

Complaints and Appeals Policy & Procedure

Purpose

This policy is to provide clear and practical guidelines to ensure that complaints and appeals of students can be resolved equitably and efficiently, and in accordance with the principles of natural justice.

Scope

This complaints and appeals policy applies to only students enrolled with EREA Flexi RTO. Complaints regarding school conduct can be directed to the individual school/ partner principal.

Definitions

Complaints and Appeals include but are not restricted to matters of concern to a student relating to training delivery and assessment; the quality of the training; student support and materials; discrimination; sexual harassment, or one of its third parties.

Natural Justice is concerned with ensuring procedural fairness:

- Decisions and processes should be free from bias.
- All parties have the right to be heard.
- The respondent has a right to know of what s/he is accused.
- All parties are told the decision and the reasons for the decision.

Policy

The RTO believes that a student, who has a complaint or appeal, has the right to raise the complaint or appeal and expect that every effort will be made to resolve it in accordance with this policy, without prejudice or fear of reprisal or victimisation.

The student has the right to present the complaint or appeal formally and in writing.

The RTO will manage all complaints and appeals fairly, equitably and efficiently as possible. The RTO will encourage the parties to approach the complaint or appeal with an open mind and to resolve problems through discussion and conciliation. Where a complaint or appeal cannot be resolved through discussion and conciliation the RTO acknowledges the need for an appropriate external and independent person to mediate between the parties. The parties will be given the opportunity to formally present their case to the independent person.

Confidentiality will be maintained throughout the process of making and resolving complaints the RTO seeks to protect the rights and privacy of all involved and to facilitate the return to a comfortable and productive learning environment.

A copy of this Policy is available to all students and staff via the the RTO website. The information will also contain details of external authorities that they may approach.

Procedure

Should a student have a complaint or appeal, the following steps are to be followed:

1. Student should discuss the issue/complaint with their trainer/teacher to try and resolve it verbally.
2. If no resolution is reached, the student should discuss the issue/complaint with the HOC/Principal to see if it can be resolved.
3. If still no resolution the student should complete a complaint form containing the following information relating to the complaint or appeal in writing to the RTO;
 - description of the complaint or appeal
 - state whether they wish to formally present their case
 - steps taken to deal with the complaint or appeal
 - copies of any correspondence with their teacher/ trainer
 - what they would like to happen to fix the problem and prevent it from happening again.
4. Upon receipt of the complaint/appeal the RTO acknowledge receipt in writing within 5 days, and will review the issue presented. This process must commence within 48 hours from the time the RTO receives written notification from the student about their dissatisfaction to the response received from their trainer/teacher and a response / resolution must be presented within 30 days.
5. The RTO will respond in writing their decision. Should the issue still not be resolved to the student's satisfaction, the Student may bring it to the attention of EREA Flexi RTO CEO, who will make arrangements to mediate the issue. The student will be given the opportunity to formally present his or her case. The time frame for this process may vary but should take no longer than 30 days.
6. All parties involved will receive a written statement of the outcomes, including reasons for the decision within the 14 day period. If the process is taking longer than 60 days from the complaint or appeal being received the student will be notified in writing of the reason for the delay and kept informed about all progress.
7. A complaints and appeals record form will be completed and stored in the student file and recorded on the complaints register. This will identify potential areas for improvement and is also important if the same student has a complaint in the future.
8. If the student is still not happy with mediation, he / she may take his / her complaint to the VET Regulator.
9. All documentation relating to complaints or appeals will be archived for audit purposes for a period of 10 years.

RTO acknowledgement and approval

The Chief Executive Officer (CEO) approves <ul style="list-style-type: none"> • The policy, procedure and implementation as outlined above • The RTO Operations manager monitoring, evaluating and reviewing the application of this policy and ensuring compliance at all times • the email addresses provide the same acknowledgment as a signature. 			
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