

# Complaints & Appeals Procedure

## Purpose

The purpose of this procedure is to outline the steps for processing a client's appeal or complaint against any decision made by Industry Pathways.

## Definitions

**Australian Skills Quality Authority (ASQA).** The authority responsible for registering training organisations in Australia, including all the processes relating to registration and the imposition of sanctions on RTOs.

**Third-party Independent.** A third-party independent is a person engaged by the RTO to provide an independent review of a complaint/appeal submitted by a student.

**VET Quality Framework (VQF)** means the following:

- the Standards for NVR Registered Training Organisations;
- the Australian Qualifications Framework;
- the Fit and Proper Person Requirements;
- the Financial Viability Risk Assessment Requirements;
- the Data Provision Requirements.

## Responsibilities in relation to complaints

All staff are responsible for:

The documenting of complaints as per the scope of this procedure.

Sending the details of the complaint to the Executive in charge (or delegated person)

The Executive in charge (or delegated person) is responsible for:

- a. Reviewing the complaint if it has not been resolved
- b. Determining what prompted the complaint
- c. Determining the action, if any, to be taken
- d. Following up of the complaint to ensure it has been finalised and that corrective action has been implemented satisfactorily and the case is closed.

## Procedure for complaints

Industry Pathways seeks to prevent complaints by ensuring that students are satisfied with their training product and its outcomes. Staff are expected to be fair, courteous and helpful in all dealings with students.

Members of staff receiving a complaint should in the first instance discuss the details of the complaint with the student to determine if they can implement action that is agreeable.

Students may make an informal approach to a member of staff regarding a complaint/appeal however this will not constitute a complaint or appeal for the purposes of this procedure and the corresponding policy.

Whilst these details will be recorded and placed in the student's electronic file and seek to be resolved at an elementary level students are recommended to adhere to this full procedure for matters of concern to them.

1. If the staff member can resolve the complaint, they must send an email to the student detailing what was discussed and what agreeable action has been implemented. This email is then to be recorded in the student's electronic file.
2. If the staff member is unable to resolve the issue or the complaint is outside of the staff member's area of responsibility, the member of staff must complete a complaint form detailing what has been discussed and email the document to the student to review and edit if necessary.
3. The complaint form must be returned to the original author both signed and with any changes necessary within 5 business days. Should the complaint form not be returned within the appointed time frame, the submission of the complaint form may no longer be valid.
4. Complaint forms to be reviewed by the Executive in Charge (or delegated person) within ten (10) business days of receipt.
5. The Executive in charge (or delegated person) to provide a written response within ten (10) working days providing reasons for the decision made.
6. If the student is dissatisfied with the outcome of the decision they may appeal in accordance with Industry Pathways Appeals Procedure.
7. Any complaint which appears to be related to any illegal activity such as theft, assault etc. will be referred to the appropriate authority after discussion with the complainant.

## Records for complaints

Complaint Register

Complaints and Appeals Procedure

Responsibilities in relation to appeals: It is the responsibility of the Executive in charge (or delegated person) to ensure the appeal process is carried out in accordance with this procedure.

## Procedure for appeals

Students shall use this process for appeals.

1. An appeal must be lodged within ten (10) business days of the student being notified of a decision made by Industry Pathways and in the case of academic appeals, within ten (10) business days of the completion of the assessment. Records may be discarded after this period.
2. An appeals form should be completed and lodged in writing to [compliance@industry pathways.com.au](mailto:compliance@industry pathways.com.au)
3. The Executive in charge will review the appeal within ten (10) working days of receiving the appeal, and provide a written response detailing the appeal outcome and the reasons for the decision.
4. If the Executive in charge cannot resolve the situation, the student can request that a third-party independent of the RTO review their appeal. There will be a cost involved which is payable by the student if a third-party independent is requested.

### **Independent review procedure.**

1. Industry Pathways is to arrange an appropriate third-party independent
2. Student is required to organise payment prior to independent reviewing complaint
3. Third-party independent will receive complaint and provide their recommendations within ten (10) business days directly to the RTO executive in charge
4. A copy of the proceedings conducted by the third-party independent and the original appeal form is to be given to the student within 48-72 hours of receiving recommendations from third-party independent.
5. The Executive in charge is to keep a record of the proceedings on the students file
6. The decision of the third-party independent shall be final

### **Review of the outcome of the appeal**

During the review of the complaint/appeal the Executive in charge will seek to determine what prompted the appeal and identify any further action that may be required to prevent a reoccurrence. Any corrections or improvements identified will be documented in the continuous improvement register and accordingly implemented in a timely manner.

### **Records for appeals**

Complaints and Appeals Form