

## Complaints and Appeals Policy – General

### Purpose

**The purpose of this procedure is to outline the steps for handling complaints and appeals received from employees, third parties and stakeholders of Accend Education Group.**

### Overview

Accend manages complaints and appeals in a transparent manner which enables all to be informed of, and to understand their rights and obligations and Accend Education Group's responsibilities in relation to complaints and appeals under the *Standards for Registered Training Organisations (RTOs) 2015* (the Standards).

Accend Education Group manages and responds to complaints in relation to the quality of training and assessment; the quality of client service; and compliance with the VET Quality Framework, including allegations involving the conduct of:

- Accend Education Group, its trainers, assessors or other employees
- a third party providing services on Accend Education Group's behalf, its trainers, assessors or other employees

Accend Education Group manages appeals or requests for a review of decisions, including assessment decisions, made by the Accend Education Group or a third party providing services on Accend Education Group's behalf. An appeal is an application by a learner or complainant for reconsideration or review of an unfavourable decision or finding during training and/or assessment or investigation.

### Responsibilities

All Accend Education Group employees are responsible for:

- conducting themselves in a manner consistent with the ASQA Code of Conduct to minimise the incidence of complaints and allegations
- the accurate and timely documenting of complaints and appeals as outlined in this procedure
- assisting a complainant or appellant to resolve concerns directly and informally with parties involved in the first instance
- assisting a complainant or appellant to lodge a formal complaint or appeal using Accend Education Group's Complaints and Appeals Form, where required.

2. The Chief Executive Officer is responsible for:

- ensuring that complaints and appeals are managed in a transparent manner in accordance with the principles of natural justice and procedural fairness
- offering independent review of decisions, where required.
- ensuring that the complaints and appeals process operates in a transparent manner in accordance with the principles of natural justice and procedural fairness
- considering independent review of decisions where required
- determining independent internal or external third parties to review complaint and appeal processes

- ensuring that complaints and appeals outcomes are used to inform continuous improvement strategies within Accend Education Group, through the internal audit process.

4. The Training Manager of Accend Education Group is responsible for:

- maintaining Accend Education Group Complaints and Appeals Register
- ensuring that complaints and appeals outcomes are used to inform continuous improvement strategies within Accend Education Group through the internal audit process.

5. Response Trainers and assessors are responsible for:

- assisting a complainant or appellant to resolve concerns directly and informally with parties involved, in the first instance
- assisting a complainant or appellant to lodge a formal complaint or appeal using Accend Education Group Complaints and Appeals Form, where required
- considering complaints and appeals, where required
- ensuring all complaints and appeals are recorded and dealt with in a transparent manner in accordance with the principles of natural justice and procedural fairness
- ensuring that complaints and appeals outcomes are used to inform continuous improvement strategies within response training schools and are recorded on the Accend Education Group Continuous Improvement Register.

### **Complaints and appeal procedure general principles**

- Principles of natural justice and procedural fairness are followed at every stage of the complaint and appeal process by allowing anyone subject to a decision by Accend Education Group, or anyone who has allegations made against them, to a right of reply before a decision is made.
- The decision maker in the process is independent of the decision being reviewed.
- Each complainant or party lodging an appeal may be accompanied and/or assisted by a support person throughout the process.
- Complaints and appeals are handled in the strictest of confidence and records are secured in accordance with the ASQA Recordkeeping policy and Australian Privacy Principles in personal files in electronic records management system.
- All complaints, appeals and outcomes are documented in Accend Education Group Complaints and Appeals Register. Outcomes of complaints and appeals processes are used to inform continuous improvement activities.
- If a complainant raises a concern but is not willing to proceed with the complaint they are advised that because of the requirements of procedural fairness, in most circumstances no further action can be taken by Accend Education Group.

### **Informal complaints and appeals**

1. It is expected that prior to initiating a formal complaint and appeal process, the parties involved will attempt to resolve concerns directly wherever possible. It is expected that many concerns will be resolved in the first instance.
2. It is expected that all parties will participate in good faith in resolving concerns so that Accend Education Group maintains a respectful learning environment.
3. Learners are encouraged to raise concerns directly with the trainer, particularly where the concerns are adversely affecting the learning environment.

## **Formal complaints and appeals procedure**

### **Stage 1—Lodging a formal complaint or appeal**

Where the parties involved are unable to successfully resolve the concern directly, then a formal complaint or appeal may be lodged with Accend Education Group in writing using Accend Education Group (with assistance where required). A copy of the form is provided to the complainant, and it records the following information:

- complainant's full name, address, phone/email address
- details of the concern raised by the complainant
- the complainant's desired outcome
- reasons outlining the escalation to a formal process
- if the complaint relates to another party, that party's full name and position
- the particulars of the decision or finding in dispute (for a review of decision).

2. Accend Education Group acknowledges receipt of all complaints and appeals in writing. The acknowledgement outlines the anticipated review period.

4. Where Accend Education Group considers more than 60 calendar days are required to process and finalise the complaint or appeal, Accend Education Group informs the complainant or appellant in writing, outlining reasons why more than 60 calendar days are required, and regularly updates the complainant or appellant on the progress of the matter.

### **Stage 2—Determination of outcome**

5. Where Accend Education Group determines that they have the decision-making capacity they make a determination and inform the complainant of the outcome in writing within 60 days. Decisions or outcomes of the complaint or appeals process that resolve the complaint or appeal and find in the favour of the party are implemented immediately.

6. Accend Education Group notifies the Manager, of the outcome and action implemented. Documentation is securely filed and the outcome and continuous improvement action is noted in Accend Education Group Complaints and Appeals Register.

7. If a complaint cannot be investigated by Accend Education Group (for whatever reason), then the Manager, will inform the complainant at this point and refer them to the most appropriate body.

### **Stage 3—Internal Review of Determination**

8. Where Accend Education Group is unable to make a determination or the complainant is dissatisfied with the outcome they can appeal and request a review of the decision from a third party. Appeals or requests for review of decisions are to be lodged in writing within 28 days of the decision or outcome.

9. Requests for appeal or review of decisions are referred to the CEO, who will identify and assign an independent party as relevant.

10. Accend Education Group acknowledges receipt of the request for internal review in writing. The acknowledgement outlines the anticipated review period and the designated review officer. The review process and review officer is recorded in Accend Education Group Complaints and Appeals Register.

11. The review officer makes a determination and advises the appellant of the decision or outcome in writing. Decisions or outcomes of appeal or review process that find in the favour of the appellant are implemented immediately.

12. The Manager, will notify Accend Education Group of the outcome and action to be implemented. Documentation is securely filed and the outcome and continuous improvement action is noted in Accend Education Group Complaints and Appeals Register.

**Stage 4—Independent third party review of determination**

13. Where the appellant is dissatisfied with the outcome of the internal review they can appeal and request a review of the decision from an independent external third party. Appeals or requests for independent third party review of decisions are to be lodged in writing within 28 days of the decision or outcome.

14. Requests for appeal or review of decisions are referred to an independent third party or external mediator, determined by the Chief Executive Officer.

15. Accend Education Group acknowledges receipt of the request for independent third-party review in writing. The acknowledgement outlines the anticipated review period and the independent review officer. The review process and review officer is recorded in Accend Education Group Complaints and Appeals Register.

16. Accend Education Group discloses any costs associated with a third-party review, so all parties are aware of any costs they may incur. ASQA is not able to act as the independent third party for reviewing complaints.

17. The independent review officer makes a determination to Accend Education Group and advises the appellant of the decision or outcome in writing. Decisions or outcomes of the appeal or review process that find in the favour of the appellant are implemented immediately.

18. The Manager, will notify Accend Education Group of the outcome and action to be implemented. Documentation is securely filed and the outcome and continuous improvement action is noted in Accend Education Group Complaints and Appeals Register.

Document History		
Version No, Date	Modification Details	Modifications made by:
1.0, June 2017	Published the first version of the policy	PG
2.0, Oct 2017	Updated formal complaints procedure	RM
3.0 June 2018	Updated response time frames	NL
4.0 June 2019	Annual Review	YM

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<b>5.0 August 2020</b>	Updated Branding to reflect change over to Accend Education Group	NG
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**Documents where Policy is quoted**

Website

**Review Date**

Dec 2020