

# Complaint and Appeal Policy and Procedure

## The Learning Professionals

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<b>APPROVED BY:</b>	Joanne Cornelius
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### CONTENT

1. Policy Statement
2. Scope
3. Departments Affected
4. Responsibility Adherence and Enforcement
5. Definitions
6. Procedures

Current Version No.	2.2	Next Review Date	1 Mar 2023
---------------------	-----	------------------	------------

# Complaint and Appeal Policy and Procedure

## 1. POLICY STATEMENT

The purpose of this policy is to ensure that all grievances, complaints, and appeals are dealt with in a confidential, constructive, and timely manner.

This policy is made available to all stakeholders on The Learning Professionals website.

The Learning Professionals complaints and appeals policy and procedure manages and responds to allegations involving the conduct of:

- a) the RTO, its trainers, assessors, or other staff.
- b) third party providing services on the RTO's behalf, its trainers, assessors, or other staff; or
- c) an applicant or learner of the RTO

## 2. SCOPE

The Learning Professionals complaints and appeals policy and procedure manages and responds to allegations involving the conduct of:

- a) the RTO, its trainers, assessors, or other staff.
- b) third party providing services on the RTO's behalf, its trainers, assessors, or other staff; or
- c) an applicant or learner of the RTO.

## 3. DEPARTMENTS AFFECTED

This Policy applies to all Departments at The Learning Professionals.

## 4. RESPONSIBILITY, ADHERENCE AND ENFORCEMENT

The CEO is responsible for the management of this policy and ensuring staff, third parties, authorised education agents and students are aware of The Learning Professionals complaints and appeals policy and procedure.

The RTO Manager is responsible for the implementation of this policy

All LP staff and students are responsible for the application of this policy.

## 5. DEFINITIONS

<b>Assessment</b>	The process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET accredited course.
<b>ASQA</b>	Australian Skills Quality Authority; national vocational education and training regulator
<b>Competency</b>	The consistent application of knowledge and skill to the standard of performance required in the workplace. It embodies the ability to transfer and apply skills and knowledge to new situations and environments

Current Version No.	2.2	Next Review Date	1 Mar 2023
---------------------	-----	------------------	------------

# Complaint and Appeal Policy and Procedure

<b>Course</b>	A vocational qualification offered by The Learning Professionals
<b>Student</b>	An individual who is receiving, responding to and processing information in order to acquire and develop competence. This incorporates the processes of preparing and presenting for assessment
<b>Units of competency</b>	The specification of the standards of performance required in the workplace as defined in a training package.

## 6. PROCEDURES

### 6.1 General

6.1.1 The Learning Professionals (LP) complaints policy and appeals policy:

- ensures the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process
- is publicly available
- ensures liaising with sensitivity to the needs of vulnerable Applicants, such as individuals who are not fluent in English or have an intellectual or physical disability. (i.e., they may require a support person)
- sets out the procedure for making a complaint or requesting an appeal
- ensures complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable; and
- provides for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the processes fail to resolve the complaint or appeal.

6.1.2 Where LP considers more than 60 calendar days are required to process and finalise the complaint or appeal LP will:

- inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required: and
- regularly update the complainant or appellant on the progress of the matter.

6.1.3 The Learning Professionals:

- securely maintains records of all complaints and appeals and their outcomes; and
- identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

### 6.2 Procedure

6.2.1 All complaints and appeals must refer to The Learning Professionals Complaints and Appeals Policy and Procedure, which apply regardless of training site at which the grievance has arisen, be it formal or informal training, for:

- Study mode
- Student seeking to enrol, defer, cancel, suspend their enrolment, or current student

Current Version No.	2.2	Next Review Date	1 Mar 2023
---------------------	-----	------------------	------------

# Complaint and Appeal Policy and Procedure

- 6.2.2 All staff of The Learning Professionals shall ensure that all complaints are dealt with in a constructive and timely manner (refer to flow chart). Complaints or appeals could be in relation to:
- Student attendance
  - Academic progress, including review of assessment decisions
  - Training and/or Testing; and/or
  - Trainers and/or Examiners.
  - Curriculum matters
  - Awards, and
  - Non-academic matters including:
    - o Harassment
    - o Vilification
    - o Discrimination
    - o Financial
    - o Fines and payments
    - o Application procedures
    - o Exclusion from events and facilities
- 6.2.3 The Learning Professionals will respond to a complaint and or appeal in a timely manner for further details of the time Learning Professionals will respond to a complaint and or appeal see the complaints and appeals flow chart below.
- 6.2.4 The complaints or appeals could be from an internal or external client and must always be dealt with in a confidential manner. Whenever possible the matter should be resolved in-house however on occasions this may not be possible. The complainant may have a third party to assist them in any relevant meetings and will receive in writing details of the decision outcome of all internal proceedings at no cost to the complainant. However, there will be a cost of no more than \$200.00 if an external independent mediator is required. If the matter is rectified using internal resources, there will be no cost passed on to the complainant.
- 6.2.5 If an external consultant is required to be engaged from external sources a cost may be incurred, this cost may vary dependent on the consultant engaged but will not exceed \$200 per session and will be payable directly to the independent mediator. External consultants who may be engaged could consist of an organisation agreed upon by both parties. After all internal processes have been accessed to resolve the matter the complainant may choose to take the matter further to the respective governing body.
- 6.2.6 All complaints and appeals shall be reported in the weekly operations meeting and a 'Complaints and Appeals form' shall be raised and recorded on file, detailing the actions required to arrive at satisfactory resolutions of each complaint.
- 6.2.7 All documentation arising from the grievance, complaint or appeal will be recorded and held for 5 years and access to these records will be available on application within 10 working days subject to confidentiality. Initially on employment during the induction process, and yearly

Current Version No.	2.2	Next Review Date	1 Mar 2023
---------------------	-----	------------------	------------

## Complaint and Appeal Policy and Procedure

thereafter, all The Learning Professionals Staff are formally trained in the adherence to all policies and procedures.

- 6.2.8 Outcomes implementing this policy and procedure will be reviewed for continuous improvement practices by the senior management team annually. This procedure is a 5-stage process as outlined over the page in the Grievance Procedure Flow Chart.
- 6.2.9 The Learning Professionals accepts lodgement of complaint and appeals up to 3 months after the incident date has occurred to allow time for the applicant to use this system. However, complaints logged after 3 months of the incident will required acceptance by the CEO. This will ensure timely application of any issues for The Learning Professionals will be implemented.
- 6.2.10 During the initial review or investigation stage we may need to clarify further documentation or conversation with you to assist us in resolving your complaint. The Learning Professionals will provide feedback to the applicant of their initial lodgement received within 48 hours and verbal dialogue through each stage of the process.
- 6.2.11 The complaints procedure is designed to be completed within 30 working days however, if the lodged complaint process exceeds 30 working days The Learning Professionals will notify the applicant in writing of the progress and issues arising that are challenging the timely action of the complaints process
- 6.2.12 All the complaints and appeals are recorded in Complaints and Appeals register.

### 6.3 Complaints contact

- 6.3.1 All written complaints are forwarded to the student support officer via [admin@thelearningprofessionals.com.au](mailto:admin@thelearningprofessionals.com.au) they may contact the student support officer on 1300 043 045
- 6.3.2 You may request feedback on the progress of your submission via email to the student support officer

### 6.4 External Complaints and Appeals

- 6.4.1 You have the right to make complaint directly to the following organisations however, in the first instance The Learning Professionals should be provided the opportunity to resolve your issue, prior to making complaint to these organisations
- 6.4.2 The purpose of the external appeals process is to consider whether the RTO has followed its student complaint and appeals procedure and should only be enacted after exhausting of the internal procedures described above.

Issue	External Agency
VET students with complaint about education quality	<b>Australian Skills Quality Authority</b> <a href="https://www.asqa.gov.au/students/complaints">https://www.asqa.gov.au/students/complaints</a>
International students with a complaint about a private education provider	<b>Overseas Students Ombudsman</b> <a href="http://www.oso.gov.au">www.oso.gov.au</a> Phone 1300 362 072
Complaints about harassment of discrimination	<b>Victorian Equal Opportunity and Human Rights Commission</b>

Current Version No.	2.2	Next Review Date	1 Mar 2023
---------------------	-----	------------------	------------

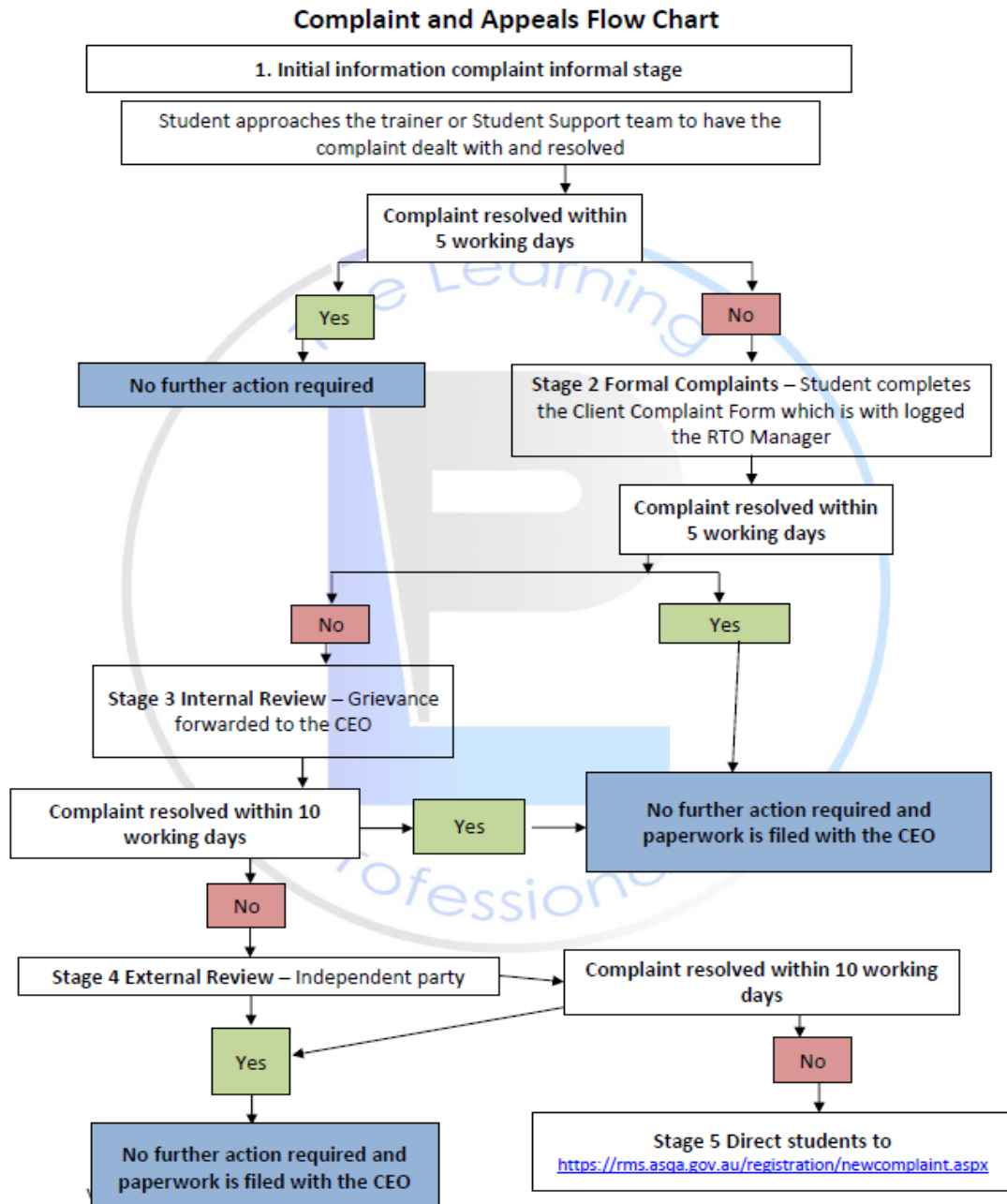
## Complaint and Appeal Policy and Procedure

	<p><a href="https://www.humanrights.vic.gov.au/">https://www.humanrights.vic.gov.au/</a> Phone 1300 292 153</p> <p><b>Australian Human Rights Commission</b> <a href="https://humanrights.gov.au/complaints">https://humanrights.gov.au/complaints</a> Phone 1300 656 419</p>
NSW marine Licence training only	<p><b>NSW Maritime</b></p> <ul style="list-style-type: none"> <li>• You can submit a complaint or provide feedback by using one of the following methods:             <ul style="list-style-type: none"> <li>○ Via the online feedback form</li> <li>○ Email <a href="mailto:info@service.nsw.gov.au">info@service.nsw.gov.au</a></li> <li>○ Phone 13 77 88</li> <li>○ In person at any Service NSW Service Centre</li> <li>○ Write to: Customer Resolution Coordinator, GPO Box 7057, Sydney NSW 2001</li> </ul> </li> </ul> <p><b>NSW Fair Trading:</b></p> <ul style="list-style-type: none"> <li>○ Complete the <a href="#">General complaint form (PDF, 502.42 KB)</a></li> </ul>

Current Version No.	2.2	Next Review Date	1 Mar 2023
---------------------	-----	------------------	------------

# Complaint and Appeal Policy and Procedure

## 6.1 Complaint and Appeals Flow Chart



Current Version No.	2.2	Next Review Date	1 Mar 2023
---------------------	-----	------------------	------------

# Complaint and Appeal Policy and Procedure

## 6.2 Complaints and Appeals Form

### Instructions to Clients

- 1 Complete this form and submit to the Student Counsellor as soon as possible.
- 2 Clearly state the nature of your complaint and clearly indicate what you have done to resolve the issue yourself.
- 3 All complaints will be treated seriously, and you may be required to discuss the complaint with Management of The Learning Professionals.
- 4 You will be formally notified of the outcome of your complaint.

First Name:

Surname:

### Describe your complaint:

What action have you taken to try and resolve this complaint?

Do you have a suggested remedy to the problem?

I hereby declare that the information provided on this form is true and correct.

Client's Signature \_\_\_\_\_ Date \_\_\_\_\_

*To be completed by RTO Manager*

Agreed Action (mutual between client and RTO):

Outcome (has the issue been resolved or is further action required):

RTO Manager's Signature \_\_\_\_\_ Date \_\_\_\_\_

Current Version No.

2.2

Next Review Date

1 Mar 2023