

# COMPLAINTS AND APPEALS POLICY AND PROCEDURE

Policy and Procedure Name	Complaints and Appeals Policy and Procedure
Version	1.0
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## 1. Purpose and Scope

The following policy and procedure outlines our approach to providing our consumers with an accessible, transparent, fair and efficient complaints/appeals management process.

The Complaints and Appeals Policy and Procedure applies to all consumers and stakeholders and relates to all aspects of non-accredited service delivery (e.g. student recruitment/enrolment, delivery of training and assessment, fees and refunds, privacy, advertising and marketing practices).

Allegations involving the conduct of staff, trainers and assessors, students or where applicable any third party is managed using this policy and procedure. The 'Consumer Protection Policy and Procedure' and the 'Quality Assurance Policy and Procedure' provide additional information to support the complaint and appeals management system.

## 2. Abbreviations / Definitions

Appeal	A formal application to have an assessment decision or finding reviewed.
Appellant	The person who is asking to have an assessment decision or finding reviewed.
ASQA	Australian Skills Quality Authority.
Complaint	A grievance that requires a formal resolution process.
Complainant	The person or organisation who has raised the complaint.
Nationally Recognised Qualification	Means an AQF qualification that has endorsed in a training package or accredited in a VET accredited course.
Non-accredited Training and Assessment	A learning and development program or course that is not a Nationally Recognised or accredited.
RTO	Registered Training Organisation

# COMPLAINTS AND APPEALS POLICY AND PROCEDURE

## 3. Policy

Opportune Professional Development understands that from time to time consumers may wish to make a formal complaint about an aspect of service delivery or may choose to appeal an assessment decision or process that they feel is unfair. Opportune Professional Development welcomes such feedback as it provides valuable information that can be used to meet the needs of its consumers and improve the delivery of its service. The principles of the organisations complaints and appeals process are as follows;

- The Complaints and Appeals policy and procedure is free and publicly available to all consumers/stakeholders.
- Information on how to make a complaint/ appeal is available in the 'Complaints Policy and Procedure', 'Consumer Protection Policy and Procedure', student handbook and on the organisations website.
- Complaints and appeals are investigated and resolved as quickly as possible. Where practicable complaints are resolved at the time that they are raised.
- All complaints and appeals are acknowledged in writing and finalised after a comprehensive investigation has occurred.
- Opportune Professional Development aims to form a response to the complainant/appellant within 10 days of the complaint/appeal being received.
- Where the organisation considers more than 60 calendar days are required to process and finalise the complaint/appeal they will inform the complainant/appellant in writing as to why this is required and will provide the complainant/appellant regular progress updates on the progress of this matter.
- Procedural fairness and the principles of natural justice are adopted at each stage of the complaint/appeal process.
- The decision maker is always independent of the decision being reviewed.
- Confidentiality of information is maintained at all stages of the complaint / appeal process.
- Where complaints and appeals are unable to be resolved internally and at the request of the individual a review by an appropriate independent party occurs.
- To mitigate the likelihood of a similar complaint/appeal reoccurring opportunities for improvement identified through the complaints and appeals process are actioned through the organisations continuous improvement process.
- Opportune Professional Development securely maintains records of all complaints and appeals and their outcomes for a period of 3 years.

## 4. Procedure

The following procedure outlines the framework and process of managing a complaint or appeal and has been summarised in **Diagram 1 – Complaints and Appeals Procedure.**

# COMPLAINTS AND APPEALS POLICY AND PROCEDURE

## 4.1 Lodging a complaint or appeal

### ▪ Informal Complaint

In an attempt for early resolution consumers/students are encouraged to raise their complaint/appeal with the relevant person or speak to the Consumer Protection Officer as soon as a grievance arises. Our staff are approachable and experienced in assisting students resolve issues at an informal level and ensure that the complainant or appellant has a positive experience.

### ▪ Formal Complaint

If the complaint/appeal remains unresolved at a local level consumers are able to escalate their complaint or appeal to the Consumer Protection Officer by writing an email or a letter outlining the type and the cause of their grievance. Contact details for the Consumer Protection Officer are as follows;

Consumer Protection  
mailto: [Consumerprotection@opportune.com.au](mailto:Consumerprotection@opportune.com.au)  
T: 1300 721 121

To ensure the finalisation of results students are asked to lodge an appeal within 28 days of the unfavourable assessment decision being made.

## 4.2 Acknowledgement of Complaint/ Appeal

Within 48 hours of receiving the complaint/appeal the Consumer Protection Officer will acknowledge in writing that they have received the complaint/appeal and will outline the next steps in the resolution process.

## 4.3 Investigation/Moderation

A comprehensive and objective investigation that respects the rights and privacy of all involved, subsequently occurs. The principles of procedural fairness and natural justice are adopted at each stage of the complaint process.

In the case of an appeal the student's assessment task(s) is reviewed by a suitably qualified independent panel (moderation activity) to ensure that the principles of assessment and rules of evidence have been implemented. Recommendations from that activity inform the outcome of the student's appeal.

## 4.4 Continuous Improvement

Where an investigation or moderation activity identifies opportunities for improvement these are actioned through the organisations continuous improvement process. See Quality Assurance Policy and Procedure for more information.

## 4.5 Outcome Notification

To ensure a fair and objective process the decision maker is always independent of the decision being reviewed.

## COMPLAINTS AND APPEALS POLICY AND PROCEDURE

Appellants will, following the moderation activity have their result reviewed. If the moderation activity concurs with the initial assessment decision the student will be offered a reassessment opportunity however if the moderation activity disagrees with the initial outcome the student's assessment result will be changed.

The complainant/appellant is notified in writing of the outcome of their complaint (outcome notification) within 10 days from the date the complaint was initially received.

Where the organisation considers more than 60 calendar days are required to process and finalise the complaint/appeal they will inform the complainant/appellant in writing as to why this is required and will provide the complainant/appellant regular progress updates on the progress of this matters.

### **4.6 Independent Review**

If the complainant/appellant is dissatisfied with the outcome of their complaint/appeal they can ask for their case to be reviewed by an independent party. This review will occur within 14 working days of the date of outcome notification. In these instances, Opportune Professional Development will organise for an independent party to review the complaint and where required mediate resolution. There will be no additional cost to the complainant for the review of the complaint/appeal by an independent party.

If the cause of the complaint is around the collection, use, disclosure or storage of personal information the consumer can complain to the Office of the Australian Information Commissioner. Further information can be found on [www.oaic.gov.au](http://www.oaic.gov.au).

### **4.7 Documentation and Record Keeping**

All complaints and appeals (informal and formal) are recorded in Opportune Professional Development Complaints and Appeals Register. The register and all other associated documentation is securely stored (electronically) for a period of 3 years.

### **4.8 Monitoring**

The Management Committee monitors the complaints and appeals process to ensure that required timeframes are met, opportunities for improvement are actioned and the process is fair, transparent and conducted in a way that protects the rights of its consumers.

The Chief Executive Officer is made aware of all complaints and appeals and the outcomes of those complaints/appeals.

## **5. References**

- Australian Skills Quality Authority (2015) "User's Guide Standards for Registered Training Organisations (RTOs) 2015".

# COMPLAINTS AND APPEALS POLICY AND PROCEDURE

Diagram 1: Complaints and Appeals Procedure

