

Meridan State College

RTO policy and procedures



Complaints and Appeals

January 2020

Policy statement

To be compliant with Standard 6 of the *Standards for Registered Training Organisations (RTOs) 2015*, Meridan State College must have a publicly available complaints and appeals policy.

Meridan State College will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaints and appeals process. All formal complaints and appeals will be heard and decided on within 60 calendar days of receiving the written complaint or appeal. If Meridan State College considers more than 60 calendar days are required to process and finalise the complaint or appeal, the complainant or appellant will be informed of the reasons in writing and will be regularly updated on the progress of the matter.

If the processes fail to resolve the complaint or appeal, a review by an independent party will be provided if requested.

The RTO Manager maintains a secure *Complaints and Appeals Register*, which documents all formal complaints, appeals and their outcomes. This register is stored securely on the College network.

Any substantiated complaints, as well as the complaints and appeals policy, are reviewed as part of the continuous improvement processes and appropriate corrective action taken to eliminate or mitigate the likelihood of reoccurrence.




The Executive Principal (as the chief executive officer) of Meridan State College is ultimately responsible for ensuring that Meridan State College complies with the VQF. This includes the complaints and appeals policy and procedures.

Policy information on school website:

Meridan State College includes the following information on the public website:

The school as an RTO has a complaints and appeals policy specific to the RTO operations.

A complaint can be made to Meridan State College regarding the conduct of

-  Meridan State College, its trainers, assessors or other school RTO staff
-  students of the RTO
-  any third parties providing services on behalf of Meridan State College (if relevant)

An appeal can be made to Meridan State College to request a review of a decision, including assessment decisions.

Meridan State College will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaints and appeals process. All formal complaints and appeals will be heard and decided on within 60 calendar days of receiving the complaint or appeal.

If Meridan State College considers more than 60 calendar days are required to process and finalise the complaint or appeal, the complainant or appellant will be informed of the reasons in writing and will be regularly updated on the progress of the matter.

If the processes fail to resolve the complaint or appeal, a review by an independent party will be provided if requested.

Procedures in this document

1. Complaints procedure
2. Appeals procedure

1. Complaints procedure

- Any RTO officer may receive a complaint verbally, in writing or electronically.
- The RTO identifies two types of complaints:
 - Type 1: allegations of inappropriate behaviour and/or child protection. These allegations are processed according to the RTO's complaints policy and procedure
 - Type 2: all other complaints
- On receipt of a complaint:
 - The delegated RTO Complaints Officer provides:
 - Written acknowledgement to the complainant
 - Informs both the complainant and the respondent of their right to be assisted by a support person or representative throughout the complaint process
 - Communicates on the progress of the proceedings to the complainant and the respondent throughout the complaint process
 - If the complaint relates to the conduct of a third-party service provider, the Complaints officer informs the third party on receipt of the complaint and communicates progress on the proceedings with the third party.
 - All communication by the RTO complies with the RTO's privacy policy and personal information management.
- The RTO Officer receiving the complaint forwards the complaint to the RTO Complaints officer (unless it relates to the Complaints officer, in which case, it is forwarded to the Principal)
- For Type 1 complaints, the Complaints Officer follows the school's complaints policy and procedure in accordance with the student protection policy.
- For Type 2 complaints, the Complaints Officer:
 - Organises a mediation process that is non-threatening to the complainant
 - Establishes a review by an appropriate party independent of the RTO if mediation has not resolved the complaint
 - Refers the complainant to the QCAA website for further information about the complaint processes if the complainant is still not satisfied.
- Students are informed that they may lodge a complaint to QCAA only after exhausting this complaints and appeals policy and procedure.

- For each complaint received by the Complaint's Officer, the Complaint's Officer will:
 - Establish a written record for each complaint received
 - Update the record throughout the complaint process
- The RTO Manager:
 - Registers the complaint in the RTO's Complaints and Appeals Register
 - Securely retains all complaint records
 - Reviews each complaint process to identify corrective action/s that eliminate or mitigate the likelihood of re-occurrence
 - Ensures corrective actions are implemented including those actions impacting on any third-party arrangements.
- If the complaint is not finalised within 60 calendar days, the complainant is informed of the reasons in writing and regularly updated on the progress of the matter.
- The College Director and/or the RTO manager will either deal with the complaint or convene an independent panel to hear the complaint; this shall be the Complaints and Appeals Committee
 - The Complaints and Appeals Committee shall not have had previous involvement with the complaint and will include representatives of:
 - the College Director
 - the teaching staff, and
 - an independent person
- The complainant shall be given an opportunity to present their case and may be accompanied by other people as support or as representation
- The relevant staff member, third party or student (as applicable) shall be given an opportunity to present their case and may be accompanied by other people as support or as representation
- The outcome/decision will be communicated to all parties in writing within 60 days
- If the processes fail to resolve the complaint, the individual making the complaint will have the outcome reviewed (on request) by an appropriate party independent of the RTO
- If the complainant is still not satisfied, the College Director will refer them to the QCAA website for further information about making complaints (www.qcaa.qld.edu.au/3141.html).

A review of the issues that triggered the complaint is undertaken. The review aims to identify corrective actions that will eliminate or mitigate the likelihood of a similar complaint occurring in the future.

2. Appeals procedure

- Any appeal must be submitted to the RTO in writing using the RTO's Appeal form
- If the appeal relates to a decision made by the RTO Manager, the appeal is forwarded to the Principal for actioning.
- The RTO Manager finalises appeals within 60 calendar days. If more days are required, the appellant is informed in writing of the reasons for the need to extend the time required to finalise the appeal.
- For assessment results appeals, the RTO Manager ensures the appeals process is informed by the:
 - Assessment requirements of the relevant training package or accredited course
 - Principles of Assessment
 - Rules of Evidence
- All appeals received by the RTO will be acknowledged in writing and finalised as soon as practicable
- Two types of appeal may be lodged:
 - Appeal of final assessment decision
 - Appeal of any other RTO decision
- This policy is publicly available and upholds the principals of natural justice and procedural fairness
- A record of each appeal process is reviewed to identify and implement corrective actions that aim to eliminate or mitigate the likelihood of reoccurrence
- Records of appeals are securely retained and registered in the RTO's *Complaints and Appeals Register*.
- On receipt of an appeal:
 - The RTO Manager informs a third party of the appeal if the appeal relates to a decision made by an employee of the third party
 - The RTO Manager communicates the progression of the appeal to all parties throughout the appeals process
- When appealing final assessment decisions, the RTO Manager actions the following process:
 - The appellant's trainer/assessor reviews the decision
 - If the appellant is not satisfied, an independent trainer/assessor reviews the assessment decision
 - If the appellant is still not satisfied, the RTO Manager refers the appellant to the RTO's complaints policy and procedure
- For all other appeals:
 - The RTO Manager reviews the original decision
 - If the appellant is not satisfied, an appropriate independent party reviews the RTO's decision
 - If the appellant is still not satisfied, the RTO Manager refers the appellant to the RTO's complaints policy and procedure
- The RTO Manager will
 - Establish a written record for each appeal received
 - Update the record throughout the appeal process

- Register the appeal in the RTO's *Complaints and Appeals Register*
- Securely retain all appeal records
- The RTO Manager is responsible for:
 - Reviewing each appeal process to identify corrective actions that eliminate or mitigate the likelihood of reoccurrence
 - Ensuring corrective actions are implemented including those actions impacting on any third party arrangements.
- The College Director and/or the RTO manager will either deal with the appeal or convene an independent panel to hear the complaint; this shall be the Complaints and Appeals Committee
 - The Complaints and Appeals Committee shall not have had previous involvement with the appeal, and will include representatives of:
 - the College Director
 - the teaching staff, and
 - an independent person.
- The appellant shall be given an opportunity to present their case and may be accompanied by other people as support or as representation
- The relevant staff member, if applicable, shall be given an opportunity to present their case and may be accompanied by other people as support or as representation
- The outcome/decision will be communicated to all parties in writing within 60 days
- If the processes fail to resolve the appeal, the individual making the appeal will have the outcome reviewed by an appropriate party independent of the RTO
- If the appellant is still not satisfied, the College Director will refer them to the QCAA website for further information about making complaints (www.qcaa.qld.edu.au/3141.html).

The root cause of any appeal will be included in the systematic monitoring and evaluation processes of the RTO so appropriate corrective action will be instigated to eliminate or mitigate the likelihood of reoccurrence.