

POLICY

Complaints and Appeals (including academic grievance)			
Standard 6	STD 6 Clause 6.1 – 6.6	Policy No.	RTO.S6-POL-001
		Related Procedure No.	RTO.S6-PRO-001
Policy Owner	Ferne Robinson, Compliance Manager		
Scope	This policy applies to clients, participants and employees of Risk Management Training Solutions and its associated entities.		
Date of approval	01.10.19	Review Date	30.09.21
Change Control	Reviewed as continuous improvement		
Version No.	1.2		
Related Policies	Participant Handbook Continuous Improvement Policy Corrective Actions Policy Non-compliance Policy Internal Audit Policy Management of participant information Policy Retention of assessment evidence Policy		

1. Overview

The purpose of this document is to outline Risk Management Training Solutions Complaints and Appeals Policy. It is the aim of the policy to provide clear and practical guidelines to ensure that complaints received from clients, participants, staff or other stakeholders can be resolved equitably and efficiently and in accordance with the principles of natural justice. This Policy complies with Standard 6 of the Standards for Registered Training Organisations (RTOs) 2015 and applicable legislative requirements.

2. Policy

- 2.1 RMTS understands that on occasion there may be instances of dissatisfaction and welcomes the opportunity for improvement through receiving complaints and appeals from a dissatisfied party so that a resolution can be found and an opportunity to consolidate the feedback into a review and improvement of our policies and practices. This right to a complaint and appeal also extends to persons seeking to enrol into a course with RMTS.

All parties can access a full copy of the Complaints and Appeals Policy in the Participant Handbook and on our website.

Complaints

- 2.2 RMTS will work in a positive, open, honest and constructive manner to resolve all grievances. All efforts will be made to ensure that clients, participants, staff and the public are protected and that any activity that may compromise the high standards of the organisation will be prevented or appropriate disciplinary action taken.
- 2.3 The principles of natural justice and procedural fairness will be adopted at every stage of the complaint and appeals process.
- 2.4 The complainant has the right for their complaint to be heard and for an impartial decision to be made at no cost to themselves. Complainants have the right to appeal a decision made about a complaint, as well as submit an appeal about an assessment decision.
- 2.5 A complaint or appeal may include, but is not limited to:

Complaints:

- General complaints including dissatisfaction with services
- Marketing and promotional activity
- Personal safety
- Administration
- Behaviors of others
- Equity and access, discrimination, harassment and bullying
- Sexual harassment
- Unfairness and injustice
- Vilification
- Classroom amenities
- Complaints about financial matters, fines and payments,
- Application procedures,
- Exclusions from events and facilities; and
- The use or misuse of personal information, breach of privacy

Academic Grievance:

- Course advice and enrolment
- Suspension and/or cancellation of enrolment

- Program delivery
- Learning resources
- Assessment
- Issue of results, certificates, statement of attainment

Appeals:

- Assessment process and decision
- Participant progress and academic progress decisions

- 2.6 RMTS staff and the complainant/appellant will observe strict confidentiality during all stages of the complaints resolution process. All communications and proceedings arising from the complaints process will remain confidential at the conclusion of the complaint's resolution process.
- 2.7 Face to face contact between the complainant and the person about whom the complaint is made will only occur with the mutual consent of both parties.
- 2.8 All parties are entitled to the involvement of a support person who may be present and involved in all discussions at any stage of the process.
- 2.9 Initial contact and complaint may be lodged verbally, or through an advocate. At all times the complainant will be provided with an opportunity to have their complaint formally recorded.
- 2.10 All formal complaints are required to be submitted in writing, providing details as to any perceived infraction to the Compliance Manager.
- 2.11 Risk Management Training Solutions will:
- a) Acknowledge receipt of written complaints within three (3) business days;
 - b) Regularly update the complainant or appellant on the progress of their complaint or appeal;
 - c) Aim to finalise all complaints and appeals processes within ten (10) working days, or as soon as practicable;
 - d) Inform the complainant or appellant in writing if it considers that more than sixty (60) calendar days will be required to process and finalise the complaint or appeal, including reasons why more than sixty (60) calendar days are required;
 - e) Inform the complainant or appellant in writing of the outcome of their complaint or appeal including the reasons for the decision; and
 - f) Ensure that in relation to assessment appeals, that the original assessment decision will be reviewed by an independent qualified assessor and the appellant notified of the outcome.
- 2.12 Copies of any complaints will be forwarded to the person about whom the complaint is made, and their version of the event requested, in writing, within five (5) business days.
- 2.13 All complaints will be fully reviewed by RMTS Senior Management, with a response being supplied to the complainant and the person about whom the complaint is made within five (5) business days of full information being received.
- 2.14 The complainant may withdraw the complaint or stop the investigation at any stage of the proceedings.



- 2.15 All staff members will be provided with copies of this and any other procedures involving investigation of the complaint and advised of their rights, privileges, and obligations as a member of Risk Management Training Solutions.
- 2.16 RMTS securely maintain records of all formal complaints and appeals and their outcomes on the Complaints and Appeals Register. Only authorised individuals have access to complaints and appeals records. Records are available for the period of five (5) years from the date of the initial complaint.
- 2.17 Following the close of the complaint/appeal, RMTS will internally investigate the cause of the complaint and identify any appropriate corrective actions to reduce the likelihood of the issue reoccurring will be taken. This will form part of our continuous improvement process.

Academic Appeals

- 2.18 All participants have the right to make an academic appeal against an assessment decision. Where a participant is dissatisfied with an assessment the participant should discuss this informally in the first instance with their assessor.
- 2.19 If the issue cannot be resolved informally, a participant can submit a formal academic appeal in writing to the Compliance Manager within ten (10) working days of receiving the academic result.
- 2.20 The academic appeal must include:
 - a. Date and location of the course undertaken
 - b. Name of the trainer
 - c. Reason for the appeal
- 2.21 The Compliance Manager will appoint an independent and impartial assessor to conduct an investigation and make a recommendation.
- 2.22 The Compliance Manager will make the final decision on all formal academic appeals. All parties involved in any formal academic appeal will be advised of the outcome in writing within ten (10) working days of the date of the appeal.
- 2.23 If a participant's formal academic appeal is successful, the academic result will be amended.
- 2.24 A participant whose formal academic appeal is not successful will be advised in writing of the option to lodge a general appeal procedure or contact an external dispute resolution body.

General Appeals

- 2.25 All parties have the right of appeal if they are not satisfied with the findings of the investigation. However, if no appeal has been received within five (5) business days of the delivery of the findings, the matter is deemed to have been closed.
- 2.26 Senior Management will further attempt to resolve the issue following an appeal. If any of the parties involved are still not satisfied, they may seek review of the decision by referring their complaint to ASQA or request that the matter be reviewed by an external dispute resolution body.

- 2.27 RMTS will give due consideration to any recommendations arising from an external review. The costs of an external dispute resolution process must be borne by the complainant and RMTS will inform the complainant of such costs in writing.
- 2.28 Where RMTS considers that the complaint/appeal process may take more than sixty (60) calendar days, all involved parties will be informed in writing, stating the reasons why, and will be updated regularly in writing.
- 2.29 If, following an independent review, no mutual agreement can be arrived at, and the complainant or the person about whom the complaint was made remains unsatisfied with the decision made by RMTS Senior Management, the party may lodge a complaint with National Complaints Hotline on 13 38 73 or by using the [Online Complaint Template](#) at the Department of Education and Training.

Complaints about Risk Management Training Solutions to ASQA

- 2.30 In the case where an individual is unhappy with the services provided by risk Management Training Solutions as a training provider, a complaint can be lodged using ASQA's online complaints portal unless referred by another agency through agreed alternative communication protocols.
- 2.31 A person lodging a complaint about Risk Management Training Solutions to ASQA is asked to disclose their identity to ASQA, however they can request their identity not be disclosed to Risk Management Training Solutions. Where ASQA receives anonymous complaints or is unable to disclose the identity of the person to Risk Management Training Solutions, ASQA's ability to effectively examine the complaint may be limited.
- 2.32 ASQA ensures that any complaint received about Risk Management Training Solutions are processed in accordance with the principles of natural justice and procedural fairness.

3. Definitions

Academic Appeal – is where a participant disputes a decision made about an assessment outcome

Appeal - is where a participant or staff member or stakeholder of RMTS or another interested party disputes a decision arising from a complaint, an assessment decision, or another decision made by RMTS.

Complaint - is any expression of dissatisfaction with an action or service of RMTS. Complaints and appeals can arise from matters of concern relating to:

- training delivery and assessment
- the quality of the training
- materials
- discrimination
- harassment

Natural Justice - is concerned with ensuring procedural fairness. It involves:

- Decisions and processes free from bias
- All parties having the right to be heard
- All parties having a right to know how and of what, they are involved/accused
- Investigating a matter appropriately before a decision is made
- All parties being told the decision and the reasons for the decision

Person – is the someone making the complaint (complainant or appellant) and can be an individual, a group or an entity/organisation.



Third party – an affiliated trainer or training organization that has been accredited to provide training on the behalf of RMTS

4. References

Standards for Registered Training Organisations (RTOs) 2015

Standard 6

Queensland Ombudsman – Complaints Management [Link to Complaints Management](#)