

# COMPLAINTS AND APPEALS PROCEDURE

## 1 Purpose

This procedure supports the Complaints and Appeals Policy and describes the process for receiving, documenting, reviewing, and responding to feedback, including complaints and appeals from clients and other stakeholders.

## 2 Scope

This Complaints and Appeals Procedure will address allegations concerning the conduct of:

- Communicare RTO, including its trainers, assessors, staff, stakeholders, and others
- Any third-party providing services on behalf of the RTO, including their trainers, assessors, or other staff (as relevant to its operations)
- Any student of Communicare RTO.

## Procedure

Should a person have a complaint or appeal, the following steps are to be followed:

1. Discuss the issue directly with those involved to try and resolve it verbally.
2. If no resolution is reached, discuss the issue with the RTO's Manager to see if it can be resolved.
3. If this resolves the situation, the outcomes will be put in writing and signed by both parties. One of the two copies of the outcome will be placed on file with the Senior Training Administrator and securely stored.
4. If there is still no resolution, the person should put the following information relating to the complaint or appeal in writing to the RTO's Manager. This written notification can be made using the Complaints form or by email, letter or over the phone (with a dictation made by the RTO representative), and must include:
  - A description of the complaint or appeal
  - A statement about whether the person wishes to formally present their case
  - Information about any prior steps taken to deal with the complaint or appeal
  - What they would like to happen to fix the problem and prevent it from happening again
5. A written acknowledgement of receipt of the complaint/appeal will be forwarded to the complainant within five working days.
6. The RTO's Manager will either deal with the issue personally or arrange for it to be dealt with by a management representative. This process must commence within two working days from the time the RTO's Manager receives the written notification and a response/resolution must be presented within 14 working - 60 calendar days.
7. The RTO's Manager will:
  - Undertake a preliminary enquiry to determine nature of the complaint/appeal

- Inform other relevant parties (if necessary)
  - Provide all parties an opportunity to present their case (with a support person and/or parent/guardian if a student is under 18 years of age)
  - Discuss with the parties any resolution and any arrangements required by the RTO
  - Record the outcome of discussion on the Complaints Register
  - Provide the outcome in writing to the person (and other parties if relevant)
8. Should the issue still not be resolved to the person's satisfaction, the Communicare RTO will plan for an independent party to resolve the issue and outline any costs that may be involved with this to happen to the person. The person will be given the opportunity to formally present their case. The time frame for this process may vary but should take no longer than 14 working days – 60 Calendar Days.
9. All parties involved will receive a written statement of the outcomes, including reasons for the decision within the 14-working day period. If the process takes longer than 60 days from the complaint or appeal being received, the person will be notified in writing of the reason for the delay and kept informed of all progress.
10. If the person is still not happy with outcomes from the independent process, they may take their complaint to the VET Regulator, TAC, The Training and Accreditation Council.
- Information about the process can be found at:  
<http://www.tac.wa.gov.au/about-us/Pages/Policies-and-procedures.aspx>
11. From any substantiated complaints and appeals, the causes will be reviewed as part of the RTO's Continuous Improvement processes, and appropriate corrective action will be taken to prevent or reduce the likelihood of recurrence. Actions will be recorded on the Continuous Improvement Log.
12. Any complaint that is related to illegal activity, such as theft, assault etc., will be immediately referred to the appropriate authority.
13. All documentation relating to complaints or appeals will be stored securely as per the Records Management Procedure.
14. The Director of Youth and Community Services will be responsible for the implementation and maintenance of the policy.

### 3 Responsibilities

Directors and Leads	Ensure all operational staff are aware of this procedure and the supporting policy for obtaining, reviewing, and responding to feedback and complaints
RTO Manager	Taking prompt action when a complaint or appeal has been received. Communicate responses to written complaints to the relevant Leads and Director.
	Ensure that investigations are made into all complaints.
RTO Staff	Follow this procedure, other documents relevant to the context and notify the RTO Manager as outlined.

### 4 Abbreviations, Acronyms and Definitions

Appeal	are requests for a review or reconsideration of decisions made by Communicare RTO. These decisions could involve assessments or access to support services.
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Complaint	are allegations made by a learner or client that relate to the conduct of an RTO, its staff, a third-party offering services on its behalf, or other learners in the RTO
Natural Justice	is concerned with ensuring procedural fairness Involves, Decisions and processes free from known bias, all parties having the right to be heard, all parties having a right to know how and of what, they are involved/accused, investigating a matter appropriately before a decision is made, all parties being told the decision and the reasons for the decision
Person	is the someone making the complaint (complainant or appellant) and can be an individual, a group or an entity/organisation
RTO	Registered Training Organisation
Third Party	Third party means any party that provides services on behalf of the RTO but does not include a contract of employment between an RTO and its employee

## 5 Related Documents/Legislation

RT-FRM-0001	Complaints and Appeals Form
RT-POL-0002	Complaints and Appeals Policy
PB-PRO-0001	Feedback and Complaints Procedure
PB-POL-0002	Feedback and Complaints Policy
2019/D032	Policy and Procedure: Complaint Management
	Complaints against Registered Training Organisations
External - 2024	Standards for Registered Training Organisations (RTOs) 2015