

## Complaints and Appeals Policy

### Policy Statement

Certified Training Resources Australia is committed to providing quality training and services in accordance with the Standards for Registered Training Organisations (SRTOs 2015). This policy provides the framework and general principles for complaints and appeals Certified Training Resources Australia.

This policy is based on providing and maintaining training services that are fair and reasonable and afford a forum where issues or inadequacies can be resolved. The Certified Training Resources Australia process provides adequate opportunity for complaints and appeals to be forwarded to Certified Training Resources Australia management for resolution in a timely, confidential, and sensitive manner. Certified Training Resources Australia will ensure that the principles of natural justice and procedural fairness will be adhered to throughout the hearing of all complaints and appeals.

The object of this policy is to ensure that Certified Training Resources Australia staff act in a professional manner at all times. This policy provides clients with a clear process to register a complaint. It ensures all parties involved are kept informed of the resulting actions and outcomes.

### Scope

Certified Training Resources Australia acknowledges the student's right to lodge a complaint or appeal when they are dissatisfied with the training and/or services and experiences that they have been provided by Certified Training Resources Australia or by a third-party provider (if applicable).

Certified Training Resources Australia ensures that clients have access to a fair and equitable process for expressing complaints and appeals, and that Certified Training Resources Australia will manage the complaint by implementing principles of natural justice and procedural fairness.

With this Certified Training Resources Australia ensures that:

1. it has a procedure for collecting and managing complaints and appeals in a constructive, timely, confidential and sensitive manner;
2. These procedures are communicated to all staff, contractors, third party partners and students;
3. Each complaint and appeals and its outcome are recorded in writing;
4. Complainants and appellants are given written statements or communication of the appeal or complaints handling outcomes, including decisions and reasons for the decisions;
5. Outcomes of complaints and appeals are utilised to review current practices which may potentially lead to continuous improvement initiatives in order to mitigate the likelihood of the complaints and appeals.

### Policy Principles

#### Complaints and Appeals Policy:

1. Details concerning the scope of Certified Training Resources Australia Complaints and Appeals Policy are to be clearly displayed throughout the Certified Training Resources Australia and contained within the Student Handbook, Staff Handbook and Website.
2. Complaints and appeals are treated seriously and dealt promptly, impartially, sensitively and in confidence.
3. Complaints and appeals will be resolved on an individual case basis and as the needs arise.

4. All Certified Training Resources Australia students have the right to express a concern or problem and/or lodge a formal complaint if they are dissatisfied with the training and services they have been provided, including through a third party (if applicable) or the behavioural conduct of another learner or Certified Training Resources Australia.
5. Certified Training Resources Australia supports the right of a student to lodge an appeal against any services decision and will not impair that right in any way. Certified Training Resources Australia will do everything possible to address the appeal in an unbiased and professional manner.
6. The handling of a complaint or appeal is to commence within 10 working days from the date of the lodgement of the complaint or appeal and all reasonable measures are taken to finalise the process as soon as practicable.
7. All complaints and appeals are acknowledged in writing and finalised as soon as practicable. Certified Training Resources Australia will aim to resolve and close the complaints process as quickly as possible and within a total of 30 calendar days. Certified Training Resources Australia will keep the learner informed of the progress of the complaint throughout the process by phone communication, email correspondence or face-to-face meeting.
8. If the complaint will take in excess of 60 calendar days to finalise, Certified Training Resources Australia will inform the complainant in writing providing the reasons why more than 60 calendar days are required.
9. All complaints will be recorded in the Certified Training Resources Australia Complaints and Appeals Register and on the student record in the Student Management System. These records including the outcomes will be secured and maintained by Certified Training Resources Australia.
10. No Certified Training Resources Australia shall disclose information to any person without the permission of the Training Manager, A decision to release information to third parties can only be made after the complainant is given permission for this to occur.

### **Types of Complaints**

A complaint or grievance may include allegations involving the conduct of:

1. the RTO, its trainers and assessors or other staff members;
2. a third party providing services on behalf of Certified Training Resources Australia; or
3. a student of Certified Training Resources Australia.

### **Grounds for Appeal**

Valid grounds for an appeal against a training decision (where the client feels the training decision is incorrect) could include the following:

1. the judgment as to whether competency has been achieved and demonstrated was made incorrectly;
2. the judgement was not made in accordance with the training plan;
3. alleged bias of the assessor;
4. alleged lack of competence of the assessor;
5. alleged wrong information from the assessor regarding the training process;
6. alleged inappropriate training process for the particular competency;
7. faulty or inappropriate equipment; and/or
8. inappropriate conditions.

### **Appeal Outcomes**

1. Appeal is upheld; in this event the following options will be available:

- a. The Certified Training Resources Australia training will be re-assessed, potentially by another assessor.
  - b. Appropriate recognition will be granted.
2. Appeal is rejected / not upheld; in accordance with the Certified Training Resources Australia policy, the client will be required to:
- a. undertake further training or experience; or
  - b. re-submit further evidence; or
  - c. submit / undertake a new assessment

### **Complaints and Appeals Process**

1. Certified Training Resources Australia adopts the principles of natural justice and procedural fairness at every stage of the complaints and appeals process. Certified Training Resources Australia handles and manages all complaints and appeals in accordance to the **Complaints Handling Process and Appeals Process** document.
2. Students are provided with a clear process to follow in order to lodge a complaint or an appeal. All parties involved will be kept informed of the resulting actions and outcomes.
3. If a student has a complaint, they are encouraged to speak immediately with the trainer / assessor to resolve the issue. If the complainant is not satisfied that the issue has been resolved, they will be asked to complete a **Complaints Form** and lodge a formal complaint.
4. The complaint resolution procedure is based on the understanding that no action will be taken without consulting the complainant and respondent, using a process of discussion, cooperation and conciliation. The rights of the complainant and respondent will be acknowledged and protected throughout the complaint resolution process, including the conduct of separate interviews initially.
5. In the interest of confidentiality, the number of people involved in the resolution process will be kept to a minimum. All complaints will be handled as staff-in-confidence and will not affect or bias the progress of the client in any current or future training.
6. Final decisions will be made by the Training Manager of Certified Training Resources Australia or an independent party to the complainant.
7. If the complaints process fails to resolve the complaint or the complainant is not satisfied with the outcome of the complaint, the matter will be referred to an independent third party for review, at the request of the complainant. The complainant will be advised of all costs incurred by the third party review.
8. Certified Training Resources Australia reserves the right to nominate or agree to the independent party and will cooperate fully with the independent third-party review.

### **Consumer Protection Officer**

At Certified Training Resources Australia, the Training Manager will be appointed the Consumer Protection Officer. The Consumer Protection Officer will be the primary point of contact for all complaints and appeals.

The Training Manager may delegate responsibility for the resolution of the complaint and appeal if necessary. Certified Training Resources Australia will ensure that its staff and those acting on its behalf in accordance with the Certified Training Resources Australia's Code of Conduct and Appeals Policy.

## Procedure

### Complaints Handling Procedure

No.	Person/s Responsible	Steps to take
1	Complainant	<p>(1) Prior to lodging a formal complaint, complainants are encouraged to attempt informal resolution with relevant individuals:</p> <ol style="list-style-type: none"> <li>Privately between concerned parties</li> <li>With the help of trainer/assessor or training manager</li> </ol> <p>(2) Where dispute cannot be resolved informally, lodge a formal complaint using the Complaints Lodgement Form. The Complaints Lodgement Form is available:</p> <ol style="list-style-type: none"> <li>Via email to <a href="mailto:training@ctra.com.au">training@ctra.com.au</a></li> <li>Student Handbook (appendix)</li> <li>Requested from any RTO staff (trainer / assessor / admin)</li> </ol>
2	Student Support Services	<p>Receiving a complaint</p> <ol style="list-style-type: none"> <li>Upon receiving a complaint, reply to the complainant via email and acknowledge the receipt of the complaint and provide complaint processing timeframes.</li> <li>The complaint response acknowledgement timeframes are within 10 working days.</li> <li>The complaint resolution timeframes are within 30 days.</li> <li>Update the Complaints Register with relevant information</li> <li>Forward the complaint to the relevant personnel <ol style="list-style-type: none"> <li>If the complaint is about another student, forward the complaint to the trainer/assessor</li> <li>If the complaint is about a trainer/assessor, forward the complaint to the Training Manager/General Manager/CEO.</li> <li>If the complaint is about Certified Training Resources Australia, forward the complaint to the Training Manager/General Manager/CEO.</li> </ol> </li> </ol>
3	Person Responsible (Training Manager / CEO)	<p>Processing a formal complaint</p> <ol style="list-style-type: none"> <li>Aim to resolve the complaint as quickly as possible and within 30 days from the time action item was assigned or within timeframe specified by the Consumer Protection Officer. Actions which may be taken may include but are not limited to: <ol style="list-style-type: none"> <li>Discussing the facts of the complaint with the complainant.</li> </ol> </li> </ol>

		<ul style="list-style-type: none"> <li>b. Where appropriate and applicable, discuss the complaint with the respondent giving details of the complaint and complainant, giving cause to procedural fairness.</li> <li>c. Where appropriate and applicable, encourage and facilitate the disputants to engage in mediation on an informal level.</li> <li>d. Interview all parties individually, including any witnesses</li> <li>e. Conduct interviews privately and confidentially</li> <li>f. Where applicable, report the outcome of the meeting with the respondent to the complainant.</li> <li>g. Seek preferred outcome from each of the parties.</li> <li>h. Communicate with the student every time actions are taken and decisions once complaint has been resolved.</li> <li>i. Where appropriate, facilitate a dispute resolution meeting with parties involved</li> </ul> <p>(2) Where the parties cannot agree on a suitable resolution, provide the resolution you find most suitable and fair for all parties involved. Inform parties that they have the option to engage a third party / external arbitrator for a review of the complaints process (i.e. Training Ombudsman, Office of Fair Trading, Magistrate / Tribunal etc.). The complainant may recommend any Independent third party / external arbitrator to may facilitate review. Where fees apply, this will be shouldered by the complainant.</p> <p>(3) Once resolution is finalised, document the details in an email sent to both parties as soon as resolution is reached. Send email with subject heading: 'Complaint Resolution'. Copy Admin in the email.</p>
4	Student Support Services	<p>Closing a Complaint</p> <ul style="list-style-type: none"> <li>(1) Upon receiving the 'Complaint Resolution' email, update the log in the Complaints and Appeals Register.</li> <li>(2) Where additional action items are required as a result of the complaint, implement action items and lodge the action items in the Continuous Improvement Register. Tag the action item as resulting from the Complaints and Appeals Process.</li> <li>(3) All fields MUST be completed. If additional information is required to fill out the Complaints and Appeals Register or the Continuous Improvement Register, follow-up with the Person Responsible (<b>Trainer/ Training Manager/ General Manager/ CEO</b>). See Continuous Improvement Policy for more details</li> <li>(4) Change status on the Complaints and Appeals Register as 'closed' and file the document with the student's records.</li> </ul>

### Appeals Handling Procedure

No.	Person/s Responsible	Steps to take
1	Appellant	<ul style="list-style-type: none"> <li>(1) Prior to lodging a formal appeal, appellants are encouraged to attempt informal resolution with relevant individuals: <ul style="list-style-type: none"> <li>a. Privately between concerned parties</li> </ul> </li> </ul>

		<p>b. With the help of trainer/assessor or training manager</p> <p>(2) Where appeal cannot be resolved informally, lodge a formal Appeal using the Appeals Lodgement Form. The Appeals Lodgement Form is available:</p> <ol style="list-style-type: none"> <li>Via the website</li> <li>Student Handbook (appendix)</li> <li>Requested from any RTO staff (trainer / assessor / admin)</li> </ol> <p>(3) Complete the <b>Appeals Lodgement Form</b></p>
2	Student Support Services	<p>Receiving an appeal</p> <p>(1) Upon receiving the Appeals Lodgement Form response, reply to the complainant via email and acknowledge the receipt of the complaint and provide complaint processing timeframes</p> <p>(2) Update the Appeals Register with relevant information</p> <p>(3) Forward the appeal to the relevant personnel</p> <ol style="list-style-type: none"> <li>If the appeal is about the outcome of an assessment, forward the complaint to the trainer/assessor</li> <li>If the appeal is about the outcome of a complaint process, forward the complaint to the CEO.</li> <li>If the appeal is about the other decisions made by the RTO, forward the complaint to the Training Manager/General Manager/CEO.</li> </ol>
3	Person Responsible (Training Manager / CEO)	<p>Processing an appeal</p> <p>(1) Aim to resolve the appeal as quickly as possible and within 30 days from the time action item was assigned or within timeframe specified by the Consumer Protection Officer. Actions which may be taken may include but are not limited to:</p> <ol style="list-style-type: none"> <li>Discussing the facts of the appeal with the appellant</li> <li>Reviewing all documentation and process</li> <li>Conducting re-training and/or re-assessment</li> <li>Where appropriate and applicable, encourage and facilitate the disputants to engage in mediation on an informal level.</li> <li>Interview all parties individually, including any witnesses</li> <li>Conduct interviews privately and confidentially</li> <li>Where applicable, report the outcome of the meeting with the respondent to the complainant.</li> <li>Seek preferred outcome from each of the parties.</li> <li>Communicate with the student every time actions are taken and decisions once complaint has been resolved.</li> <li>Where appropriate, facilitate a dispute resolution meeting with parties involved</li> </ol> <p>(2) Where the parties cannot agree on a suitable resolution, provide the resolution you find most suitable and fair for all parties involved. Inform parties that they have the option to engage a third party / external arbitrator for a review of the appeals process (i.e. Training Ombudsman, Office of Fair</p>

		<p>Trading, Magistrate / Tribunal etc.). The appellant may recommend any Independent third party / external arbitrator to may facilitate review. Where fees apply, this will be shouldered by the appellant.</p> <p>(3) Once resolution is finalised, document the details in an email sent to both parties as soon as resolution is reached. Send email with subject heading: 'Appeal Resolution'. Copy Admin in the email.</p>
4	Student Support Services	<p>Closing an appeal</p> <p>(1) Upon receiving the 'Appeal Resolution' email, update the log in the Complaints and Appeals Register.</p> <p>(2) Where additional action items are required as a result of the complaint, implement action items and lodge the action items in the Continuous Improvement Register. Tag the action item as resulting from the Complaints and Appeals Process.</p> <p>(3) All fields MUST be completed. If additional information is required to fill out the Complaints and Appeals Register or the Continuous Improvement Register, follow-up with the Person Responsible (<b>Trainer/ Training Manager/ General Manager/ CEO</b>). See Continuous Improvement Policy for more details</p> <p>(4) Change status on the Complaints and Appeals Register as 'closed' and file the document with the student's records.</p>

### Monitoring and Improvement

All complaints and appeals will be discussed at Management Meetings and/or at Continuous Improvement Meetings to identify potential causes of complaints or appeals, to discuss appropriate corrective action to eliminate or mitigate the likelihood of re-occurrence, and to identify an opportunity for continuous improvement of the processes.