Email: info@skillwisetraining.edu.au
Web: www.skillwisetraining.edu.au

Complaints and Appeals Policy and Procedure

Purpose

The purpose of this policy is to outline how Skillwise Training Pty Ltd intends to meet the regulatory requirements relating to student complaints and appeals as per the following clauses of the *Standards for Registered Training Organisations (RTOs) 2025*

Standard 6

Complaints and appeals are recorded, acknowledged, and dealt with fairly, efficiently, and effectively.

Scope

This policy applies to all complaints and appeal requests from students.

Policy

1. Complaints

1.1. Complaints are treated seriously and dealt with promptly, impartially, sensitively, and confidentially.

1.2. Complaints will be resolved on an individual case basis, as they arise.

1.3. All students have the right to express a concern or problem and/or lodge a complaint if they are dissatisfied with the training and assessment services that they have been provided (including through a third party) or the behavioural conduct of another learner.

1.4. All complaints are acknowledged in writing and finalised as soon as practicable.

1.5. The complaint resolution procedure is based on the understanding that no action will be taken without consulting the complainant and respondent, using a process of discussion, cooperation and conciliation.

1.6. The rights of the complainant and respondent will be acknowledged and protected throughout the complaint resolution process, including the conduct of separate interviews initially.

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1.7. In the interest of confidentiality, the number of people involved in the resolution process will be kept to a minimum.

1.8. Final decisions will be made by the CEO or an independent party to the complaint.

1.9. The complaint resolution procedure emphasises mediation and education while acknowledging that in some instances formal procedures and disciplinary action may be required.

1.10. If the complaints process fails to resolve the complaint or the complainant is not satisfied with the outcome of the complaint the matter will be referred to an independent third party for review, at the request of the complainant. All costs incurred for the third party review will be advised to the complainant.

1.11. If the complaint will take in excess of 60 calendar days to finalise will inform the complainant in writing providing the reasons why more than 60 calendar days are required. The complainant will also be provided with regular updates on the progress of the complaint.

1.12. Victimisation of complainants, respondents or anyone one else involved in the complaint resolution process will not be tolerated.

1.13. All complaints will be handled as Staff-In-Confidence and will not affect or bias the progress of the student in any current of future training. The rights of the complainant and respondent will be acknowledged and protected throughout the complaint resolution process.

2. Appeals

2.1. Students have the right to lodge an appeal against an assessment decision if they feel they were unfairly treated during an assessment, and/or where they feel the assessment decision is incorrect and they have grounds for an appeal.

2.2. The principles of natural justice and procedural fairness are adopted at every stage of the appeal process.

2.3. The appeals policy is publicly available, via the Skillwise Training Pty Ltd website

2.4. The appellant can provide detail of their appeal either verbally and/or in writing.

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2.5. All appeals must be lodged within 7 calendar days of the date of the assessment result notification to the student.

2.6. If the appeals process fails to resolve the appeal or the appellant is not satisfied with the outcome of the appeal, the matter will be referred to an independent third party for review, at the request of the appellant. All costs incurred for the third party review will be advised to the appellant.

2.7. Every appeal is heard by a suitably qualified independent assessor or panel, who will be asked to make an independent assessment of the application.

2.8. All appeals are acknowledged in writing and finalised as soon as practicable.

2.9. Skillwise Training Pty Ltd may charge a fee for the appeals process where an external assessor is engaged. Should this be the case, all costs incurred will be advised to the appellant.

2.10. If the appeal will take in excess of 60 calendar days to finalise will inform the appellant in writing providing the reasons why more than 60 calendar days are required. The appellant will also be provided with regular updates on the progress of the appeal.

2.11. Skillwise Training Pty Ltd strives to deal with appeal issues as soon as they emerge, in order to avoid further disruption or the need for a formal complaint process.

2.12. All appeals will be handled 'In-Confidence' and will not affect or bias the progress of the participant in any current of future training.

Procedure

1. **Complaints**

1.14. Students will lodge a complaint in writing to **studentsupport@skillwisetraining.edu.au**

1.15. Admin should forward the email to the CEO.

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1.16. On receipt of the complaint documentation, acknowledge receipt of the claim, in writing, to the complainant within two (2) working days, this may be via email, letter or fax.

1.17. Keep all documentation in a Complaints file, which will remain in place until the complaint is resolved. After which time all complaints documentation will be placed on the Client file.

1.18. Review, investigate and mediate to resolve the complaint within seven (7) days. Actions which may be taken include, but are not limited to:

- 1.18.1. Discussing the facts of the complaint with the complainant.
- 1.18.2. Where appropriate and applicable, discuss the complaint with the respondent giving details of the complaint and complainant, giving cause to procedural fairness.
- 1.18.3. Where appropriate and applicable, encourage and facilitate the disputants to engage in mediation on an informal level.
- 1.18.4. Interview all parties individually, including any witnesses.
- 1.18.5. Conduct interviews privately and confidentially
- 1.18.6. Where applicable, report the outcome of the meeting with the respondent to the complainant.
- 1.18.7. Seek preferred outcome from each of the parties.

1.19. Determine a resolution to resolve the complaint, within Skillwise Training Pty Ltd policies.

1.20. Advise all parties of the outcome of the complaint in writing, within five (5) working days.

1.21. Confirm all parties are satisfied with the outcome of the complaint.

1.22. If client is dissatisfied with outcome, advise the client of their right to further progress the appeal through the External Arbitrator.

1.23. Complete all necessary documentation including the “Complaints Progress form”, noting actions and outcomes of the complaints resolution process.

1.24. Place all documentation in the client's complaints file and provide to admin for completion.

1.25. Implement agreed actions and /or administrative arrangements.

1.26. Monitor the learning environment to ensure that the behaviour/incident does not re-occur.

Referral to an external arbitrator

1.27. Contact and engage the External Arbitrator for a review of the complaint, providing all relevant documentation.

1.28. Cooperate with External Arbitrator for a review of the complaint.

1.29. Review, investigate and mediate the complaint with all relevant parties and make a ruling.

1.30. Prepare a formal written report on the investigation, providing a copy to both CEO and complainant.

1.31. Skillwise Training Pty Ltd will abide by any resolutions as recommended by the External Arbitrator.

2. Appeals

2.13. If the client is unhappy with the assessment decision they should first seek to discuss the decision and options with the Assessor, to determine and fully understand the reasons for the decision.

2.14. With a view to resolving the matter, discuss with the client: give specific feedback on their performance, identify areas of improvement, and provide options to the client such as further training and/or assessment.

2.15. If the matter is successfully resolved, enter the details into the student management system

2.16. If the matter is not successfully resolved, the student should lodge their appeal in writing to **info@tba.edu.au** within 7 days of the result notification.

2.17. The email must clearly state the grounds for appeal and should include sufficient evidence to support the claim.

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2.18. Admin should then forward the appeal on to the CEO

2.19. On receipt of the appeals application, acknowledges receipt of the claim, in writing, to the appellant within two working days, this may be via email, letter or fax.

2.20. Keep all documentation in the Appeals file, which will remain in place until the appeal is resolved. After which time all appeal documentation will be placed on the Client file.

2.21. Nominates, within five working days, an independent assessor or panel to review the appeal and make a determination.

2.22. Advise the appellant in writing of the name of the independent Assessor or panel.

2.23. Appeals claim is reviewed and investigated which includes:

- 2.23.1. A review of the application form and supporting evidence.
- 2.23.2. A review of all assessment documentation and process.
- 2.23.3. An interview with the appellant to allow them the opportunity to formally state their claim.
- 2.23.4. An interview with the Assessor.

2.24. Determine the appeal outcome, and provide an explanation to justify their decision.

2.25. The independent assessor /panel will advise the CEO of the appeals outcome, in writing, within 5 working days

2.26. Note actions on the client file

CEO

2.27. If the outcome involves reassessment go onto the next step

2.28. Arrange for the appellant to be re-assessed and inform the appellant of the details regarding the re-assessment, in writing, in accordance with assessment processes.

2.29. Place a copy of the re-assessment correspondence on the Client file.

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2.30. If the appellant is dissatisfied with the result or the process of the appeal, the appellant may lodge a complaint with External Arbitrator.

2.31. If appellant refuses to be reassessed, the progress of the appeal to the External Arbitrator is at the discretion of the Appellant.

Independent Assessor

2.32. The appellant has the option to nominate an independent observer to be present during the re-assessment.

2.33. Conduct the re-assessment.

2.34. Determine the assessment outcome against the competencies.

2.35. Complete all relevant assessment documentation, (in accordance with the Assessment policy) notifying the appellant and the CEO of the outcome, in writing

CEO

2.36. Supply the appellant with the appeals outcome in writing within 2 working days

2.37. If the appeal is upheld, and if Skillwise Training Pty Ltd is satisfied with the outcome:

2.38. Finalise the appeals documentation, place all documentation in the client's appeals file.

2.39. Complete documentation for the issuance of a Statement of Attainment or qualifications (as appropriate).

2.40. The appeals file is closed, and provided to Admin.

2.41. If the appeal is upheld and if Skillwise Training Pty Ltd is NOT satisfied with the outcome, progress with Appeal with the External Arbitrator.

2.42. Note actions on student file

2.43. If the Appeal is rejected notify the appellant in writing that the original decision/judgement is to stand.

2.44. Client continues to progress through the usual Assessment process.

2.45. Note actions on student file

2.46. If client is dissatisfied with outcome, advise the client of their right to further progress the appeal through the External Arbitrator

Referral to an External Arbitrator

2.47. Contact and engage the External Arbitrator for a review of the Appeal, providing all relevant documentation.

2.48. Cooperate with External Arbitrator for a review of the Appeal.

2.49. The external arbitrator will review, investigate and mediate the complaint with all relevant parties and make a ruling.

2.50. Skillwise Training Pty Ltd will abide by any resolutions as recommended by the External Arbitrator.