

## Complaints and Appeals Policy & Procedure

### Purpose

The purpose of the Complaints and Appeals Policy and Procedure is for CEAV Institute to ensure all complaints and appeals are treated seriously. Students who are concerned about the conduct of CEAV Institute are encouraged to attempt to resolve their concerns by informally discussing the issue with the people involved. With top priority to resolve through conciliation and viewed as an opportunity for improvement. If this is not possible or a resolution cannot be met, then the Complaints and Appeals procedure must be used.

### Scope

This policy applies to all the CEAV Institute (RTO 22523) including staff, students, and stakeholders.

### Definitions or Reference Documents

#### Appeal

An appeal is a request for a review of a decision made by CEAV Institute (or a third-party providing services on CEAV Institute's behalf), including decisions about assessment, made by CEAV Institute or a third party providing services on behalf of CEAV Institute. An appeal can also be made against CEAV Institute's outcome decision of a formal complaint.

#### Complaint

A complaint is deemed to be dissatisfaction with the procedures, outcome, or quality of service provided by or the conduct of employees of CEAV Institute or a third-party providing services on CEAV Institute's behalf in relation to the following processes:

- Enrolment.
- The quality of the training delivery.
- Issuing of results, certificates, and/or statements of attainment.
- Any other activities associated with the delivery of training and assessment services.
- Other issues such as discrimination, sexual harassment, participant amenities, etc.

#### Complainant

The person making the complaint.

#### Formal Complaint/Appeal

A complaint or appeal is deemed to be formal when it is made in writing or in person to the RTO Manager, Head of Teaching & Learning.

### Policy

Australian Centre for Career Education (CEAV Institute) is committed to resolving complaints and appeals efficiently and ensuring that the outcomes are consistent, fair and just.

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CEAV Institute is committed to fostering a learning environment where complaints and appeals are treated seriously. Complaints are resolved through conciliation. All complaints and appeals received by CEAV Institute will be viewed as an opportunity for improvement.

The complaints and appeal processes are accessible, clear, transparent, confidential, constructive, and fair to all parties. The key focus is the efficient and effective resolution of all complaints and appeals to support the restoration of positive and cooperative relationships at the earliest opportunity.

All prospective students receive course information and the Student Handbook containing information on complaints and appeals from [CEAV Institute's website](#).

CEAV Institute staff members have been informed about the Complaints and Appeals Policy & Procedure during their induction.

All parties will have a clear understanding of the steps involved in this procedure.

Students will be provided with details of external authorities they may approach if required.

At any stage in the complaint or the appeals process, students are entitled to have their own nominee (advocate) included in the resolution process. If the students are using a paid nominee, it will be at their own cost. The nominee must present their photo ID while accompanying the student at any of the appointments at CEAV Institute.

Students may raise any matters of concern relating to training delivery and assessment, the quality of teaching, student amenities, discrimination, sexual harassment, and other issues that may arise.

Nothing in this procedure inhibits students' rights to pursue other legal remedies. Students are entitled to resolve any dispute by exercising their rights to other legal services.

### **Skills First**

CEAV Institute will be accountable to the Department of Education for its performance under the Skills First Contract by responding and cooperating in good faith with the Department in its resolution of student complaints made to, or other issues raised with the Department in relation to CEAV Institute's delivery of its training services.

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### Procedure

#### Handling Students Complaints

This procedure outlines the steps involved in the implementation of CEAV Institute's Student Complaints and Appeals Policy.

#### Complaints

- Complainants have the right to be accompanied by any person of their choice including legal or other representatives at any time during the complaint or appeal process.
- The complainant is encouraged to discuss the complaint with the relevant trainer. It is always recommended to resolve the matters informally whenever possible.
- If a satisfactory resolution cannot be achieved, the complaint should be referred to the RTO Manager, Head of Teaching & Learning using the Student Complaints and Appeals Form.
  - This form does not have to be completed by the student, as they may formally present their case in person but will assist with the processing of the complaint or appeal.
  - Where the official form is not used and where it is deemed appropriate, the appropriate member of CEAV Institute staff shall record details of the complaint or appeal using an official complaint form.
  - All official complaints and appeals shall be recorded in writing.
- The RTO Manager, Head of Teaching & Learning is responsible for investigating the complaint and contacting the complainant within ten working days to try and negotiate a mutually satisfactory resolution.
- Where the RTO considers more than 60 calendar days to be required to process and finalise the complaint or appeal, the RTO will inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required.
- The RTO Manager, Head of Teaching & Learning will provide regular updates to the complainant or appellant on the progress of the matter.

#### Appeals

- The appellant is encouraged to discuss their concern with the relevant trainer.
- If a satisfactory resolution cannot be achieved, the appeal should be referred to the RTO Manager, Head of Teaching & Learning using the Student Complaints and Appeals Form.
- Appeals against assessment will be reviewed by the RTO Manager, Head of Teaching & Learning and they will involve the alternative Trainer/Assessor where appropriate.
- A re-assessment will be arranged where appropriate.
- The second assessment decision will be communicated to the appellant in writing.
- If the complaint is about a specific individual the RTO Manager, Head of Teaching & Learning's response will include:
  - Informing the person about whom the complaint is made and seeking their views and perspective.
  - Considering the use of a mediator.
- If the complainant is not satisfied with the response of the RTO Manager, Head of Teaching & Learning, CEAV Institute, the complaint will be referred to the CEO.
- Should the complainant be dissatisfied with the outcome of this process, external mediation and resolution are available. A request for external mediation or dispute resolution must be made in writing.
- The CEO and/or Committee of Management will consider the recommendation of the external mediator prior to confirming or amending the original decision and communicate the decision with supporting reasons in writing to the parties involved in the process within two weeks.

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- Following this process, if the complainant is not satisfied, the complainant may take the matter to an external agency such as:
  - ASQA
  - The National Training Complaints Hotline
  - A Mediation Adviser as approved by the Law Institute within your state.
- The cost of any external mediation will be borne by the individual.
- CEAV Institute will document complaints and their resolution on the Continuous Improvement Register.

### Recording Complaints and Appeals

The CEAV Institute will:

- securely maintain records of all complaints and appeals in a secure and confidential location. **Refer to CEAV Institute's Record Management Policy and Procedure**
- maintain the Complaints Register;
- identify the potential causes of complaints and appeals and take appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.
- use the outcome of any complaints or appeals to drive continuous improvement. **Refer to CEAV Institute's Continuous Improvement Policy and Procedure.**

### National Training Complaints Hotline and VET Regulator

If a student wishes to take their complaint to an external agency, they can contact either:

- The National Training Complaints Hotline on 13 38 73 (Monday to Friday from 8 am to 6 pm nationally) or complete the online form:
  - <https://www.dewr.gov.au/national-training-complaints-hotline/national-training-and-complaints-hotline-complaints-form>
- Or ASQA, which accepts complaints about providers (also known as reports alleging provider non-compliance) from all members of the community. Complaints are lodged through asqaconnect:
  - <https://asqaconnect.asqa.gov.au/>

### Meeting the requirements of the VET Quality Framework

- Skills First Victorian Funded Contract:
  - Clause 1 – Training Provider website and Victorian Skills Gateway – Clause 1.3 f),
  - Clause 4 General Obligations of Training Provider – Be Accountable – Clause 4.9 i).
- Standards for RTOs 2015:
  - Clauses 1.7, 5.4
  - Clauses 6.1 to 6.6 – Supporting and informing learners; managing complaints and appeals
- Skills First Quality Charter

## Complaints and Appeals Policy & Procedure

### Related Documents

- Assessment Policy & Procedure
- Student Assessment Booklets
- Trainer & Assessor Guides
- Complaints and Appeals Form
- Complaints Register
- Extension Application Form
- Continuous Improvement Policy and Procedure
- Continuous Improvement Register
- Records Management Policy and Procedure

### Document Version Details

Version Identifier:	V3
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Legislation	Relevant Websites
<b>Commonwealth:</b>	
National Vocational Education and Training Regulator Act 2011, including the July 2020 amendments	<a href="https://www.legislation.gov.au/Details/C2020C00250">https://www.legislation.gov.au/Details/C2020C00250</a>
Australian Privacy Principles	<a href="https://www.oaic.gov.au/privacy/australian-privacy-principles">https://www.oaic.gov.au/privacy/australian-privacy-principles</a>
Commonwealth Privacy Act 1988 and Amendments	<a href="https://www.legislation.gov.au/Details/C2014C00076">https://www.legislation.gov.au/Details/C2014C00076</a>
Public Records	<a href="https://www.legislation.vic.gov.au/in-force/acts/public-records-act-1973/041">https://www.legislation.vic.gov.au/in-force/acts/public-records-act-1973/041</a>
<b>Victorian:</b>	
Education and Training Reform Act 2006	<a href="https://www.legislation.vic.gov.au/in-force/acts/education-and-training-reform-act-2006/091">https://www.legislation.vic.gov.au/in-force/acts/education-and-training-reform-act-2006/091</a>
Victorian Privacy Act 2008	<a href="https://www.vic.gov.au/privacy-vicgovau">https://www.vic.gov.au/privacy-vicgovau</a>
Privacy and Data Protection Act 2014	<a href="https://www.legislation.vic.gov.au/in-force/acts/privacy-and-data-protection-act-2014/027">https://www.legislation.vic.gov.au/in-force/acts/privacy-and-data-protection-act-2014/027</a>