

## 5. Complaints and Appeals Policy & Procedure

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### 5.1 Policy

This policy/procedure supports Jim's Training in providing a process for complaints and appeals to be heard and actioned. This includes any allegations involving the conduct of

- the RTO, its trainers, assessors, or other staff.
- a third-party providing services on the RTO's behalf, its trainers, assessors, or other staff; or
- a learner of the RTO

All complaints and appeals received by Jim's Training will be viewed as an opportunity for improvement.

Despite Jim's Training's efforts to provide satisfactory services to its students and clients, complaints that require formal resolution may occasionally arise. The following procedures allow students and clients to have any issues relating to a substantiated complaint or appeal resolved and resolutions reached to satisfy all parties involved. This complaints and appeals process will be at no cost to the student or client (unless referred to a third party; see procedure for more details). This policy relates to the following from the Standards 2025.

- Complaints – Quality Area 2 – VET Student Support
  - Standard 2.7 - Effective feedback and complaints management addresses concerns and informs continuous improvement
- Appeals – Quality Area 2 – VET Student Support
  - Standard 2.8 - Effective appeal processes are available where decisions of the RTO or a third party adversely impact a VET student

### 5.2 Procedure

The complaints and appeals policy, procedure, and applicable form are made available to all students, potential students, and clients by directly contacting the RTO, through the RTO's website, and within the student information handbook.

### 5.3 General Complaints

Where possible, all non-formal attempts shall be made to resolve the issue. This may include advice, discussions, and general mediation in relation to the complainant's issue. Any staff member can be involved in this informal process to resolve issues, but once a complainant has placed a formal complaint / appeal, the following procedures must be followed:

- Any student, potential student, or third party may submit a formal complaint to Jim's Training with the reasonable expectation that all complaints will be treated with integrity and privacy. There is no cost to access the internal complaints and appeals process.
- Complainants can access advice and support from independent external agencies/persons at any point in the complaint and appeals process. The use of external services will be at the complainant's cost unless authorised by the CEO.
- Any person wishing to submit a formal complaint or appeal can complete the 'Complaints and Appeals Form' and state their case, providing as many details as possible. This

form can be gained by contacting Student Administration at the RTO or the Jim's Training website [www.jimstraining.net](http://www.jimstraining.net)

- All formally submitted complaints or appeals are submitted to Student Administration. Complaints are to include the following information:
  - Submission date of complaint
  - Name of complainant.
  - Nature of complaint.
  - Date of the event that led to the complaint
  - Attachments (if applicable)
  
- Once a formal complaint is received, it is to be entered into the 'Complaints and Appeals Register', which the Compliance Officer monitors. The information to be contained and updated within the register is as follows:
  - Submission date of complaint
  - Name of complainant
  - Description of complaint/appeal
  - Determined Resolution
  - Date of Resolution
  
- A complainant may always be assisted or accompanied by a support person throughout the process, regardless of the nature of the issue or complaint.
  
- The Compliance Officer will acknowledge the receipt of the complaint and will notify the complainant in writing within 10 working days of receiving the complaint.
  
- The Compliance Officer shall then refer the matter to the appropriate staff to resolve or decide on the complaint within 20 working days and keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint. In the unlikely event that the complaint is not finalised within 60 calendar days, the RTO shall ensure that the complainant is provided with reasons for the delay and will be regularly kept informed and updated of the progress of the matter.
  
- Once a decision has been reached, the Compliance Officer shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing. Within the notification of the outcome of the formal complaint, the complainant shall also be notified that they have the right of appeal. To appeal a decision, the RTO must receive, in writing, the grounds of the appeal. Complainants are referred to the appeals procedure.
  
- The Compliance Officer shall ensure that the RTO acts immediately on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the complainant, the registered provider must immediately implement any decision and/or corrective and preventative action that is required and advise the complainant of the outcome.
  
- Copies of all documentation, outcomes, and further action required will be placed into the 'Complaints and Appeals Register' by Student Administration and in the student's file/complainant's file.

## 5.4 Appealing a Decision

All complainants have the right to appeal decisions made by Jim's Training where reasonable grounds can be established. The areas in which a complainant may appeal a decision made by Jim's Training may include:

- Assessments conducted
  - Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
  - Or any other conclusion/decision made after a complaint has been dealt with by Jim's Training in the first instance.
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- To activate the appeals process, the complainant must complete a 'Complaints and Appeals Form', which must include a summary of the grounds upon which the appeal is based. The reason the complainant feels the decision is unfair must be clearly explained. The Student Administration Department can help and support the complainant with this process.
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- The Compliance Officer shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek a resolution where appropriate.
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- The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
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- The Compliance Officer shall ensure that Jim's Training acts on any substantiated appeal.
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- Where an appeal has been lodged, it will be defined into one of the following categories and the appropriate procedures followed:

## 5.5 General appeals

- Where a complainant has appealed a decision or outcome of a formal complaint, they must notify Jim's Training in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
- The appeal shall be lodged through Student Administration, and they shall ensure the details of the appeal are added to the 'Complaints and Appeals Register'.
- The Compliance Officer shall be notified, seek details regarding the initial documentation of the complaint, and make decisions based on the grounds of the appeal.
- The complainant shall be notified in writing of the outcome with reasons for the decision, and the 'Complaints and Appeals Register' updated. The complainant shall also be provided the option of activating the external appeals process if they are unsatisfied with the outcome. The complainant is required to notify Jim's Training if they wish to proceed with the external appeals process.

## 5.7 Assessment appeals

- Where a student wishes to appeal an assessment, they must notify their Trainer & Assessor in the first instance. Where appropriate, the Trainer & Assessor may decide to

reassess the student to ensure a fair and equitable decision is gained. The Trainer & Assessor shall complete a written report regarding the reassessment outlining the reasons why the assessment was or was not granted.

- If this is still not satisfactory, the student shall formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. They shall lodge this with the student administration's department, and the appeal shall be entered into the 'Complaints and Appeals Register.'
- The Compliance Officer shall be notified and seek details from the Trainer & Assessor involved and any other relevant parties. A decision shall be made regarding the appeal, either indicating the assessment decision stands or details of a possible reassessment by a 'third party'. The third party shall be another Trainer & Assessor appointed by Jim's Training.
- The student shall be notified in writing of the outcome with reasons for the decision, and the 'Complaints and Appeals Register' updated. The student shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify Jim's Training if they wish to proceed with the external appeals process.

## 5.8 External Appeals and Further Information:

### External Appeals

In addition to the above internal processes, if students enrolled with Jim's Training are still dissatisfied with the decision of the RTO, they may wish to seek legal advice or apply with an external dispute resolution process by a relevant body appointed for this purpose (See below for contact details).

Where Jim's Training is informed that the student has accessed external appeals processes:

- Jim's Training will maintain a student's enrolment until the finalisation of the external appeal process.
- Jim's Training will comply with the findings of the external appeals process.
- Where a decision or outcome is in favour of the complainant, Jim's Training shall follow the required action and recommendation from the relevant external appeals organisation to satisfy the student's grievance as soon as practicable. The independent mediator's decision is final, and any further action the student wishes to take is outside the RTO's policies and procedures. The student shall be referred to the appropriate government agencies, and this information can be gained from the student administration.
- All records and correspondence in relation to an external appeal shall be maintained with the initial complaint and internal appeal documentation within the 'complaints and appeals register' and the student file for a minimum of 5 years.

### Further information

If, after the RTO's internal complaints and appeals processes have been completed, you still believe the RTO is breaching or has breached its legal requirements, you can submit a complaint to ASQA at the following address: <https://www.asqa.gov.au/about-us/how-asqa-uses-feedback/complaints-about-training-providers>  
(ASQA website: [www.asqa.gov.au](http://www.asqa.gov.au) )

Except in exceptional circumstances, you must attach evidence to your complaint form showing:

- that you have followed Jim's Training formal complaints procedure, and

- the RTO's response.

ASQA's processes require you to identify yourself to ASQA as a complainant, although you may request that your identity be kept confidential throughout any investigation that ASQA undertakes.