Provide a written response to the appellant outlining: <ul style="list-style-type: none"> – 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 <i>Complaints and Appeals Register</i> so it includes the outcome of the appeal. • Update the <i>Continuous Improvement Register</i> 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. 	<p>CEO Staff as required</p>

External agencies that can be contacted are:

- Department of Fair Trading <https://www.fairtrading.nsw.gov.au/>
- NSW Ombudsman <https://www.ombo.nsw.gov.au/>
- Administrative Appeals Tribunal <http://www.aat.gov.au/>
- Australian Skills Quality Authority <https://www.asqa.gov.au/>
- A Complainant who remains not satisfied with the process applied by ATI following review by an independent party may refer their grievance to the Australian Skills Quality Authority - ASQA Online Complaint Form [click here](#).
- Students are to be advised that ASQA will require the student to have exhausted all avenues through ATI internal Complaints handling procedure before taking this option. <http://www.asqa.gov.au/complaints/make-a-complaint---domestic-students/make-a-complaint---domestic-students1.html>

Relevant Forms and Policies

- Access and Equity Policy

- Privacy Policy
- Continuous Improvement Policy
- Behavior and Misconduct Policy
- ATI Student Handbook
- Standards for Registered Training Organisations 2015
- Best Practice Guidelines for Complaints Handling, Commonwealth Ombudsman
- Complaints form
- Complaints and Appeals Form
- Complaints and Appeal Register
- Continuous Improvement Register

Version dates	Policy Version approved 1 2014 / Policy Version 2 approved 15 November 2017 and V2.1 approved 17 September 2018
Review date	Version 2.1 will be reviewed as policies are updated
Approved by	HEAD OF STUDIES CEO
Relevant to	All staff; trainers and assessors; students
Version History	V2.1 changed into new format, text, role titles changed, new sections added what complaints may relate to, responsible people, added risk rating.

Risk Rating (the rating will be highlighted bold)
5- High Risk
4- Medium Risk
3-Medium to low risk
2- Low Risk
1-Very Low Risk or N/A

Complaints and Appeals Handling Process
