

# Complaints and Appeals

## Policy and Procedure

### Applied Training Solutions

#### **RTO 90294**

327 Woodpark Rd  
Smithfield NSW 2164  
NSW, Australia

Phone: 1800 287 960

Responsible Officer	General Manager
Approved by	CEO Applied Training Solutions
Review by	General Manager
Last Reviewed	April 2023
Next Reviewed	April 2024

#### **REVIEW AND REVISION**

The policy and procedure will be revised annually or, amended following continuous improvement strategies implemented by ATS.

[appliedtraining.com.au](http://appliedtraining.com.au)

## PURPOSE

This policy and procedure forms part of Applied Training Solutions' (ATS) commitment to student success. It provides an effective, efficient, timely, fair, and confidential complaints and appeals handling processes for all Students and describes how ATS manages and responds to allegations involving the conduct of ATS, its trainers and assessors or other staff, or another student.

Through this policy and procedure ATS ensures that complaints and appeals:

- Are responded to in a professional, consistent, and transparent manner.
- Are responded to promptly, fairly, objectively, with sensitivity and confidentiality.
- Can be resolved at no cost to the individual, where the matter is not referred to independent parties for review.
- Are used to identify potential opportunities for continuous improvement and implementation of strategies or systems to prevent the issues from recurring.

## SCOPE

This policy and procedure covers complaints and appeals of both an academic and non-academic nature.

A complaint may relate to, but is not limited to:

- Marketing or other promotional activity
- Course information and enrolment processes
- Suspension and/or cancellation of enrolment by ATS
- Course content or assessment processes
- Access and equity issues
- Bullying or harassment
- Fees and charges
- Administrative issues

Appeals generally relate to assessment outcomes including:

- Assessment activities
- Assessment decisions

'Academic matters' may include those relating to a student's progress, assessment, or course content.

'Non-academic matters' are more administrative in nature may include those which do not relate to a student's progress, assessment, course content, and include complaints concerning personal information that ATS stores about the student.

## POLICY – GENERAL PRINCIPLES

- These principles are adhered to by ATS and apply to all stages of the complaints handling process:
- Nothing in this policy limits the rights of an individual to take action under relevant consumer protection laws, nor does it prevent an individual from pursuing other legal remedies.
- ATS handles all complaints in a fair, constructive, and timely manner, following the principles of natural justice and due process.
- The Complainant and any Respondent have the opportunity to present their case, before any decision is made.
- Complaints should be made as soon as reasonably practicable after the incident occurring.
- A formal complaint may be submitted at any point, in writing, either via a complaint form or other format that clearly identifies the matter as a complaint to [complaints@appliedtraining.com.au](mailto:complaints@appliedtraining.com.au).
- Assessment appeals must be made within thirty (30) calendar days of the original assessment decision. Assessment appeals must be submitted, in writing, to [complaints@appliedtraining.com.au](mailto:complaints@appliedtraining.com.au).
- Some members of the ATS management participate in the complaint resolution process, as outlined in these procedures.
- Each party involved in the complaint or appeal may have a support person of their choice present at meetings scheduled to resolve the issue. The support person may observe but not participate in any discussion relating to the complaint.
- In the case of an assessment appeal, an assessor who is independent from the original decision will review the original submission. The outcome of this review will be the result granted for the assessment task. The complainant or appellant will be advised in writing of the outcome of the process and the reasons for the findings made.
- ATS retains written records of discussions relating to complaints.
- The Complainant or any Respondent is provided a written explanation for any decisions or actions taken in response to the complaint, if requested.
- Records of all complaints are retained for a minimum period of two years. These records are kept strictly confidential and stored electronically by ATS. The Complainant or any respondent may request access to these records by writing to:  

**The General Manager  
Applied Training Solutions  
327 Woodpark Rd  
Smithfield, NSW, 2164**
- A Complainant can appeal the outcome of their complaint.
- A Student's progress through their course is not disrupted during the complaint resolution process unless the nature of the complaint itself makes further progress impracticable.

## PROCEDURES

### Stage 1

1. Formal complaints are to be made in writing by the complainant to [complaints@appliedtraining.com.au](mailto:complaints@appliedtraining.com.au), marked for attention of the General Manager.
2. A formal complaint or appeal will be acknowledged in writing, within 3 business days of receipt.
3. The General Manager reviews and investigates all complaints upon receipt and determines the proposed course of action. In addition to speaking with the subject of the complaint for investigative purposes, the General Manager may consult with others not directly involved in the complaint.
4. The resolution process will commence within 10 business days of receipt of the written complaint or appeal.
5. Resolution of complaints and appeals are finalised as soon as practicable, or at least within 30 calendar days, unless there is a significant valid reason for the matter to take longer.
6. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time that the matter is resolved.
7. The Complainant is advised of their right to access Stage Two of this procedure if they are not satisfied with the outcome of Stage One.

### Stage Two

1. If the Complainant is not satisfied with the outcome of Stage One, they may lodge an appeal in writing to [ceo@appliedtraining.com.au](mailto:ceo@appliedtraining.com.au) or by post to:

**The CEO  
Applied Training Solutions  
327 Woodpark Rd  
Smithfield, NSW, 2164**

2. The Complainant's appeal is determined by the CEO, who conducts all necessary consultations with the Complainant and other relevant people and makes a determination of the appeal. The Complainant is advised in writing of the outcome of their appeal, including the reasons for the decision within 15 working days.
3. The Complainant is advised of their right to progress to Stage Three of the complaints procedure, if they consider the matter unresolved.
4. If the Complainant is not satisfied with the outcome of their appeal, then an independent mediator is sourced by ATS through LEADR, the Association of Dispute Resolvers.
5. Complainants may request that their complaint is referred to the independent mediator by writing to [ceo@appliedtraining.com.au](mailto:ceo@appliedtraining.com.au) or by post to:

**The CEO  
Applied Training Solutions  
327 Woodpark Rd  
Smithfield, NSW, 2164**

Costs of such mediation will be shared equally by ATS and the Complainant. As a guide, mediator's costs would be \$385 for the first four hours (or part thereof). Subsequent hours would be \$137.50 per hour. It is common for most disputes to be resolved within the initial four-hour allocation.

### External complaint options

Complaints can also be made via the following avenues:

- National Training Complaints Hotline:

The National Training Complaints Hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint. Consumers can register a complaint with the National Training Complaints Hotline by:

- Phone: 13 38 73, Monday–Friday, 8am to 6pm nationally.
- Email: [ntch@education.gov.au](mailto:ntch@education.gov.au)

- Australian Skills Quality Authority (ASQA):

Complainants may also complain to Applied Training Solutions' registering body, the Australian Skills Quality Authority (ASQA). Please note that ASQA is not an advocate for individual student complaints.

**For students:**

- ASQA may not be able to investigate complaint if you do not include evidence that you have already exhausted our formal internal complaints process as above.
- If your complaint does not fall within ASQA's jurisdiction, it may be resolved more quickly if you directly contact the agency responsible as listed on the relevant webpage below.

For more information:

[Complaints about training providers | Australian Skills Quality Authority \(ASQA\)](#)

[Find more help with complaints | Australian Skills Quality Authority \(ASQA\)](#)

### Records of complaints and appeals

Applied Training Solutions will maintain a record of all complaints and appeals and their outcomes and reasons for the outcomes on the Complaints and Appeals Register, which will be securely stored according to the *Privacy Policy and Procedures*.

The complaints are discussed discreetly and with respect for the privacy of all parties to any complaint, at subsequent management meetings. The discussions allow consideration of the root cause of the complaint, and identification of opportunities for actions that may prevent such complaints from recurring. Any actions determined by the management team are to be recorded in the ATS Corrective Action Register.

As per ATS Quality and Compliance Framework, complaints are considered to be a source of feedback that contributes to ATS' approach to continuous improvement.