



# Manage Complaints and Appeals

<b>Purpose:</b>	This policy and procedure have been developed to ensure that Jim's Training has a system in place so complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.
<b>Reference:</b>	ASQA – Standards for Registered Training Organisations (RTOs) 2015 Manage complaints and appeals (Clause 6.1 – 6.6)
<b>Who is responsible:</b>	The Operations Manager is responsible for implementing and ensuring that this procedure is adhered to.
<b>When:</b>	Upon submission of a complaint or appeal.
<b>Definitions</b>	<p><b>ACCC</b> meaning the Australian Competition and Consumer Commission (ACCC)</p> <p><b>Appeal</b> means a request for a decision made by Jim's Training to be reviewed</p> <p><b>Complaint</b> means a person's formal expression of dissatisfaction with any product or service provided by Jim's Training</p>
<b>Informal Complaints</b>	<ol style="list-style-type: none"> <li>1. Jim's Training provides all students information about the complaints and appeals process through, the Jim's Training website.</li> <li>2. Complaints can be made in relation to Jim's Training services and activities such as: <ul style="list-style-type: none"> <li>• the application and enrolment process.</li> <li>• marketing information.</li> <li>• the quality of training and assessment provided.</li> <li>• training and assessment matters, including student progress, student support and assessment requirements.</li> <li>• the way someone has been treated.</li> <li>• the actions of another student.</li> </ul> </li> <li>3. Where possible all non-formal attempts shall be made to resolve the complaint. Jim's Training encourages open communication and an environment of trust. Therefore, any student with a complaint is encouraged to raise the matter directly with the other party concerned to attempt to resolve the issue mutually or they can contact the Operations Manager.</li> <li>4. Advice, discussions, and general mediation may take place in relation to the issue and complainant/student complaint.</li> <li>5. The Operations Manager will note the informal complaint on the Complaints and Appeals Register accordingly. The Operations Manager will determine and ensure that the appropriate action will be taken if necessary.</li> </ol>



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	<p>6. Any staff member can be involved in this informal process to resolve issues but if the student wishes to place a formal complaint, then the process below must be followed.</p>
<p><b>Formal Complaints</b></p>	<ol style="list-style-type: none"> <li>1. Any student, potential student or 3rd party may submit a formal complaint to Jim's Training with the reasonable expectation that all complaints will be treated fairly with integrity and privacy. There is no cost for the complaints process. A complaint may have a direct connection to:             <ol style="list-style-type: none"> <li>a. Jim's Training, its trainers/ assessors, and other staff.</li> <li>b. Any third-party providing Services on Jim's Training's and including education agents or related party.</li> <li>c. Any student or client of Jim's Training.</li> </ol> </li> <li>2. A student can submit a formal complaint by completing the 'Complaints and Appeals Form' located on Jim's Training' website or they can obtain a copy by calling Jim's Training on 1300 344 455</li> <li>3. All formal complaints must be submitted to the Operations Manager and contain as many details as possible:             <ol style="list-style-type: none"> <li>a. Date complaint was submitted.</li> <li>b. Name of complainant.</li> <li>c. Nature of complaint.</li> <li>d. Date of the event which led to the complaint.</li> <li>e. Attachments (if applicable).</li> </ol> </li> <li>4. Once a complaint has been received, the information will be inserted into the 'Complaints and Appeals Register' spreadsheet which is monitored by the Operations Manager until resolved. The information to be inserted and retained on the register includes:             <ol style="list-style-type: none"> <li>a. Date the complaint was submitted.</li> <li>b. Name of complainant.</li> <li>c. Description of complaint.</li> <li>d. Determined resolution.</li> <li>e. Date of resolution.</li> </ol> </li> <li>5. Once a complaint has been logged in the 'Complaints and Appeals Register', the Operations Manager will be notified of the complaint and will be provided with all relevant documentation related to the matter.</li> <li>6. The Operations Manager and Operations Manager will begin assessing the complaint within 10 working days and will confer and decide on the appropriate action in order to ensure a successful resolution is achieved.</li> <li>7. Where applicable, the student will have the opportunity to present their case at minimal or no cost and be accompanied and assisted by a support person if necessary.</li> <li>8. The relevant staff member/s and/or trainer/assessors will be informed on the complaint, and they will have the opportunity to present their side of the matter.</li> </ol>



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	<ol style="list-style-type: none"><li>9. Once a decision has been reached, the Operations Manager will notify all of the relevant parties involved of the decision and outcome which is to be concluded in writing within 15 working days from the date the complaint was first received. The written notification will include the reason for the outcome and the student will be informed that they have the right to appeal the decision made by Jim's Training. Students will be referred to the appeals procedure as outlined below.</li><li>10. The Operations Manager will ensure that Jim's Training will act immediately on any substantiated complaint. If the internal or external complaint handling or appeal process results in a decision that supports the student, Jim's Training must immediately implement any decision and/or corrective and preventative action that is required and advise the student of the outcome.</li><li>11. The outcome will be placed on the 'Complaints and Appeals Register' and copies of relevant documentation will be stored in the Student Management System and in the Student's File.</li></ol>
<b>Formal Appeals</b>	<ol style="list-style-type: none"><li>1. If the student is not satisfied with the outcome from the formal complaint, then they have the right to appeal the decision made by Jim's Training where reasonable grounds can be established.</li><li>2. An appeal is a request for a decision made by Jim's Training to be reviewed. Decisions may have been about:<ul style="list-style-type: none"><li>• Course admissions.</li><li>• Deferral, suspension, or cancellation decisions made in relation to a student's enrolment.</li><li>• Response to a complaint.</li><li>• Assessment outcomes/results.</li><li>• other general decisions made by Jim's Training.</li></ul></li><li>3. To activate the appeals process, the student must submit an 'appeal application' by completing the 'Complaints and Appeals Form' located on Jim's Training' website or they can obtain a copy by calling Jim's Training on 1300 344 455.</li><li>4. The student is required to provide a summary of the grounds that the appeal is based on and the reason why they feel that initial decision made is unfair within 10 working days from the time they received the outcome for their initial complaint. Help and support with this process can be gained from the Operations Manager.</li><li>5. Once the appeal has been received, the Operations Manager and Operations Manager will determine the validity of the appeal and where necessary, organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.</li><li>6. The process for all formally lodged appeals will begin within 10 working days from the date that the appeal was lodged.</li><li>7. The Operations Manager will ensure that Jim's Training acts on any substantiated appeal immediately.</li></ol>



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	<ol style="list-style-type: none"> <li>8. The Operations Manager and Operations Manager will review the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.</li> <li>9. The student will be notified in writing within 20 working days from the initial lodgement of the appeal of the outcome with reasons for the decision. The 'Complaints and Appeals Register' will be updated. The student will also be provided the option of activating the external appeals process if they are not satisfied with the outcome.</li> <li>10. If the outcome is not in favour for the overseas student, Jim's Training will advise the student of their right to access the external complaints and appeals process at minimal or no cost. This information will be provided to the overseas student within 10 working days of the completion of the internal complaints and appeals process.</li> </ol>
<b>Informal Assessment Appeals</b>	<ol style="list-style-type: none"> <li>1. If a student wishes to appeal an assessment, they are required to notify their assessor in the first instance. Where appropriate, the assessor may decide to re-assess the student to ensure a fair and equitable decision is made. The assessor will be required to complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.</li> </ol>
<b>Formal Assessment Appeals</b>	<p>If the informal assessment appeals process is still not to the student's satisfaction, the individual can formally lodge an appeal by completing and submitting the 'Complaints and Appeals Form' to the Operations Manager which can be downloaded from Jim's Training' website or the student can obtain a copy by ringing the office 1300 344 455.</p> <ol style="list-style-type: none"> <li>1. Once the application has been received, the Operations Manager will document the information in the Complaints and Appeals Register and obtain details from the assessor and any other parties involved.</li> <li>2. A decision will be made regarding the appeal which will either indicate that the assessment decision remains as is or, details of a possible re-assessment by a 'third party'. The third party will be another assessor appointed by Jim's Training.</li> <li>3. The student will be notified in writing within 20 working days from the initial lodgement of their appeal regarding the outcome with reasons for the decisions, and the 'Complaints and Appeals Register' updated. The student will also be provided the option of activating the external appeals process if they are not satisfied with the outcome</li> </ol>
<b>External Appeals</b>	<ol style="list-style-type: none"> <li>1. If the student is still dissatisfied regarding the outcome that Jim's Training has provided, they may wish to refer the matter to an external/independent/third party mediator at their own expense.</li> <li>2. Appeals can relate to assessment decisions, and they can also relate to other matters such as the decision to exclude a student from a training program. Students are</li> </ol>



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	<p>encouraged to resolve complaints and appeals through the Jim's Training complaint mechanism prior to consulting external parties.</p> <p>3. If the student is not satisfied by the complaints and appeal outcome, they can contact:</p> <p style="text-align: center;"><b>Dispute Settlement Centre of Victoria (DSCV)</b> <b>4/456 Lonsdale Street</b> <b>Melbourne Vic 3000</b> <b>Telephone: 03 9603 8370</b> <b>Toll free: 1800 658 528</b> <b>Email: dscv@justice.vic.gov.au</b></p> <p>This final stage will be addressed within 30 days.</p> <p>Outcomes from the DSCV mediation in relation to a grievance will be implemented immediately.</p>
<b>Extensions</b>	<p>If more than 60 calendar days are required to process and finalise the complaint or appeal, the Operations Manager will inform the individual in writing, including reasons why more than 60 days are required and regularly update the individual on the progress of the matter.</p> <p>In most cases this would not be necessary as the timeframes identified in the above processes keep well under 60 days. It may need to happen if an appeal was to reach an external stage.</p>
<b>Record Management</b>	<ol style="list-style-type: none"><li>1. <i>Electronic records:</i><ol style="list-style-type: none"><li>a. Electronic records are safe from loss as the Operations Manager performs electronic backups of server information at least once a week on site at Jim's Training premises.</li><li>b. Confidentiality is maintained as limited staff have access to the database (password protected), and all student / client information is only released as per Jim's Training' privacy policy. All staff employed by Jim's Training will be required to apply themselves to the following written procedures and safeguard confidential and personal information according to the Privacy and Protection of Personal Information Act 1998</li></ol></li><li>2. <i>Hard copy records:</i><ol style="list-style-type: none"><li>a. Confidentiality is maintained – matters relating to a complaint or appeal are stored on the SMS where only the Operations Manager and Operations Manager have access to</li><li>b. Contents of files are not discarded unless the state and national storage requirements for retention, archiving and retrieval of information have been met.</li></ol></li></ol> <p><b><u>Corrective Action</u></b></p> <p>In the instance that Jim's Training receives complaints and or appeals which demonstrate a pattern or trend, the Operations Manager and Operations Manager will take the appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.</p>



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	<p>The form of corrective action applied will be determined on a case-by-case basis where there are continuing trends and patterns.</p> <p><b>Clause 6.6. ~ Where the RTO is an employer or a volunteer organisation whose students solely consist of its employees or members, does not charge fees for the training and/or assessment, and does not have in place a specific complaints and appeals policy in accordance with Clauses 6.1 &amp; 6.2, the organisation has a complaints and appeals policy which is sufficiently broad to cover the services provided by the RTO.</b></p> <p>Clause 6.6 is not applicable to Jim's Training.</p>
<b>Relevant Records</b>	<ul style="list-style-type: none"><li>▪ Published policy on Jim's Training' website</li><li>▪ Student Handbook</li><li>▪ Complaints/Appeals application form</li></ul>