Complaints and Appeals Policy & Procedure

1. Policy

This policy/procedure supports the RTO to provide a process for complaints and appeals to be heard and actioned. This includes any allegations involving the conduct of

- the RTO, its trainers, assessors or other staff;
- a third party providing services on the RTOs behalf, its trainers, assessors or other staff; or
- a learner of the RTO

All complaints and appeals received by Wattle College will be viewed as an opportunity for improvement.

Despite all efforts of Wattle College to provide satisfactory services to its students and clients, complaints may occasionally arise that require formal resolution. The following procedures provide students and clients the opportunity to have any issues relating to a substantiated complaint or appeal resolved and resolutions reached that attempt to satisfy all parties involved. This complaints and appeals process will be at no cost to the student or client (unless referred to a third party; see procedure for more details).

2. Procedure

The complaints and appeals policy and procedure and applicable form is made available to all students, potential students, and clients by directly contacting the RTO, through the Wattle College's website, and within the student information handbook.

2.1 General Complaints

Where possible all non-formal attempts shall be made to resolve the issue. This may include advice, discussions, and general mediation in relation to the issue and the complainant's issue. Any staff member can be involved in this informal process to resolve issues but once a complainant has placed a formal complaint / appeal the following procedures must be followed:

- Any student, potential student, or third party may submit a formal complaint to Wattle College with the reasonable expectation that all complaints will be treated with integrity and privacy. There is no cost for accessing the internal complaints and appeals process.

- Complainants have the right to access advice and support from independent external agencies / persons at any point of the complaint and appeals process. Use of external services will be at the complainant's costs unless authorised by the CEO.

- Any person wishing to submit a formal complaint or appeal can do so by completing the 'Complaints and Appeals Form' and state their case providing as many details as possible. This form can be gained by contacting Student Administration at the RTO, or through the Wattle College's website.

- All formally submitted complaints or appeals are submitted to the Student Support Team or directly to the RTO Coordinator. Complaints are to include the following information:
  - Submission date of complaint
  - Name of complainant;
  - Nature of complaint;
  - Date of the event which lead to the complaint
  - Attachments (if applicable)

- Once a formal complaint is received it is to be entered into the 'Complaints and Appeals Register' which is monitored by the RTO Coordinator regularly. The information to be contained and updated within the register is as follows:
  - Submission date of complaint
  - Name of complainant
  - Description of complaint / appeal
  - Determined Resolution
  - Date of Resolution

- The complainant shall be notified in writing that their complaint has been received and registered with the RTO.

- A complainant may be assisted or accompanied by a support person regardless of the nature of the issue or complaint throughout the process at all times.

- The RTO Coordinator shall then refer the matter to the appropriate staff to resolve, or make a decision on the complaint within 10 working days and keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.

- As part of the process of investigating the complaint the RTO Coordinator shall ensure the principles of natural justice and procedural fairness are maintained at all times. This includes informing and involving all parties involved in the allegations or cause for the complaint. There will be opportunities provided to all parties to provide their version of the event(s) or action(s) that have caused the complaint. The collection of information and details regarding the complaint will be conducted in a manner that ensures the privacy and confidentiality of all parties involved.

- To ensure the fairness of the complaints system, the complaints resolution process (investigation and determining outcomes of a complaint) must be completed by a person independent of the complaint. In other words where the complaint is in relation to the CEO or RTO Coordinator's actions, the complaint shall be referred immediately to the external and independent mediator listed below.

- In the unlikely event that the complaint is not finalised within 60 calendar days, the RTO shall ensure that the complainant shall be provided reasons for the delay, and will be regularly kept informed and updated of the progress of the matter.

- Once a decision has been reached the RTO Coordinator shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing. Within the notification of the outcome of the formal complaint the complainant shall also be notified that they have the right of appeal. To appeal a decision the RTO must receive, in writing, grounds of the appeal. Complainants are referred to the appeals procedure.

- The RTO Coordinator shall ensure that the RTO will act immediately on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the complainant, the registered provider must immediately implement any decision and/or corrective and preventative action that is required and advise the complainant of the outcome in writing.

- Copies of all documentation, outcomes and further action required will be placed into the 'Complaints and Appeals Register' by the Student Services Team and on the students file / complainants file.

2.2 Appealing a Decision

All complainants have the right to appeal decisions made by Wattle College where reasonable grounds can be established. The areas in which a complainant may appeal a decision made by Wattle College may include:

- Assessments conducted
- Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
- Or any other conclusion / decision that is made after a complaint has been dealt with by Wattle College the first instance.

To activate the appeals process the complainant is to complete a 'Complaints and Appeals Form' which is to include a summary of the grounds the appeal is based upon. The reason the complainant feels the decision is unfair is to be clearly explained and help and support with this process can be gained from the Student Services Team or through Wattle College's website.

- The complainant shall be notified in writing that their appeal has been received and registered with the RTO.

- The RTO Coordinator shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.

- The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.

- The RTO Coordinator shall ensure that Wattle College acts on any substantiated appeal.

- Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

General appeals

- Where a complainant has appealed a decision or outcome of a formal complaint they are required to notify Wattle College in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.

- The appeal shall be lodged through the Student Services Team and they shall ensure the details of the appeal are added to the 'Complaints and Appeals Register'.

- The RTO Coordinator shall be notified and shall seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.

- The complainant shall be notified in writing of the outcome with reasons for the decisions, and the 'Complaints and Appeals Register' updated. The complainant shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The complainant is required to notify Wattle College if they wish to proceed with the external appeals process.

Assessment appeals

- Where a student wishes to appeal an assessment they are required to notify their Trainer in the first instance. Where appropriate the Trainer may decide to re-assess the student to ensure a fair and

equitable decision is gained. The Trainer shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.

- If this is still not to the student's satisfaction, the student shall formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. They shall lodge this with student administrations department and the appeal shall be entered into the 'Complaints and Appeals Register.'

- The RTO Coordinator shall be notified and shall seek details from the Trainer involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another Trainer appointed by Wattle College.

- The student shall be notified in writing of the outcome with reasons for the decision, and the 'Complaints and Appeals Register' updated. The student shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify Wattle College if they wish to proceed with the external appeals process.

2.3 External (Independent) Appeals:

In addition to the above internal processes, if the processes fail to resolve the complaint or appeal, or the complainant or appellant is still dissatisfied with the decision of the RTO, an application with an independent and external dispute resolution body can be submitted to allow for any decisions made by the RTO in relation to the complaints and / or appeals process to be reviewed independently of the RTO. (See below for contact details).

It should also be noted that any *appeals* relating to the CEO will be automatically be dealt with by this external and independent mediator in the first instance of the complaint being received.

Where the RTO is informed that the student has accessed external appeals processes:

- The RTO will maintain a student's enrolment until the external appeal process is finalised.
- The RTO will comply with the findings of the external appeals process.
- Where a decision or outcome is in favour of the complainant, Wattle College shall follow the required action and recommendation from the relevant external appeals organisation to satisfy the student's grievance as soon as practicable.
  The decision of the independent mediator is final and any further action the student wishes to take is outside the RTO's policies and procedures. Students wishing to take further action shall be referred to the appropriate government agencies and this information can be gained from the CEO.
- All records and correspondence in relation to an external appeal shall be maintained with the initial complaint and internal appeal documentation within the 'Complaints and Appeals Register' and the student file for a minimum of 5 years.

Independent Mediators:

International Students External Appeals:

In addition to the above processes International students enrolled with Wattle College can lodge an external appeal with the Commonwealth Overseas Students Ombudsman. Contact details for the Overseas Students Ombudsman are available from www.oso.gov.au.

Organisation:	Overseas Student Ombudsman (https://www.ombudsman.gov.au/How-we-can-help/overseas-students)
Contact point:	**Email:** ombudsman@ombudsman.gov.au **Call:** 1300 362 072 (within Australia) Outside Australia call +61 2 6276 0111. Enquiries 9 am to 5 pm Monday to Friday (AEDT)

Further information

If, after the RTO's internal complaints and appeals processes have been completed, you still believe the RTO is breaching or has breached its legal requirements, you can submit a complaint to ASQA via the ASQAconnect webpage. https://asqaconnect.asqa.gov.au/

National Training Complaints Hotline

Alternatively students are able to contact the **National Training Complaints Hotline** which is designed to protect the interests of students and employers. The contact details are as follows:

Website: https://www.dese.gov.au/national-training-complaints-hotline
Phone: 13 38 73

Students are able to submit their complaint online (via an online form) following the process described at https://www.dese.gov.au/national-training-complaints-hotline/national-training-and-complaints-hotline-complaints-form

2.4 Preventative and Corrective Action

If the internal or any external complaint handling or appeal processes result in a decision that supports the complainant, Wattle College will immediately implement any decision and/or corrective and preventative action that is required, and advise the complainant, and all involved in the matter, of the outcome.

In all cases where a complaint, internal appeal, or external appeal is submitted results in any type of corrective action to be taken by the RTO, details of the complaint and / or appeal shall be reviewed to ensure that steps are taken to eliminate or mitigate the likelihood of recurrence.

In addition the complaints and appeals register shall be monitored by the CEO to ensure that all complaints and appeals submitted, regardless of the outcome, are able to monitored and reviewed to ensure appropriate steps and actions are identified to prevent further re-occurrence.

The details of the complaint and resulting outcome(s) shall be reviewed as part of the RTO's next management meeting with the purpose of identifying the potential causes of the initial complaint. The RTO will then determine appropriate steps to be taken so as to remove the potential issue arising again in the future. Where the complaint has arisen due to any employee or student actions, appropriate mechanisms shall be implemented to ensure appropriate education is provided to prevent recurrence of potential issues.