

Complaints and Appeals Policy

1. Scope

This policy provides a transparent approach of A Grade Education and 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 A Grade Education and Training Complaint and Complaint Appeals handling procedure.

Definitions

What is an complaint?

A complaint is generally a negative feedback about services or staff which has not been resolved locally. A complaint may be received by A Grade Education and Training 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 A Grade Education and Training. 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 A Grade Education and Training may take. Contrary to the popular belief that appeal relates only to assessment decisions, appeals can relate to administrative decisions that A Grade Education and Training 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.

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3. Complaints and Appeal Procedure

3.1 A Grade Education and Training responds to all allegations involving the conduct of:

- RTO, its trainers and assessor and other staff;
- Any student or client of A Grade Education and Training;
- Any third-party providing services on behalf of the A Grade Education and Training.

3.2 Complaints may be related to:

Complaints by currently enrolled students about A Grade Education and Training'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 A Grade Education and Training 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*;
- A Grade Education and Training will have *Complaints Policy and Procedure* and Complaint Form and Complaints Appeals Form accessible from A Grade Education and Training website and Student handbook;

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- Any persons involved would have to display respect and be courteous to staff during complaint handling process;
- A Grade Education and Training may not be able to proceed to offer any effective resolution in the event any sort of abuse, threats & harassment towards A Grade Education and Training staff;
- A Grade Education and Training believes that the handling of a Complaint will take place in a more informal environment;
- A Grade Education and Training 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 A Grade Education and Training to investigate a complaint student must have all necessary forms of evidence;
- A Grade Education and Training 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 A Grade Education and Training representative is to disclose information to any person without the permission of A Grade Education and Training 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.;
- A written record of all Complaints is to be kept by A Grade Education and Training 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.

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6. Complaints

Procedure	Responsibility
<p>A. Receive and acknowledge complaint</p> <ul style="list-style-type: none"> • As per the policy, complaints are to be made in writing by the complainant, attention to the Academic Director; • The Director of Studies should review all complaints upon receipt; • Acknowledge receipt of complaint in writing <u>within 5 working days</u> of receipt; • Record details of the complaint on the <i>Complaints and Appeals Register</i>; • Commence process of investigation <u>within 5 days</u> of receiving the complaint. 	Academic Director
<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 Academic Director will review the information and decide on an appropriate response. Where deemed necessary by the Academic Director, 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 <u>within 60 calendar days of receipt</u> 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. 	Academic Director
<p>C. Advise of the outcome and update records</p>	

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Procedure	Responsibility
<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 complaint and improvements to be recommended; – 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. 	

7. 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 <u>within 5 working days</u> 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; 	CEO

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Procedure	Responsibility
<ul style="list-style-type: none"> • 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. 	
<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 resolution of the appeal; • 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; • A Grade Education and Training Management team will review all relevant information and decide on an appropriate response; • Note: The appeal must be resolved <u>within 60 calendar days</u> 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>CEO Management team</p>

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<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. 	Academic Director

8. 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 A Grade Education and Training 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; • A Grade Education and Training will co-operate fully in the process of the external party to 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. 	Academic Director Staff as required

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Procedure	Responsibility
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<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>Academic Director 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 A Grade Education and Training following review by an independent party may refer their grievance to the Australian Skills Quality Authority - ASQA Online Complaint Form [click here](#).

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- Students are to be advised that ASQA will require the student to have exhausted all avenues through A Grade Education and Training internal Complaints handling procedure before taking this option.
- Students are further advised that ASQA will only investigate complaints that directly breach the RTO Standards 2015
<http://www.asqa.gov.au/complaints/make-a-complaint---domestic-students/make-a-complaint---domestic-students1.html>