

Complaints and Appeals Policy

ACES fosters a culture in which complaints are valued and personnel are trained and supported to manage them. Fair, easily understandable policies and procedures relating to complaints management have been implemented, supporting a proactive complaint handling system to identify and address systemic issues, acknowledging complaints promptly and providing timely responses.

During course activities, Students may have some concerns with the processes they are being exposed to or they may be unhappy with a particular aspect of the program. ACES provides a mechanism allowing for the fair and equitable resolution of any issues, dealing with complaints as part of core business, so that complaint handling is integrated with other business activities, including self-assurance processes, and all relevant personnel are involved.

ACES complaints process is free, and easily available, to manage and respond to allegations involving the conduct of:

- ACES, its trainers, assessors or other personnel; or
- An ACES contracted Third Party providing services of ACES, including the Third-Party representatives' trainers, assessors or other personnel; or
- A Student of ACES.

Allowing Students to easily engage with the personnel of ACES about any concerns they have can stop minor issues becoming larger. The Chief Executive Officer has overall responsibility for managing complaints and communicating their value to the organisation. ACES ensures:

- Personnel at all levels understand and comply with complaints management policies and procedures;
- Personnel have received appropriate guidance, training and support to handle complaints;
- Students are directed to the complaints process when they experience a problem or have an issue; and
- Personnel performance is monitored to ensure complaints are handled properly and appropriate remedies are provided.

There is no fee or charge levied for any complaint processed.

ACES will maintain a Student complainant's enrolment during any complaint process. Information about how to make a complaint is publicly available on the ACES website and is provided to all prospective clients via the Student handbook for each stakeholder group prior to enrolment. Individuals can make a complaint in a variety of ways, including via telephone, email, webform or mail. ACES has sought to remove any barriers to making complaints and any fear of repercussions to the complainant. ACES's complaints process follow the principles of natural justice and procedural fairness by allowing anyone subject to a decision by ACES, or anyone who has allegations made against them, to tell their side of the story before a decision is made.

Complaint & Grievance Procedure

The following problem resolution framework has been implemented for all stakeholders raising a complaint or issue, with a desire to resolve matters as positive adults. This procedure applies to all complaints about:

- Academic matters from Students;
- Non-academic matters from Students; and
- Non-academic matters from persons seeking to enrol with ACES in a VET course or unit of study.

No fees are applicable or levied to the Student or other complainant for any stage of the complaints process.

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- In the first instance a Student should discuss the matter with the personnel member or responsible person concerned. Where this is not considered appropriate then the complainant is encouraged to discuss the matter with ACES management.
- If the complainant is satisfied with the outcome of the discussion, it would mean that the matter is resolved.
- Any client may submit a formal complaint to ACES via discussion, telephone or in writing. Complaints are to include the following information:
 - Submission date of complaint;
 - Name of complainant;
 - Nature of complaint;
 - Date of the event which lead to the complaint; and
 - Any other relevant information or attachments (if applicable).
- ACES will commence assessment of the complaint within three (3) business days of it being made and finalise the outcome as soon as practicable, preferably on the first contact if the complaint is straightforward. ACES ensures the assessment of the complaint is conducted in a professional, fair and transparent manner. Complaints are assessed to assign them priority, with personnel alert to the needs of Students who are vulnerable or require special assistance.
- The Chief Executive Officer will acknowledge receipt of the complaint in writing within three (3) business days and:
 - Arrange a suitable time if needed to discuss the complaint;
 - Advise complainants of expected timeframes; and
 - Give complainants a contact number and, where possible, the name of a contact person they can speak to about their complaint.
- The Chief Executive Officer will investigate the complaint or refer the matter to appropriate ACES personnel to investigate. In either case, the investigation will be resolved, and decisions made on the complaint within 20 business days of the complaint being received in writing.
- All complainants are given an opportunity to formally present his or her case no cost and be accompanied and assisted by a support person at any relevant meetings.
- Decisions on the outcome of all complaints are merit-based decisions that consider all available evidence. ACES ensures complaints are considered with an open mind and without bias arising from any past issues with the complainant.
- All complainants are given a written statement of the outcome of the complaint, including detailed reasons for the outcome, explanations for decisions and remedies where appropriate. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.
- If the complainant is not satisfied with the outcome, they may escalate the complaint in writing to the Chief Executive Officer.
- Escalated complaints are to include the following information:
 - Submission date of complaint;
 - Name of complainant;
 - Nature of complaint;

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- Reasons why the complainant is not satisfied with the outcome of the original complaint; and
 - Any other relevant information or attachments (if applicable).
- The Chief Executive Officer will acknowledge receipt of the escalated complaint in writing within five working days and arrange a suitable time if needed to discuss the complaint.
- The Chief Executive Officer will investigate the complaint
- In either case, the investigation will be resolved, and decisions made on the escalated complaint within twenty working days of the complaint being received in writing.
- All complainants are given a written statement of the outcome of the complaint, including detailed reasons for the outcome. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.
- If the complainant is not satisfied with the outcome, and the complaint is yet to be mediated by an external dispute resolution process, they may escalate the complaint in writing to the Chief Executive Officer. In this situation, the *Chief Executive Officer* will:
 - Acknowledge receipt of the escalated complaint in writing within five working days; and
 - Refer the matter to an external dispute resolution process by a body appointed for this purpose by ACES.
- ACES will give due consideration to any recommendations arising from the external review within ten working days of the receipt of the recommendations.
- The investigation will be resolved, and decisions made on the complaint within 30 working days of the escalated complaint being received in writing.
- All complainants are given a written statement of the outcome of the complaint, including detailed reasons for the outcome. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.

All stages of the complaints process are documented, and notes provided to all parties involved, including the outcomes of the complaint at each stage and reasons for the decisions made. Each complaint and its outcome are recorded in writing and stored on the *Complaints Register*. ACES keeps a written record of each complaint, including a statement of the outcome and reasons for the outcome.

If at any stage ACES considers more than sixty (60) calendar days are required to process and finalise the complaint, ACES:

- Provides regular updates to the complainant where the complaint will take longer than usual to investigate or there is a delay.
- Informs the complainant in writing, including reasons why more than 60 calendar days are required; and
- Regularly updates the complainant on the progress of the matter.

If a complainant is not successful in the ACES's internal complaints handling process, ACES advises the complainant within 5 business days of concluding the internal review of the complainant's right to access an external complaint handling and appeals process at no cost. ACES gives complainants the contact details of the appropriate complaints handling and external appeals body. If the internal or any external complaints handling or appeal process results in a decision or

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recommendation in favour of a complainant, ACES immediately implements the decision(s) or recommendation(s) and/or takes the preventive or corrective action(s) required by the decision and advises the complainant of that action in writing.

Parties who have participated in a complaints or grievance process have access to the records of their use. At all times records of complaints and grievances are maintained confidentially. ACES retains records of all complaints and grievances for a period of at least five years, allowing parties to the complaint or grievance appropriate access to these records.

Complaints Key Contacts

If the Student is still not satisfied with the resolution of the complaint, they are directed to seek further assistance from the following additional parties:

Organisation	Details
Vocational Education & Training Programs Australia Skills & Quality Authority (ASQA)	1300 701 801 enquiries@asqa.gov.au
Overseas Students Overseas Students Ombudsman (OSO)	1300 362 072 ombudsman@ombudsman.gov.au
Skills Canberra	www.cmd.act.gov.au/skillscanberra/individuals
NSW Department of Education & Training	www.training.nsw.gov.au
NT Department of Education and Training	www.det.nt.gov.au
QLD Department of Education, Training & Employment	www.training.qld.gov.au
SA Department of Further Education, Employment, Science and Technology	www.training.sa.gov.au
Skills Tasmania	www.skills.tas.gov.au
Victorian Department of Education & Training	www.skills.vic.gov.au
WA Department of Training and Workforce Development	www.dtwd.wa.gov.au

Improvement Actions

ACES confirms its commitment to investigate and act on any complaint raised, and also to take appropriate action in any case where complaints are substantiated. In cases where a complaint is upheld, ACES endeavours to identify the cause of the complaint and implement steps to prevent the situation happening again. All improvement actions arising from complaints are raised via an *Improvement Record*. ACES maintains a *Continuous Improvement Register* for recording the receipt and management of improvement records. Once improvement records are raised, activities review complaints and their causes, evaluate corrective actions to resolve the issue and prevent reoccurrence, implement appropriate actions, record results of actions undertaken and review these actions to ensure effectiveness after implementation.

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ACES:

- Regularly analyses complaints to see what is going wrong and what can be improved;
- Regularly reviews the complaint system to assess its effectiveness; and
- Reviews and updates policies and procedures if they are not working effectively for the RTO, its Students or other stakeholders.

Appeals

ACES provides all Students with a formal appeals process, which draws on a commitment to all parties understanding their rights and responsibilities in receiving services delivery from ACES. Other grievances or issues not pertaining to decisions made by the RTO should be referred to ACES's complaints processes. ACES's appeals process is free, easily accessible and facilitates requests for a review of decisions, including assessment decisions, made by ACES or a Third-Party representative providing services on ACES's behalf. ACES's appeals process follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by ACES, or anyone who has allegations made against them, to tell their side of the story before a decision is made. There is no fee or charge levied for any appeal processed. ACES will maintain a Student appellant's enrolment during any appeal process. ACES's process ensures that the decision-maker is independent of the decision being reviewed (for example, an assessor does not consider or decide an appeal against an assessment decision they made). If a Student objects to actions taken or decisions made by ACES personnel in conducting Recognition of Prior Learning and assessment services, they have the right to lodge an appeal.

Students also have the right to lodge an appeal against competency decisions made if:

- They believe the outcome is invalid; or
- They feel the process was invalid, inappropriate or unfair.

Appeals Process

ACES's appeals process is publicly available on the ACES's website.

- Before making a formal appeal, Students are required to discuss the matter with the relevant ACES personnel in an effort to reach an agreement. ACES personnel will undertake to reassess the decision that has been made.
- If a Student is still unhappy, they must lodge a formal appeal in writing to Chief Executive Officer.
- ACES will commence assessment of the appeal within 5 working days of it being made and finalise the outcome as soon as practicable. The CEO ensures the assessment of the appeal is conducted in a professional, fair and transparent manner
- Upon receiving a formal appeal, Chief Executive Officer will:
 - Acknowledge receipt of the appeal in writing within five working days; and
 - Appoint an independent member of personnel as a Third Party to try to resolve the issue. Any decision recommended by the Third Party is not binding to either party.
- All appellants are given an opportunity to formally present his or her case no cost and be accompanied and assisted by a support person at any relevant meetings.
- The independent member will review the information provided by all parties and either reject or uphold the appeal.
- All appellants are given a written statement of the outcome of the appeal, including detailed reasons for the outcome. With this notification, all appellants will receive information on how they can progress their appeal if still unhappy.

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- If a Student, on receiving written advice on the initial appeal, is still unhappy they may lodge a second appeal to the Chief Executive Officer. The Chief Executive Officer will:
 - Acknowledge receipt of the further appeal in writing within five working days; and
 - Appoint another Registered Training Organisation (RTO) to review the appeal, at no additional cost to the Student. This second registered training organisation will:
 - Uphold the appeal;
 - Reject the appeal; or
 - Recommend further evidence gathering by either party.
- The Student will be advised of the outcome of the appeal in writing within 20 working days of lodging the further appeal. All appellants are given a written statement of the outcome of the appeal, including detailed reasons for the outcome. With this notification, all appellants will receive information on how they can progress their appeal if still unhappy.
- If a Student, on receiving written advice on the further appeal, is still unhappy they have a right of appeal to:
 - The Australian Skills & Quality Authority (ASQA) via the appropriate process.
 - <http://www.asqa.gov.au/complaints/making-a-complaint.html>
- If at any stage ACES considers more than 60 calendar days are required to process and finalise the appeal, ACES:
 - Informs the appellant in writing, including reasons why more than 60 calendar days are required; and
 - regularly updates the appellant on the progress of the matter.

If an appeal is not successful in the ACES's internal appeals process, ACES advises the appellant within 5 working days of concluding the internal review of the appellant's right to access an external complaint handling and appeals process at no cost. ACES gives appellants the contact details of the appropriate complaints handling and external appeals body. If the internal or any external complaints handling or appeal process results in a decision or recommendation in favour of an appellant, ACES immediately implements the decision(s) or recommendation(s) and/or takes the preventive or corrective action(s) required by the decision and advises the appellant of that action in writing.

Improvement Actions

ACES confirms its commitment to investigate and act on any appeal raised, and also to take appropriate action in any case where appeals are substantiated. In cases where an appeal is upheld, ACES endeavours to identify the cause of the appeal and implement steps to prevent the situation happening again. All improvement actions arising from appeals are raised via an *Improvement Record*. ACES maintains a *Continuous Improvement Register* for recording the receipt and management of improvement records. Once improvement records are raised, activities review appeals and their causes, evaluate corrective actions to resolve the issue and prevent reoccurrence, implement appropriate actions, record results of actions undertaken and review these actions to ensure effectiveness after implementation.