

# Complaints & Appeals

## Policy & Procedure

The purpose of this policy and procedure is to outline the process for managing complaints and appeals related to training and assessment services provided by ABC Training & Consulting (ABC). This policy and procedure aims to ensure that all complaints and appeals are addressed in a fair, timely, and effective manner.

This policy and procedure applies to all stakeholders of ABC, including students, trainers and assessors, staff, and external parties.

### Definitions

A complaint is an expression of dissatisfaction about a service provided by ABC that is not resolved immediately.

An appeal is a request for a review of an assessment decision or an academic decision.

### Policy

ABC Training and Consulting is committed to providing students, staff, and stakeholders with the best possible environment in which to study or work, however, we acknowledge that mistakes happen, and, in some cases, this can result in dissatisfaction with our services/staff/organisation.

ABC Training and Consulting invites feedback from dissatisfied parties so that a resolution can be found. ABC Training and Consulting will address any complaint or appeal for academic and non-academic issues raised in a constructive and timely manner. Every attempt will be made to resolve complaints and appeals through consultation, cooperation, and discussion.

All complaints and appeals will be viewed by ABC Training and Consulting as an opportunity to improve, and complainants will not be victimised or discriminated against for:

- Seeking review or reconsideration of a design; or
- Using ABC's processes or procedures about dealing with grievances; or

- Making an application for re-crediting of a HELP Balance under Div 2 or 3 of Part 6 of the VET Student Loans Act 2016.

ABC will not charge for any part of this process.

A complaint or appeal can be lodged by using the Complaints and Appeals form, available on request from ABC Training, or on the ABC website – [abctraining.edu.au](http://abctraining.edu.au).

## **Procedure**

### **INTERNAL COMPLAINTS**

#### **Complaints**

1.1. Students are encouraged to approach ABC informally via email, phone, or in-person if available. Once a complaint or appeal is received, ABC Training and Consulting will acknowledge receipt via email within two (2) working days.

1.2. If the complaint cannot be easily resolved, it will be escalated and the complainant will be asked to complete a Complaints and Appeals Form which can be obtained from ABC Training and Consulting.

1.3. The Complaints and Appeals Form will be used to complete the Quality Improvement Register which is used to record the details of the complaint and maintain a journal of events during the process. Any amendments that are made to business practices and/or documentation because of the complaint/appeal are also recorded in this register.

1.4. ABC Training and Consulting shall maintain all relevant paperwork of the complaint or appeal during the process unless otherwise directed by a regulatory authority. Any records relating to a complaint or appeal are stored securely and archived in line with our internal data retention policies to prevent unauthorised access. Records relating to the complaint can be accessed by request.

1.5. Decisions or outcomes of a complaint or appeal that is found to be in favour of the complainant shall be implemented immediately and the complainant informed in writing. ABC Training and Consulting adopts the principles of natural justice and procedural fairness by informing all parties involved in the allegations and allowing them to tell their side of the story before a final judgement is made.

1.6. Every effort will be made to resolve all complaints and appeals within sixty (60) days of the lodgement of the complaint/appeal. Where ABC Training and Consulting considers

more than sixty calendar days are required to process and finalise the complaint/appeal, the CEO will inform the complainant in writing outlining the reasons for the delay.

1.7. If a resolution cannot be reached, the matter will be referred to a complaint and appeal panel consisting of:

- The relevant ABC Training and Consulting staff member (if applicable)
- The CEO of ABC Training and Consulting
- The complainant (and legal guardian if applicable)
- A representative of the complainant's employer (if applicable)
- An adviser for the aggrieved party (optional)

1.8. When a resolution has been achieved, the complainant will receive a written response within seven (7) working days outlining the reasons for the outcome.

1.9. ABC Training and Consulting will ensure that their decisions are in line with all relevant Legislative Acts which govern the employment of staff. If anyone feels they have been unfairly treated, they may consult with the relevant Government Department.

## Appeals

2.1. ABC Training and Consulting provides the opportunity for any persons making a complaint or appeal who are not happy with the outcome to formally appeal the decision via a Request for Appeal Form and send it through to [info@abctraining.edu.au](mailto:info@abctraining.edu.au). Parties at this stage may be accompanied or assisted by another person, at their own cost.

2.2. The appeal will be reviewed by the senior management team, and an outcome delivered within thirty (30) working days.

2.3. The response to the appeal will include the reasons for the decision, as well as further advice to have the decision reviewed externally, which can also be found in this procedure.

## EXTERNAL COMPLAINTS

3.1. Where the complainant/appellant is not satisfied with the handling of the matter by ABC Training and Consulting, they can take the matter to an external agency. Options for escalation include (but are not limited to):

- The Australian Quality Skills Authority (ASQA) – [www.asqa.gov.au](http://www.asqa.gov.au)
- The QLD Department of Employment, Small Business and Training (DESBT) – [www.desbt.qld.gov.au](http://www.desbt.qld.gov.au)
- NSW Smart and Skilled – [www.smartandskilled.nsw.gov.au](http://www.smartandskilled.nsw.gov.au)
- Skills Canberra – [www.skills.act.gov.au](http://www.skills.act.gov.au)
- Skills Tasmania – [www.skills.tas.gov.au](http://www.skills.tas.gov.au)
- Australian Apprenticeships Northern Territory – [www.australianapprenticeshipsnt.com.au](http://www.australianapprenticeshipsnt.com.au)
- Victoria Registration and Qualifications Authority – <https://www.vrqa.vic.gov.au/>

3.2. VSL students that disagree with the outcome of an external appeal, can contact the Commonwealth VET Student Loans Ombudsman. For more information go to <https://www.ombudsman.gov.au/How-we-can-help/vslo>

3.3. Parties at this stage may be accompanied or assisted by another person, at their own cost.

3.4. ABC Training and Consulting will co-operate with any investigation or request for information made by an authorised agency that has been referred to an escalated complaint or appeal. Written confirmation from the complainant/appellant may be required providing permission for ABC Training and Consulting to include the third party in communications or provide them with records. All parties to the external appeal will be provided with written notices of the decision(s) on review, including any and all reasoning.

3.5. Should a VSL student wish to cancel their enrolment in an approved course, or a part of an approved course, after the census day for the course, ABC Training and Consulting will provide the student with at least 28 days to initiate grievance procedures before the cancellation takes final effect and provide for the cancellation to take final effect only after any grievance procedures initiated by the student have been completed.

3.6. If the appellant is seeking a refund of their tuition fees based on an unfavourable outcome, this may be considered by the Chief Executive Officer on its merits. If the Chief Executive Officer does not approve a refund and considers that ABC Training and Consulting has dealt with the matter appropriately, the student is to be advised of the

opportunity to refer the matter to the Office of Fair Trading about their dispute over the requested refund.

3.7. For all other students that have been through all stages of this grievance handling process and remain unsatisfied with the outcome of their grievance, may:

- Contact the Australian Skills Quality Authority (ASQA). For contact details and information please see: [www.asqa.gov.au/complaints](http://www.asqa.gov.au/complaints)

ASQA accepts complaints and feedback about training providers from all members of the community. Note: ASQA do not appeal assessment outcomes for Students, they also do not help to resolve disputes between students and training providers.

## **Recording and Reporting**

4.1. All Complaints and Appeals will be recorded in the ABC QIR Register.

4.2. All QIRs related to a specific student are recorded in the Client Notes in aXcelerate.

4.3. The Quality Manager will report to the ABC Management Team on the outcomes of all QIRs on a weekly basis.

4.4. The ABC Management Team will use this information to inform its strategic planning and decision-making processes.

## **Confidentiality**

5.1. ABC will maintain the confidentiality of all Complaints and Appeals and will only share information with relevant stakeholders as required to resolve the issue.

## **Continuous Improvement**

6.1. ABC will review and update this policy and procedure annually or as required to ensure that it remains effective and relevant.

6.2. ABC will seek feedback from stakeholders on the effectiveness of the Complaints & Appeals process and use this feedback to inform future improvements.

Approved by: Nathan Baratta CEO

Date: 01/05/2023

## Document Control

Version Number	Purpose/Changes	Author	Date
4.0	Updates to references to QIR. Minor formatting changes	Alescia Nicholas	01/05/2023
4.1	Design changes	Chelsea Geils	18/05/2023