



COMPLAINTS AND APPEALS (RTO) POLICY

Rationale:

This policy and procedure have been developed to ensure that the Victorian School of Languages (VSL) RTO has a system for complaints and appeals to be recorded, acknowledged and dealt with fairly, efficiently and effectively.

Implementation:

On submission of a complaint or appeal.

Process:

Informal Complaints:

1. Where possible, all non-formal attempts shall be made to resolve the complaint. VSL encourages open communication and an environment of trust. Therefore, any learner with a complaint is encouraged to raise the matter directly with the other party concerned to attempt to resolve the issue mutually, or they can contact the RTO Manager.
2. Advice, discussions and general mediation may take place concerning the issue and complainant/learner complaint
3. The RTO Manager will note the informal complaint on the Complaints and Appeals Register accordingly. The RTO Manager will determine and ensure that the appropriate action will be taken if necessary.
4. Any staff member can be involved in this informal process to resolve issues, but the following process must be followed below if the learner wishes to place a formal complaint.

Formal Complaints:

1. Any learner, potential learner or a third party may submit a formal complaint to VSL with the reasonable expectation that all complaints will be treated fairly with integrity and privacy. There is no cost for the complaints process unless it is referred to a third party.
 - a) A complaint may have a direct connection to VSL, its trainers/ assessors or other staff
 - b) a third-party providing services on VSL's behalf, its trainers, assessors or other staff or
 - c) a learner of VSL
2. A learner can submit a formal complaint by completing the 'Complaints and Appeals Form' by calling VSL on (03) 9474 - 0500
3. All formal complaints must be submitted to the RTO Manager and contain as many details as possible:
 - a) Date complaint was submitted
 - b) Name of complainant
 - c) Nature of complaint
 - d) Date of the event which led to the complaint
 - e) Attachments (if applicable)
4. Once a complaint has been received, the information will be inserted into the 'Complaints and Appeals Register' monitored by the RTO Manager until resolved. The information to be inserted and retained on the register includes:
 - a) Date the complaint was submitted
 - b) Name of complainant

- c) Description of complaint
 - d) Determined resolution
 - e) Date of resolution
5. Once a complaint has been logged in the 'Complaints and Appeals Register', the Principal will be notified of the complaint and will be provided with all relevant documentation related to the matter.
 6. The Principal will decide on the appropriate action to ensure a successful resolution is attained.
 7. The relevant staff member/s or trainer/assessors will be informed of the complaint, and they will have the opportunity to present their side of the matter.
 8. Once a decision has been reached, the Principal will notify all relevant parties involved of the decision and outcome, which is to be concluded in writing within 15 working days from the date the complaint was first received. Within the notification of the outcome, the learner will be advised that they have the right to appeal the decision made by VSL. Accordingly, learners will be referred to the appeals procedure as outlined below.
 9. The RTO Manager will ensure that VSL will act immediately on any substantiated complaint. For example, suppose the internal or external complaint handling or appeal process results in a decision that supports the learner. In that case, VSL must immediately implement any necessary decision and corrective and preventative action and advise the learner of the outcome.
 10. The outcome will be placed on the 'Complaints and Appeals Register', and copies of relevant documentation will be stored on the server.
 11. The learner has the right to be accompanied by any person of their choice during the complaints or appeals process.

Formal Appeals

1. If the learner is not satisfied with the formal complaint outcome, they have the right to appeal the decision made by VSL where reasonable grounds can be established.
2. The areas in which a learner may appeal a decision made by VSL may include:
 - a) Assessment conducted
 - b) Deferral, suspension or cancellation decisions made concerning a learner's enrolment
 - c) Any other conclusion/decision made after a complaint has been dealt with by VSL in the first instance.
3. To activate the appeals process, the learner must submit an 'Appeal Application' by completing the 'Complaints and Appeals Form' available from VSL by calling (03) 9474 – 0500.
4. The learner is required to provide a summary of the grounds that the appeal is based on and why they feel that the initial decision made is unfair within 10 working days from the time they received the outcome for their initial complaint. Help and support with this process can be gained from the RTO Manager.
5. Once the appeal has been received, the Principal will determine the validity of the appeal, and where necessary, organise a meeting with all parties involved in the matter, and attempt to seek resolution where appropriate.
6. The process for all formally lodged appeals will begin within 15 working days from the date that the appeal was lodged.
7. The RTO Manager will ensure that VSL acts on any substantiated appeal immediately.
8. The Principal will review the initial documentation of the complaint and shall decide based on the grounds of the appeal.
9. The learner will be notified in writing within 20 working days from the initial lodgement of the appeal of the outcome, with reasons for the decision. In addition, the 'Complaints and Appeals Register' will be updated. The learner will also be provided with the option of activating the external appeals process if they are not satisfied with the outcome.

Informal Assessment Appeals:

1. If a learner wishes to appeal an assessment, they must notify their assessor in the first instance. Then, where appropriate, the assessor may decide to re-assess the learner to ensure a fair and equitable decision is made. The assessor will be required to complete a written report regarding the re-assessment outlining why the assessment was or was not granted.

Formal Assessment Appeals:

1. If the outcome of the informal assessment appeals process is not to the learner's satisfaction. In that case, the learner can formally appeal by completing and submitting the 'Complaints and Appeals Form' and obtain a copy from VSL by calling (03) 9474 – 0500.
2. The RTO Manager will document the Complaints and Appeals Register information and obtain details from the assessor and any other parties involved.
3. A decision will be made regarding the appeal, either indicating that the assessment decision remains or details of a possible re-assessment by a third party. The third party will be another assessor appointed by VSL.
4. The learner will be notified by writing within 20 working days from the initial lodgement of their appeal regarding the outcome with reasons for the decisions, and the 'Complaints and Appeals Register' updated. The learner will also be provided with the option of activating the external appeals process if they are not satisfied with the outcome

External Appeals

1. If the learner is still dissatisfied regarding the outcome that VSL has provided. In that case, they may wish to refer the matter to an external/independent/third party mediator at their own expense.
2. Appeals can relate to assessment decisions, and they can also relate to other matters, such as the decision to exclude a learner from a training program. Learners are encouraged to resolve complaints and appeals through the VSL complaint mechanism before consulting external parties.
3. If the learner is not satisfied by the complaints and appeal outcome, they can contact:

Dispute Settlement Centre of Victoria
4/456 Lonsdale Street,
Melbourne VIC 3000
Ph: 1300 372 888

This final stage will be addressed within 30 days.

Outcomes from the external dispute and resolution service concerning a grievance will be implemented immediately.

Extensions

If more than 60 calendar days are required to process and finalise the complaint or appeal. In that case, the Principal will inform the individual in writing, including reasons why more than 60 days are required, and regularly update the individual on the progress of the matter.

This would not be necessary in most cases as the timeframes identified in the above processes keep well under 60 days. However, it may need to happen if an appeal was to reach an external stage.

Record Management

1. *Electronic records:*

- a) Electronic records are safe from loss as the VSL performs electronic backups of server information nightly once a week on-site at VSL premises.
- b) Confidentiality is maintained as limited staff have access to the database (password protected), and all learner/client information is only released as per VSL's privacy policy. All staff employed by VSL will be required to apply themselves to the following written procedures and safeguard confidential and personal information according to the Privacy and Protection of Personal Information Act 1998

2. *Hard copy records:*

- a) Confidentiality is maintained – matters relating to a complaint or appeal are stored on the server where only the RTO Manager and Principal have access
- b) Contents of files are not discarded unless the state and national storage requirements for retaining, archiving, and retrieving information have been met.

Corrective Action

When VSL receives complaints and /or appeals that demonstrate a pattern or trend, the RTO Manager will take the appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

The form of corrective action applied will be determined on a case-by-case basis where there are continuing trends and patterns.

Clause 6.6. Not applicable.