



COMPLAINTS & APPEALS

Including
Grievances
Complaints & Appeals
Assessment Appeals

Reference:

Standard 6 Clauses 6.1 – 6.6

National Code Standard 8 Complaints & Appeals



VERSION HISTORY

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V2.1	May 2017	Updated to National Code 2017
V2.0	September 2016	Quality assurance check across documents with reference to ASQA fact sheets and ESOS Act changes & Explanatory guide
v1.0	July 2016	New standards for RTO's 2015



Contents

COMPLAINTS AND APPEALS	4
PURPOSE	4
References	4
Implementation	4
PROCESS.....	5
ASSESSMENT APPEAL.....	7
PURPOSE	7
PROCESS.....	7



COMPLAINTS AND APPEALS

PURPOSE

Complaints are an important input to learner and client services and quality assurance in the Institute. Complaints are another opportunity to improve our student services, support overseas students and improve the business and measure performance of the Institute. The CEO expects complaints to be dealt with as a priority so they do not escalate to a formal complaint within the Institute or an appeal against the complaint decision to an external agency or regulator. Complaints that escalate affect our business profile and risk rating. We will vigorously follow through complaints following our internal procedures making sure each step follows the principles of natural justice and procedural fairness. The Institute complaints and appeals processes are independent, easily and immediately accessible and inexpensive for the parties involved.

References

Standard 6	Clauses 4.1 Accurate and accessible information about an RTO, its services and performance is available to inform prospective and current learners and clients.
NC Standard 6.1	Marketing Information and Practice
NC Standard 8	Complaints and Appeals

Implementation

The **CEO** is ultimately responsible for the Institute and its staff and student welfare.

The **RTO Manager** is responsible for immediate handling of complaints

The **CEO** is responsible for the immediate handling of complaints relating to courses and assessments and the trainers.



PROCESS

All complaints must be dealt with in a constructive and timely manner. We will set out the process in “Plain English” on the website, in pre-enrolment information and we will emphasise this information at induction and orientation.

The procedures include complaints handling at an informal level and we expect most complaints that start as a grievance can be resolved at this level with our focus on client and staff satisfaction.

Records of complaints that escalate to a formal complaint or written complaint will be recorded on our Complaints and Appeals Register.

Similar grievances from more than one staff member, employer or client will be further investigated as this would indicate an area for improvement of Institute operations or services.

Management will consider complaints as a matter of priority and within the guidelines of legislation and following our procedures. All internal avenues for resolution will be pursued from the initial grievance or complaint, through to a formal complaint and possible appeal of the decision.

We include complaints as an agenda item on our management meetings.

Procedure for a grievance, complaint and appeal:	
1. Discuss the issue with the member of staff or trainer involved or course participant	<p>1. You might have a grievance or complaint about:</p> <ul style="list-style-type: none"> The Institute, its policies, decisions or information provided to you The Institute administration staff Your course or your assessment result A Trainer or an Assessor Another course participant or person at the Institute <p>We encourage participants to talk directly with the person involved and see if you can sort out the issues of concern.</p>
2. Discuss the issue with a Manager	<p>2. Where talking with the person is not appropriate, the complaint can be discussed with a member of staff –probably a manager by phone or through email such as : CEO or Director of Operations & Finance.</p> <p>We will seek an immediate resolution of the matter if possible within our roles</p> <p>We will communicate with you, discuss the matter with other parties and seek resolution. We must refer to our policies and procedures and point this out to you as the complainant and the process will be fair and transparent. We allow 10 days.</p>
3. Fill in the written complaint form and it will considered by the CEO	<p>3. If the complainant is not satisfied with the suggested resolution, we will advise you to put the complaint in writing on our complaints form and submit. This form can be downloaded from the website and sent be email. The Institute will acknowledge receipt of complaint and date received. The complaint goes to the CEO who will consider the written complaint within 10 working days. Where the matter may involve the CEO, we will use an agreed third party to consider the complaint and the resolution proposed. This will make the process fair and transparent.</p>
4. How we advise of the complaint resolution and give written notification of the decision	<p>4. A meeting or phone conference may be offered to the complainant. A support person can be there with the complainant. Details of any meetings with the complainant will be recorded in writing. The written statement of RTO'S decision, including details of the reasons for the outcome will be provided to the complainant. We must refer to our policies and procedures and point this out to you as the complainant so the process will be fair and transparent. Internal decision making and resolution between you and the Institute will be finalised as soon as practicable.</p>
5. If our internal process has not worked, you can seek a review or appeal the Institute decision. We move to mediation	<p>5. If agreement still can't be reached, or the complainant is not satisfied with the Institute decision, then you can seek a review and appeal that decision. Our RTO offers a mediation services through LEADR. This is the final step in our internal complaints resolution process and we hope the complaint can be resolved to the satisfaction of all parties. Again, the decision of the mediation will be recorded and sent to all parties within 28 days of the final mediation meeting. This will be the final decision. We expect this to be completed within 60 days. If more time is needed we will write to you and explain the delay and keep you up to date on progress of the</p>



	<p>matter.</p>
<p>6. Complaints are in registers and the quality assurance system</p>	<p>6. Complaints and appeals are logged in the complaints and appeals register, reported to management meetings and retained in our compliance records. We treat complaints as feedback that can improve our client services and quality assurance in the Institute. We are required to acknowledge formal complaints and rectification in reporting against the standards for Institutes.</p>
<p>7. External appeal Take the complaint to an external agency</p>	<p>7. Once mediation has been provided and closed out, we will advise the complainant that all internal processes have been exhausted.</p> <p>There are external agencies who can deal with your complaint where you wish a review or appeal against the Institute decision.</p> <p>NSW Department of Fair Trading. This is the external agency that deals with consumer complaints such as fees, discrimination or other matters.</p> <p>National Training Complaints Hotline give advice and refers you to the correct training body: Phone: 13 38 73 Mon- Friday 8am – 6pm www.education.gov.au/NTCH</p> <p>Written complaints can be emailed to skilling@education.gov.au.</p> <p>Complaints can also go to the Overseas Student Ombudsman www.oso.gov.au</p> <p>Information brochures are on their website.</p>
<p>8. The role of ASQA in investigating complaints after internal processes are exhausted.</p>	<p>8. We will also provide a link on the website and information in the website FAQ's about the Institute regulator's complaints handling process. The Australian Skills Quality Authority (ASQA) is the national regulator for Australia's vocational education and training sector, it regulates courses and training providers to ensure nationally approved quality standards are met. It is not ASQA's role to arbitrate between aggrieved parties. ASQA receives and investigates complaints in order to manage the risk of training providers not complying with their legislative obligations. Participants will be informed of ASQA's role at induction.</p>



ASSESSMENT APPEAL

PURPOSE

Australian Massage and Beauty Institute will provide a fair and transparent appeal process for assessments. The CEO will manage the assessment appeal policy and processes across the Institute courses.

We will set out the process in “Plain English” on the website, in pre-enrolment information and emphasise this information at induction.

PROCESS

Appeals against assessment decisions are handled differently from complaints. The process is explained here.

Records of assessment appeals that escalate to a written appeal will be recorded on our Assessment Appeals Register. The appeal, assessment tasks and history of marking and feedback are kept on file and reviewed to ensure that they are fairly dealt with according to legislation, policy and procedure. Similar requests from more than one student for assessment appeals for a particular task and Assessor will be further investigated as this may indicate an issue in the assessment process for the course.

Assessors will moderate assessment decisions to check for validity, consistency and fairness.

Management will consider assessment appeals in a timely manner and within the guidelines of our procedures. They are an opportunity to improve our training and assessment and client services.

Procedure for an assessment appeal:	
1. Discuss your results with the Assessor who marked your work	1. For all assessment tasks but in particular for final assessment tasks, if the participant has a grievance about the results, the Assessor will immediately discuss the feedback provided and the assessment outcome to clarify the decision of Not Satisfactory or Not Yet Competent. This must be done within 14 days from the result date. There are opportunities for re-submission and re-sits as explained in the Handbook and during the course so most assessment matters can be resolved at this stage.
2. Review - Request a re-marking by the same Assessor or another Assessor	2. If agreement cannot be reached, the participant has the right to request a re-marking where the work is assessed again by the same Assessor, or that another Assessor undertakes the marking of the submitted work for assessment. This must be done within 14 days from the result date. The Institute will acknowledge receipt of appeal and date received.
3. Fill in and send a written assessment appeal form that will be considered by the CEO	3. If the assessment decision remains Not Satisfactory or Not Yet Competent after the re-marking and the participant is still not satisfied, then the RTO Manager shall discuss the assessment decision with the participant and the Assessor. The request must be submitted in an assessment appeal form within 28 days of the date of the remarked results. The Institute will acknowledge receipt of appeal and date received.
4. The Appeal resolution by meeting or phone then the CEO will send written notification of the decision	4. A meeting or phone conference may be offered to the complainant. A support person can be there with the complainant. Details of any meetings with the complainant will be recorded in writing. The written statement of RTO'S decision, including details of the reasons for the outcome will be provided to the complainant. We must refer to our policies and procedures and point this out to you as the complainant so the process will be fair and transparent. Internal decision making and resolution between you and the Institute will be finalised as soon as practicable.



<p>5. If our internal process has not worked, you can seek a review or appeal the decision. We move to external marking.</p>	<p>5. If the appellant is still not satisfied with the result and wishes to pursue the matter, we offer an external mediation and assessment service through a VET consultancy RTOhelp Pty Ltd. This is the final step in our internal complaints resolution process and we hope the assessment decision can be resolved to the satisfaction of all parties. Again, the decision by a third-party Assessor will be recorded and sent to all parties within 28 days. This will be the final decision.</p>
<p>6. You have 3 months to submit assessment appeals</p>	<p>6. Formal written appeals against an assessment decision must be submitted within 3 months of the submission date of the assessment. Appeals will not be considered after that date.</p>
<p>7. Appeals improve our quality of training and assessment system</p>	<p>7. Complaints and appeals are logged in the complaints and assessment appeals register, reported to management meetings and retained in our compliance records.</p>
<p>8. Take the appeal to an external body</p>	<p>8. Once mediation and the external assessment services has been provided, we will advise the student that all internal processes have been exhausted. He/she can take the matter to the National Training Complaints Hotline. www.education.gov.au/NTCH Phone: 13 38 73 Mon- Friday 8am – 6pm Written complaints can be emailed to skilling@education.gov.au.</p>
<p>8. The role of ASQA in investigating issues around quality of training and assessment after internal processes are exhausted.</p>	<p>9. Our RTO will also provide a link on the website and information in the website FAQ's about the Institute regulator's complaints handling process. The Australian Skills Quality Authority (ASQA) is the national regulator for Australia's vocational education and training sector, it regulates courses and training providers to ensure nationally approved quality standards are met. It is not ASQA's role to arbitrate between aggrieved parties. ASQA receives and investigates complaints in order to manage the risk of training providers not complying with their legislative obligations. Participants will be informed of ASQA's role at induction.</p>