

## Policy and Procedure

### *Complaints and Appeals 2018*

Relevant clauses: 6.1 – 6.5

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#### 1. Policy

Complaints and appeals are managed by the RTO in a fair, efficient and effective manner. The RTO will create an environment where learner's views are valued. This policy and procedure will be made publicly to the School/College community by being made available on the RTO's intranet and in materials provided to learners on commencement of enrolment. In the case of delivery through third parties, the material will be made available to the learners through the third party.

Brisbane Youth Education and Training Centre ensures that all formal complaints and 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. However, the RTO will endeavour to finalise complaint and appeal requests as soon as possible.

Any substantiated complaints, as well as the complaints and appeals policy, will be reviewed as part of the continuous improvement processes and appropriate corrective action taken to eliminate or mitigate the likelihood of reoccurrence.

Details of all formal complaints and appeals will be securely maintained in a Register of Complaints and Appeals 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 the RTO's behalf, its trainers, assessors, or other staff; and
- A learner of the RTO.

Complaints may be made regarding the conduct of the above parties, and appeals may be made for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.

#### 3. Definitions

*Standards for Registered Training Organisations (RTOs) 2015* is a set of nationally agreed quality assurance arrangements for training and assessment services delivered by Registered Training Organisations (RTOs).

## 4. Roles and responsibilities

The *Chief Executive Officer* (Principal) is responsible for:

- Approves and ensures the correct implementation of this policy and related procedures;
- Delegates the responsibility of receiving and recording complaints and appeals to the RTO Manager;
- Participates in the complaint and appeal process as chair of the panel; and
- Appoints an independent third party to mediate in the case of the complainant/appellant not being satisfied with the outcome.

The *RTO Manager* is responsible for:

- Ensuring staff and learners are aware of this policy and procedure;
- Receives and records all formal complaints and appeals on the register;
- Provides the CEO with details of the complaint or appeal;
- Meets with the CEO to discuss and possibly decide on an outcome;
- If an outcome is not reached, coordinate and convene the Complaint and Appeal Committee;
- When an outcome is reached notify the complainant/appellant in writing of the decision and record this in the Complaints and Appeals Register;
- In the case of the complainant/appellant being unsatisfied with the outcome of the decision, organise an independent third party to review the decision and mediate; and
- Coordinate a meeting to review the policies, procedures and strategies to mitigate the risk of the complaint or appeal occurring in the future.

The *Head of Department* is responsible for:

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

The *Trainer and Assessor* is responsible for:

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

## 5. Procedures

### *Informal complaint*

The initial stage of any complaint shall be for the complainant to communicate directly Trainer and Assessor who will make a decision and record the outcome of the complaint.

Learners dissatisfied with the outcome of the complaint to the Trainer and Assessor may then communicate the complaint to the Head of Department, 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 appeal' with the RTO Manager.

### *Formal complaint or appeal*

Formal complaints may only proceed after the informal complaint procedure has been finalised and will follow the below procedure:

- All formal complaints or 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 complaint, 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 School/College community;
- If a complaint has been received that there is evidence that the policy and procedures have been followed
- The school RTO will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaints and appeals process
- The complainant/appellant will be regularly updated on progress
- 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 on 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 provide 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;

## Brisbane Youth Education and Training Centre

- The relevant staff member, third party 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 QCAA website for further information about making complaints ([www.qcaa.qld.edu.au/3141.html](http://www.qcaa.qld.edu.au/3141.html));
- 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.

### 6. Records and documentation

Location where secure complaints records are kept: [Complaints and Appeals Register](#)