

# 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.

**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.

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 five (5) 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 client 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 [accounts@industrypathways.com.au](mailto:accounts@industrypathways.com.au)
3. Student's may make an informal approach to a member of staff regarding an appeal. These details will be recorded and placed in the student's electronic file.
4. If the matter is not resolved, the student's appeal may be forwarded to the RTO Manager. Please contact the office for the relevant email/contact.
5. 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.
6. If the Executive in charge cannot resolve the situation, the student can request that an Independent Panel consider the appeal. The panel shall consider the appeal within 10 working days of notification of the application. The student may have an adviser in attendance during the proceedings of the Independent Panel.

7. Independent Panel procedure.

- a) Review the circumstances of the appeal and make a decision on the evidence submitted.
- b) Keep a record of the proceedings to ensure that the appeal procedure was conducted fairly.
- c) The decision of the Independent Panel shall be given in writing to the RTO Manager and the student outlining the reasons for the decision.
- d) A copy of the proceedings conducted by the Independent Panel and the original appeal form will be given to the student.
- e) The decision of the Independent Panel shall be final.

### Membership of Independent Panel

The Panel shall consist of three persons. The background of the persons requested to sit on the panel will vary depending on the circumstances of the appeal. However, it may consist of:

- Executive in charge
- Trainer/assessor not involved with the management of the client.
- Industry Representative (Industry Skills Council, Licensing Authority).

### Review of the appeal

Each appeal will be reviewed by the Executive in charge, within ten (10) working days of the finalisation of the appeal, to determine what prompted the appeal and any further action that may be required to prevent a reoccurrence.

If a student is not satisfied with the appeal outcome they will be referred to the complaints section of the Australian Skills Quality Authority at [www.asqa.gov.au](http://www.asqa.gov.au) where the client can complete an online complaints form.

### Records for Appeals

[Complaints and Appeals Policy](#)

[Complaints and Appeals Form](#)