



COMPLAINTS AND APPEALS POLICY AND PROCEDURES – DOMESTIC STUDENTS

Document Name and Number:	Version and Date:	Responsible Person:	Purpose and Comments:
Complaints and appeals policy	October 2022 /V1	CEO	Ensure compliance with Standards for Registered Training Organisations (RTOs) 2015 – Standard 6
Complaints and appeals policy and procedures	July 2024 / Version 2	CEO	Ensure compliance with Standards for Registered Training Organisations (RTOs) 2015

Policy scope

The scope of this policy is all complaints and appeals received from students, trainers and assessors, staff and industry.

Policy purpose

The Complaints and Appeals Policy applies to all participants training at the organisation. For example, this includes complaints of harassment/discrimination and unfair treatment regarding conditions of training situations by the trainers, assessors, other staff, assessment outcome and/or work situations.

Definitions

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- **Appeal:** A request to review an adverse decision or an unfavourable outcome that may have arisen from any administrative, academic or disciplinary processes. An Appeal may be an Internal Appeal or an External Appeal.
 - **Internal Appeal:** An appeal against a decision where the appeal is brought under Solis College’s policies and code of conducts.
 - **External Appeal:** An appeal to an external agency against a final decision of Solis College. Agencies may include the Ombudsman or ACCC
 - **Final Decision:** A decision made by the member of staff authorised by the CEO and communicated to the Complainant in writing when all Internal Appeal avenues within Solis College’s policy, procedures and codes have been exhausted.
 - **Complainant:** A person lodging a complaint or an appeal.
Respondent: A person responding to a complaint or an appeal.
 - **Grievance:** A grievance is a concern about academic matters, perceived discrimination, a situation, a process, a person or people, a facility or a support service provided by Solis College, which the student brings to the attention of Solis College in an informal way, i.e. it is discussed and not written down.

Policy statement

This also includes complaints made by supervisors in off-site training situations (where applicable) regarding unacceptable performance and/or inappropriate behaviour.

- The organisation will adopt the principles of natural justice and procedural fairness by informing those involved of the

allegations; provide those involved with an opportunity to present their side of the matter and operate in a fair and unbiased way.

- All individuals have equal access to Complaints and Appeals processes and are entitled to fair and consistent treatment and confidentiality will be respected,
- Complaints are received in a positive manner, and the individual raising the grievance can expect to be taken seriously
- The organisation has a responsibility to protect an individual who raises a grievance in good faith including victimisation or unfair treatment
- Parties are encouraged to resolve complaints/appeals at their source or at the lowest level of management/intervention necessary with emphasis on conciliation
- Student will be given the opportunity to formally present their case and may have an appropriate support person present
- Complaints are to be dealt with promptly and the individual will be informed if the matter will take more than 60 calendar days to finalise and the reasons why. Individuals will be kept informed on a regular basis.
- While the informal resolution of a grievance is the preferred option, it may not always be successful or practical,
- If the process results in a decision or recommendation in favour of the student, the RTO will immediately implement the decision or recommendation and/or take the preventive or corrective action required by the decision and advise student of that action.
- Where a complaint or an appeal cannot be resolved the Organisation will bring in an independent third party. For example, individuals or an appropriate organisation such as ACCC or ombudsman.

Procedures

When a complaint or Appeal is made, the following occurs

- An individual completes the Complaints and Appeals form

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- Management acknowledges in writing the complaints/appeal received within seven (7) days
 - Form is considered by management
 - The complainant/appellant will be regularly updated, in writing, of the status on the complaint/appeal
 - Issue and outcome/action must be documented on the form within 60 days.
 - If longer than 60 days, the complainant must be informed in writing of the reasons why and be provided with an estimated time to resolve.
 - Outcome resolved and individual informed
 - Individual has right of appeal
 - External action is accessed, if required

The organisation will:

- Maintain all complaints/appeals documentation by reporting them through the RTO management meetings, minuting the actions and storing them on the network drive of the organisations system.
- Provide corrective action to eliminate or mitigate the likelihood of reoccurrence of all complaints/appeals after investigated and identification of causes.

The right to make complaints and seek appeals of decisions does not affect the rights of a student to take any other allowable action under the Australian Consumer Law

Legislative/statutory requirements

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- Standards for Registered Training Organisations (RTOs) 2015
 - VET Quality Framework
 - Fair Work
 - ACCC

ASQA may impose a range of sanctions, conditions and penalties on registered training providers who do not comply with the national standards.

Associated documents

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- Continuous Improvement Procedure
 - Validation Policy and Procedure

- Meeting minutes template
- File note template

Measure of policy effectiveness

The effectiveness of this Policy will be measured by:

- Effective implementation of the Policy and related Procedures represented by provable focus on improvement by following the events placed in the calendar, related policy and procedure and whenever system errors are identified by other means.
- Notations of improvement are to be recorded in the RTO management meeting minutes.
- Outcomes from any internal or external audits, particularly any external audits conducted by ASQA.

Induction

Refer to organisational and induction processes to confirm specific induction requirements related to this Policy.

Definitions/acronyms

ASQA

The Australian Skills Quality Authority (ASQA) is the national regulator for Australia's vocational education and training sector.

Quality Assurance and Continuous Improvement

Means a planned and ongoing process that enables an RTO to quality assure and systematically review and improve its policies, procedures, products and services in order to generate better outcomes for clients and to meet changing needs. It allows an RTO to constantly review its performance against the VET Quality Framework and to plan ongoing improvements to its performance.

Management Systems

Means the framework of policies and processes used to ensure that the organisation can achieve its objectives.

Partnering Organisation

Is an organisation that has entered into an agreement with the RTO to deliver training and/or assessment services on organisations behalf in accordance with the VET Quality Framework requirements.

Stakeholders

Means individuals or organisations affected by, or who may influence, the RTOs services but who are not directly involved in purchasing or using the RTOs services.

Standards for Registered Training Organisations (RTOs) 2015

The standards that apply to all NVR registered training organisations and which must be complied with at all times.

VET Quality Framework (VQF)

The framework aimed at achieving greater national consistency in the way providers are registered and monitored and in how standards in the vocational education and training (VET) sector are enforced.
