

LEARNING - POLICIES & PROCEDURES

Policy Title	Complaints & Appeals Policy & Procedure
Date	June 2024
Review Date	June 2026
Authority	Head of Learning
Responsibility	Compliance Manager
Standards (SRTOs)	Standard 6; Clauses 6.1, 6.2, 6.3, 6.4, 6.5 & 6.6

PURPOSE:

The purpose of this policy and procedure is to outline ASFA Learning’s approach to managing complaints and appeals of students, clients, staff and other members of the community in relation to its Registered Training Organisation (RTO). It provides a transparent approach for all learning related complaints and appeals to be addressed in a fair, efficient and confidential manner. This policy and procedure ensures compliance with Standard 6 of the Standards for RTOs 2015.

SCOPE:

This policy and procedure applies to students, clients, staff and other members of the community regarding the conduct of the RTO, its trainers, assessors or other staff, a third party providing services on the RTO’s behalf, or a learner of the RTO.

POLICY:

Nature of complaints and appeals

- For the purposes of this Policy and Procedure, ASFA has adopted the *Australian Standard: Customer Satisfaction – Guidelines for complaints handling in organisations AS ISO 10002-2006* definition of a Complaint, which is: ‘any expression of dissatisfaction made to ASFA Learning, its related products or the complaints handling process itself, where a response or resolution is explicitly or implicitly expected.’
- ASFA responds to all allegations involving the conduct of:
 - the RTO, its trainers and assessors and other staff
 - any third party providing Services on behalf of ASFA
 - any student or client of ASFA.
- Complaints may be made in relation to any of ASFA’s training services and activities such as:
 - the enrolment process
 - marketing information
 - the quality of training and assessment provided
 - training and assessment matters, including student progress, student support and assessment requirements
 - learning systems used by the RTO
 - the way someone has been treated
 - discrimination or harassment
 - the actions of ASFA staff or another student.

- An appeal is a request for a decision made by ASFA to be reviewed. Decisions may have been about:
 - course enrolments
 - access to support services
 - refund assessments
 - responses to a complaint
 - assessment outcomes / results
 - academic misconduct
 - other general decisions made by ASFA.

Principles of resolution

- ASFA is committed to a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice. Through this policy and procedure, ASFA ensures that complaints and appeals:
 - are responded to in a consistent and transparent manner
 - are based on evidence that is relevant, sufficient, current and authentic
 - are responded to promptly, objectively, with sensitivity and confidentiality
 - are reviewed by an impartial person who was not involved in the original issue
 - are able to be made at no cost to the individual
 - are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.
- ASFA will inform all persons or parties involved in any allegations made as well as providing them with an opportunity to present their side of the matter.
- Nothing in this policy and procedure limits the rights of an individual to take action under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.
- Where a student chooses to make a complaint or appeal, ASFA will maintain the student's enrolment while the complaint / appeal handling process is ongoing.

Timeframes for resolution

- Complaints and appeals will be finalised as soon as practicable or at least within 30 calendar days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time that the matter is resolved.

Records of complaints and appeals

- ASFA maintains a record of all complaints and appeals and their outcomes on the *Complaints and Appeals Register*, which is securely stored according to ASFA's *Privacy Policy and Procedure*.

Making a complaint or appeal

- Complaints may be made by letter, email, in person or via phone.
- Complaints will be acknowledged in writing within 5 business days of the date of receipt of the complaint by ASFA. In some instances, ASFA may request that the complainant provide further information in writing to ensure that the complaint can be properly investigated and considered.

Resolution of complaints and appeals

- The Complaints Resolution Manager is an employee of ASFA who is appointed by the CEO to be responsible for the monitoring, investigation and handling of Complaints.
- Where a complaint or appeal involves another individual or organisation, they will be given the opportunity to respond to any allegations made.

- Where a third-party delivering Services on behalf of ASFA is involved, they will be included in the process of resolving the complaint or appeal.
- In the case of an assessment appeal, an assessor who is independent from the original decision will assess the original task again. The outcome of this assessment will be the result granted for the assessment task.

Independent parties

- ASFA acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter. Costs associated with independent parties to review a matter must be covered by the complainant / appellant unless the decision to include an independent party was made by ASFA.
- ASFA may also appoint an independent party to be
- ASFA may also appoint an independent party to be involved in the resolution of a complaint or appeal where it is deemed necessary.
- ASFA will provide complete cooperation with the independent party investigating the complaint/appeal and will be bound by the recommendations arising out of this process.
- ASFA's Compliance Manager will ensure that any recommendations made are implemented within twenty (20) days of being notified of the recommendations. The complainant or appellant will also be formally notified in writing of the outcome of the mediation.

Review and improvement

- All Complaints and Appeals will be reviewed by ASFA's Compliance Manager and used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.
- Areas of improvement identified during the review process may be in relation to policies, procedures, or practices of ASFA and will be added to ASFA's *Continuous Improvement Register* and a plan will be put in place for implementing and monitoring improvements.

Publication

- This policy and procedure will be published on ASFA's website and outlined in the *Student Handbook*.

External complaint avenues

- Complaints can also be made via the following avenues:
 - National Complaints Hotline: <https://www.dewr.gov.au/national-training-complaints-hotline>
 - Australian Skills Quality Authority (ASQA): <https://www.asqa.gov.au/about/complaints/complaints-about-training-providers>

PROCEDURE:

- Complaint or appeal to be made by letter, email (learning@superannuation.asn.au), in person or via phone (02 8079 0855).
- ASFA will acknowledge receipt of the complaint or appeal in writing by sending an email or letter to the complainant within 5 working days of receipt.
- ASFA will record details of the complaint or appeal on the *Complaints and Appeals Register*.
- The matter will be investigated and appropriate parties notified.

- If required, an independent party may be involved to resolve particularly complex matters or in situations where there may be bias. ASFA will co-operate fully in the process of the external party reviewing and investigating the matter.
- An appropriate response will be decided. Where deemed necessary, the matter may be reviewed by other members of the ASFA Leadership Team or ASFA Board to arrive at an appropriate resolution.
- A written response will be provided to the complainant outlining:
 - ASFA's understanding of the complaint or appeal
 - the steps taken to investigate and resolve the complaint or appeal
 - decisions made about resolution, with reasons for the decisions made
 - areas that have been identified as possible causes of the complaint or appeal and improvements to be recommended
 - next steps if they are not satisfied with the outcome of the complaint and appeals process.
- Compliance Manager to update the *Complaints and Appeals Register* so it includes the outcome of the complaint or appeal.
- Copies of the complaint or appeal and supporting documents to be recorded in line with ASFA's *Privacy Policy & Procedure*.
- Update the Continuous Improvement Register if applicable for any improvements to be made.