

Department Retail Institute – RTO (ID4049)		
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Associated Instrument/s	Credit Transfer Form (Template)	
Approved by Aaron Hines Director, ARARI	Next Review July 2023	Once printed, this document is not controlled.
Reason for change	General review of the content and improvement	

1. Policy objective

- 1.1. The objective of this Policy and procedure is to ensure that the ARA, via its training division, the ARARI, comply with the responsibilities set by law as a nationally recognised RTO.
- 1.2. This Policy ensures compliance with ASQA and the Standards for RTOs for RTOs 2015 (Clauses 1.7, 5.4 and 6.1 to 6.6—Supporting and informing learners; managing complaints and appeals.
- 1.3. The RTO, through the application of this Policy, will:
 - 1.3.1. Ensure that all students enrolled in an NRT course listed in the Scope of the Registration for ARA follow the procedures required to relate to a complaint or appeal a decision towards reaching a satisfactory resolution for all parties involved
 - 1.3.2. Outline the complaints and appeals process and procedures:
 - to submit an issue or concern,
 - timelines and administration management, and
 - formal solutions outside of ARRI seeking resolution.

2. Definitions

- 2.1. For the purpose of this Policy, and associated Procedures, the following definitions apply:
 - 2.1.1. Training course – is defined as a pathway to achieving a nationally recognised qualification or skill set from an NRT package as listed on the ARA's Scope of Registration.
 - 2.1.1.1. AQF – the Australian Qualifications Framework
 - 2.1.1.2. ASQA – Australian Skills Quality Authority, the national VET Regulator for RTOs, enforces the National VET Regulator Act 2011.
 - 2.1.1.3. RTO – Registered Training Organisation
 - 2.1.1.4. VET – Vocational Education and Training

2.1.5. NRT – Nationally Recognised Training, training that consists of training packages, qualifications, units of competency, accredited courses and Skill Sets

- For more information, go to the website: training.gov.au - About

2.1.6. ARA – Australian Retailers Association

2.1.7. ARARI – ARA Retail Institute, the entity responsible for administering the ARA's RTO.

3. Scope

3.1. This Policy applies to all individuals who must ensure the ARARI complies with the Standards for VET and other laws and conforms to its conditional arrangements with other interested parties critical to the operations of the ARARI. Including:

- any student enrolled and participating in an NRT course within ARA's Scope of Registration,
- all ARARI staff and or other persons ("other" individuals engaged by the ARA) who facilitate student enrolment,
- all ARA Partners ("Partners" Third Party Arrangements/Agents and staff), and
- all ARARI Directors and the ARA CEO.

4. Related Documents

Enrolment and Admission – Policy and Procedures

Record Management – Policy and Procedures

Student Information Handling – Policy and procedures

Fee Management, Deferral and Refund - Policy and procedures

Participants Handbook

Complaints and Appeals Form

5. Policy

5.1. The ARARI's implementation of the complaints and appeals processes and procedures must comply with:

- National VET Regulator Act 2011 and related Standards for RTOs 2015 Clauses 1.7, 5.4 and 6.1 to 6.6—Supporting and informing learners; managing complaints and appeals.

5.2. The ARARI is obliged to offer a pathway for communicating issues relating to how the ARARI provides services for its students. Accordingly, the ARARI employs the following principles for training of 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 ARA's Scope of Registration.

5.2.1. The ARARI ensures that a student's complaint or request for an appeal is received and managed without prejudice or discrimination.

5.2.2. The ARARI is committed to managing all complaints and appeals in a consistent, transparent, objective and unbiased manner.

- 5.2.3. The ARARI will ensure that details of this Policy are publicly available via the ARARI policies and procedures pages on the ARA website.
- 5.2.4. The ARARI will ensure students are informed via pre-enrolment screening sessions and the Participants Handbook about this Policy and other related policies.
- 5.2.5. The ARARI will specify reasonable timelines for responses to the administration of complaints and appeals.
- 5.2.6. The ARARI 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.
- 5.2.7. The ARARI keep appropriate records of complaint or appeal and any brief written outcome of the student's hard-copy and electronic file on the ARA student management system.
- 5.2.8. The ARARI will ensure that records are treated confidentially in line with ARARI student information handling and record management procedures.
- 5.2.9. The ARARI will utilise information to inform its continuous improvement practices in its approach to quality management procedures.

6. Procedures

Complaints and Appeals - Student

- 6.2. The information relating to complaints and the Application Form is made available to all students and potential students by directly contacting the ARARI through ARARI policies and procedures available on the ARA website and within the Participant Information Handbook.

General Complaints (Informal) - Student

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

General Complaints (Formal Written) - Student

- 6.4. If ARARI received a formal complaint/appeal, the following procedures are to be followed:
 - 6.4.1. Any student, potential student, or a third party may submit a formal complaint to ARARI 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.
 - 6.4.2. 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.
 - 6.4.3. 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 Student Service Administration (details provided on the form) or through the ARARI website.
 - 6.4.4. All formally submitted complaints or appeals are forwarded to the ARARI Student Service Department. 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)
- 6.4.5. 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
- 6.4.6. A student may be assisted or accompanied by a support person regardless of the nature of the issue or complaint throughout the process at all times.
- 6.4.7. 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 and keep the complainant informed of any decisions or outcomes concluded or processes in place to deal with the complaint.
- 6.4.8. 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 concluded 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.
- 6.4.9. The Student Service Administration shall ensure that ARARI will act immediately on any substantiated complaint. If the internal or any external complaint handling or appeal process results in a decision that supports the student, the registered provider must immediately implement any decision and corrective and preventative action that is required and advise the student of the outcome.
- 6.4.10. Copies of all documentation, outcomes and further action required will be placed into the 'Complaints and Appeals Register' by the Student Service Administrator and on the Continuous Improvement meeting action plans.

Appealing a Decision - Student

- 6.4.11. All students have the right to appeal decisions made by ARARI where reasonable grounds can be established. The areas in which a student may appeal a decision made by ARARI 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 ARARI in the first instance.
- 6.4.12. The student initiates the process by completing a 'Complaints and Appeals Form'. The 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, and help and support with this process can be gained from Student Service Administrator
- 6.4.13. The Student Service Administrator 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.
- 6.4.14. The process for all formally lodged appeals will begin within 20 working days of the appeal being lodged.

6.4.15. Where an appeal has been lodged, it will be defined into one of the following categories, and the appropriate procedures followed:

General Appeals

- 6.4.16. Where a student has appealed a decision or outcome of a formal complaint, they are required to notify ARARI in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
- 6.4.17. 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.
- 6.4.18. 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.
- 6.4.19. The student shall be notified in writing of the outcome with reasons for the decisions, and the 'Complaints and Appeals Register' 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 ARARI if they wish to proceed with the external appeals process

Assessment Appeals

- 6.4.20. Where a student wishes to appeal an assessment, they are required to notify a dedicated Programs Manager or their Trainer/Assessor in the first instance. Where appropriate, personnel may decide to re-assess the student to ensure a fair and equitable decision is gained. The Program Manager or Trainer/Assessor should inform ARARI Student Service Department regarding the reason for re-assessment outlining the reasons why the assessment was or was not granted.
- 6.4.21. 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 ARARI Student Service Department and the appeal shall be entered into the 'Complaints and Appeals Register.'
- 6.4.22. The Student Services Department shall be notified and shall seek details from the Program Manager and or 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 re-assessment by a 'third party'. The third-party shall be another Program Manager or Trainer/Assessor appointed by ARARI.

External (Independent) Appeals

- 6.4.23. In addition to the above internal processes, if the processes fail to resolve the complaint or appeal, or the complainant or appellant is still dissatisfied with the decision of the RTO, an application with an independent and external dispute resolution body can be submitted to allow 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).
- 6.4.24. It should also be noted that any complaints about a Director or the RTO Manager will automatically be dealt with by this external and independent mediator in the first instance of the complaint being received.
- 6.4.25. Where the RTO is informed that the participant has accessed external appeals processes:
- 6.4.26. The RTO will maintain a participant's enrolment until the external appeal process is finalised.
- 6.4.27. The RTO will comply with the findings of the external appeals process.

- 6.4.28. Where a decision or outcome is in favour of the complainant, ARA Retail Institute shall follow the required action and recommendation from the relevant external appeals organisation to satisfy the student's grievance as soon as practicable.
- 6.4.29. The decision of the independent mediator is final and any further action the participant wishes to take is outside the RTO's policies and procedures. The participant shall be referred to the appropriate government agencies and this information can be gained from the Director.
- 6.4.30. 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.
- 6.4.31. Independent Mediator:
- 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 to resolve 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: Community Justice Centres (CJC) is a free dispute resolution service funded by the New South Wales Government. Further details and office locations for this service are available from <http://www.cjc.justice.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/mediation/>
 - South Australian Participants: Mediation SA is funded by the South Australian Attorney General's Department and may be able to assist people with disputes. Mediation services are provided free of charge. Further details can be found at: <http://mediationsa.org.au/>
 - Western Australian Participants: Legal Aid Western Australia has a listing of mediation services: <https://www.legalaid.wa.gov.au/InformationAboutTheLaw/legalproblem/Disputeresolution/Pages/MediationDisputeResolution.aspx>
 - Tasmanian Participants: The Legal Aid Commission of Tasmania has a listing of mediation services: <http://www.legalaid.tas.gov.au/referral-list/listing/resolve-dispute-management>

Further information

- 6.4.32. 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 ARARI to ASQA directly (Please be aware that ASQA does not act in a mediation capacity).
- 6.4.33. If, after the ARARI's internal complaints and appeals processes have been completed, and the complainant still believes the RTO is breaching or has breached its legal requirements, the complainant can submit a complaint to ASQA by completing the online complaint form: <https://rms.asqa.gov.au/registration/newcomplaint.aspx>
- Except in exceptional circumstances, the complainant must attach evidence to your complaint form showing:
 - that you have followed your RTO's formal complaints procedure, and
 - the RTO's response.
- 6.4.34. ASQA's processes require you to identify yourself to ASQA as a complainant, although you may request that your identity is kept confidential throughout any investigation that ASQA undertakes.

Australian Skills Quality Authority

Melbourne—Level 6, 595 Collins Street

Brisbane—Level 7, 215 Adelaide Street

Sydney—Level 10, 255 Elizabeth Street

Canberra—Ground Floor, 64 Northbourne Avenue Canberra City

Perth—Level 11, 250 St Georges Terrace

Adelaide—Level 5, 115 Grenfell Street

Hobart—Level 11, 188 Collins Street

Ph: 1300 701 801

Website: www.asqa.gov.au

Preventative and Corrective Action

- 6.4.35. If the internal or any external complaint handling or appeal processes result in a decision that supports the complainant, ARA 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.
- 6.4.36. 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 ARARI, details of the complaint and / or appeal shall be reviewed to ensure that steps are taken to eliminate or mitigate the likelihood of recurrence.
- 6.4.37. In addition, the complaints and appeals register shall be monitored by the ARARI Directors or delegated manager to ensure that all complaints and appeals submitted, regardless of the outcome, are able to be monitored and reviewed to ensure appropriate steps and actions are identified to prevent a recurrence.