

RTO Complaints and Appeals Policy and Procedure

Version: 6.1
Issued: 09/07/2019
Doc #: RTOPOL009
Authorised by: RTO Manager

1. Policy

The purpose of this procedure is to ensure that individuals have an avenue for legitimate complaints and appeals arising during the training and assessment services offered by Mentor Human Resources Pty Ltd (herein referred to as Mentor). Mentor manage and respond to allegations involving the conduct of its Trainers, Assessors, other staff or third parties and students enrolled in a training program with Mentor

Complaints refers to:

- Academic matters such as student progress, assessment, curriculum and awards in a course.
- Non-academic matters including complaints in relation to personal information that is held in relation to the student. Non-academic grievances come from decisions made by Mentor. Non-academic grievances cover issues such as harassment, vilification, discrimination, financial matters, fines and payments, application procedures, exclusions from events and facilities.

Appeals refers to:

- A dispute of an assessment outcome.
- A dispute of the outcome of a formal complaint.

Complaints and appeals lodged by individuals will be dealt with according to the principles of procedural fairness and natural justice. All individuals (including prospective students) have the right to lodge a complaint or appeal if they are dissatisfied with the training and/or assessment services that they have been provided as well as non-academic matters.

Mentor considers all complaints and appeals as an opportunity to improve the service that it offers to all individuals, as part of a wider continuous improvement process. The root cause of any complaint or appeal will be included in Mentor continuous improvement processes.

All individuals will be provided with a copy of the Complaints and Appeals Procedure upon enrolment into a course of study as part of the Pre-Enrolment Handbook. Staff are trained in this procedure through initial workplace induction processes and are required to remain familiar with this document throughout their employment.

All disputes or appeals will be handled professionally and in a confidential manner and will be finalised as soon as practicable.

Individuals will be provided with details of external authorities they may approach to assist them if required.

Formal complaints and appeals will be heard and decided upon within two (2) weeks of receiving the complaint or appeal. Where more than 60 days are required to process the complaint or appeal, Mentor will:

- Advise the complainant or appellant in writing the reasons, and,
- Regularly update the complainant or appellant in writing

Individuals have the right to involve an advocate at any stage of the process.

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Individuals may raise any matters of concern relating to, for example, training delivery and assessment, the quality of the teaching, individual amenities, discrimination and sexual harassment.

Mentor will attempt to resolve all complaints through discussion and conciliation.

Where a complaint cannot be resolved through discussion and conciliation, Mentor acknowledges that an appropriate external mediator will be used to resolve the issue between the parties.

Parties to the complainant will be allowed appropriate access to records, as deemed by the RTO Manager, whilst confidentiality is maintained.

Records of all complaints and appeals made against Mentor will be kept for a minimum of 5 (five) years.

2. Procedure

This procedure refers to complaints and appeals made against any element of the training and assessment services provided by Mentor.

3. Informal Complaints and Appeals

All students are encouraged to firstly resolve any complaints they have in an informal manner.

Students can do this by approaching the person/s against whom they are making the complaint and try to rectify issues that relate to their complaint.

In the event the student is unable to resolve their complaint through the informal process then the student has the option of lodging a formal complaint.

4. How to Lodge a Formal Complaint or Make an Appeal

Individuals who have exhausted informal processes for resolving their complaint, non-academic grievance or appeal, and remain dissatisfied with the outcome, may lodge a formal complaint or appeal by completing the Complaints and Appeals Form. There are no fees associated with the submission of a formal complaint. Upon completion, the complainant is required to submit the form to the RTO Manager who is responsible for formal complaints and appeals handling. The complainant is allowed a third party to accompany and/or assist them during any stage of the formal complaint process.

5. Formal Complaints Handling

The RTO Manager will do the following upon receipt of a formal, written complaint or grievance:

- Acknowledge receipt of the complaint in writing
- Discuss with the complainant the details and circumstances of the complaint
- Record in writing all details of the complaint in the Feedback, Complaints and Appeals Register

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- If required, inform those involved in the allegations and provide them an opportunity to present their side of the matter
- Determine the validity of the complaint and the need for further action
- If the complaint is deemed to be valid, attempt to find an immediate resolution to the matter
- Advise the participant of their options for further action

If the complaint cannot be resolved internally, Mentor will advise the participant of a third party where they can seek further assistance and advice.

6. Formal Appeals

Formal appeals on the results of assessments or outcome of formal complaint must be lodged within twenty-one working days of receipt of the assessment or notice of decision, respectively.

An appeal must be made in writing with the individual's name, course name and code and grounds for the appeal. Supporting evidence as to the reason for the appeal and addressing the grounds for the appeal should be included.

An independent Appeals Committee will be formed to consider the grounds for appeal and a decision will be reached within two (2) weeks of the appeal being lodged.

The appellant will be formally notified in writing as to the outcome of the Appeal. If the appeal is unsuccessful, the appellant will be advised of the basis for this decision. Details of the appeals process and its outcome will be kept in the individual's file and stored in line with Mentor Student Records Procedure.

7. External Review

At the completion of the internal resolution process, if a student is dissatisfied regarding the outcome of a complaint or appeal Mentor has provided, they may wish to refer the matter to an external/independent/third party for mediation.

Included in the list below are external bodies which the RTO Manager may recommend to the complainant for external review. These independent bodies may hear unresolved appeals arising from internal reviews.

Any recommendations received by Mentor as a result of an external review will be processed as feedback as per Mentor Continuous Improvement Policy.

Further Information and Assistance

Australian Skills Quality Authority
GPO Box 9928
Melbourne VIC 3001
Phone: 1300 701 801
Website: www.asqa.gov.au

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Note that ASQA is not able to act as the independent third party for reviewing complaints.

Dispute Settlement Centre of Victoria (DSCV)

DSCV is part of the Victorian Department of Justice & Regulation, and provides free dispute resolution services to all Victorians.

State Government Offices

Lift A, Level 5, 30A Little Malop Street

Geelong VIC 3220

Phone: 5215 8591

Website: www.disputes.vic.gov.au

Other external bodies include:

- Disability Discrimination Service (www.communitylaw.org.au)
- Australian Human Rights Commission (www.hreoc.gov.au)
- State Ombudsman (victoria) www.ombudsman.vic.gov.au

8. References

Department of Education, Science and Training, *National Complaints Code of Good Practice for Responding to Complaints about Vocational Education and Training Quality*.

Standards for RTOs 2015 - Standard 6.

9. Publication

This procedure is publicly available via our website.

10. Related Documents

Pre-Enrolment handbook
Complaints and Appeals form
Student Records procedure
Continuous Improvement policy