



# COLLECTIVE TRAINING GROUP

***Complaints & Appeals Policy 2018***

## VERSION CONTROL

CURRENT VERSION	REVIEW DATE	PERSONS INVOLVED	NEW VERSION	AMENDMENTS
V1.0 / MARCH 2018	SEPTEMBER 2018	B. GREEN		Creation of policy for RTO audit

## INTRODUCTION

The Collective Training Group (CTG) has developed the *Complaints & Appeals Policy 2018* to ensure compliance with The Standards for Registered Training Organisations (RTOs) 2015, specifically:

### STANDARD 6

**Complaints and appeals are recorded, acknowledged, and dealt with fairly, efficiently, and effectively.**

#### *Standard 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; or c) a learner of the RTO.*

#### *Standard 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.*

#### *Standard 6.3*

*The RTO's complaints policy and appeals policy:*

*a) ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;*

*b) are publicly available; c) set out the procedure for making a complaint or requesting an appeal;*

*d) ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and*

*e) provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.*

#### *Standard 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; and*

*b) regularly updates the complainant or appellant on the progress of the matter.*

#### *Standard 6.5*

*The RTO:*

*a) securely maintains records of all complaints and appeals and their outcomes; and*

*b) identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.*

#### *Standard 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 and/or assessment, and does not have in place a specific complaints and appeals policy in accordance with Clauses 6.1 & 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO.*

CTG has developed this policy to manage and respond to allegations involving the conduct of:

- The RTO
- Trainers, Assessors, and all other staff of the RTO
- Third party operators providing services on the behalf of the CTG, its Trainers, Assessors, and all other staff
- Another Learner enrolled with CTG

Learners wishing to lodge a complaint must follow this policy, *CTG's Complaints and Appeals Policy 2018*, before lodging a complaint with Australian Skills Quality Authority (ASQA).

#### *Refund of monies paid*

This policy should also be referred to by Learners who are seeking a refund for monies paid, under any circumstance listed in the *Fee Payment & Refund Policy 2018*, should a refund be denied.

## **DEFINITIONS**

### *Complainant*

A person who makes a complaint

### *Appellant*

A person who applies for a reversal of a decision

## **RESOLUTION PROCEDURE**

Learners enrolled to study with the CTG (and no other party) may choose to complain about the conduct of any staff member, including those staff members from third party providers who may be facilitating or delivering services on behalf of the CTG. Learners enrolled to study with the CTG may choose to appeal an assessment decision made by training and assessing staff, including those staff members from third party providers who may be facilitating or delivering services on behalf of the CTG.

Learners who wish to submit a complaint or appeal, must following the following steps in order to seek resolution:

## STEP 1

Complainants / Appellants must contact the Training Officer in writing and clearly describe the details of the complaint / appeal which must include the desired outcome. The CTG aims to resolve all complaints / appeals through meaningful consultative practices. CTG will regularly update the Complainant / Appellant of the progress of their complaint / appeal and advise if the issue is likely to exceed 60 calendar days to resolve.

## STEP 2

If the Complainant / Appellant has participated in meaningful consultative practices with the Training Officer and the complaint / appeal is unable to be resolved. The Complainant / Appellant must submit their complaint / appeal in writing including the desired outcome to the CTG legally responsible person ie: WA Prison Officers' Union of Workers (WAPOU) Secretary.

## STEP 3

The WAPOU Secretary will request of the Training Officer evidence that meaningful consultation has occurred in an effort to resolve the complaint / appeal. With the assistance of the Training Officer, the WAPOU Secretary will investigate the complaint / appeal and will take into consideration all relevant internal policies including the consumer rights of the Complainant / Appellant. The WAPOU Secretary may request the Complainant / Appellant participate in further consultative processes, which may involve the Training Officer, in an attempt to resolve the matter to the satisfaction of both parties.

## STEP 4

If the complaint / appeal remains unresolved after step 3, the WAPOU Secretary or the Complainant / Appellant may choose to escalate the complaint / appeal to the elected WAPOU Executive Members to present their case at the next available monthly WAPOU Executive Meeting. The WAPOU Executive Members will select a representative to respond to the Complainant / Appellant within 10 business days.

## STEP 5

If the complaint / appeal remains unresolved after steps 1, 2, 3 and 4 Complainants / Appellants may choose to escalate the complaint or appeal to the Western Australian Training & Accreditation Council (TAC) for review and independent advice. CTG will comply with all instructions given by TAC to ensure compliance with The Standards for Registered Training Organisations 2015.

TAC encourages resolution using the RTOs internal policies and is primarily concerned with complaints made against RTOs where it is alleged the training provider is not complying with The Standards of Registered Training Organisations (RTOs) 2015. Further information about lodging a complaint with Western Australian Training & Accreditation Council can be found at the following address: <http://www.tac.wa.gov.au/students/Pages/Complaints-against-RTOs.aspx>



## **RESOLUTION**

Mutually agreeable resolution is sought at every step of the resolution procedure. CTG will consider all relevant policies, both internal and set by industry governing bodies when determining the outcome of a complaint / appeal. In all cases, the principles of natural justice and procedural fairness will be applied to all complaints / appeals including unbiased and fair revision of all available information.

## **RECORDS OF COMPLAINT**

CTG maintains accurate records of all complaints and appeals. Records may include, but is not limited to:

- Correspondence between both parties
- Evidence / justification supplied by both parties
- Notes taken during consultations
- Applicable policies, internal and external used during the process
- Final outcome including justification

All records will be stored on an isolated electronic server including hard copies where required.

## **CONTINUAL IMPROVEMENT**

CTG continually identifies potential causes for complaint and appeal and takes proactive steps to mitigate or eliminate the likelihood of reoccurrence.