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| Department Retail Institute – RTO (ID4049) | | |
| Title Complaints and Appeals – Policy and Procedure ASQA Standards 2025 – Quality Areas 2.7 and 2.8 | | Effective February 2026 |
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| Approved by Head of Retail Institute | Next Review July 2028 | Once printed, this document is not controlled. |
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1. Policy objective

- 1.1. The objective of this Policy and Procedure is to ensure that the Australian Retail Council (ARC), via its training division, the ARC Retail Institute (ARC RI), complies with the responsibilities set by law as a nationally recognised Registered Training Organisation (RTO).
- 1.2. This Policy ensures compliance with the Australian Skills Quality Authority (ASQA) and the Standards for RTOs 2025 (Quality Areas 2.7 and 2.8 – Feedback, complaints and appeals).
- 1.3. The RTO, through the application of this Policy, will:
 - 1.3.1. Ensure that all students enrolled in an Nationally Recognised Training (NRT) course listed in the Scope of the Registration for ARC follow the procedures required to reach a satisfactory resolution of a complaint or an appeal of a decision.
 - 1.3.2. Outline the complaints and appeals process and procedure:
 - by informing students how to submit an issue or concern,
 - by providing timelines and administration management, and
 - by providing formal solutions outside of the ARC RI for those seeking resolution.

2. Scope

- 2.1. This Policy applies to all individuals who must ensure the ARC RI complies with the Standards for Vocational Education and Training (VET) and other laws and conforms to its conditional arrangements with other interested parties critical to the operations of the ARC RI. These include:
 - any student enrolled and participating in an NRT course within ARC's Scope of Registration,
 - all ARC RI staff and or other persons ("other" individuals engaged by the ARC) who facilitate student enrolment,
 - all ARC Partners ("Partners", Third Party Arrangements/Agents and staff), and
 - all ARC RI Directors and the ARC CEO.

3. Related Documents

- Enrolment and Admission – Policy and Procedure
- Records Management – Policy and Procedure
- Privacy and Student Information Handling – Policy and Procedure
- Fees, Charges and Refund - Policy and Procedure
- ARC Retail Institute Participant Handbook
- Complaints and Appeals Form

4. Policy

- 4.1. The ARC RI's implementation of the complaints and appeals processes and procedures must comply with:
 - National VET Regulator Act 2011 and related Standards for RTOs 2025 (Quality Areas 2.7 and 2.8 – Feedback, complaints and appeals).
- 4.2. The ARC RI is obliged to offer a pathway for communicating issues relating to how the ARC RI provides services for its students. Accordingly, the ARC RI employs the following principles of reasonable access, equity, fairness and timelines when executing steps to resolve any complaints or appeals made by a student enrolled in an NRT training course listed on the ARC's Scope of Registration.
 - 4.2.1. The ARC RI ensures that a student's complaint or request for an appeal is received and managed without prejudice or discrimination.
 - 4.2.2. The ARC RI is committed to managing all complaints and appeals in a consistent, transparent, objective and unbiased manner.
 - 4.2.3. The ARC RI will ensure that details of this Policy are publicly available via the ARC RI Policies and Procedures pages on the ARC website.
 - 4.2.4. The ARC RI will ensure students are informed about this and other related policies via pre-enrolment screening sessions and the Participant Handbook.
 - 4.2.5. The ARC RI will specify reasonable timelines for responses to the administration of complaints and appeals.
 - 4.2.6. The ARC RI will ensure a full explanation in writing of any decisions throughout the administration of a student's complaint or appeal, including any actions taken as part of the administration of the procedures.
 - 4.2.7. The ARC RI will keep appropriate records of a complaint or appeal and any brief written outcome on the student's hard-copy and electronic file on the ARC student management system.
 - 4.2.8. The ARC RI will ensure that records are treated confidentially and in line with ARC RI student information handling and records management procedures.
 - 4.2.9. The ARC RI will utilise any information attained via complaints and appeals to inform its continuous improvement practices in its approach to quality management procedures.

5. Procedures

Complaints and Appeals - Student

5.2. All information relating to complaints and appeals, alongside the Complaints and Appeals Application Form is made available to all students and potential students via direct contact with the ARC RI as well as through the ARC RI policies and procedures available on the ARC website and within the Participant Handbook.

General Complaints (Informal) - Student

5.3. Where possible, all non-formal attempts shall be made to resolve the issue. This may include providing advice, holding discussions, and offering general mediation about the student's issue. Any staff member can be involved in this informal process to resolve issues.

5.4. Students are also advised that an informal and anonymous complaints/feedback form is at all times available via their course's page on the Learner Management System (LMS).

General Complaints (Formal Written) - Student

5.5. If ARC RI receives a formal complaint/appeal, the following procedures are to be followed:

5.5.1. Any student, potential student, or a third party may submit a formal complaint to ARC RI with the reasonable expectation that all complaints will be treated with integrity and privacy. There is no cost for accessing the internal complaints and appeals process.

5.5.2. Complainants have the right to access advice and support from independent external agencies/persons at any point of the complaint and appeals process. Use of external services will be at the complainant's costs unless authorised by the Directors.

5.5.3. Any person wishing to submit a formal complaint or appeal can do so by completing the Complaints and Appeals Form and stating their case, providing as many details as possible. This form can be gained by contacting the ARC RI Student Service Administration (details provided on the form) or through the ARC RI website.

5.5.4. All formally submitted complaints or appeals are forwarded to the ARC RI Student Service Administration. Complaints are to include the following information:

- Submission date of complaint
- Name of the complainant
- Nature of complaint
- Date of the event which lead to the complaint
- Attachments (if applicable)

5.5.5. Once a formal complaint is received, it is to be entered into the Complaints and Appeals Register, which is regularly monitored by the Student Service Administration. 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

- 5.5.6. At all times, a student may be assisted or accompanied by a support person, regardless of the nature of the issue or complaint.
- 5.5.7. The Student Service Administration shall then refer the matter to the appropriate person in charge to resolve or make a decision on the complaint within 20 working days. The complainant will be kept informed of any decisions or outcomes concluded or processes put in place to address the complaint.
- 5.5.8. Once a decision has been reached, the Student Service Administration shall be required to inform all parties involved of any decisions or outcomes that are reached in writing. Within the notification of the outcome of the formal complaint, the students 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. Students are referred to the appeals procedure.
- 5.5.9. The Student Service Administration shall ensure that the ARC RI will act immediately on any substantiated complaint. If any internal or external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and/or corrective and preventative action that is required and advise the student of the outcome.
- 5.5.10. Copies of all documentation, outcomes and further action required will be placed into the Complaints and Appeals Register by the Student Service Administration and on the Continuous Improvement meeting action plans.

Appealing a Decision - Student

- 5.5.11. All students have the right to appeal decisions made by the ARC RI where reasonable grounds can be established. The areas in which a student may appeal a decision made by the ARC RI may include:
 - assessments conducted,
 - deferral, suspension, or cancellation decisions made about the student's enrolment, or
 - any other conclusion/decision made after a complaint has been dealt with by the ARC RI in the first instance.
- 5.5.12. The student initiates the process by completing a Complaints and Appeals Form. This form requires a summary of the grounds on which the appeal is based. The reason the student feels the decision is unfair is to be clearly explained, while help and support with this process may be gained from the Student Service Administration.
- 5.5.13. The Student Service Administration shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.
- 5.5.14. The process for all formally lodged appeals will begin within 20 working days of the appeal being lodged.
- 5.5.15. Where an appeal has been lodged, it will be defined into one of the following categories, and the appropriate procedures shall be followed:

General Appeals

- 5.5.16. Where a student has appealed a decision or outcome of a formal complaint, they are required to notify ARC RI in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
- 5.5.17. The appeal shall be lodged through the Student Service Department, where an Administrator shall ensure the details of the appeal are added to the Complaints and Appeals Register.

- 5.5.18. The Directors and relevant department shall be notified and shall seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.
- 5.5.19. The student shall be notified in writing of the outcome with reasons for the decisions, and the Complaints and Appeals Register shall be updated. The student shall also be provided with the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify the ARC RI if they wish to proceed with the external appeals process.

Assessment Appeals

- 5.5.20. Where a student wishes to appeal an assessment, they are required to notify a dedicated Program Manager or their Trainer/Assessor in the first instance. Where appropriate, personnel may decide to re-assess the student to ensure that a fair and equitable decision is gained. The Program Manager or Trainer/Assessor should inform the ARC RI Student Service Department regarding the reason for re-assessment, outlining the reasons why the re-assessment was or was not granted.
- 5.5.21. If this is still not to the student's satisfaction, the student shall formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. They shall lodge this with the ARC RI Student Service Department, and the appeal shall be entered into the Complaints and Appeals Register.
- 5.5.22. The Student Services Department shall be notified and thereby seek details from the Program Manager and/or Trainer/Assessor involved, as well as any other relevant parties. A decision shall be made regarding the appeal. This will either indicate that the assessment decision still stands or instead, details of a possible re-assessment by a third party will be provided. The third party shall be another Program Manager or Trainer/Assessor appointed by the ARC RI.

External (Independent) Appeals

- 5.5.23. In addition to the above internal processes, if the processes fail to resolve the complaint or appeal, or the complainant/appellant is still dissatisfied with the decision of the RTO, an application with an independent and external dispute resolution body can be submitted. This allows for any decisions made by the RTO in relation to the complaints and/or appeals process to be reviewed independently of the RTO (see below for contact details).
- 5.5.24. It should also be noted that any complaints about staff at management level, will automatically be dealt with by this external and independent mediator in the first instance of the complaint being received.
- 5.5.25. Where the RTO is informed that the participant has accessed external appeals processes:
 - The RTO will maintain a participant's enrolment until the external appeal process is finalised.
 - The RTO will comply with the findings of the external appeals process.
 - Where a decision or outcome is in favour of the complainant, ARC Retail Institute shall follow the required action and recommendation from the relevant external appeals organisation to satisfy the student's grievance as soon as practically possible.
 - The decision of the independent mediator is final and any further action the participant wishes to take is outside of the RTO's Policies and Procedures. The participant shall be referred to the appropriate government agencies. This information can be gained from the Director.
 - 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 participant file for a minimum of 5 years.

5.5.26. Independent Mediators:

- Victorian Participants: The Dispute Settlement Centre of Victoria (DSCV) is a free dispute resolution and mediation service funded by the Victorian Government and may be able to assist in resolving any outstanding complaint or issue with the complaint handling process. Further details and office locations for this service are available from <http://www.disputes.vic.gov.au/>.
- New South Wales Participants: Legal Aid NSW and the team at LawAccess NSW can provide legal information and identify local services who may be of assistance regarding your dispute. Legal Aid NSW also offers free assistance from lawyers if eligibility criteria are met. For more information visit <https://www.legalaid.nsw.gov.au/>.
- Queensland Participants: The Queensland Government has Dispute Resolution Centres available to provide mediation services. In most cases, it is free to take part in mediation. Further details and office locations for this service are available from <https://www.qld.gov.au/law/legal-mediation-and-justice-of-the-peace/settling-disputes-out-of-court>.
- South Australian Participants: The South Australia Attorney-General's Department has a listing of public legal services including free legal advice and community legal centres. These may be able to assist with resolving outstanding complaints and arranging mediation services. Further information can be found at: <https://www.agd.sa.gov.au/services-support/legal-services-for-the-public>.
- Western Australian Participants: Legal Aid Western Australia has a listing of mediation services: <https://www.legalaid.wa.gov.au/find-legal-answers/about-law/mediation-and-dispute-resolution>.
- Tasmanian Participants: The Legal Aid Commission of Tasmania may be able to assist with mediation services: <https://www.legalaid.tas.gov.au/contact/>.
- Northern Territory Participants: The Community Justice Centre (CJC) is a Northern Territory Government service that provides free mediation services at various venues. Further information and contact details for the CJC can be found here: <https://nt.gov.au/law/processes/mediation/mediation-with-the-community-justice-centre>.

Further information

5.5.27. If a client (student or relevant stakeholder) is still dissatisfied with the decision of the RTO, they may wish to seek legal advice or place a complaint about the ARC RI to the National Training Complaints Hotline: <https://www.dewr.gov.au/national-training-complaints-hotline>.

5.5.28. Additionally, if the complainant believes the RTO is breaching or has breached its legal requirements, they are also recommended to make a complaint via the Hotline.

- Prior to submission, the complainant must ensure that they have followed the RTO's formal complaints procedure, preferably also providing evidence of the RTO's response.

5.5.29. The Hotline's processes require disclosure of personal information in order to refer complaints to relevant agencies. For more information, please check the National Training Complaints Hotline's website.

Australian Skills Quality Authority (ASQA)

Ph: 1300 701 801
Website: www.asqa.gov.au

ASQA has offices in Adelaide, Brisbane, Canberra, Hobart, Melbourne, Perth and Sydney. Please

contact ASQA via phone for current office address information.

Preventative and Corrective Action

- 5.5.30. If the internal or any external complaint handling or appeal processes result in a decision that supports the complainant, ARC will immediately implement any decision and/or corrective and preventative action that is required and advise the complainant, and all involved in the matter, of the outcome.
- 5.5.31. In all cases where a complaint, internal appeal, or external appeal is submitted results in any type of corrective action to be taken by the ARC RI, details of the complaint and/or appeal shall be reviewed to ensure that steps are taken to eliminate or mitigate the likelihood of recurrence.
- 5.5.32. In addition, the Complaints and Appeals Register shall be monitored by the ARC RI Directors or delegated manager to ensure that all complaints and appeals submitted, regardless of the outcome, are able to be monitored and reviewed. This is to ensure that appropriate steps and actions are identified to prevent a recurrence.