

Complaints and Appeals Policy and Procedures

Policy

This policy and procedures describes the process of complaints and appeals about any aspect of MAX Solutions' training operations.

It aims to ensure the efficient and effective resolution of complaints and appeals to the satisfaction of all parties, and the continuous improvement of our training operations.

It applies to all staff working within or contracted to any MAX Solutions training operations.

To ensure that all complaints and appeals are managed in a fair and equitable manner and as efficiently as possible.

Complaints

Complaints are the expression of the dissatisfaction with the quality or any aspect of the business operations and service, including nuisances, discrimination or similar against another person, inclusive of students, staff and contractors. All complaints will be handled in accordance with this Complaint and Appeals Policy and Procedures, in addition to the [MAX Solutions Complaints and Compliments Procedures](#).

The following are examples of issues for which students may lodge a complaint:

- enrolment
- training delivery
- training and/or assessment, including recognition of prior learning
- training staff
- any other activities associated with the delivery of training and assessment services
- issues such as discrimination, sexual harassment, student amenities, etc.

First instance: Students are encouraged to speak immediately with their Trainer and Assessor. If the student is not comfortable addressing the issue with the Trainer and Assessor they are encouraged to contact the General Manager Training

Second instance: If the issue is not resolved the student is encouraged to either speak to or contact in writing the General Manager Training.

Third instance: If the matter is still not resolved an independent third party will be requested to assist with resolution. Third parties may include relevant training representative(s), Industry body (e.g., Australian Council for Private Education and Training ACPET) legal representative(s) e.g., Anti-discrimination board or other relevant personnel.

In the event that a complaint has been lodged a Complaints Action Request (CAR) form must be completed, documenting the nature of the complaint; the resolution reached; representatives involved in the process and the outcome of the complaints. The documentation is forwarded to the General Manager Training immediately, even if the situation has been resolved to the satisfaction of all parties.

Outcomes of complaints will be provided to the candidate in writing within five (5) working days of the decision.

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Appeals

Appeals are the expression of the dissatisfaction of an assessment result. This would occur when a student does not agree with the assessment result, the method of assessment conducted by MAX Solutions or any other context of the assessment process.

There are various grounds for lodging an assessment appeal. These include, but are not limited to:

- not being fully informed of the assessment process
- student's needs not taken into consideration
- the assessment process is different to that outlined by the Trainer and Assessor
- assessment process not based on training package/course requirements
- an inappropriate method used to assess the unit
- alleged bias of the Trainer and Assessor
- alleged incompetence of the Trainer and Assessor
- faulty or inappropriate equipment or facilities

Step 1: The student appealing an assessment outcome and/or the assessment process discusses their issue with the Trainer and Assessor involved. This must occur within five (5) working days of the assessment outcome being advised.

Step 2: If still not satisfied, the student must complete the *Assessment Appeals Form - Part A* and forward to the General Manager Training. This should occur within five (5) working days of Step 1.

Step 3: The assessment is to be reviewed by a different assessor, which the General Manager Training will allocate in negotiation with the National Training Manager, and the results of the review summarised on the Assessment Appeals Form. The student is to be advised of the appeals outcome within 5 working days.

Step 4: If still not satisfied with the outcome of the appeal the student's appeal is to be reviewed by the Compliance Manager and General Manager. The General Manager Training will send an acknowledgement letter to the student, record the receipt of the *Assessment Appeals Form*, then review. The General Manager, if necessary, will convene a review panel to thoroughly examine the appeal. The student is to be advised of the outcome within five (5) working days of the decision.

Step 5: If the student is not satisfied with the outcome of this procedure they should be advised of their right to request an external mediation of the assessment appeal. MAX Solutions will request external mediation services from external organisations such as LEADR. The student must also be advised that they can contact the Australian Skills Quality Authority (ASQA) by completing the complaints form at <http://www.asqa.gov.au/complaints/making-a-complaint.html>

The student/appellant should be advised of their right to contact the relevant State Training Authority (STA) where training is subsidised by State/Territory Government Funding.

Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO will inform the complainant or appellant in writing, including reasons why more than 60 calendar days are required, and regularly update the complainant or appellant on the progress of the matter

Australian Capital Territory

ACT Department of Education and Training
Ph: (02) 6205 8555
Web: <http://www.det.act.gov.au/training>

South Australia

Department of Further Education, Employment, Science and Technology
Traineeship and Apprenticeships Services
Ph: 1800 673 097
Web: www.skills.sa.gov.au/apprenticeships-traineeships

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New South Wales

State Training Services

Ph: 13 28 11 (NSW callers) or (02) 9266 8704 (interstate callers)

Web: training.nsw.gov.au

Tasmania

Skills Tasmania

Ph: (03) 6233 4600 or Freecall 1800 655 846

Web: skills.tas.gov.au

Northern Territory

Department of Business

Ph: (08) 8901 4903

Web: [www.http://www.dob.nt.gov.au/training/apprenticeships-traineeships/Pages/default.aspx](http://www.dob.nt.gov.au/training/apprenticeships-traineeships/Pages/default.aspx)

Victoria

Higher Education and Skills

Ph: (03) 9651 9999

Web: skills.vic.gov.au

Queensland

Department of Education, Training and Employment

Ph: 1800 210 210

Web: training.qld.gov.au

Western Australia

ApprentiCentre

Department of Training and Workforce Development

Ph: 13 19 54 (local) or (08) 6551 5499 (interstate)

Web: trainingwa.wa.gov.au/apprenticentre/detcms/portal

Procedure

1. All Trainers and Assessors and prospective students are provided with a copy of the complaints and appeals procedure in the Staff and Student Handbook.
2. Upon receipt of the Complaint or Appeal, MAX Solutions will acknowledge the Complaint or Appeal within 2 working days of the original complaint or appeal being lodge. Following an initial investigation (dependant on the level of the Complaint/Appeal) and/or follow-up, further communication with the complainant/appellant/student will occur.
3. All appeals against assessment results must be lodged within five (5) working days of receipt of the result.
4. All complaints and appeals are to be handled professionally and confidentially in order to achieve a satisfactory resolution. Complaints and Appeals will be managed fairly, equitable and as efficiently as possible.
5. Complaints are recorded on the **Complaints Action Request (CAR) Form**. Appeals are recorded on the **Assessment Appeals Form**. Evidence and/or supporting documentation (e.g., email correspondence) is to be attached to the CAR and/or Assessment Appeals Form. In addition, all Complaints are to be lodged on the **Client Complaints/Compliments** area of the MAX Intranet and in accordance with the **MAX Solutions Client Complaints and Compliments Procedures**.
6. All parties are to have a clear understanding of the steps involved in the procedures.
7. Each student will be provided with the opportunity to present his or her case at each stage of the process.

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8. All discussions relating to formal complaints and appeals are to be recorded in writing and the appellant/complainant provided with a written statement of the outcomes, including the nature of complaint/appeal, representatives involved in the process, resolution reached, reasons for the decision.
9. MAX Solutions will provide Complainant/appellant/student with details of external authorities that they may approach with respect to their complaint/appeal, if required.
10. MAX Solutions will endeavour to resolve any complaint referred to it by ASQA or the STAs within five (5) working days of its receipt of the complaint.
11. This policy provides an avenue for most complaints and appeals to be addressed. However, in some cases, alternative measures may need to be explored.
12. MAX Solutions will encourage all parties to approach a complaint or appeal with an open view and attempt to resolve issues through discussion and conciliation. Where resolution cannot be achieved through discussion and conciliation MAX Solutions will acknowledge the need for an appropriate external and independent agent to mediate between the parties.
13. Once an outcome is reached, this must be documented in the **Continuous Improvement Register** and **Appeals Register** (for appeals only). This includes follow-up actions and/or continuous improvement actions to be undertaken.

Supporting Documents

- Assessment Appeals Form
- Appeal Register
- Complaints Action Request (CAR) Form
- Complaints and Compliments Area
- Continuous Improvement Register

Relates to Standard 6: Standards for RTO's 2015