

# Complaints and Appeals Policy



## Policy Overview

DRS TQM TRAINING SERVICE PTY. LTD recognises the need for students, staff and other clients to have confidence that the Registered Training Organisation (RTO) will deal with grievances in a fair and equitable manner based on procedures that are appropriate, accessible and easily understood.

The RTO describes a grievance as a complaint arising from any situation within the control of the RTO, which causes a student or staff member serious discomfort, concern or distress.

### The following issues are not considered grievances within the scope of this policy:

- Maintenance issues (such as broken furniture or equipment). These should be referred to a member of staff.
- Accidents/incidents (such as tripping, slipping, burning).
- Appeals against results (for example, failing a unit or getting a low grade in an assignment). Issues should be discussed with trainer and/or assessors and if required a formal appeal can be made to the Training Manager.

### The RTO will deal with grievances according to the following principles:

- Grievances will be resolved informally wherever possible
- Grievance will be resolved as close as possible to the source of dissatisfaction
- Grievance procedures will be widely advertised
- People will be given the details of any allegation against them and will have the opportunity to put their side of the story before a resolution is attempted
- Proceedings should be conducted honestly, promptly and without bias.
- Issues that are of a criminal or legal nature may be referred to the police or appropriate legal agents.

Any student, staff member or person involved with the RTO can express a grievance about any person, procedure or event associated with the RTO.

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<b>Document Title</b>	Complaint and Appeals Policy	<b>Approved</b>	RTO/Training Manager	
<b>Version</b>	1.2 (Modified – July 2015)	<b>Authorised</b>	CEO	
<b>AQTF Standard(s)</b>	AQTF Essential Standards for Registration	<b>Distribution</b>	Internal	RTO Staff, RTO Students
			External	Prospective Students, General Public

## Confidentiality

In accordance with DRS TQM TRAINING SERVICE PTY. LTD privacy policy, all parties involved in the grievance procedure will maintain complete confidential –unless approval to disclose is granted – and respect for the privacy of others.

## Complaints Procedures Relating to Training Matters

DRS TQM TRAINING SERVICE PTY. LTD believes that it is advantageous for complaints to be resolved wherever possible and appropriate, at the local level with a minimum of formal procedures.

Any students who feel they have been unfairly dealt with in relation to a training matter should submit in writing the exact reason for concern, making a note of instances and when they occurred. Such complaints and grievances from students will be directed to the Training Manager. DRS TQM TRAINING SERVICE PTY. LTD has the rights to prescribe Training Package Rules and disciplinary measures.

**The National Training Complaints Hotline is accessible on 13 38 73 and is available Monday to Friday, from 8am to 6pm.. Student can also send complaints via email to [skilling@education.gov.au](mailto:skilling@education.gov.au).**

The following complaints procedure will be used in dealing with complaints made by DRS TQM TRAINING SERVICE PTY. LTD students relating to training matters:

Processes to be followed	By Whom	By When	Policy Statement/ Relevant Documents
<b>1.0</b> The student and the Training Manager meet and confer on the matter	Training Manger Student	within 5 working days of the initial receipt of the complaint	Complaints Appeal Form
<b>2.0</b> If the matter is not resolved at such a meeting, the parties shall arrange for further discussion between the student and their nominated representative with the CEO.	Student & Representative CEO	within 5 working days of meeting	Complaints Appeal Form

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Processes to be followed	By Whom	By When	Policy Statement/ Relevant Documents
<b>3.0</b> If the matter cannot be resolved it may be referred to a mediator through DRS TQM TRAINING SERVICE PTY. LTD independent grievance handing/dispute resolution process	Student & Representative CEO Mediator	(within 10 working days of meeting).	Policy Statement
<b>4.0</b> While the parties attempt to resolve the matter, the student will continue to attend classes as normal unless the student has a reasonable concern about an imminent risk to his or her health and safety.	Student	At all times	Policy statement
<b>5.0</b> DRS TQM TRAINING SERVICE PTY. LTD will deal with reported complaints as expeditiously as the circumstances of the complaints allow. This dispute resolution process does not circumscribe a student's rights to pursue other legal remedies.	Training Manger CEO	At all times	Policy Statement

### Complaints Procedures Relating to Non-Training Matters

DRS TQM TRAINING SERVICE PTY. LTD believes that it is advantageous for complaints to be resolved, wherever possible and appropriate, at the local level with a minimum of formal procedures.

Students or persons who seek to enrol in a course of study at DRS TQM TRAINING SERVICE PTY. LTD, who feel they have been unfairly dealt with in relation to a non-academic matter should write to the Training Manager outlining the exact reason for concern. Such complaints and grievances will be directed initially to an Administrator.

### External Complaints Procedures

If the complainant requests involvement by Australian Council for Private Education and Training (ACPET), the process detailed below will be followed by the CEO

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<b>Processes to be followed</b>	<b>By Whom</b>	<b>By When</b>	<b>Policy Statement/ Relevant Documents</b>
<b>1.0</b> Acknowledge the request in writing	Administrator	within 5 working days	Policy statement Complaint Form
<b>2.0</b> Contact the respondent to advise that the complainant is pursuing an external complaint avenue and give them with the opportunity to provide any further information in regards to their actions or the decision made by them.	Administrator	within 5 working days of meeting	Policy statement
<b>3.0</b> Contact ACPET within 24 hours of receiving the request for ACPET involvement. ACPET will organise a Round Table Conference.	CEO	within 10 business days	Policy statement
<b>4.0</b> If the complaint remains unresolved, the complainant can request mediation. DRS TQM TRAINING SERVICE PTY. LTD will pay for the cost of mediation.	CEO	As required	Policy statement
<b>5.0</b> Australian Council for Private Education and Training (ACPET) will arrange an independent professional Mediator.	ACPET	within 14 business days	Policy statement

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<p><b>6.0</b> ACPET will not take part in the formal mediation. At the end of the mediation session, DRS TQM TRAINING SERVICE PTY. LTD and the complainant will sign an “agreement” agreeing to the outcomes of the mediation.</p> <p><b>External Independent Mediator:</b> <b>Australian Council for Private Education and Training (ACPET)</b> E-mail <a href="mailto:acpet@acpet.edu.au">acpet@acpet.edu.au</a> ; Website <a href="http://www.acpet.edu.au">www.acpet.edu.au</a></p>	ACEPT CEO	As required	Policy statement Agreement
<p><b>7.0</b> The CEO will ensure that any recommendations stated in the agreement are implemented.</p>	CEO	within 14 business days	Policy statement
<p><b>8.0</b> The complainant and respondent will be notified in writing of any action(s) taken by the RTO as a result of the mediation</p>	CEO Complainant	As required	Policy statement
<p><b>9.0</b> All complaints and appeals are recorded and reviewed.</p> <p>Results of all appeals are communicated in writing to the student and a copy of this communication is also kept on file, both on the complaints and appeals register and in the student’s individual file.</p>	Training Manager Administrator	As required	Policy statement

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Processes to be followed	By Whom	By When	Policy Statement/ Relevant Documents
<b>10.0</b> Alternatively the complainant may wish to lodge a complaint or seek further advice by contacting the National Training Complaints Hotline on: 1800 000 674	Complainant	As required	Policy statement
<b>11.0</b> The CEO will be the person responsible for the implementation and maintenance of the policy.	CEO	At all times	Policy Statement

## Appeals Process

An appeals and reassessment process is an integral part of all training and assessment pathways leading to a nationally recognised qualification or Statement of Attainment under the Australian Qualification Framework and in accordance with the Australian Quality Training Framework.

A fair and impartial appeals process is available to all students of DRS TQM TRAINING SERVICE PTY. LTD. If a student wishes to appeal his/her assessment result, he/she must first discuss the issue with the trainer/assessor.

If the student would like to proceed further with the request after discussions with the trainer/assessor a formal request is made in writing outlining the reason(s) for the appeal.

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## Grounds for Appeal

An application for appeal will be considered where:

- A student claims a disadvantage because the trainer did not provide a subject outline
- A student claims disadvantage because the trainer varied without consultation or in an unreasonable way the assessment requirements as specified in the subject outline
- A student claims disadvantage because assessment requirements specified by the trainer were unreasonably or prejudicially applied to him or her
- A student is of the view that a clerical error has occurred in the documenting of the assessment outcome
- A student claims that there is a discrepancy between the practical observation and the formal assessment.

If the appeal for re-assessment is proven, DRS TQM TRAINING SERVICE PTY. LTD will appoint an independent assessor who will make all necessary arrangements to conduct the re-assessment of the student at a time that is mutually convenient for all parties concerned.

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# Complaints & Appeals Form



## Instructions to Applicant

- 1) Complete this form and submit to the RTO Manager or Year Level Coordinator as soon as possible.
- 2) Clearly state the nature of your complaint and, if appropriate, indicate what evidence you have to support your claim.
- 3) All complaints will be treated seriously and you may be required to discuss the complaint with senior staff members.
- 4) You will be formally notified of the outcome of your complaint.

Student Name: \_\_\_\_\_ Student ID: \_\_\_\_\_

**Describe your complaint / appeal**

**What action have you taken to try and resolve this complaint / appeal?**

**Do you have a suggested remedy to the problem?**

I hereby declare that the information provided on this form is true and correct.

Student's Signature: \_\_\_\_\_ Date \_\_ / \_\_ / \_\_\_\_

RTO/Training Manager's Comments/Actions:

RTO/Training Manager's Signature: \_\_\_\_\_ Date \_\_ / \_\_ / \_\_\_\_

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