

# ***Training Aid***

## ***Australia Pty Ltd***

### Complaints and Appeals Policy and Procedure

RTO NUMBER

91411

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## PURPOSE

This Complaints and Appeals Policy and Procedure ensures that Training Aid Australia responds effectively and efficiently to individual cases of dissatisfaction in accordance with the requirements of the Standards for RTOs 2015 and National Code 2018 Standard 10.

## SCOPE

This policy and procedure apply to both enrolled and prospective Training Aid Australia students.

## RESPONSIBILITY

The Compliance Manager is responsible for the implementation of this policy and procedure and ensuring that staff and students are made aware of its application.

## Definitions

**Complainant** refers to a person who has lodged a complaint with Training Aid Australia.

**Complaint** means a person's expression of dissatisfaction with any service provided by Training Aid Australia including academic and non-academic matters.

**Appeal** refers to the process where a student requests for the case to be reviewed if dissatisfied with a decision made by Training Aid Australia.

**Academic matters** include those matters which relate to student progress, assessment, course content or awards in a course of study.

**Non-academic** matters include those matters related to student enrolment, induction, or orientation process, quality of education and discrimination or harassment that the student may have experienced.

**Student/s** refers to all persons enrolled or seeking to enrol in a unit of study/course under any subsidised or full fee paying students.

**Natural Justice** means general procedural fairness in the handling of complaints and appeals that involves all of the following elements:

- The right to a fair hearing
- The right to attend hearings with a friend or support person, if required
- The opportunity for all parties involved to be heard
- The respondent having full knowledge of the nature and substance of the complaint
- The Complainant not determining the outcome, but may be a party to it
- The right to independent, unbiased decision-making
- A final decision that is based solely on the relevant evidence.

## POLICY

Training Aid Australia understands that on occasion, there may be instances of dissatisfaction and acknowledges that the cause(s) must be addressed and rectified promptly.

This Complaints and Appeals Policy and Procedure will be provided to all staff and students as part of staff induction and student orientation programs and will be made publicly available on Training Aid Australia's website ([www.trainingaid.edu.au](http://www.trainingaid.edu.au)) and in the Student Handbook.

Training Aid Australia will ensure that:

- It has necessary structure in place to deal with Complaints and Appeals by forming a Complaints and Appeals Committee with authorised members from different areas.
- All prospective students will have access to information about the Complaints and Appeals Policy and Procedure prior to enrolment through Training Aid Australia's participants handbook or via our website.
- The principles of Natural Justice shall apply to student complaints and appeals proceedings.
- Students have access to the details of external appeal authorities they may approach through Training Aid Australia's participants handbook or via our website, if required.

All complaints and appeals will be handled professionally and confidentially. For internal complaints and appeals:

- The student will have an opportunity to formally present their case, in writing or in person and at no cost to the student.
- The student may be accompanied and assisted by a support person at any relevant meetings
- At the conclusion of the appeal meeting, the student will be given a written statement of the outcome, including details of the reasons for the outcome.
- The student's enrolment will be maintained while an internal complaint or appeal is in progress.
- Training Aid Australia will encourage the parties to approach a complaint or appeal with an open view and to attempt to resolve problems through discussion and conciliation.
- Where a complaint or appeal cannot be resolved through conciliation, the student may contact an appropriate external and independent agent to review the decision implemented by Training Aid Australia.
- If a student complaint or appeal highlights a systemic issue requiring change, the issue will be reported at Training Aid Australia's management meeting as part of the continuous improvement process.
- Nothing in this policy restricts the student's right to pursue other legal remedies, nor does the availability of dispute resolution processes remove the right of the student to take action under Australia's consumer protection laws.
- All complaints are managed fairly, equitably, efficiently and in a timely manner.
- The complainant and the respondent will not be discriminated against or victimised.
- The complainant and the respondent will have the opportunity to present their case at each stage of the procedure.
- The complainant and/or the respondent will have the right to have a representative present during any negotiations with Training Aid Australia or its appointed representatives.
- The complainant and/or the respondent will have the right to appeal a decision.
- Discussions relating to complaints and appeals will be recorded in writing. Reasons and full explanation for decisions and actions taken as part of this process will be provided to the complainant and/or respondent in writing.
- Records of complaints and appeals handled under this procedure and their outcomes shall be maintained in accordance with Training Aid Australia's Complaints and appeals register.

- Academic and non-academic staff will be communicated and trained to ensure that they understand this policy and procedure and its application.

## PROCEDURE

### Informal Complaint

Students are encouraged, wherever possible, to resolve concerns or difficulties directly with the person(s) concerned or relevant Trainer before it becomes a formal complaint. Training Aid Australia Trainers and other representatives are available to assist students to resolve their issues at this level.

Assuming it is agreed that the complaint is dealt through this informal complaint procedure, the staff member who is consulted, shall discuss the complaint fully with the complainant and with the complainant's consent, anyone else involved, to see if it can be resolved informally. This may involve referral of the complaint to a third party. Complaints dealt in this way do not become part of the formal complaint process and will not be documented, recorded or reported on unless the Training Aid Australia Training staff involved determine that the issue in question or complaint is relevant to the wider operation of Training Aid Australia Training.

### Formal Complaint

If complaints are not resolved through an informal process, students can access the formal procedure, which will take place as stated below:

Formal complaints should be submitted in writing to the Director or CEO. They or a delegate, will consider and investigate the complaint and respond within two (2) working days from the date submitted by the complainant.

In this process, the Training Aid Australia's CEO or a nominated member, may seek information and clarification by written or verbal request or by face-to-face interview with the complainant and/or the respondent. When such clarification occurs in a face-to-face interview, the complainant or respondent may ask another person to accompany him or her.

The CEO or a nominated member, will then endeavour to resolve the complaint and will provide a written report to the complainant on the steps taken to address the complaint, including the reasons for the decision. The complainant will be notified of their decision in writing within ten (10) working days.

If a complaint investigation time exceeds the above timeframe, Training Aid Australia's CEO or nominated member will notify the complainant in writing, the reason and the new timeframe.

The complainant will be advised of their right to access an Internal Appeals process

The Reviewer will advise the Applicant in writing of the outcome of the appeal, including the reasons for the decision, within ten (10) working days.

### External Mediation

If the Applicant is dissatisfied with the outcome of the formal complaint, they may refer the decision for review by an external dispute resolution process facilitated by the Resolution Institute (RI) or Ombudsman within twenty (20) days of the decision being made.

If the student is still unsatisfied with the outcome, they can contact the Department of Fair Trading, or the Vocational Education Accreditation Body in your state. Complaints or appeals that cannot be resolved internally can be referred to National Training Complaints hotline on 1800 000 674.

**Contacts:**

CEO

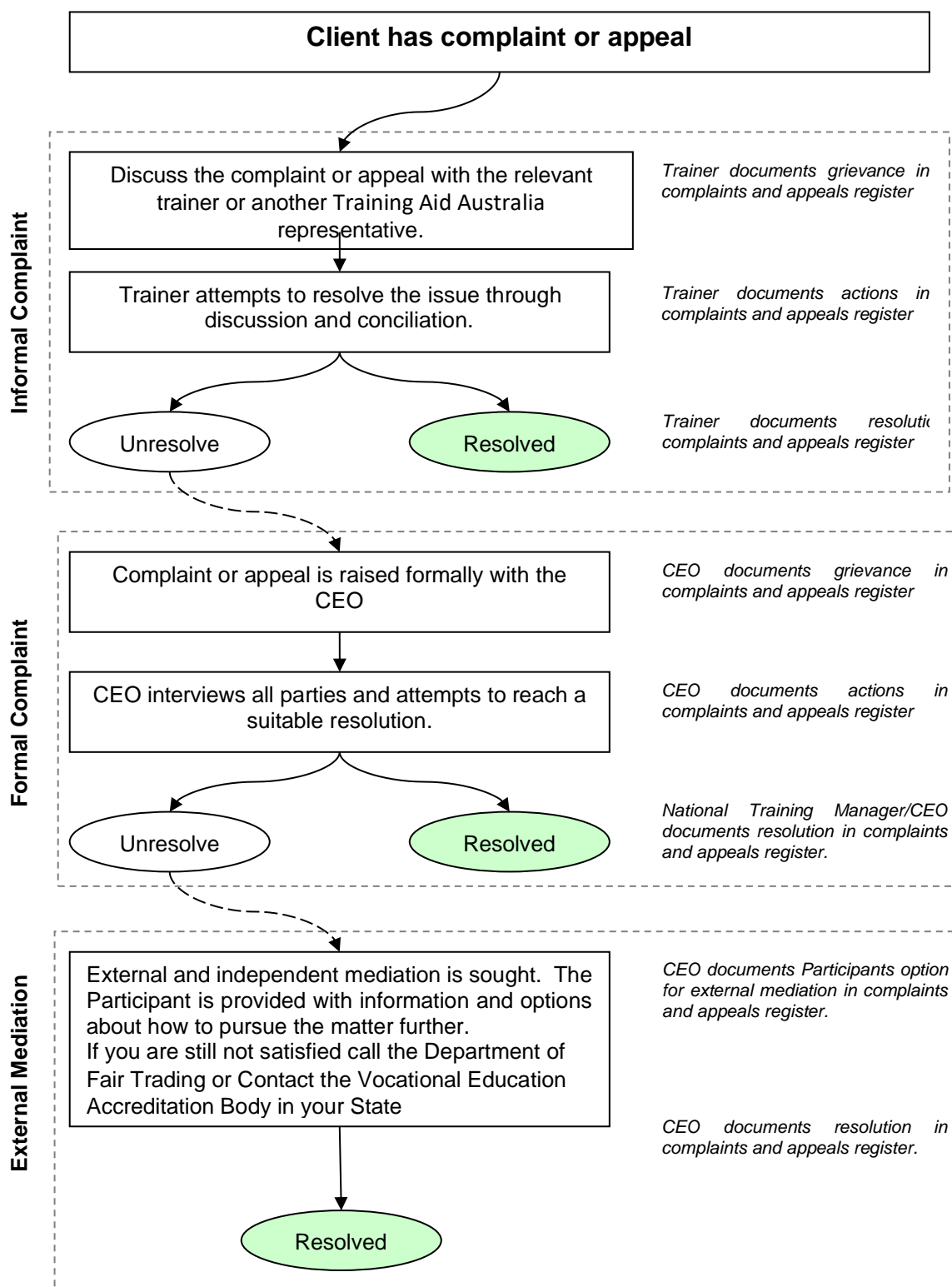
Warwick Smith

warwick@trainingaid.com.au

The procedures set out in this document do not replace or modify procedures or any other responsibilities which may arise under other policies or under statute or any other law. Nothing in this policy and procedure limits the rights of individuals to take action under Australia's Consumer Protection laws. Also, these procedures do not circumscribe an individual's rights to pursue other legal remedies.

## Student Complaints and Appeals Flowchart

For any problems or difficulties:



Participants have the right to be represented by a nominee at any stage if the participant so chooses. You may use your friend, guardian, or an agent for third party mediation. This dispute resolution procedure does not circumscribe the participant's right to pursue other legal remedies.

## Record Keeping

Records of complaints and appeals handled under this procedure and their outcomes shall be maintained and archived for audit purposes in line with Training Aid Australia's privacy policies and procedures.

## Associated Documents

- Student Complaints Form

## Revision History

Creation/ Revision Date	Comment	Created/ Revised by
02/08/23	Checked for relevance & reviewed	Compliance Manager Simon Judge
03/03/22	Checked for relevance & reviewed	Compliance Manager Simon Judge
12/06/21	Checked for relevance & reviewed	Compliance Manager Simon Judge
26/08/20	Checked for relevance & revised for connected delivery.	Compliance Officer Simon Judge
07/01/20	Wording revised to add clarification.	Compliance Officer Simon Judge
06/12/18	Policy and procedure created	Compliance Officer Simon Judge
01/08/19	Revised and update rescheduling costs and refund fees and charges. Added additional fees and charges to refund policy.	Compliance Officer Simon Judge



To be filled out by the Complainant or Appeler and submitted to either your Trainer or the CEO.

<b>Please indicate which of the following applies to you:</b>			
<input type="checkbox"/> Prospective Student	<input type="checkbox"/> Current Student	<input type="checkbox"/> Past Student	<input type="checkbox"/> Trainer/Assessor
<input type="checkbox"/> Workplace or Employer	<input type="checkbox"/> Staff/Contractor	<input type="checkbox"/> Other	
<b>Please indicate if you are lodging a complaint or non-assessment appeal:</b>			
<input type="checkbox"/> Complaint	<input type="checkbox"/> Appeal (unrelated to assessment)	<input type="checkbox"/> Assessment Appeal	
Your Details:			
<b>Name:</b>		<b>Telephone:</b> (Best contact Number)	
<b>Address:</b>		<b>Email Address:</b>	
<b>Date of Incident:</b>			
<b>Required:</b>			
<b>Course:</b>		<b>Course Location:</b>	<b>Course Date:</b>
<b>Please outline the nature of the complaint/appeal:</b>			
<i>(Describe what happened and how it affected you in as much detail as possible)</i>			
<i>(You may attach additional pages and supporting information and evidence as needed to support your complaint or appeal)</i>			
<b>Describe any efforts made to resolve the issue:</b>			
<b>For complaints and appeals not related to assessment, please complete the following.</b>			
Please detail any steps you have taken to resolve the issue.			
Please make any suggestions to help resolve this issue.			

Are there particular staff members of the RTO who may need to be involved in the investigation of this complaint or appeal and in what way?

**For assessment appeals, please complete the following.**

Which unit and/or assessment task is the appeal in relation to?

Student Signature:

Date:

**For Office Use Only**

**Detailed Action Taken:**

Continuous Improvement Request Raised: ☐ Yes ☐ No

Date CIR  
Raised:

**CIR Raised by:**

Note: Please attach completed form and any other supporting evidence and submit with CIR to the CEO within 24 hours.

Signed:

Date:

CIR Received by the CEO ☐ Yes ☐ No

Allocated CIR No.:

Signature of the CEO:

Date: