
Complaints and Appeals Policy and Procedure

Purpose

Industry Compliant Training maintains a supportive and fair environment, which allows candidates, staff and stakeholders to lodge complaints and/or appeals. ICT considers complaints and appeals as an opportunity to improve the services offered to stakeholders and are managed fairly and equitably.

Industry Compliant Training encourages all parties to approach a complaint with an open view and to attempt to resolve any problems through discussion and conciliation.

Industry Compliant Training provides all stakeholders with a transparent complaints and appeals policy to enable all stakeholders to be informed of and to understand their rights and responsibilities as well for the responsibilities of the RTO under the standards.

Scope

The CEO is responsible for the control and issue of this procedure. This policy and procedure applies to all current and prospective candidates. This policy is upheld by the CEO for the management and response to allegations involving the conduct of:

- The RTO
- The RTO assessors
- Other RTO Staff
- Any third party providing services on the RTOs behalf or
- A candidate of the RTO

Regulation

For the purpose of Standard 6 of the Standards for Registered Training Organisations 2015, complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

Complaints and Appeals Mechanism

The RTO ensures that all candidates will have access to a fair and equitable process for dealing with complaints/concerns and will provide an avenue for candidates to appeal against such decisions, which affect the candidate's progress.

Every effort will be made by the RTO to resolve the candidate's complaints or appeal. To this end, the CEO is the person to refer formal complaints/appeals. At the time of enrolment the Complaints and Appeals policy will be outlined to candidates.

Where a complaint/appeal cannot be resolved internally, the RTO will provide an outside independent person to hear the appeal/case. There will be little or no cost to the candidate.

Directive

- All prospective candidates will be provided with a copy of the Complaints and Appeals Policy and Procedure
- All complaints, concerns, or appeals will be handled professionally and confidentially in order to achieve a satisfactory resolution
- All parties will have a clear understanding of the steps involved in the complaints and appeals procedure
- Candidates will be provided with details of external authorities they may approach, if required
- All complaints and appeals will be managed fairly and equitably and as efficiently as possible
- All complaints/concerns and appeals and outcomes will be documented in writing
- Once formal receipt is received the RTO will notify the complainant/applicant within 48 hours
- The RTO will attempt to resolve any complaints and appeals fairly and equitably within 10 working days from receipt of notice of complaint.

Complaints

Industry Compliant Training adheres to the National Complaints Code to respond to complaints about the organisation itself, staff or a candidate of the RTO. We will commence the complaints process with 10 working days of a formal lodgement of the complaint and supporting information. All reasonable measures are taken to finalise the process as soon as practicable.

1. Candidates are encouraged to firstly discuss any matter or complaint with their assessor. Every attempt should be made to resolve the issue as quickly as possible with minimal fuss. If the candidate and/or assessor are not satisfied or if the nature of the complaint or appeal is serious it should be brought to the attention of the CEO immediately.
2. If the complaint is not resolved then the complaint is documented by the complainant onto the Complaints and Appeals Form. The complainant/applicant must provide details about themselves and the course, and the circumstances surrounding the concern or appeal, who was involved, any appropriate evidence and witnesses. This form is to be submitted to Head Office at info@industrycomplianttraining.com.au
3. Industry Compliant Training will notify the complainant within 48 hours, of receipt of formal complaint, to confirm receipt. The complainant will be contacted with the result within 10 business days of receipt of formal complaint. ICT will also inform those involved of any allegation. The complainant has 5 working days to respond to formal decision. Where more than 60 calendar days are required to process and finalise the complaint or appeal the complainant or appellants will be notified in writing including

reasons why more than 60 calendar days are required. Regular updates will be provided to the complainant or appellant on the progress of the matter.

4. Each complaint and/or appeal is investigated objectively and without bias by the RTO CEO and Assessor. Each party involved has the right to have their version of events heard in the resolution negotiation and have an independent advocate present.
5. Complaints are investigated fairly and objectively with details of the investigation provided in writing to the complainant or appellant and any parties involved. The details will state the outcomes and reasons for the decisions made.
6. The CEO will close out the matter to the satisfaction of both parties. A copy of all documentation, in particular the complaint and the outcome, is placed in the candidate's file, staff file or Continuous Improvement Register as appropriate. A copy of the documentation is forwarded to the complainant.
7. Complaints and appeals are to be considered on the basis of procedural fairness and lead to opportunities for improvement as a Continuous Improvement Report.
8. In the event that a complaint is substantiated, Industry Compliant Training will take prompt and appropriate action to resolve the circumstances.
9. Where a complaint, concern, or appeal cannot be resolved through discussion and conciliation, the RTO acknowledges the need for an appropriate external and independent agent to mediate between the parties. The RTO will contract such a person as and when required. Costs for an independent agent to review and make a decision on the Appeal will be little or no cost to the candidate.
10. Industry Compliant Training shall maintain the enrolment of the complainant or person lodging an appeal during the complaint or appeals process.
11. Decisions or outcomes of the complaint or appeals process that find in the favour of the candidate shall be implemented immediately.

Complaints and appeals are to be handled in the strictest of confidence. No representative of Industry Compliant Training is to disclose information to any person without the permission of the CEO. 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.

Candidates who are not satisfied with the complete complaint handling by Industry Compliant Training may refer their complaint to the Department of fair trading or the equivalent in the candidate's state or to the National VET Regulator Australian Skills Quality Authority on 1300 701 801. Alternatively Candidates can contact the National Training Complaints Hotline by phoning 13 38 73. Candidates are to be advised that registering bodies will require the candidate to have exhausted all avenues through Industry Compliant Training before taking this option.

Appeals for Reassessment

Industry Compliant Training maintains a supportive and fair environment which allows candidates to appeal their assessments and recognition decisions. Appeals are ideally resolved as amicably as possible using this formal appeal process.

Industry Compliant Training affords candidates the opportunity of 2 repeat attempts to complete a unit of competency to achieve competency. If however on the 3rd attempt the candidate is still found Not Yet Competent in that unit of competency then that outcome will stand as the final outcome for that unit of competency.

If a candidate has been advised after the 3rd attempt at achieving competency in a unit of competency that they are Not Yet Competent, but they believe that:

- They genuinely do have the required degree of competency; and
- That they have provided reasonable proof of this to The RTO

The candidate may query or appeal the result within 7 days of their assessment result, in writing or using our Complaints and Appeals Request Form.

The process is quite simple, and is allowed by the RTO to ensure that all candidates are fully satisfied with the fairness and accuracy of our assessment processes.

An academic grievance refers to a grievance about assessment, course content, quality of course delivery, academic achievement, course transfers, cancellation of enrolment, candidate results, failure or quality in academic services or materials.

1. Industry Compliant Training will commence the appeals process with 10 working days of a formal lodgement of the appeal and supporting information. Candidates may appeal their assessments within one week of being notified of the decision or within 4 weeks of the assessment date, whichever is the longer. All reasonable measures are taken to finalise the process as soon as practicable.
2. Discuss the appeal with the Assessor. If this does not resolve the matter, then the Training Director will appoint a mutually agreed assessor to reassess your assessment.
3. The Training Director will appoint a qualified and independent assessor to review the records of assessment of the candidate's competence against the training package requirements. Where insufficient records to determine competence are available, the candidate may provide additional evidence of competence. The independent assessor's determination is final.
4. If this does not resolve the matter, the candidate may refer the appeal to an independent mediator. The appellant may deliver their own version of the problem and request a support person be present.
5. The submission and the final outcome of the assessment appeal is recorded and communicated to all parties in writing. The communication must contain the outcome of the assessment appeal and the reasons for the decisions made. A copy of the communication is placed in the candidates file.

No further appeal mechanism exists beyond this point in the process.

Please note the following:

- Where the resolution requires a documented change to policies and procedures, such changes will be made in accordance with the procedure for document change including the appropriate records made.
- At each step of the assessment appeals process Industry Compliant Training will allow candidates to make representation either orally or in writing prior to reaching a decision. We also allow candidates to employ an independent person or panel to hear the appeal.

Records management

The RTO will file records of all informal and formal discussions regarding complaints and appeals and will record such evidence on the candidates files and if required a Corrective Action Record will be raised and filed in the Complaints and Appeals Folder for future reference.