

ST JOSEPH'S NUDGEE COLLEGE

Registered Training Organisation Complaints and Appeals Policy

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Registered Training Organisation Complaints and Appeals Policy

Policy Statement

This policy and procedure provides clear and practical guidelines to ensure that complaints and appeals received about the Nudgee College Registered Training Organisation (College RTO), about and from students, trainers, staff and/or third parties can be resolved equitably and efficiently, and in accordance with the principles of natural justice.

The College RTO ensures that all formal complaints and appeals will be heard with resolutions reached within 60 calendar days where possible. In the case of the time frame being longer than this, the College RTO will communicate with the complainant/appellant why the process is taking longer and an estimated timeframe for resolution as well as being kept informed regarding ongoing progress.

Details of all formal complaints and appeals will be securely maintained in a Register of Complaints and Appeals and will take appropriate corrective action to eliminate or mitigate the likelihood of recurrence.

Purpose and Scope

This policy and procedure **only** relates to:

- The College RTO, its trainers, assessors or other staff;
- A third party providing services on the College RTO's behalf, its trainers, assessors or other staff; and
- A learner of the College RTO.

Complaints may be made regarding the conduct of the above parties, and appeals may be made for a review of decisions, including assessment decisions, made by the College RTO or a third party providing services on the College RTO's behalf.

Definitions

- ***Complaint*** - is any expression of dissatisfaction with an action or service of the College RTO.
- ***Complainant*** - is the someone making the complaint and can be an individual, a group or an entity/organisation.
- ***Appeal*** - is where a student or staff member or stakeholder or another interested party disputes a decision arising from a complaint, an assessment decision, or another decision made by the College RTO. Complaints and appeals can arise from matters of concern relating to: • training delivery and assessment • the quality of the training • student support • materials • discrimination • harassment.
- ***Appellant*** - is someone involved in making the appeal or request to change a previous decision.
- ***Natural Justice*** - is concerned with ensuring procedural fairness. It involves: • Decisions and processes free from bias • All parties having the right to be heard • All parties having a right to know how and of what, they are involved/accused • Investigating a matter appropriately before a decision is made • All parties being told the decision and the reasons for the decision.

Responsibilities

The Chief Executive Officer (Principal):

- Approves and ensures the correct implementation of this policy and related procedures;
- Delegates the responsibility of receiving and recording complaints and appeals to the RTO Manager;
- Participates in the complaint and appeal process as chair of the panel; and
- Appoints an independent third party to mediate in the case of the complainant/appellant not being satisfied with the outcome.

The RTO Manager (Director of Learning & Teaching 10-12):

- Is the delegated College RTO Complaints Officer;
- Ensures staff and learners are aware of this policy and procedure;
- Receives and records all formal complaints and appeals on the register;
- Provides the CEO with details of the complaint or appeal;
- Meets with the CEO to discuss and possibly decide on an outcome;
- If an outcome is not reached, will include the College's Complaints Officer to assist;
- When an outcome is reached, notifies the complainant/appellant in writing of the decision and record this in the Complaints and Appeals Register which is kept in a secure place to protect privacy of all parties; and
- Coordinates a meeting to review the policies, procedures and strategies to mitigate the risk of the complaint or appeal occurring in the future.

The Head of Faculty - Skills and Training:

- Reviews evidence provided by the complainant/appellant in an informal complaint and making a documented decision regarding this; and
- Participates in the complaint and appeal process as requested by the RTO Manager or CEO.

Procedure & Guidelines - Complaints and Appeals

Types of complaints:

- ***Type 1*** - allegations of inappropriate behaviour and/or child protection. These allegations are processed according to the College's Child Safeguarding and Child Protection policies.
- ***Type 2*** - all other complaints relating to the College as an RTO.

Informal complaints can be made to the Head of Faculty - Skills and Training, who will make a decision and record the outcome of the complaint in the Complaints and Appeals Register.

If the matter has not been resolved via an informal process, or a formal complaint is to be made, it can be done so by the following means:

- All formal complaints will be in writing addressed and submitted to the RTO Manager;
- On receipt of a formal complaint the RTO Manager shall reply in writing to acknowledge receipt of the complaint, then inform the CEO;
- The RTO Manager and the CEO will meet to discuss the complaint and either make a decision or invite the College's Complaints Officer to assist;
- When a decision is reached this will be communicated in writing to the complainant within 60 calendar days of the complaint being received as well as being recorded on the Complaints and Appeals Register;
- If the decision will take longer than 60 calendar days the complainant will be notified in writing of the reasons why a decision has not been reached and provide regular updates regarding the progress of the matter;
- The complainant shall be given an opportunity to present their case to the RTO Manager and the CEO and may be accompanied by one other person as support or as representation;
- The relevant staff member, third party or other learner shall be given an opportunity to present their case to the RTO Manager and the CEO and may be accompanied by one other person as support or as representation;
- The RTO Manager and the CEO will make a decision on the complaint;
- The RTO Manager and the CEO will communicate its decision on the complaint to all parties in writing and this will be recorded in the Complaints and Appeals Register;
- After the complaint is finalised the RTO Manager will organise a meeting of relevant parties to review the decision and outcome and evaluate the policies, procedures and strategies of the College RTO in order to take appropriate corrective action to eliminate or mitigate the likelihood of recurrence.

Types of appeals:

- ***Type 1*** - appeal of a College RTO qualification decision.
- ***Type 2*** - appeal of any other decision relating to the College as an RTO.

Appeals can be made to the RTO Manager, who will make a decision and record the outcome of the complaint in the Complaints and Appeals Register. An appeal can be made by the following means:

- AAll appeals will be in writing addressed to the Director of Pathways/RTO Manager;
- On receipt of an appeal the Director of Pathways/RTO Manager shall reply in writing to acknowledge receipt of the appeal;
- The RTO Manager and the Head of Faculty - Skills and Training will meet to discuss the appeal and either make a decision or invite the College's Complaints Officer to assist;
- When a decision is reached this will be communicated in writing to the appellant within 60 calendar days of the appeal being received as well as being recorded on the Complaints and Appeals Register;
- If the decision will take longer than 60 calendar days the appellant will be notified in writing of the reasons why a decision has not been reached and provide regular updates regarding the progress of the matter;
- The appellant shall be given an opportunity to present their case to the RTO Manager and the Head of Faculty - Skills and Training, and may be accompanied by one other person as support or as representation;
- The relevant staff member/trainer shall be given an opportunity to present their case to the RTO Manager and the Head of Faculty - Skills and Training and may be accompanied by one other person as support or as representation;
- The RTO Manager and the Head of Faculty - Skills and Training will make a decision on the appeal;
- The RTO Manager and the Head of Faculty - Skills and Training will communicate its decision on the appeal to all parties in writing and this will be recorded in the Complaints and Appeals Register;
- After the appeal is finalised the RTO Manager will organise a meeting of relevant parties to review the decision and outcome and evaluate the policies, procedures and strategies of the College RTO in order to take appropriate corrective action to eliminate or mitigate the likelihood of recurrence.

External Appeals

If the complainant/appellant is still not satisfied, the CEO will appoint an independent third party (outside the College RTO) to mediate with costs being communicated to all parties prior to commencement.

If the complainant/appellant is still not satisfied, the CEO will refer them to the QCAA website for further information about making complaints (*www.qcaa.qld.edu.au/senior/vet/appeals-complaints*).

Related Documents

- EREA Policies and Code of Conduct (*www.erea.edu.au/about-us-policies/*)
- Nudgee College Policies (*www.nudgee.com/about/policies*)

Further Information

For further information or any enquiries, please contact:

- RTO Manager, Mr Paul Doneley (*pdo@nudgee.qld.edu.au*)
- Head of Faculty - Skills and Training, Mr Michael Byrne (*mby@nudgee.qld.edu.au*)
- General Enquiries *lnt@nudgee.qld.edu.au*