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Related documents	Fees and Refunds Policy Standards for Registered Organisations 2015 Appeal Policy Complaint and Appeal Report Form

## COMPLAINTS AND APPEALS

### 1. Preliminary Information

#### Intent

The Civil Contractors Federation SA Branch (CCF SA) is committed to providing its learners, staff and stakeholders with a fair and equitable environment in which to study and work by ensuring that complaints and appeals are managed transparently at all times.

#### Purpose

The purpose of this document is to clarify how:

- to lodge a complaint involving the conduct of CCF SA, its trainers, assessors or other employees, a third party providing services on CCF SA's behalf, its trainers, assessors or other employees, or a learner of CCF SA;
- to appeal or request a review of decisions, including assessment decisions, made by CCF SA or a third party providing services on CCF SA's behalf;
- complaints and appeals will be handled.

#### Scope

This document is applicable to all CCF SA employees and contractors, learners and third parties providing services on CCF SA's behalf.

CCF SA (RTO: 40239) represents the trading names of:

- Civil Train South Australia
- TrainSA

#### Definitions

**Appeal** means a request for the review of a decision in regards to:

- Assessment process and decision
- Learner progress and academic progress decision.

**Appellant** means a learner of CCF SA, who lodged an appeal.

**Complainant** means a CCF SA learner, contractor or third party that lodged a complaint.

**Complaint** means a dissatisfaction or concern related to:

- Course advice and enrolment
- Suspension/cancellation of enrolment
- Program delivery
- Marketing and promotional activity
- Personal safety
- Customer service and administration
- Issue of results, certificate, statement of attainment
- Learning resources

- Fees and charges
- Equity and access, discrimination, harassment and bullying.

## 2. Procedures Guiding Principles

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The following principles will be followed at every stage of the complaint and appeal process:

### **Confidentiality:**

Only the people directly involved in making or investigating a complaint will have access to information about the complaint.

### **Natural Justice and Procedural Fairness:**

- CCF SA staff will inform the complainant or party lodging the appeal of the CCF SA's policy and procedures for handling complaints and appeals.
- All parties will be provided with equal opportunity for discussion.
- No assumptions will be made and no action will be taken until all relevant information has been collected and considered.
- Each complainant or party lodging an appeal may be accompanied and/or assisted by a support person throughout the process and will be treated in a fair and equitable manner at all times;
- Use of support person by the complainant or appellant is at the complainant or appellant's cost;
- If the complaint or appeal process involves a learner under 18 years old, the staff member must advise the Accountable Officer immediately.
- No action will be taken against anyone for lodging a complaint or appeal or assisting someone to lodge or manage a complaint or appeal.
- No action will be taken against anyone for complying with Mandated Notification requirements.
- Management will take all necessary steps to ensure that victimisation does not occur against anyone who lodges or is involved in a complaint.

### **Transparency and Timing:**

- All complaints and appeals will be dealt with as quickly and transparently as possible.
- All complaints, appeals and outcomes are documented in the CCF SA Complaints and Appeals Register and included in the learner's file by the RTO Admin Manager.

## 3. Informal Procedure

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Prior to initiating a formal complaint and appeal process, involved CCF SA staff, learners and third parties are expected to:

- raise their concern and/or request verbally or in writing; and
- resolve their concern directly through non-formal attempts, including but not limited to advice, discussions and general mediation.

Learners are expected to discuss their concern with their trainer/assessor.

If the matter cannot be resolved directly by the parties involved, the formal complaint or appeal procedure will take place.

## 4. Formal Procedure

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### Stage One- Lodgement

A formal complaint or appeal may be lodged by completing and submitting a Complaint and Appeal Report Form Report. The complainant or appellant must provide as much detail as possible and send the completed and signed form to the RTO Admin Manager.

The RTO Admin Manager will enter the details of the Complaint and Appeal Form in the Civil Train SA Complaints and Appeals Register, acknowledge in writing receipt of the complaint or appeal and indicate the anticipated review period.

If CCF SA considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO Admin Manager will:

- Inform the complainant or appellant in writing, including the reasons why more than 60 days are required, and
- Regularly update the complainant or appellant on the progress of the matter.

The Complaint and Appeal Form Report can be sent to the complainant or appellant on request.

### Stage 2- Investigation

The RTO Admin Manager will notify all learning and program delivery related complaints and appeals to the Accountable Officer (or the Director – Global Learning and Future Directions if there is a conflict of interest), who will conduct an investigation

The RTO Admin Manager (or the Director – Global Learning and Future Directions if there is a conflict of interest) will investigate all other complaints.

As part of the investigation, the RTO Admin Manager or Accountable Officer may interview the individuals involved in the complaint or appeal.

Where an appeal has been lodged, the Accountable Officer will seek details from the assessor, and meet with both the assessor and the appellant.

### Stage 3 - Determination

Upon conclusion of the investigation, the RTO Admin Manager and/or Accountable Officer will make a determination indicating a proposed resolution.

In case of appeal, the Accountable Officer will determine if:

- the appellant should be reassessed by an alternate assessor;
- the original decision is correct and will stand;
- an adjustment to the original decision is warranted.

The RTO Admin Manager and/or Accountable Officer will communicate in writing the proposed resolution to all the parties involved in the complaint or appeal process within 20 working days of the formal complaint or appeal receipt.

If the complainant or appellant is satisfied with the outcome, they will have to confirm in writing to agree to the resolution, which will be recorded in the CCF SA Complaints and Appeals Register.

### Stage 4 – Internal Review of the Determination

If the complainant or appellant remains dissatisfied with the process or the determination, they can appeal and request a review of the decision from the Director – Global Learning and Future Directions or, where there is a conflict of interest, the Chief Executive Officer (CEO).

The Director – Global Learning and Future Directions (or the CEO) will review all complaint/appeal documentation/information and notify their decision in writing within 5 working days of receipt of referral.

## Stage 5 – External Review of the Determination

If the complainant or appellant is not satisfied with the outcome of the internal review, they may request that the matter is reviewed via an external dispute resolution process, by an external mediator. For this purpose CCF SA uses the services of:

Office of the Training Advocate  
Level 5, 131 – 139 Grenfell Street, Adelaide 5000 (RAA Building)  
Tel: 1800 006 488  
Website: <http://www.trainingadvocate.sa.gov.au/>

The services provided by the Office of the Training Advocate are free.

If, after CCF SA's internal complaints and appeals processes have been exhausted, the complainant or appellant is still not satisfied with the determination of the external mediator, they may submit a complaint to ASQA by completing the online complaint form: <https://asqanet.asqa.gov.au>

ASQA is not able to act as the independent third party for reviewing complaints.

The complainant or appellant will need to provide evidence to ASQA that they have completed the CCF SA complaints and appeals processes before submitting a complaint to ASQA. In exceptional circumstances ASQA may consider a learner's complaint without this evidence.

Australian Skills Quality Authority  
Tel: 1300 701 801  
Website: <https://www.asqa.gov.au>