

COMPLAINTS & APPEALS POLICY & PROCEDURE

1. Purpose and Scope

To ensure the receiving and responding to complaints and appeals meets the requirements under the Standards for Registered Training Organisations and our State Government funding requirements as a Skills Assure Supplier.

The following clauses apply to this document.

Standards for Registered Training Organisations

Clause 6.1 The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

- The RTO, its trainers, assessors, or other staff
 - A third-party providing services on the RTO's behalf, its trainers, assessors, or other staff
- or
- A learner of the RTO

Clause 6.2 The RTO has an appeals policy to manage requests for a review of decisions, including assessment decision, made by the RTO or a third-party providing services on the RTO's behalf.

Clause 6.3 The RTO's complaints policy and appeals policy:

Ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process:

- Are publicly available
- Set out the procedure for making a complaint or requesting an appeal
- Ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable, and
- Provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the process fail to resolve the complaint or appeal.

Clause 6.4 Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO:

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

Clause 6.5 The RTO Securely maintains records of all complains and appeals and their outcomes, and identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood or reoccurrence.

Clause 6.6 Where the RTO is an employer or a volunteer organisation whose learners solely consist of its employees or members, does not charge fees for the training or assessment, and does not

have in place a specific complains and appeals policy in accordance with Clauses 6.1 & 6.2. The organisation has a complaints and appeals policy, which is sufficiently broad to cover the services provided by the RTO

Queensland Vocational Education and Training Skills Assure Supplier Agreement:

Standard 4

Suppliers Obligations

- Provide high quality Training and Assessment to Students with skill, care and diligence to a high professional standard

2. Definitions

Appeal - A request by a student to reconsider a result or decision regarding assessment

ASQA – Australian Skills Quality Authority

Complaint - Dissatisfaction expressed by a complainant about a product or service provided that requires a solution

Complainant - The person or entity raising the complaint

Skilled Assure Supplier - An RTO approved by the department as a Skills Assure supplier to delivered publicly – funded User Choice training and assessment services

User Choice – A program that provides a public funding contribution towards the cost of training and assessment services for eligible Queensland Apprentices and Trainees

3. Responsibilities

The RTO Manager is responsible for the control and implementation of this Policy and Procedure. RTO staff including Industry Educators and RTO Administrator are responsible for adhering to these practices.

4. Policy Statement

Complaints and appeals are managed by Racing Queensland in a fair, efficient, and effective manner. The RTO will create an environment where learner’s views are valued.

This policy will be made publicly by being made available on the RTO’s website and in materials provided to learners on commencement of enrolment.

The RTO ensures that the principles of natural justice and procedural fairness are adopted at every stage of the complaints and appeals process. The RTO ensures that all complaints and appeals will be heard with resolutions reached within 60 calendar days of receiving the complaint or appeal, where possible. In the case of the time frame being longer than this, the RTO will communicate with the complainant/appellant why the process is taking longer and an estimated timeframe for resolution as well as being kept informed regarding ongoing progress.

If the processes fail to resolve the complaint or appeal, a review by an independent party will be provided if requested. Details of all complaints and appeals will be securely maintained in a Register



of Complaints and Appeals and will take appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

Any substantiated complaints, as well as the complaints and appeals policy, will be reviewed as part of the continuous improvement processes. The RTO has a complaints and appeals policy specific to the RTO operations.

A complaint can be made to the RTO regarding the conduct of: - The RTO, its trainers, assessors or other RTO staff; and students of the RTO. An appeal can be made to the RTO to request a review of a decision, including assessment decisions.

5. Procedure

Outlined below is RQ RTO Complaints Procedure.

1. Informal resolution of complaints is preferable. Students are encouraged to speak immediately with the relevant staff member. If the student is not willing to do so, they may contact the RTO Manager via email: jgeiblinger@racingqueensland.com.au
2. If the issue is not resolved, the student must make a formal complaint in writing within seven (7) calendar days of the incident occurring using the Complaints and Appeals Form.
3. RTO Manager or delegate staff member to receipt and acknowledge complaint within two (2) business days.
4. The complaint will be processed in accordance with the Complaints Procedure.
5. Complaints where possible, will be resolved within ten (10) business days of the complaint being received or soon as practicable, and notified in writing to the complainant.
6. If the complainant is not satisfied with the decision, they may appeal the decision by following the Complaints and Appeals Policy.
7. Complainants will be advised of the outcome of their complaint within fourteen (14) business days of a decision being made in accordance with legislative guidelines, such as the Privacy Act.
8. If the Complainant is dissatisfied with the result, advise the client of their right to further progress the complaint through an External Arbitrator.

If the matter pertains to delivery, training, assessment, support and/or administrative services of the RTO, or a potential breach of the National Vocational Education and Training Regulator (NVR) Act, the client should be referred to the Australian Skills Quality Authority (ASQA's) Complaints website information: [Complaints | Australian Skills Quality Authority \(ASQA\)](#) OR the Qld Government Training Ombudsman by completing the complaints form: [Queensland Training Ombudsman - Jira Service Management \(atlassian.net\)](#)

Racing Queensland will abide by any resolutions as recommended by the External Arbitrator.



Outlined below is RQ RTO Appeals Procedure.

Resolve the informal appeal if possible, documenting the appeal, its cause, actions taken and decisions made in the secure Complaints and Appeals Register.

If the appeal cannot be promptly and simply resolved, advise that an appropriate staff member will deal with the appeal, but a written record of the appeal is required. To put an appeal in writing, advise the appellant that:

- They may use the support of a third party in progressing the appeal.
- They can either put the appeal in writing themselves using the 'Complaints and Appeals Form', or:
- You can make a written record for them to sign.

In this case:

- Note whether the appellant wants the support of a third party
- Ensure the appellant signs and dates the form
- Identify yourself, and your role within the RTO
- Sign and date the form yourself.

On receipt of a written appeal:

If the appeal is not in relation to the RTO Manager:

- The complaint is forwarded to the RTO Manager/delegated representative
- A written acknowledgement is sent to the complainant from the RTO Manager/delegated representative
- The complaint is entered into the secure Complaints and Appeals Register

If the appeal is in relation to the RTO Manager:

- The appeal is forwarded to the CEO of Racing Queensland
- A written acknowledgement is sent to the appellant from the CEO
- The appeal is entered into a separate secure Complaints and Appeals Register, which is kept separate from the main Register.

If the appeal is not finalised within 60 calendar days, the appellant is informed of the reasons in writing and regularly updated on the progress of the matter. The RTO Manager/delegated representative will either deal with the appeal or convene an independent panel to hear the appeal; this shall be the complaints and appeals committee. The appeals committee shall not have had previous involvement with the appeal and will include representatives of:

- The RTO Manager/delegated representative
- The teaching staff
- An independent person.

The appellant shall be given an opportunity to present their case and may be accompanied by other people as support or as representation. The relevant staff member, if applicable, shall be given an opportunity to present their case and may be accompanied by other people as support or as representation.

The outcome/decision will be communicated to all parties in writing within 60 days. If the processes fail to resolve the appeal, the individual making the appeal will have the outcome reviewed by an appropriate party independent of the RTO at their cost. If the appellant is still not satisfied, the RTO



Manager/delegated representative will refer them to the VET Regulator website for further information about making complaints.

6. References & Related Documents

Document	Document
Standards for Registered Training Organisations 2015	Queensland Vocational Education and Training Skills Assure Supplier Agreement

7. Version History

Current Version:	1.1	Date Made:	28/3/22	Effective Date:	19/10/2023
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1.1	19/10/2023	RTO Manager	Update made to Policy and Complaints and appeals procedure

