

Complaints and Appeals

1.0 Purpose

- 1.1 The purpose of this procedure is to define the system available to students or members of the public for dealing with complaints and appeals.

2.0 Responsibility

- 2.1 The Chief Executive Officer or Managing Director are responsible for implementation of this procedure and ensuring that staff, students and members of the public are made aware of its application.

3.0 Requirements

- 3.1 National Training Services (NTS) is required to ensure that its complaints and appeals policy:
- 3.1.1 ensures the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process
 - 3.1.2 is made publicly available
 - 3.1.3 sets out the procedure for making a complaint or requesting an appeal
 - 3.1.4 ensures complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable, and
 - 3.1.5 provides for a review by an appropriate third party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the process fails to resolve the complaint or appeal.
- 3.2 NTS will inform the complainant or appellant, in writing, if the process will take in excess of 60 calendar days explaining the reasons for the delay, as well as provide regular updates on the progress of the matter.
- 3.3 NTS will securely maintain records of all complaints and appeals, including their outcomes.
- 3.4 NTS will identify potential causes of complaints and appeals and take appropriate action to eliminate or mitigate likelihood of reoccurrence.
- 3.5 Where NTS considers more than 60 calendar days are required to process and finalise the complaint or appeal, NTS:
- 3.5.1 informs the complainant or appellant in writing, including reasons why more than 60 calendar days are required; and
 - 3.5.2 regularly updates the complainant or appellant on the progress of the matter.

4.0 Definitions

- 4.1 N/A

5.0 Method

- 5.1 NTS is committed to providing learners with the best possible learning environment, whilst maintaining continuous improvement practices. Feedback from learners, staff and members of the public are welcomed and provides NTS with an opportunity to review and improve its systems and processes. All learners, staff and members of the public have the right to have their complaint heard in an unbiased and impartial way.
- 5.2 A complaint may include the following:
- Training delivery
 - Marketing or promotional activity
 - Personal safety /Workplace and Health and Safety
 - Customer Service
 - Assessment decisions
 - Training and assessment resources
 - Fees and charges
 - Access and equity (including bullying, discrimination, harassment)

- 5.3 This Complaints and Appeals Policy is located on the NTS website and is freely available to learners, potential learners and members of the public. It is also located in the policies and procedures manual and enrolment documents which is provided to learners during their enrolment phase.
- 5.4 The complaint may be received internally from staff or learners, or externally by stakeholders or members of the public. The complaint may be in a number of formats; verbally (informal), or formally in writing (either by letter, email or utilising the Complaint Form).
- 5.5 The appropriate staff member is to attempt to rectify the complaint in an informal way through discussion and conciliation in order to avoid the need for a formal complaint.
- 5.6 If the issue cannot be resolved in an informal way, then the complainant is asked to complete a formal Complaint Form.
- 5.7 The Managing Director will review the complaint and make a decision on the best way to rectify the issue, identify and action any necessary corrective and preventative action, record the outcomes on the Complaint Form, and document relevant information in the complaints register.
- 5.8 The Managing Director will communicate the outcome to the complainant, and if resolved close the complaint.
- 5.9 Relevant documentation will be held securely in a Complaints Folder.
- 5.10 The Continuous Improvement Register will be updated to reflect any areas for improvement which may have been identified during the complaints process. The management team will review the complaints and identified continual improvement mechanisms on a regular basis.
- 5.11 Complaints will be resolved as quickly as possible, however will not exceed 60 calendar days. If the complaint is likely to exceed 60 calendar days, the complainant will be notified in writing and kept informed of the progress, including an estimated date that the complaint will be finalised.
- 5.12 If the complainant is dissatisfied with the outcome of the complaint, the Managing Director shall arrange for an external person to hear the complaint. This will be through the Institute of Arbitrators and Mediators Australia (IAMA); <http://adr.org.au/where/vic/>
- 5.13 The Institute of Arbitrators and Mediators Australia (IAMA) will review the complaint and the subsequent decisions. Each complainant or appellant has an opportunity to formally present their case. The decision by the IAMA is final and any further action the learner wishes to take is outside this policy and procedure. Should the outcome not be acceptable to the learner, they will be informed in writing of the opportunity to lodge a complaint with the State Training Authority or the National VET Regulator.
- 5.14 No learner, staff member, or member of the public should be subject to any detriment as a result of a complaint being made or heard. Complainants and respondents will not be subject to discrimination or harassment resulting from their participation in the complaints process. All parties involved in the complaints process will observe strict confidentiality when dealing with all stages of the complaint process.
- 5.15 The Complaints and Appeals Policy will be reviewed every 12 – 24 months.

6.0 Revision history

Revision	Date	Description of modifications
1	October 2012	Original
2	December 2015	Title changes
3	July 2017	Updated to simplify and align to RTO Standards
4	January 2020	Updated point 3.5
5	June 2021	Updated 5.7, 5.8, 5.12