

**MANAGINGCOMPLAINTS/APPEALS PROCEDURE**

**GT-PRO-005**

**Approvals**

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**Revisions**

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1. **PURPOSE**

To ensure compliance standards for Registered Training Organisations (RTO)**2015 Standard Six of managingcomplaints and appeals**.

To give guidance and outline the complaint / appealprocess for Deltawest Training where a Training and Assessing performance is not to the standard or the assessments does not have the trainee’s desired outcome.

1. **SCOPE**

Demonstrate conformance with Deltawest Training policies and procedures and compliance with the essential guidelines for RTO’s.

**3. PROCEDURE**

Every trainee/student has the right tolodge a complaint/appeal if they are of the opion they have not received the outcome expected.

All complaints/appeals must be undertaken in writing: under no circumstance will a complaint/appeal be managed verbally.

When a trainee/student wished to complain/appeal the assessment outcome they will need to complete the complaint/appeal proforma.

If a trainee/student has their assessment/skillsrecognitionassessed asnotsuccessful,butfeel they diddemonstratecompetencyagainsttheperformancecriteria,theyareentitledto complain/appeal.

The trainee/student maycomplain/appealtheoutcomeofanassessmentif they feelthat:

* An issue has arisen with the Trainer/Assessor or course content;
* Theassessmentjudgementhasbeenmadeincorrectly;or
* Thejudgementwasnotmadeinaccordancewiththeassessmentplan; or
* The was made outsite the training provided.

The following table gives a basic outline of the complaint/complaint/appeal process

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| **STEPS FOR A FAIR HEARING** | |
| Step 1 | Trainee/Student commence negotiation |
| Step 2 | Obtain assistance |
| Step 3 | Commence formal process |
| Step 4 | Lodge complaint/appeal |
| Step 5 | Resolution |
| Step 6 | Notification |
| Step 7 | Acceptance/Further Action |

**Step1–Trainee / Student shouldreviewconcernsanddiscussdirectlywithassessor/s.**

Ifthe student/trainee feels thatitisnotappropriatetodiscusstheproblemwith the assessor/sorthematterisstillunresolved,theymayneedtomovetoStep2.

**Step2 - Checkthegroundsforcomplaint / appealandmakesurethisisthecorrectprocess.**

Rememberthatcomplaintsaboutthedeliveryoftraining,qualityofinstructionorotherissues,arehandledthroughthegrievanceprocedures.Assessmentcomplaint/appealsfocusonjudgementsastowhethercompetencehasbeenachievedanddemonstrated.Ifthisreallyisthe case,thenthe process proceed toStep3.

**Step3–FillintheCompaint/Appealform.**

Ifarequestforancomplaint/appealproceedstothisstep,the complainant needstoformaliseitbyfillinginanApplicationforAssessmentComplaint/AppealForm.

**Step4–Sendtheforminforaction.**

MostissueswillberesolvedbeforetheyreachtheRTO.Howeverifthey are unresolved,the complainant will need tosendorgivetheformtotheir supervisororemployer(orwhoeverwasresponsibleforpayingforthetraining)foractioning.Aprocesstoensureallrelevantinformationiscollectedwillbediscussedbetween the complainant and the supervisor/employer.

**Step5–Complaint/appealsbasedonfairjudgement**

Acomplaint/appealspanelwillbeconvenedinordertoreviewthecase:

* Toensure a fairhearing,and
* To Checkevidenceinordertoformulatearesolution.

Any complaint/appealdecisionmustbebasedonevidencecollectedand information supplied. AnAssessmentComplaint/Appeaslpanelconsistingofthe Director inconsultationwithanoutsideassessorwillconsiderthecaseandshall:

* Consideralldocumentsprovided;
* Interviewthepeopleinvolved(e.g.applicant,assessor/s);
* Requestfurtherdocumentation;
* Requestkeypeopletopresenttothepanel;
* Requestanotherassessortoreviewthecase;
* Scheduleanotherassessment;and
* finallyupholdorrejectthecomplaint/appealbasedonthegroundsonwhichthecomplaint/appealwasmade.

**Step6–Formalnotificationofcomplaint / appealpanel’sresolution.**

The complainantwillreceiveformalnotificationofthe complaint/appealoutcomewithin60 calendardaysofthe complaint/appealapplicationformbeingreceived.

Where Deltawest Trainingbelieves the disputed matter may exceede the 60 calendar days,Deltawest Trainingmust,inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required. In addition, as the complaint/appeal application will exceed 60 calendar days the complainant or appellant will require regular updates on the progress of the matter also in writing.

**Step7–Acceptanceofthedecisionofthecomplaint/appealpanelorfurtheraction.**

The complainantmayhavetheevidencere-assessedandbedeterminedtobecompetent,or mayhavetheoriginaldecisionupheldinwhichcasethe complainant maybeofferedare-assessmentopportunity.

Ifthe complainant isnothappywiththeassessmentpanel’sdecision,thenthey havetherighttoaccessthenational trainingauthority’sgrievanceprocedures.

**QUESTIONSANDANSWERSONTHEASSESSMENTCOMPLAINT / APPEALSPROCESS**

***Whocanusetheprocess?***

Anyoneassessedby Deltawest Trainingunderacompetencybasedassessmentwithinthe standards mayaccessthisprocess.

***Whenis thecomplaint/appealsprocess used?***

Whena complainant believes that theyhavebeenassessedunfairlydueto

* Poorassessmentprocess(notinaccordancewithassessmentplan)and/or
* Whatthe complainantconsiderstobean unfairjudgementagainstthestandardsofcompetency.

***Cana complainant bepenalisedforusingthecomplaint/appealsprocess?***

No, any concern which is raised will be dealt with seriously. The complainant will not be penalised in anyway provided that one of Deltawest Training quality assurance processes is followed correctly.

***Whatshouldthe complainantdoifsomeonesaysthat he/she cannotusetheprocess?***

The complainant should speak with the manager of Deltawest Training or the office staff in the reception area. The complainant will have access to afair complaint / complaint / appeals policy and be entitled to complain / appeal if they feel that they have reasonable grounds to do so.

***Cansomeonehelp the complainant throughtheprocess?***

A complainantcanhavea‘coach’inanystepoftheprocesstoassistinprocessinghis/herconcerns.Theirroleistoassistthe complainant–nottopresentsolutions.

A complainantcanaskafriendtoassistin:

* Preparingthe complainant’spointofview(includingcompletingthecomplaint/appealform)
* Presentingthe complainant’sviewpointandfacilitatingtheprocess(notsolvingtheproblem).