



POLICY & PRACTICE MANUAL IRT COLLEGE

RTO 1.03.829 COMPLAINTS INCIDENTS AND APPEALS

DOCUMENT INFORMATION

APPROVED FOR CIRCULATION

- Committee
 Responsible Member **ELT** Chief Financial Officer, IRT

POLICY STATUS

- NEW** policy **REVISED** policy
Previous Policy No: 1.03.829

REVIEW DUE TO

- Scheduled timetable**
 Legislative Requirement National Vocational Education and Training Regulator Act 2011
Higher Education Support Act 2003
 Business Need Revised policies and procedures to meet regulatory requirements.

DETAILS OF CHANGES

- IRT College major review of all policies and procedures against STANDARDS FOR NVR REGISTERED TRAINING ORGANISATIONS 2011- ESSENTIAL STANDARDS FOR CONTINUING REGISTRATION.
- Previous Policy to be superseded.
- 9/7/2013 Amended references to L&D Coordinator to Operations Coordinator, updated location of Complaint/Grievances/Grievances, Incidents & Appeals Register, reworded section re: inclusion of external body/support person, updated form to Complaint/Grievance Form.
- 25/11/2014 Updated to align to Standards for RTOs 2015 & VET FEE HELP provider requirements.

VERSION DETAILS

Date Written: April 2012
Date Reviewed: 25/11/2014
Date Next Scheduled for Review: July 2015

DISCLAIMER



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RTO 1.03.829 COMPLAINTS INCIDENTS AND APPEALS**POLICY**

IRT College will provide students with a documented process that is publicly available for making complaints or grievances and, if such grievances are related to academic matters such as; assessment outcomes, participants will have access to a fair and equitable appeal process.

Non-Academic Matters**Complaints/Grievances**

Complaints/Grievances may include but are not limited 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 student of the RTO.

Incidents

Incidents may include but are not limited to situations that occur that could lead to negative feedback about IRT College services or staff however, the client/learner has not formally submitted the concern as a Complaint/Grievance. An incident identified by IRT College in any form and must be acted on.

Academic Matters

An appeal is an application by a student for reconsideration of a decision or finding during training and/or assessment made by an IRT College staff member or contracted third party providing services on behalf of IRT College. An appeal must be made in writing and specify the particulars of the decision or finding in dispute. Appeals must be lodged within 28 days of the decision or finding is informed to the student.

PRACTICE**Early resolution for Complaint/Grievances/Grievances and appeals**

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should aim to be resolved at the time they occur between the persons involved.

Relationship to continuous improvement

Frequently, the Complaint/Grievances/Grievances and appeals handling process will expose weaknesses in the training and assessment system that can flow into the continuous improvement system as opportunities for improvement. This outcome of Complaint/Grievances/Grievances and appeals handling is very positive and should be actively applied by all persons involved.

RTO 1.03.829 COMPLAINTS INCIDENTS AND APPEALS**Complaints/Grievances and Incidents Handling Procedure – Non-Academic Matters**

The following procedure is to be followed when a complaint form is received or an incident has been identified by an IRT College Employee member:

- A Complaints and Incidents Form is received by IRT College and is to be immediately recorded into the IRT College Complaints Incidents and Appeals Register.
- Complaints or incidents which are received/identified in other forms such as phone or email, are to be detailed on a Complaints and Incident Form by the person receiving the complaint or identifying the incident and then recorded in the Complaints Incidents and Appeals Register.
- The Complaint Form is to be forwarded to the Operations Coordinator who is to review the matter and make recommendation as to how to respond to the matter. Referral for advice may be made to the General Manager may choose to consult with others within IRT College or relevant agencies external to IRT College in determining their recommendation.
- When such a referral has taken place, the General Manager may choose to make inquiries about the matter or may task another person to research the matter against relevant policy.
- Depending on the nature of the complaint/incident, the General Manager may delegate the issuing of a response to the Operations Coordinator to provide the complainant a response as soon as possible but no later than 10 working days from when the complaint is received.
- The response to the complainant must be made personally either during a meeting or via the telephone with email/written confirmation of discussion. The Operations Coordinator managing the complaint/incident is to seek feedback from the complainant about their level of satisfaction with the complaint outcome and advise the complainant of their options if they are not completely satisfied with the outcome.
- If the complainant is not satisfied with the outcome of the complaint handling, the General Manager may arrange for the complaint to be considered by an appropriate independent third-party such as; LEADR- The Association of Dispute Resolvers (www.leadr.com.au)

Fees will apply as published on the LEADR website at the time of lodging the application to LEADR.

These costs will be equally shared between IRT College and the complainant.

IRT College will implement all matters agreed to within this external process within 30 days, and will give due consideration to all recommendations made by LEADR.

- If the above service is unable to resolve the matter, the student may refer the complaint to ASQA (ASQA). In some cases, ASQA may not be the appropriate body to handle a complaint. ASQA can only deal with complaints about:
 - the information provided to the student by an RTO about the course/s they are interested in;
 - the delivery and assessment of the training the student has received; and
 - the qualifications the student has or has not been issued.

Making a complaint to ASQA

- To make a complaint, students are to complete the *Complaint about a registered training organisation* form located on the ASQA website at www.asqa.gov.au

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- The student can also submit the form by emailing: complaintsteam@asqa.gov.au
- If the student wishes to submit the complaint in hard copy they can print and fill out the form, and post it to:

Complaints team

Australian Skills Quality Authority
GPO Box 9928
Melbourne VIC 3001

- IRT College employees are to provide assistance to students during the complaint handling process. If student's require additional help they may call the ASQA complaints team on 1300 701 801, or email complaintsteam@asqa.gov.au
- The response to the complainant must include information that demonstrates that the matter was thoroughly reviewed and what actions and outcomes have been identified as a result of the complaint.
- Opportunities for improvement that were identified as a result of the complaint are to be recorded in a Continuous Improvement Report and submitted for the next Continuous Improvement Committee meeting. The General Manager may, at his or her discretion, follow-up with the complainant after consideration by the Continuous Improvement Committee to inform the complainant of the improvement actions identified.
- The Complaints and Incidents Register is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the complaint was received to the date the complaint was resolved.

Appeals Handling Procedure – Academic Matters

Applications by students for reconsideration of an unfavourable decision or finding are to be treated with the highest importance. An appeal must be made in writing using the Assessment Decision Appeal Application form provided by the Trainer/Assessor and specify the particulars of the decision or finding in dispute.

Appeals must be lodged within 14 days of when the decision or finding is communicated to the student. The following procedure is to be followed when an application for appeal is received:

- A student appealing and assessment decisions is to be referred immediately to the Operations Coordinator. The Operations Coordinator is to arrange for a re-assessment of the student as soon as possible.
- The student is also to be offered the opportunity to undertake additional training before this re-assessment. The student may be offered up to 2 re-assessments.
- If after the reassessment, the student remains not-yet-competent and is unsatisfied with the assessment outcome, the student is to meet with the Operations Coordinator in person or by phone to discuss the assessment process and the assessment outcome.
- If after consultation with the Operations Coordinator, the student remains unsatisfied with the assessment process, the student is to be offered to pursue the matter as a complaint and the matter is to be dealt with in accordance with the complaint handling procedure.
- If the student is seeking a refund of their tuition fees based on an unfavourable outcome, this may be considered by the General Manager on its merits. If the General Manager does not approve a refund and considers that IRT College has dealt with the matter appropriately and has provided

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the student all reasonable opportunity to demonstrate their competence, the student is to be advised of the opportunity to refer the matter to the Office of Fair Trading in relation to their dispute over the requested refund.

- IRT College Management Committee to inform the applicant of the improvement actions identified.
- The Complaints, Incidents and Appeals Register is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the appeal was received to the date the appeal was resolved.

REGULATORY COMPLIANCE

National Vocational Education and Training Regulator Act 2011

STANDARDS FOR REGISTERED TRAINING ORGANISATIONS 2015

Standard 6. Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

ASSOCIATED FORMS & OTHER DOCUMENTS

- IRT College Management Manual
- IRT College Procedure Manual
- Complaints, Incidents and Appeals Register
- Complaint Form
- Assessment Decision Appeal Application
- Learner Records
- Student Handbook
- See also IRT Policies and Practices- Section 2 PC 2.07 Grievance Procedures