

# Complaints and Appeals Policy & Procedure

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## 1. Policy

1.1 If a client has a complaint that they wish to raise with the TAE Training Academy they are encouraged to do so through the Complaints and Appeals procedure. Clients are also encouraged to appeal any decision if they feel they have valid grounds via the Appeals process as per this policy. This includes assessment and RPL decisions. Clients can lodge a complaint or appeal against any decision made by a third party providing services on TAETA behalf, its trainers, assessors or others.

1.2 Clients may lodge informal and formal complaints. Clients may also access the TAE Training Academy internal and the external appeals process.

1.3 TAETA has a procedure for informal/ formal complaints and internal and external appeals processing/ handling.

1.4 All complaints and appeals lodged will be used for continuous improvement purposes.

1.5 The CEO is responsible for implementing this policy and reviewing its effectiveness in compliance with regulatory guidelines.

1.6 This policy will be implemented in compliance with the requirements of the Standards of Registered Training Organisations (RTOs) 2015 Standard 6.

1.7 This policy and procedure applies to all TAETA clients and staff.

1.8 Clients right to access Australian consumer protection law and other legal remedies is not affected by this policy and procedure.

1.9 All clients are provided information on Complaints and appeals policy and procedure pre and post enrolment.

1.10 TAETA encourages all parties to approach a complaint or appeal with an open view and to attempt to resolve problems through discussion and conciliation.

1.11 Clients may be accompanied and assisted by a representative at any time

1.12 Clients' enrolments are maintained whilst an internal complaint or appeal is in progress and the outcome has not been determined.

1.13 If there is any matter arising from a client complaint or appeal that is a systemic issue which requires improvement action this will be reported to TAETA management meeting as part of the continuous improvement process.

1.14 The client will incur no cost during the complaints and appeals process unless they seek external representation.

1.15 Complaints and appeals are taken seriously by TAETA and action is commenced within 5 days of receipt of a complaint or appeal. TAETA act upon the outcome of any complaint found to be substantiated. Appeals must be lodged within 20 working days of the decision of a complaint process or assessment result.

1.16 Clients are provided the opportunity to lodge their complaint or appeal in writing.

1.17 The principles of natural justice and procedural fairness are consistently applied when TAETA is implementing this policy and procedure.

1.18 TAETA encourages all parties to approach a complaint or appeal with an open view and to attempt to resolve problems in a fair, unbiased and equitable manner through discussion and conciliation.

1.19 All complaints and appeals will be handled professionally and confidentially in order to achieve a satisfactory resolution that is fair, unbiased and equitable to all parties.

1.20 Where a complaint or appeal cannot be resolved through discussion and conciliation, we acknowledge the need for an appropriate external and independent agent to review the process implemented by the Institute.

1.21 The following procedure outlines how clients will have their complaints and appeals processed.

## Procedure

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### 2. Informal Complaint Process – General Complaints

2.1 Clients are encouraged to approach any member of TAETA staff and make an informal complaint about any issue relating to their training. Clients can lodge a complaint against any decision made by a third party providing services on TAETA behalf, its trainers, assessors or others.

2.2 Where possible staff members utilise advice, discussions, and general mediation in relation to the issue/ complaint. Staff members try and resolve the issue informally. All parties are encouraged to approach a complaint or appeal with an open view and attempt to resolve problems in a fair, unbiased and equitable manner through discussion and conciliation.

2.3 Any staff member can be involved in this informal process to resolve issues. Complainants will be forwarded a letter (by email or post) acknowledging the receipt of their informal complaint and a copy of this policy and procedure within 2 working days of TAETA receiving the informal complaint form.

2.4 Staff members may refer clients to the Training Manager if they feel they cannot or it is not appropriate for them to try and resolve the complaint/ issue. The Training Manager may seek advice from or delegate the handling of the complaint to the Administration Manager.

2.5 Staff may arrange a future meeting with the client if further investigation is required.

2.6 If the complaint is against the Training Manager the Administration Manager or CEO should be approached and deal with the complaint.

2.7 The outcome of the informal complaint should be communicated to the client within 10 working days of lodgement.

2.8 Clients who are not satisfied with the outcome of the informal process are encouraged to lodge a formal complaint.

2.9 All staff members should log informal complaints and outcomes in the complaints & appeals register for continuous improvement purposes.

### 3. Formal process - General Complaints

3.1 Clients are encouraged to approach any member of TAETA staff to make a formal complaint about any issue relating to their training. Clients can lodge a complaint against any decision made by a third-party providing services on TAETA's behalf, its trainers, assessors, fellow students or others.

3.2 If dissatisfied with the outcome of the informal complaints process, clients should complete the Complaints & Appeals form.

3.3 Clients should lodge formal complaints using the Complaints & Appeals form located in the Client information handbook and the TAETA website.

3.4 Complaints & Appeals forms are to be submitted to: Training Manager, TAETA, PO Box 239, Yarraville VIC 3013

3.5 If the complaint is against the Training Manager the CEO will deal with the complaint. The complaints form and supporting documentation are to be forwarded to the CEO, TAETA, PO Box 239, Yarraville VIC 3013

3.6 Complainants will be forwarded a letter (by email or post) acknowledging the receipt of their formal complaint and a copy of this policy and procedure within 2 working days of TAETA receiving the formal complaint form. TAETA processes the complaint/ appeal within 15 working days of lodgement.

3.7 Parties involved in the complaint will be notified in writing about the complaint (including details) and invited to respond in writing to the complaint. TAETA gives all parties every opportunity to present their point of view/ position during this process and try to resolve the issue to the satisfaction of the complainant where possible.

3.8 The Training Manager will investigate the complaint and liaise with appropriate staff (if/ when appropriate) to ensure all the facts are considered prior to making any decision. All parties are encouraged to approach a complaint or appeal with an open view and attempt to resolve problems in a fair, unbiased and equitable manner through discussion and conciliation.

3.9 If appropriate the Training Manager may seek advice from internal/ external Welfare Support services and/ or involve welfare support personnel in the handling of the complaint.

3.10 If appropriate the Training Manager may seek advice from Administration Manager in the handling of the complaint.

3.11 If appropriate the Training Manager may implement TAETA's Critical Incident policy if they believe the issue meets the criteria to be deemed so.

3.12 The Training Manager may delegate the handling of the complaint to the Administration Manager or CEO if appropriate.

3.13 The Training Manager may arrange a meeting with the client during the investigation process if appropriate. Other parties identified in the complaint/ allegations may attend the meeting. The Training Manager may arrange a meeting with the client during the investigation process if appropriate.

3.14 If a meeting is initiated the Training Manager and will attend the meeting and provide the complainant an opportunity to present their side of the matter.

3.15 Meeting minutes will be taken and made available to all parties.

3.16 Clients' have the right to seek advice from and be represented by external parties at any time during the complaints and appeals process. The cost of this will be borne by the client.

3.17 At any meeting the client has the opportunity to submit and discuss any evidence in support of their complaint.

3.18 The Training Manager will consider all evidence from the client, and/ or other parties' and/ or TAETA prior to coming to any decision.

- 3.19 The Training Manager will clarify evidence/ information to ensure they fully understand all aspects of the issue.
- 3.20 On reviewing the evidence the Training Manager will attempt to negotiate a resolution to the issue/ complaint. The Training Manager will approach the resolution with an open view and to attempt to resolve problems in a fair, unbiased and equitable manner through discussion and conciliation.
- 3.21 The Training Manager notifies the client in writing of TAETA's decision within 3 working days of the decision being made. This will include reasons for the decision.
- 3.22 Clients are notified of their right to appeal any decision within 20 working days of receiving notification if they are not satisfied with the outcome of the process. They are also notified how to access the process.
- 3.23 All formal complaints and outcomes are recorded in the Complaints and Appeals Register. If appropriate the continuous improvement register will be updated.
- 3.24 If a client's complaint is substantiated through this process the Training Manager will take immediate corrective action.
- 3.25 All relevant documentation relating to the complaint is stored in the client's file.
- 3.26 If the complainant is unsatisfied with the outcome of the formal complaint process they may access the TAETA internal appeals processes. The internal appeals procedure is outlined below.
- 3.27 Where TAETA considers more than 60 calendar days are required to process and finalise the complaint TAETA will inform the complainant in writing, including reasons why more than 60 calendar days are required; and regularly updates the complainant on the progress of the matter.

## 4. Internal appeals process – General appeals

- 4.1 If clients are not satisfied with a decision they may appeal by accessing the appeals process. All parties are encouraged to approach the appeal with an open view and attempt to resolve problems in a fair, unbiased and equitable manner through discussion and conciliation.
- 4.2 The client will not incur costs when accessing the internal appeals process unless they seek representation.
- 4.3 General appeals may be made in relation to the situations identified in clauses 4.4 and 4.5 of this procedure.
- 4.4 The outcome of a formal complaint.
- 4.5 The outcome of action being brought against the client for breaching the code of conduct or a decision made by TAETA that impact the student.
- 4.6 Clients must have reasonable grounds for an appeal and include all supporting evidence with the Complaints & Appeals form.
- 4.7 The Training Manager can assist clients with completing the Complaints and Appeal form (or the administration manager or CEO if the complaint is against the Training Manager).
- 4.8 The Training Manager is not able to assist clients in establishing if they have reasonable grounds for an appeal.
- 4.9 Clients' have the right to seek advice from and be represented by external parties at any time during the appeals process. The cost of this will be borne by the client.
- 4.10 If the appeal is in relation to the Training Manager and/ or his decisions another member of staff will deal with the process. This will be the Administration Manager or CEO.
- 4.11 If the appeal is lodged as a result of the outcome of a complaint, the staff member who dealt with the complaint will not handle the appeal.
- 4.12 Clients must lodge an appeal within 20 working days of being notified by TAETA of any decision they wish to appeal.
- 4.13 Clients must lodge appeals using the Complaints & Appeals form located in the client information handbook and or available [admin@ivet.edu.au](mailto:admin@ivet.edu.au). Clients will be forwarded a letter (by email or post) acknowledging the receipt of their appeal and a copy of this policy and procedure within 2 working days of TAETA receiving the Complaints and appeals form.
- 4.14 Complaints & Appeals forms are to be submitted to: Training Manager, TAETA, PO Box 239, Yarraville VIC 3013 or via e-mail to [admin@ivet.edu.au](mailto:admin@ivet.edu.au) If the appeal is against a decision undertaken by the Training Manager the appeals form is to be forwarded to the Administration Manager.
- 4.15 The appeals process will commence within 3 working days of lodgement and the outcome communicated to the client within 20 working days of lodgement. On receiving an appeal TAETA will arrange a meeting to take place and inform the client in writing. Other parties involved in the appeal will be notified in writing about the appeal (including details) and invited to respond in writing. TAETA gives all parties every opportunity to present their point of view/ position during this process and try to resolve the issue to the satisfaction of the appellant where possible.
- 4.16 The client and representative (if requested), Training Manager (or Administration Manager if the appeal is against a Training Manager decision) will attend the meeting.
- 4.17 Staff handling the appeal provide all parties every opportunity to present their case during this process and try to resolve the issue to the satisfaction of the client where possible.
- 4.18 TAETA considers all the evidence and liaise with appropriate staff if necessary to ensure all the facts are considered prior to making any decision.
- 4.19 If appropriate TAETA staff may seek advice from external welfare support services and/ or academic staff.

- 4.20 If appropriate staff may implement TAETA's Critical Incident policy if they believe the issue meets the criteria to be deemed so.
- 4.21 TAETA representatives will clarify evidence/ information to ensure they fully understand all aspects of the issue.
- 4.22 All evidence will be reviewed in a fair, unbiased, equitable and impartial manner in coming to a decision.
- 4.23 Minutes of the meeting will be taken including the outcome of the appeal. This will also include the reasons for the decision. The minutes will be signed by all present.
- 4.24 TAETA staff discuss the reasons for the decision with the appellant.
- 4.25 If the outcome is in favour of the client, TAETA will immediately commence corrective/ improvement action.
- 4.26 Clients are forwarded written confirmation of the outcome the next business day. The letter details the reasons for the decision and informs the client of their right to access the external appeals process within 20 working days of receipt of the letter (if appropriate). Information on how to access this process is also provided.
- 4.27 The complaints and appeals register is updated. The continuous improvement register may also be updated.
- 4.28 All evidence will be placed in the clients file.
- 4.29 There are no further avenues within TAETA for complaints or appeals after the internal appeals process has been completed, however an external appeals process is available to clients.
- 4.30 Details of the external appeals process and how clients may access it are outlined below.
- 4.31 Clients may also seek to pursue a legal route if they feel unsatisfied with the outcome. Costs of any legal action incurred by the client are to be met by the client.
- 4.32 Where TAETA considers more than 60 calendar days are required to process and finalise the appeal, TAETA will inform the appellant in writing, including reasons why more than 60 calendar days are required; and regularly updates the appellant on the progress of the matter.

## 5. Internal appeals process – Assessments

- 5.1 The client will not incur costs when accessing the internal appeals process unless they seek representation.
- 5.2 If a client feels they have been unfairly assessed or there are circumstances that impacted their performance they may appeal an assessment decision. Clients can lodge an appeal against any decision made by TAETA or a third party assessor.
- 5.3 Clients should approach their assessor in this case outlining the reasons for their appeal.
- 5.4 If the assessor feels there are reasonable grounds for the appeal he/ she may decide to re-assess the client.
- 5.5 The assessor should document this process along with the outcome in the complaints and appeals register. All supporting documentation should also be placed in the clients file.
- 5.6 If the assessor decides to refuse the client an opportunity for re-assessment, the client may lodge a formal appeal by submitting a complaints and appeal form. The client must provide reasons for the appeal along with any supporting evidence.
- 5.7 Complaints & Appeals forms are to be submitted to: Training Manager, TAETA, PO Box 239, Yarraville VIC 3013 or via e-mail to [admin@ivet.edu.au](mailto:admin@ivet.edu.au)
- 5.8 If the appeal is in relation to the Training Manager's decision another member of staff will deal with the process.
- 5.9 The staff member reviews all the supporting documentation and discusses the situation with the assessor and client. A decision will be made after all the evidence has been considered.
- 5.10 If the Training Manager or other staff member handling the process decides that the clients appeal be upheld the following will apply.
- 5.11 The assessment in question will be marked by a different trainer (or by a trainer from another RTO if appropriate and feasible) and the outcome communicated to the client.
- 5.12 The assessor should document this process along with the outcome in the complaints and appeals register. All supporting documentation should also be placed in the clients file.
- 5.13 The client will be awarded the grade that gives them the most favourable outcome between the two submissions.
- 5.14 If the clients appeal is refused they will be sent written notification of the outcome within two working days of the decision being made. This will also include reasons and details for the decision. The letter will also inform the client of their right to access the external appeals process and how to do so.
- 5.15 Clients can only appeal an assessment decision once.
- 5.16 If clients are dissatisfied with the outcome of the internal appeals process they may access the external appeals process. Details of this procedure and how to access it are outlined below.
- 5.17 Clients may also seek to pursue a legal route if they feel unsatisfied with the outcome. Costs of any legal action incurred by the client are to be covered by the client.
- 5.18 Where TAETA considers more than 60 calendar days are required to process and finalise the appeal, TAETA will inform the appellant in writing, including reasons why more than 60 calendar days are required; and regularly updates the appellant on the progress of the matter.



## 6. External appeals process

- 6.1 External appeals may only be lodged if a client thinks TAETA has not followed this Complaints and Appeals policy and procedure. Clients can lodge an external appeal against any decision made by a third party providing services on TAETA behalf, its trainers, assessors or others.
- 6.2 Clients may access the external appeals process with Vernon's Solicitors.
- 6.3 Clients must lodge external appeals using the Complaints & Appeals form located in the Client information handbook or available from [admin@ivet.edu.au](mailto:admin@ivet.edu.au) or website
- 6.4 Complaints & Appeals forms are to be submitted to: Training Manager, TAETA, PO Box 13, Yarraville VIC 3013 or via e-mail to [admin@ivet.edu.au](mailto:admin@ivet.edu.au)
- 6.5 TAETA will forward all external appeals with Vernon's Solicitors within two working days of lodgment.
- 6.6 Vernon's Solicitors will advise the client that in general, the purpose of the external appeals process is to determine whether TAETA has followed its internal complaints and appeals policy and procedure.
- 6.7 Vernon's Solicitors will not review the evidence or make a decision in place of the one made by TAETA.
- 6.8 Clients will not incur costs in accessing the external appeals process unless they seek external representation.
- 6.9 All documentation is placed in the clients file.
- 6.10 Vernon's Solicitors will provide a written statement of the outcome including reasons and details for the decision to the appellant and TAETA at the completion of the external appeals process.
- 6.11 If the outcome of the external appeals process results in a decision favouring the client, TAETA will immediately implement any corrective action, decision or measures required as indicated in the written response provided by the external appeals body. The client will be advised as to the course of action taken by TAETA as per Lawyers advice.
- 6.12 The client will be contacted within 24 hours of receiving notification from Vernon's Solicitors of the decision.
- 6.13 The client may access and receive the outcome of only one external appeals process.

## Further information

TAETA Complaints and Appeals policy and procedure in no way effects the clients right to access consumer affairs legislation and legal representation. Clients also have the right to contact the VET regulator if they are dissatisfied with the complaints and appeals process and lodge a complaint against TAETA.

## National VET Regulator

Australian Skills Quality Authority  
Web: [www.asqa.gov.au](http://www.asqa.gov.au)  
Email: [enquiries@asqa.gov.au](mailto:enquiries@asqa.gov.au)  
Phone: 1300 701 801

### Documents to be employed when implementing this policy and procedure:

- Client information handbook
- Complaints and appeals form
- Complaints and appeals register

Complaints and Appeals Policy

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- Continuous improvement policy and procedure
- Continuous improvement register