

Policy & Procedure Complaints & Appeals

V5 Oct 2021

1. Policy

All Health Training (AHT) is committed to providing a consistent, fair and equitable framework for resolving student grievances, complaints and appeals related to both Academic and Non-Academic matters. This policy/procedure outlines the process and phases involved to enable a grievance, complaint or appeal to be managed effectively and efficiently in a timely manner.

All complaints and appeals received by All Health Training will be viewed as an opportunity for improvement.

There is no cost for accessing the complaints and appeals process.

2. Scope

This policy/procedure applies to all students including enrolled students or potential students seeking to enrol in a course with AHT. This policy applies to grievances, complaints or appeals arising between parties including conduct of the RTO, its trainers/assessors or other staff or a student of AHT.

3. Procedure

The complaints and appeals policy and procedure and applicable form is made available to all students, potential students, and clients by directly contacting the RTO, through the RTO's website, and information provided within the student handbook.

This procedure applies to all complaints about:

- Academic matters from students – eg. academic progress decisions; attendance procedures; application for CT/RPL; assessment issues; content or structure of the training program
- Non-academic matters from students or potential students – eg. application process; cancellation of application; misuse of personal information; financial matters; bullying or other forms of harassment

3.1 Grievance (informal complaint)

Any person with a grievance may raise the issue with AHT staff and attempt an informal resolution through discussion or general mediation with all parties concerned. We encourage engagement with the staff at AHT about any concerns. This may include advice, discussions, and general mediation in relation to the issue. Grievances dealt with in this way do not become part of the formal complaint process and will not be documented, recorded or reported on unless the grievance is relevant to the wider operation of AHT.

3.2 Complaints

Should the informal process not satisfy the complainant and the person wants to place a formal complaint/appeal they may do so with the reasonable expectation that all complaints will be treated with integrity and privacy. The following procedures must be followed:

- Complainants have the right to access advice and support from independent external agencies/persons at any point of the complaint and appeals process. Use of external services will be at the complainant's costs unless authorised by the CEO.
- Any person wishing to submit a formal complaint or appeal can do so by completing the 'Complaints and Appeals Form' and state their case providing as many details as possible. This form can be gained by contacting AHT or through AHT's website.

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- All formally submitted complaints or appeals are submitted directly to the CEO. Complaints are to include the following information:
 - Submission date of complaint
 - Name of complainant;
 - Nature of complaint ;
 - Date of the event which lead to the complaint
 - Attachments (if applicable)
- Once a formal complaint is received it is to be entered into the 'Complaints and Appeals Register' which is monitored by the CEO regularly. The information to be contained and updated within the register is as follows:
 - Submission date of complaint
 - Name of complainant
 - Description of complaint / appeal
 - Determined Resolution
 - Date of Resolution
- The complainant shall be notified in writing that their complaint has been received and registered with AHT.
- A complainant may be assisted or accompanied by a support person regardless of the nature of the issue or complaint throughout the process at all times.
- The CEO shall then refer the matter to the appropriate staff to resolve, or make a decision on the complaint within 10 working days and keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.
- As part of the process of investigating the complaint the CEO shall ensure the principles of natural justice and procedural fairness are maintained at all times. This includes informing and involving all parties involved in the allegations or cause for the complaint. There will be opportunities provided to all parties to provide their version of the event(s) or action(s) that have caused the complaint. The collection of information and details regarding the complaint will be conducted in a manner that ensures the privacy and confidentiality of all parties involved.
- To ensure the fairness of the complaints system, the complaints resolution process (investigation and determining outcomes of a complaint) must be completed by a person independent of the complaint. In other words where the complaint is in relation to the CEOs actions, the complaint shall be referred immediately to the external and independent mediator listed below.
- In the unlikely event that the complaint is not finalised within 60 calendar days, AHT shall ensure that the complainant shall be provided reasons for the delay, and will be regularly kept informed and updated of the progress of the matter.
- Once a decision has been reached the CEO shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing. Within the notification of the outcome of the formal complaint the complainant shall also be notified that they have the right of appeal. To appeal a decision AHT must receive, in writing, grounds of the appeal. Complainants are referred to the appeals procedure.
- The CEO shall ensure that AHT will act immediately on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the complainant, the registered provider must immediately implement any decision and/or corrective and preventative action that is required, and advise the complainant of the outcome.
- Copies of all documentation, outcomes and further action required will be placed into the 'Complaints and Appeals Register' and on the students file/complainants file.

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3.2 Appealing a Decision

All complainants have the right to appeal decisions made by AHT where reasonable grounds can be established. The areas in which a complainant may appeal a decision made by AHT may include:

- Assessments conducted
- Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
- Or any other conclusion / decision that is made after a complaint has been dealt with by AHT in the first instance.
- To activate the appeals process the complainant is to complete a 'Complaints and Appeals Form' which is to include a summary of the grounds the appeal is based upon. The reason the complainant feels the decision is unfair is to be clearly explained. Help and support with this form can be gained from AHT.
- The complainant shall be notified in writing that their appeal has been received and registered with AHT.
- The CEO shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.
- The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
- The CEO shall ensure that AHT acts on any substantiated appeal.
- Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

General appeals

- Where a complainant has appealed a decision or outcome of a formal complaint they are required to notify AHT in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
- The appeal shall be lodged through the CEO and they shall ensure the details of the appeal are added to the 'Complaints and Appeals Register'.
- The CEO will seek details regarding the initial documentation of the complaint and will make a decision based on the grounds of the appeal.
- The complainant will be notified in writing of the outcome with reasons for the decisions, and the 'Complaints and Appeals Register' updated. The complainant shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The complainant is required to notify AHT if they wish to proceed with the external appeals process.

Assessment appeals

- Where a student wishes to appeal an assessment they are required to notify their Trainer & Assessor in the first instance. Where appropriate the Trainer & Assessor may decide to re-assess the student to ensure a fair and equitable decision is gained. The Trainer & Assessor shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.
- If this is still not to the student's satisfaction, the student shall formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. They shall lodge this with the CEO and the appeal shall be entered into the 'Complaints and Appeals Register.'
- The CEO will seek details from the Trainer & Assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another Trainer & Assessor appointed by All Health Training.
- The student shall be notified in writing of the outcome with reasons for the decision, and the 'Complaints and Appeals Register' updated. The student shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify All Health Training if they wish to proceed with the external appeals process.

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3.3 External (Independent) Appeals:

In addition to the above internal processes, if the processes fail to resolve the complaint or appeal, or the complainant or appellant is still dissatisfied with the decision of AHT, an application with an independent and external dispute resolution body can be submitted to allow for any decisions made by AHT in relation to the complaints and/or appeals process to be reviewed independently of AHT. (See below for contact details).

It should also be noted that any complaints about the CEO will be automatically dealt with by this external and independent mediator in the first instance of the complaint being received.

Where AHT is informed that the student has accessed external appeals processes:

- AHT will maintain a student's enrolment until the external appeal process is finalised.
- AHT will comply with the findings of the external appeals process.
- Where a decision or outcome is in favour of the complainant, AHT shall follow the required action and recommendation from the relevant external appeals organisation to satisfy the student's grievance as soon as practicable.
The decision of the independent mediator is final and any further action the student wishes to take is outside AHT's policies and procedures. The student shall be referred to the appropriate government agencies and this information can be gained from the CEO.
- All records and correspondence in relation to an external appeal shall be maintained with the initial complaint and internal appeal documentation within the 'Complaints and Appeals Register' and the student file for a minimum of 5 years.

Independent Mediator:

Victorian Students:

The Dispute Settlement Centre of Victoria (DSCV) is a free dispute resolution and mediation service funded by the Victorian Government and may be able to assist resolve any outstanding complaint or issue with the complaint handling process. Further details and office locations for this service are available from <http://www.disputes.vic.gov.au/>

Organisation:	Disputes Settlement Centre of Victoria (http://www.disputes.vic.gov.au/)
Contact Point:	<u>Melbourne Office:</u> Level 4, 456 Lonsdale Street Melbourne VIC 3000 Tel: 1300 372 888

Further information

If, after the RTO's internal complaints and appeals processes have been completed, you still believe the RTO is breaching or has breached its legal requirements, you can submit a complaint to ASQA by completing the online complaint form: <https://rms.asqa.gov.au/registration/newcomplaint.aspx> (ASQA website: www.asqa.gov.au)

Except in exceptional circumstances, you must attach evidence to your complaint form showing:

- that you have followed your RTO's formal complaints procedure, and
- the RTO's response.

ASQA's processes require you to identify yourself to ASQA as a complainant, although you may request that your identity is kept confidential throughout any investigation that ASQA undertakes.

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3.5 Preventative and Corrective Action

If the internal or any external complaint handling or appeal processes result in a decision that supports the complainant, All Health Training will immediately implement any decision and/or corrective and preventative action that is required, and advise the complainant, and all involved in the matter, of the outcome.

In all cases where a complaint, internal appeal, or external appeal is submitted results in any type of corrective action to be taken by the RTO, details of the complaint and/or appeal shall be reviewed to ensure that steps are taken to eliminate or mitigate the likelihood of recurrence. In addition the complaints and appeals register shall be monitored by the CEO to ensure that all complaints and appeals submitted, regardless of the outcome, are able to be monitored and reviewed to ensure appropriate steps and actions are identified to prevent further re-occurrence.

The details of the complaint and resulting outcome(s) shall be reviewed as part of the RTO's next management meeting with the purpose of identifying the potential causes of the initial complaint. The RTO will then determine appropriate steps to be taken so as to remove the potential issue arising again in the future. Where the complaint has arisen due to any employee or student actions, appropriate mechanisms shall be implemented to ensure appropriate education is provided to prevent recurrence of potential issues.

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Please include as much detail as possible about your Complaint / Appeal so that we have as much information as possible to address it accurately and thoroughly.

Please note – appeals must be received no later than 3 months after corrected assessment

Student Information

Full Name _____

Course undertaking _____

Complaint Details

Please provide a detailed explanation of the nature of your Complaint / Appeal, including the date of the event which lead to the complaint and supporting attachments (if applicable)

Please give details of the outcome you are seeking

I agree that all the information provided is true and correct and that I have been provided with a copy of the Complaints / Appeals Policy which outlines the process involved.

Signature: _____

Printed name: _____

Complaint submission date: _____