

## Thebarton Senior College RTO

# Complaints and Appeals Policy and Procedures

### Policy Statement

Thebarton Senior College, as an RTO, has a 'Complaints and Appeals Policy' specific to the current operations of the RTO and as required by supporting regulatory compliance requirements.

The Policy includes the defined procedure/s for the following:

- Complaints
- Appeals.

Further, the Policy and Procedure/s named in this document supports the following clauses of the current ['Standards for RTO's 2015'](#):

- Clause 7.1 – Supporting students.
- Clause 5.4 - Keeping students informed.
- Clauses 6.1 to 6.6 – Managing complaints and appeals.

### Policy Context

The RTO is committed to the quality management, quality assurance and continuous improvement of all Vocational and Education Training (VET) products and services it offers to ensure high quality outcomes for all stakeholders.

A complaint or appeal can be made against any decision made by the RTO.

The Complaints and Appeals Policy has been designed to support clear and consistent communication, including the secure storage of information, all related to the conduct of the RTO and its staff. Further, the appropriate and proper handling of matters in relation to complaints and appeals is a fundamental right and expectation of students.

## Policy Outline

Complaints may be made within the content of the operations of the RTO and the conduct of RTO staff including:

- Complaints against the RTO, its trainers, its assessors or other school / RTO staff
- Complaints against students of the RTO
- Complaints any third parties providing services on behalf of the RTO (if relevant).

Complaints may be made to any member of staff of the RTO and at any time. Given the RTO is also collocated with a school, the complaint may be shared with school staff working alongside the RTO.

An appeal can be made to the RTO to request a review of a decision or outcome including decisions related to assessment.

Appeals should be made directly, in the first instance, to the appropriate trainer / assessor. The RTO Manager may be required to provide support and is also available for appeals to made directly.

Thebarton Senior College RTO will ensure that the principles of natural justice and procedural fairness are adopted at every stage of both the complaints and appeals process.

Where a complaint or appeal is received, the following must be undertaken:

- The complaint or appeal must immediately be reported in writing to the RTO Manager.
- The RTO Manager must register the complaint or appeal in the 'Complaints and Appeals Register'.
- The RTO must undertake to address the complaint or appeal and resolve immediately.
- If the complaint or appeal cannot be resolved immediately, the RTO Manager is required to resolve the matter within 60 calendar days of receipt.
- If RTO Manager and College Principal considers that more than 60 calendar days are required to process and finalise the complaint or appeal, the complainant or appellant will be informed of the reasons for the extended timeframe in writing and will be regularly updated on the progress of the matter.

Thebarton Senior College RTO will maintain a secure 'Complaints and Appeals Register', documenting all complaints and appeals received, as well as action/s taken, and decisions made.

Thebarton Senior College RTO will undertake a continuous improvement process that includes reviewing both the details in the Complaints and Appeals Register, and the Complaints and Appeals Policy and Procedures, and take appropriate corrective action to eliminate or mitigate the likelihood of similar problems occurring again.



## Complaints and Appeals Procedures

1. If a complaint relates to a report about harm or safety, refer to your Thebarton Senior College's appropriate Student Protection and Occupational Health, Safe and Welfare (OHSW) procedure/s.
2. On receipt of a **verbal complaint or appeal**:
  - Resolve the complaint or appeal if possible, documenting the complaint / appeal, its cause, action/s taken and decisions made in the secure 'Complaints and Appeals Register'.
  - If the complaint or appeal cannot be promptly and simply resolved, advise that a written record of the complaint or appeal is required.
3. To put a complaint / appeal in writing, advise the complainant / appellant that:
  - they may use the support of a third party in progressing the complaint / appeal;
  - they may lodge the complaint / appeal through the supporting complaints / appeals form; or
  - the RTO Manager can make a written record for them to sign.

In this case, the RTO Manager must note whether the complainant / appellant wants the support of a third party; ensure the complainant signs and dates the form; identify yourself and your role within the RTO; sign and date the form yourself.

4. On receipt of **written complaint or appeal**:
  - if the complaint / appeal is not in relation to the RTO Manager, the RTO Manager is required to enter it into the secure Complaints and Appeals Register.
  - If the complaint is in relation to the RTO Manager, the complaint / appeal must be forwarded to the School Principal to be documented into a separate secure Complaints and Appeals Register, which is kept separate from the main Register.
  - A prompt written acknowledgement to the complainant / appellant should be sent from either the RTO Manager or the School Principal, as appropriate.
  - To resolve the complaint / appeal, the RTO Manager and/or Principal:
    1. discuss the issue / s with the staff member to whom the complaint / appeal was made.
    2. give the complainant / appellant an opportunity to present their case (they may be accompanied by other people as support or as representation as previously noted).
    3. give the relevant staff member, third party or student (as applicable) an opportunity to present their case. They also may be accompanied by other people as support or as representation.
    4. if necessary, convene an independent panel, the Complaints and Appeals Committee, to hear the complaint / appeal. The committee must not have had previous involvement with the complaint / appeal, and must include independent staff of the complaint / appeal.
    5. address the issue/s.
    6. communicate the outcome / decision to all parties in writing within 60 days of receipt of the complaint / appeal.
    7. document the complaint / appeal — including the cause, actions taken and decisions made — in the appropriate secure Complaints and Appeals Register.
  - If the complaint / appeal is not finalised within 60 calendar days of its receipt, inform the complainant / appellant of the reasons in writing and regularly update them on the progress of the matter.