



Australian Learning Organisation

Complaints and Appeals

Australian Learning Organisation is committed to providing a fair complaints and appeals process.

5. POLICY

Australian Learning Organisation will provide appropriate mechanisms and services for learners to have complaints and appeals addressed efficiently and effectively and will ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process by applying the procedures outlined below:

Australian Learning Organisation is committed to a fair and equitable process for dealing with client complaints and appeals against assessment outcomes.

To ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process, Australian Learning Organisation will:

- Make its complaints and appeals policy publicly available by producing it in Student Handbook and making it available on the organisation's website
- Ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable as outlined in complaints process Point 6
- Provide for review by an appropriate party independent of Australian Learning Organisation and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal

If an appeal is to be lodged, in the first instance, issues should be raised directly with the relevant person and attempt to resolve the issue.

PURPOSE

The purpose of this policy is to ensure Australian Learning Organisation has in place a policy for the dealing with customer complaints and appeals that includes a mechanism to allow for the complainant to formally present their case and for an appeal to be heard before an independent person or panel.

2. SCOPE

The scope of this policy applies to all staff and contractors who will be engaged by Australian Learning Organisation but primarily those involved in the provision of training and assessment services to clients of Australian Learning Organisation



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3. RESPONSIBLE PARTIES

CEO – policy control, issue, compliance and adjustment

4. DEFINITIONS

Appeal - In law, an appeal is a process for requesting a formal change to an official decision.

Complaint - A statement that a situation is unsatisfactory or unacceptable

What is an appeal?

An appeal is an application by a student for reconsideration of an unfavourable decision or finding during training and/or assessment. An appeal must be made in writing and specify the particulars of the decision or finding in dispute. Appeals must be lodged within 28 days of the decision or finding is informed to the student.

What is a complaint?

A complaint is generally negative feedback about services or staff which has not been resolved locally. A complaint may be received by Australian Learning Organisation in any form and does not need to be formally documented by the complainant to be acted on. Complaints may be made by any person but are generally made by students.

Early resolution or complaints and appeals

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time they occur between the persons involved.

Relationship to continuous improvement

Frequently, the complaints and appeals handling process will expose weaknesses in the training and assessment system that can flow into the continuous improvement



Australian Learning Organisation system as opportunities for improvement. This outcome of complaints and appeals handling is very positive and should be actively applied by all persons involved.

Complaint and appeals handling

Australian Learning Organisation undertakes to apply the following principles to its complaints and appeals handling:

- A written record of all complaints and appeals is to be kept by Australian Learning Organisation including all details of lodgement, response and resolution.
- A complainant or person lodging an appeal is to be provided an opportunity to formally present their case at no cost.
- Each complainant or person lodging an appeal may be accompanied and/or assisted by a support person at any relevant meeting.

The handling of a complaint or appeal is to commence within 10 working days of the lodgement of the complaint or appeal and all reasonable measures are taken to finalise the process as soon as practicable. responded to within 21 days however where the RTO considers more than 60 days are required to respond it will inform the appellant, explaining the delay and ensure it regularly updates the appellant on the progress of the appeal.

- The complainant or person lodging an appeal is to be provided a written statement of the outcome, including details of the reasons for the outcome.
- The complainant or person lodging an appeal is to have the opportunity for a person or a body that is independent of Australian Learning Organisation to review his or her complaint or appeal following the internal Australian Learning Organisation complaint or appeals process. It is noted that a review of findings by an independent person or body will generally only relate to the appeals process and is less likely to be required in complaints handling.



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- Australian Learning Organisation shall maintain the enrolment of the complainant or person lodging an appeal during the complaint or appeals process.
- Decisions or outcomes of the complaint or appeals process that find in the favour of the student shall be implemented immediately.
- Complaints and appeals are to be handled in the strictest of confidence. No Australian Learning Organisation representative is to disclose information to any person without the permission of Australian Learning Organisation Chief Executive Officer. A decision to release information to third parties can only be made after the complainant has given permission for this to occur. This permission should be given using the Information Release Form located in the Privacy Policy Tools section earlier in this manual.
- Complaints and appeals are to be considered on the basis of procedural fairness and lead to opportunities for improvement as a Continuous Improvement Report.
- Students who are not satisfied with the complete complaint handling by Australian Learning Organisation may refer their complaint to ASQA for consideration. Students are to be advised that registering bodies will require the student to have exhausted all avenues through Australian Learning Organisation before taking this option. Please refer to the Complaint Handling Procedure for more information.
- Appeals of assessment decisions are not able to be referred to ASQA and are to be determined by an approved independent body.

Australian Learning Organisation considers that it would be extremely unlikely that complaints and appeals are not able to be resolved quickly within Australian Learning Organisation internal structures.



Australian Learning Organisation **Complaints Handling Procedure**

Matters that cannot be resolved at the time they occur should be referred to Australian Learning Organisation Chief Executive Officer for review. The following procedure is to be followed when a complaint form is received:

- A Complaints and Appeals Form is received by Australian Learning Organisation and is to be immediately recorded into Australian Learning Organisation Complaints and Appeals Register.
- Complaints which are received in other forms such as phone or email are to be detailed on a Complaints and Appeals Form by the person receiving the complaint and then recorded in the Complaints and Appeals Register.
- The Complaints and Appeals Form is to be forwarded to the Chief Executive Officer who is to review the matter and make recommendation as to how to respond to the matter. The Chief Executive Officer may choose to consult with others within Australian Learning Organisation or relevant agencies external to Australian Learning Organisation in determining their recommendation.
- The Chief Executive Officer may choose to make inquiries about the matter or may task another person to research the matter against relevant policy.
- The Chief Executive Officer is to finalise his or her response to the complainant and provide the complainant a response as soon as possible but no later than 28 working days from when the complaint is received.
- The Chief Executive Officer is to communicate the response to the complainant personally either during a meeting or via the telephone. Complaint responses are not to be provided to the complainant via any third-party or via electronic communication such as e-mail. The Chief Executive Officer is to seek feedback from the complainant about their level of satisfaction with the complaint



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outcome. And advise the complainant of their options if they are not completely satisfied with the outcome.

- Complainant is not satisfied with the outcome of the complaint handling; the Chief Executive Officer may arrange for the complaint to be considered by an appropriate independent third-party or the student may refer the complaint to ASQA. In some cases, ASQA may not be the appropriate body to handle a complaint. ASQA can only deal with complaints about:
 - the information provided to the student by an RTO about the course/s they are interested in;
 - the delivery and assessment of the training the student has received; and
 - the qualifications the student have or have not been issued.

Making a complaint to ASQA

To make a complaint, students are to complete the ASQA Online Complaint Form located on the ASQA website <https://www.asqa.gov.au/>

Staff are to provide assistance to students during the complaint handling process.

- The response to the complainant must include information that demonstrates that the matter was thoroughly reviewed and what actions and outcomes have been identified as a result of the complaint.
- Opportunities for improvement that were identified as a result of the complaint are to be recorded in a Continuous Improvement Report and submitted for the next Management Team meeting. The Chief Executive Officer may, at his or her discretion, follow-up with the complainant after consideration by the Management Team to inform the complainant of the improvement actions identified.



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- The Complaints and Appeals Register is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the complaint was received to the date the complaint was resolved.

Resolution by Arbitration

- Should the matter remain unresolved following step b, the nominated representative will contact Mr Ray Kerknez of Caringbah NSW (phone 02 9540 4665 a member of Leadr (a national mediation service) at the claimant's own cost, to review the dispute and suggest an amicable resolution.

Appeals Process

Note: Appeals against decisions or assessment outcomes must be lodged immediately and no later than 14 days from the date of the receipt of the outcome. It is Australian Learning Organisation's desire to process appeals quickly and reach a resolution in a short time frame so that the client may continue learning activities and completion of their training program. Should a client wish to appeal a decision or assessment outcome, they should follow the process outlined below:

- The appeal must be lodged on the Appeal Form within 14 days of receipt of the result.
- Discussion on the appeal will be conducted between the relevant parties within 24 hours of receipt of notice of the appeal.
- Australian Learning Organisation will attempt to resolve the issue(s) within seven (7) working days from receipt of the lodgement of the appeal
- the appellant will be notified in writing of the result
- The appellant will be notified in writing of the outcome with reasons for the decision, and the 'Appeals Register' updated. The Candidate will also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The Candidate is required to notify -Australian Learning Organisation if they wish to proceed with the external appeals process

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