



MAX Solutions Complaints and Appeals Policy and Procedure (Training)

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1. Purpose	3
2. Commencement of this policy and procedure	3
3. Application of this policy and procedure.....	3
4. Complaints	3
5. Complaints Procedure	3
6. Appeals	4
7. Appeals Procedure.....	4
8. AMEP & SEE	5
9. Traineeships (User Choice funded) and Certificate 3 Guarantee Funded students.....	5
10. Supporting Documents	6
11. Document Revisions	6



1. Purpose

MAX Solutions Training has a strong commitment to encouraging, identifying and resolving complaints from students. The complaints process is an integral part of the company's overall Quality Management System. The purpose of this document is to provide a description of the process when issues arise and service provision does not fully align with expectation. 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.

2. Commencement of this policy and procedure

This policy and procedure is effective from 1 July 2017.

3. Application of this policy and procedure

This policy applies to all Participants/Students (who have enrolled, commenced, commenced but are inactive and completed), employers and stakeholders in accordance with the principles of access and equity policy and procedure. MAX Solutions will ensure that all complaints and appeals are managed in a fair and equitable manner and as efficiently as possible.

4. 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 received are handled in accordance with this Complaint and Appeals Policy and Procedures (Training), in association with the MAX Solutions Customer Complaints and Feedback Policy and Procedure.

All complaints and feedback from students are dealt with efficiently and effectively and use of the intranet based complaints database (or paper based equivalent) is integral to this. All complaints from students are acted upon when MAX Solutions learn of a stated or inferred indication of dissatisfaction with our training operations and/or personnel that will have the potential to negatively impact on the individual and/or the Company.

Students may lodge a complaint relating (but not limited to) to the following examples:

- 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, and student amenities etc.

5. Complaints Procedure

Student/s express dissatisfaction, they are encouraged to speak immediately with their Trainer and Assessor. MAX Solutions will encourage parties to resolve problems through discussion and conciliation (Trainer and/or site Business Manager – Third Party).

You have the right to:

- Have a support person present during any meetings
- Receive a written outcome of the process



The Trainer and Assessor will make every effort to resolve the complaint at the first instance, it is very important that during the initial interviews students are informed of MAX Solutions approach to the management of complaints.

1. Students may be advised to complete a Customer Complaints and Feedback Form by the Trainer and Assessor or Third Party Representative. As a part of the investigation, the completed Customer Complaints and Feedback Form will be scanned, saved and attached with the lodged complaint in the Complaints and Feedback Register (internal).
2. If no resolution of the complaint at a local level, the issue is not resolved, then you can email our National Quality Manager, which is handled by the General Manager Quality & Ethics at quality@maxsolutions.com.au
3. Alternatively, if you feel your concerns have not been resolved or cannot be resolved MAX Solutions acknowledges the need for an appropriate external independent agent to mediate between the parties. External independent agents are:
 - a. [Australian Skills Quality Authority](#) (ASQA) Regulator of the vocational education and training industry
 - b. [Office of Queensland Training Ombudsman](#) 1800 773 048

6. Appeals

At times, a student may not agree with a decision regarding their assessment result, the method of the assessment conducted or any other context of the assessment process. If you are assessed as 'Not Competent', you will be given the opportunity to develop the required skill level and resubmit your assessment, and given every opportunity to achieve a successful outcome.

If you feel the original, assessment was not fair you can appeal the assessment. In the first instance, you should discuss this with your trainer.

An appeal is an action that can be taken by a student to express the dissatisfaction of that decision.

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 Assessor
- alleged incompetence of the Assessor
- faulty or inappropriate equipment or facilities.

7. Appeals Procedure

First Instance: Appealing an assessment outcome and/or the assessment process, you will discuss the issue with the Trainer & Assessor involved. This must occur within **five (5) working days** of the assessment outcome being advised. The Assessor will make every attempt to resolve the appeal in this instance.

Second Instance: If, by talking with the Trainer/Assessor, the issue is not resolved the student is advised to complete an Assessment Appeals Form, the Assessment Appeals Form will be sent to the General Manager, Training and they will contact you to further discuss. This should occur within **five (5) working days of Step 1**.



The General Manager Training will allocate an independent assessor to review the assessment decision in question. The results of the review will be summarised on the Assessment Appeals Form. The student is to be advised in writing of the appeals outcome within **five (5) working days of Step 2**.

Third instance: If still not satisfied with the outcome of the appeal, the student's appeal will be reviewed by an external validator and General Manager Training. 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 including an external validator to thoroughly examine the appeal. The student is to be advised of the outcome within **five (5) working days of the decision**.

Fourth Instance: If the student is not satisfied with the outcome of this process, they should be advised of their right to request an external mediation of the assessment appeal. MAX Solutions will coordinate an independent consultant for mediation. The student must also be advised that they can contact the Australian Skills Quality Authority (ASQA) by completing the complaints form at www.asqa.gov.au/complaints/making-a-complaint

Students/appellant have the 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

8. AMEP & SEE

A complaint or appeal may be raised by a Skill for Education and Employment (SEE) or Adult Migrant English Program (AMEP) student. If the issue cannot be resolved at the local level following the above process, the SEE or AMEP provider must contact the state contract manager at the Department of Education and Training to notify them of the complaint. The student must also be provided with the contact details should they wish to take the matter further. Those details are found in the *SEE Complaints and Feedback Notice* or *AMEP Complaints and Feedback Notice* that are on display at relevant SEE and AMEP sites.

The SEE or AMEP student should be directed to the Department via the contact details below:

- By telephone on 13 38 73
- By email at skilling@education.gov.au
- By mail to:
Director
Skills for Education and Employment or Adult Migrant English Program
Department of Education and Training
GPO Box 9880
Canberra ACT 2601

The student can also be directed to the Commonwealth Ombudsman on Ph. 1300 362 072.

9. Traineeships (User Choice funded) and Certificate 3 Guarantee Funded students

In Queensland, trainees, students and employers can also lodge a complaint with the Training Ombudsman or the State Training Authority (Traineeships/Apprenticeships only) who provides a free, confidential and independent service to review and resolve enquiries and complaints from apprentices, trainees, students, employers and other stakeholders about the vocational education and training (VET) system.



10. Supporting Documents

- Assessment Appeals Form
- Customer Complaints and Feedback Form
- SEE Complaints and Feedback Notice
- AMEP Complaints and Feedback Notice

11. Document Revisions

Action	Date	Name	Changes Made
Document Created	1/07/2017	Valerie Campbell	New Policy and Procedure Created
Revision	17/07/2017	Valerie Campbell	Revisions made to incorporate the AMEP & SEE programmes
Revision	27/10/2017	Angie Moulds	Changes following review of terminology and required processes for Students.