

## STATEMENT

RTO Management shall ensure that all complaints and appeals are dealt with in accordance with the principles of natural justice and procedural fairness at no cost to students. All complaints and appeals shall be subject to notification at the RTO management meeting and require the implementation of the RTO Complaints and Appeals process.

## DEFINITIONS

**CEO** – Chief Executive Officer.

**RTO** - Registered Training Organisations:

- Mining Transport and Construction Services Pty Ltd (MTACS) (RTO 52053)
- ABV Training & Consulting Pty Ltd (ABV) (RTO 52592)

## SCOPE

This policy applies to all students, staff and contractors of the RTO and covers complaints about RTO staff and fellow students and individual treatment received by students as well as appeals against assessment judgements and other types of decisions made by the RTO, including, but not limited to:

- Course advice and enrolment
- Personal conflicts, personal safety
- Customer service and administration
- Training/assessment materials and delivery
- Student progress and academic progress decisions
- Issue of certificates and/or statements of attainment
- Marketing and promotional material
- Fees and charges.

## RESPONSIBILITY

It is the responsibility of the RTO Management and the CEO to ensure the correct application of this policy.

## PROCEDURE

The RTO has an Informal and Formal Complaints and Appeals process to help resolve any issues students may have in relation to their training. The Complaints and Appeals Policy is based on the principles of natural justice and procedural fairness and aims to assist all students or parties to resolve disputes, settle grievances, and receive a fair hearing.

Student concerns will be handled in the strictest confidence. Lodging a complaint or appeal will not affect a student's ability to continue studying or obtain other services that the student is eligible to receive.

## INFORMAL PROCESS

- Students may attempt to resolve a complaint directly with the parties concerned through discussion and through mutual agreement.
- Students may seek support with an informal complaint by discussing it with their trainer who may direct them to other relevant staff members.

- If the student does not wish to discuss the complaint with the trainer (or if the complaint is about the trainer), the student may contact the RTO via the provided telephone number or email address and seek the support of the RTO Training Coordinator, Compliance Manager or General Manager Training who may refer the matter to other staff members as required with the student's consent.
- Students may be accompanied by a third party of their choice to support them in the informal process discussion.
- All informal complaints when finalised will be reported to management for further review and consideration for potential continuous improvement actions, regardless of whether the complaint was resolved or not.
- The complaint will be recorded in SkyTrust.
- All informal complaints that are not resolved with students by mutual agreement with staff require the formal complaints process to be initiated.

## FORMAL PROCESS

- When a student wishes to submit a formal complaint or is dissatisfied with the attempt to resolve a complaint informally (directly with staff / relevant parties), the student may submit a formal complaint to the General Manager Training by utilising the Student Complaint Form.
- The General Manager Training will respond in writing or via email to all formal student complaints within 5 business days of receipt of a Student Complaint Form.
- When a complaint is recognised as required more than 60 calendar days to resolve, the manager must inform the complainant in writing, including reasons why more time is required, and regularly update the complainant on progress of the matter.
- The manager shall respond to formal complaints from students in writing or via email proposing a resolution to the complaint.
- Management responses to the complainant shall include information and procedures concerning the complainant's right to appeal the proposed solution and request for an independent adjudicator.
- All formal complaints when finalised shall be reports to the CEO for further review and consideration for potential continuous improvement actions, regardless of whether the complaint was resolved or not.

## APPEALS PROCESS FOLLOWING A FORMAL COMPLAINT

- In the event of a student advising that they are dissatisfied with the proposed solution for a formal complaint, the CEO shall provide an additional opportunity to provide a solution and shall apply the External Appeal process.

## EXTERNAL APPEALS

- The RTO CEO shall advise the student that an Independent Third party shall be sought to consider the nature of the complaint / appeal and a possible further resolution at no cost to the student.
- The selection of the Independent Third party shall be communicated to the student and the selection must be with the mutual agreement of the student.
- The RTO CEO shall contact the Independent Third party and provide all documentation related to the formal complaint and student contact details.
- Independent adjudication responses must be within 7 business days from the date that all formal complaint / appeal documentation is provided to the Independent Adjudicator.
- When an Appeal process is recognised as requiring more than 60 calendar days to resolve, management must inform the appellant in writing, including reasons why more than 60 calendar days are required and regularly update the appellant on progress of the matter.

- On receipt of the formal complaint documentation, the Independent Third party shall make contact with management and the student and arrange a suitable time for further discussion pertaining to the formal complaint / appeal.
- All independent Third Party proposed solutions shall be final and reported to management and the student in writing with requirement for immediate implementation by both parties.

## ASSESSMENT RESULT APPEALS

All appeals from students relating to assessment results must be received in a period no longer than 3 months following the competency decision.

## ASSESSMENT APPEALS PROCEDURE

Staff delivering training and assessment services on behalf of the RTO will be required to:

- Provide timely guidance to all course participants regarding the assessment appeals procedure.
- Clarify any aspects of the assessment results that a student does not understand.
- Provide each student that requests an assessment appeal with the required Student Appeal form or direct them to the website.
- Communicate directly via email as soon as possible with management on any advice (written or verbal) provided by a student that they are seeking to appeal an assessment decision.

RTO Management will be required to:

- Schedule a meeting with the student when a completed assessment appeal form is received from a student.
- Communicate any outcome decision by management to uphold or overturn an assessment appeal to the student in writing clearly identifying the reason for the outcome.
- All assessment appeals will be processed by management within 10 business days of receipt of an appeal. All assessment appeals must be maintained on the student's file.
- Student records will be adjusted to comply with management appeal outcome decisions.

## OTHER APPEALS

Students may also appeal any other decision taken by the RTO (e.g., Fee payment issue, exclusion from a course) by using the Student Appeal form.

In this case, RTO Management will be required to:

- Schedule a meeting with the student when a completed appeal form is received.
- Communicate any outcome decision by management to uphold or overturn an assessment appeal to the student in writing clearly identifying the reason for the outcome.
- All appeals will be processed by management within 10 business days of receipt of an appeal. All appeals records must be maintained on the student's file.
- Student records will be adjusted to comply with management appeal outcome decisions.
- Students may avail themselves of the external process should they be dissatisfied with the outcome of the internal appeal process.

## COMPLAINTS AND APPEALS RECORDS

RTO Management shall maintain records of all complaints and appeals and their outcomes and reference complaints and appeals in the RTO Management meeting minutes, identifying potential causes of complaints and appeals and taking appropriate corrective actions to eliminate or mitigate the likelihood of reoccurrence.

Records of all informal and formal complaints and appeals will be recorded in the company's QHSE system.