

COMPLAINTS AND APPEALS POLICY

Purpose

ACTB is committed to maintaining a fair, transparent, and accessible complaints and appeals process. This policy ensures that all complaints and appeals are handled in accordance with the principles of natural justice, procedural fairness, ensuring timely resolution and supporting continuous improvement initiatives by using feedback to enhance our practices, operations and services.

Scope

This policy applies to:

- All staff, learners, clients and any third parties we work with; and
- All aspects of our operations.
- Student Management Software
- PRISMS

Responsibilities

RTO Manager

- Ensures timely resolution of complaints and appeals.
- Oversees investigations and approves outcomes.
- Ensures compliance with the principles of natural justice and procedural fairness.

RTO Manager

- Conducts impartial investigations into complaints and appeals (unless the complaint involves the RTO Manager, in which case another staff member will be assigned).

Administrative & Support Staff

- Facilitates communication between all parties and staff involved in the investigation processes.
- Records and maintains complaints and appeals documentation.
- Provides administrative support for investigations and communication.

All Staff

- Cooperates fully with investigations, where required.

Definitions

- A complaint is a dissatisfaction expressed regarding services, staff, other learners, or third-party providers with ACTB. It may involve matters concerning the quality of our courses, the efficiency of our systems and processes, the conduct of another learner, interactions with one of our staff members, or a third-party marketing our courses.

Staff members should do their best to address, acknowledge and resolve issues that arise as they occur. Where it is not possible, the individual should be encouraged to lodge a complaint. A complaint can be made in any form and does not need to be formally documented by the complainant for us to act on it. However, we should encourage the complainant to complete our Complaint Form to ensure the accuracy of the information. It can be made by any person, whether they are a learner, a staff member or even a passerby. There is no time limitation on a person who is seeking to make a complaint.

- An appeal is a formal request to review a decision made by ACTB. Appeals may relate to assessment judgements or other decisions made by us or a third-party which adversely impacts the appellant. An appellant must complete the Appeals Form, which is available on our website, or it can be requested for by the Administrative & Support Staff and it is to be submitted either in hard copy, or electronically via e-mail to admin@actb.com.au. An appeal must be made within **20 business days** from the date the decision is informed to the individual.

Note: Appeals may also relate to decisions involving cancellation of enrolment, including those arising from non-payment of fees.

- ACTB will not proceed with cancellation or reporting until the internal appeals process has been completed or the learner has chosen not to access the appeals process.

General Principles

ACTB commits to the following principles when handling complaints and appeals:

- Resolve all complaints and appeals within 60 calendar days. If additional time is required, the complainant or appellant must receive updates fortnightly on the progress.
- Handle all complaints and appeals at no cost to the complainant or appellant.
- Record and securely maintain all complaints and appeals documentation in the Complaints and Appeals Register.
- Strict confidentiality is upheld – only authorised personnel have access to the Complaints and Appeals Register and related documentation.
- Ensure no negative consequences or discrimination will result from lodging a complaint or appeal, and the principles of natural justice and procedural fairness are observed:
 - o The complainant or appellant is entitled to be heard with access to all relevant information, with the right of reply;
 - o Have their matter heard and reviewed by an unbiased decision-maker; and
 - o The decision must be made based on evidence, logical reasoning and proper considerations.

Where an appeal relates to the suspension or cancellation of enrolment, including cancellation due to non-payment of fees, the learner's enrolment will remain active until the internal appeals process is completed.

- Provide support mechanisms, including allowing individuals to be accompanied by a support person during meetings and regular check-ins to assess their mental and emotional well-being.
- Cooperate with external agencies or statutory bodies investigating the handling of complaints and/or appeals.
- If a complaint concerns a staff member, they will not be involved in the investigation.
- Provide access to an independent reviewer if the complainant or appellant is dissatisfied with the internal process.

If the learner is dissatisfied with the outcome of the internal appeals process, they may access an external appeal at no cost through an appropriate independent body, such as the Overseas Students Ombudsman (OSO), where applicable. This includes appeals relating to decisions on cancellation of enrolment, including those arising from non-payment of fees.

- Utilise complaints and appeals as opportunities for continuous improvement and take immediate corrective action to mitigate recurrence; and
- Ensure this policy is publicly available, and easily accessible by our prospective and current learners, clients, staff and third parties – published in our Student Handbook and on our website.

Compliance

This policy aligns with:

- **Standards for RTOs 2025:**

- o Standard 2.7 – Effective feedback and complaints management addresses concerns and informs continuous improvement.
- o Standard 2.8 – Effective appeal processes are available where a decision of the RTO or a third-party adversely impacts a VET student.
- o Standard 4.1 – The RTO operates with integrity and is accountable for the delivery of quality services.
- o Standard 4.2 – Roles and responsibilities are clearly defined and understood.
- o Standard 4.3 – Risks to VET students, staff, and the RTO are identified and managed.
- o Standard 4.4 – The RTO undertakes systematic monitoring and evaluation to support the delivery of quality services and continuous improvement.

- **National Code 2018:**

- o Standard 10 – Complaints and Appeals

Failure to comply with this policy can have serious consequences, including but not limited to:

- For the RTO – non-compliance can result in the loss of our accreditation, loss of reputation, and compensation claims by the complainants and/or appellants, and costs which may arise from disputes, legal proceedings or the hiring of independent parties for dispute resolution.
- For learners and clients – non-compliance can result in a poor and frustrating student experience with us, causing unnecessary frustrations which can lead to mental and emotional harm, and adversely affect the outcomes of their training program.

Continuous Improvement

- Feedback from staff, learners, clients and industry stakeholders will be used to inform improvements to compliance processes and the effectiveness of our operations.

- An internal audit is to be conducted at least once per year to assess our compliance with this policy and the relevant legislative and regulatory requirements. The audit schedule is outlined in our Continuous Improvement Schedule, and areas for improvement are documented in our Continuous Improvement Register.
- Internal audit review questions for self-assurance purposes should include:
 - o How do you ensure students and others are made aware of the processes for complaints and appeals, including independent reviews?
 - o How do you ensure your complaints and appeals management systems are procedurally fair, timely and effective?
 - o How are the outcomes of complaints and appeals used to continuously improve your services?

Related Documents

- Appeals – Acknowledgement of Appeal letter template
- Appeals – Successful letter template
- Appeals – Unsuccessful letter template
- Appeals Form
- Complaint Form
- Complaints – Acknowledgement of Complaint letter template
- Complaints – Unwarranted letter template
- Complaints – Warranted letter template
- Complaints and Appeals Register
- Continuous Improvement Register
- Continuous Improvement Schedule
- Student Handbook