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Policy and Procedure – Complaints and Appeals

Purpose

This policy and procedure have been developed to ensure that St Joseph's College has an efficient, fair and transparent complaints and appeals management process that allows its students, parents/guardians, staff and other stakeholders to express any concerns relating to the nationally recognised training programs offered by the College.

This policy and procedure also outline the process by which St Joseph's College will continuously improve the quality of its programs and services based on information gained from complaints and appeals. All complaints and appeals are treated as opportunities for improvement.

Legislative Framework and Regulatory Compliance

This policy and procedure are informed by and gives effect to the following:

- AQTF Essential Conditions and Standards for Continuing Registration – Standard 6: Complaints and appeals are recorded and acted on
- Standards for Registered Training Organisations 2015 (Commonwealth) – the national standards framework governing RTO registration, quality of training and assessment, and client services
- VRQA Guidelines for VET Providers
- Education and Training Reform Act 2006 (Vic)
- Privacy Act 1988 (Commonwealth) and Privacy and Other Legislation Amendment Act 2024 (Commonwealth)

Policy Statement

St Joseph's College is committed to:

- Providing an accessible, fair and timely complaints and appeals process at no cost to the complainant or appellant
- Ensuring that all complaints and appeals are treated seriously, investigated impartially and resolved as promptly as possible
- Upholding the principles of natural justice and procedural fairness at every stage of the process
- Ensuring that no complainant or appellant is disadvantaged or victimised because of raising a concern or lodging an appeal
- Maintaining the confidentiality of all parties throughout the process
- Using complaints and appeals data to drive continuous improvement in college systems and services

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Scope

This policy applies to St Joseph's College's dealings with students, parents/guardians, staff, industry representatives, and other stakeholders in relation to all nationally recognised VET programs delivered by the College, including those delivered by third parties on the College's behalf.

Definitions

Complaint

A process by which a student, parent/guardian, staff member, industry representative or other stakeholder may raise a concern about the conduct of:

- a. St Joseph's College, its trainers, assessors or other staff
- b. A third-party providing services on behalf of the College, its trainers, assessors or other staff, or
- c. A student at the College

Where a complaint relates to a third party, the complainant may lodge a complaint with the third party, with the College's Director of RTO, or both. The process detailed in this procedure will be followed irrespective of whether the College or the third party is managing the complaint.

Appeal

A process whereby a student, parent/guardian, staff member, industry representative or other stakeholder may request a review of a decision made by the College or a third-party providing services on the College's behalf. A decision subject to appeal may be an assessment decision or a decision about any other aspect of the College's operations.

Complaints Management

Step 1 – Informal Resolution

1. All complainants are encouraged to first attempt to resolve their concern informally. This may be done by approaching the person against whom the concern is raised and attempting to resolve the matter directly.
2. If the complainant is unable to resolve their concern through informal discussion, they may proceed to lodge a formal complaint.

Step 2 – Formal Complaint

3. The complainant may choose to raise a concern formally in writing. Formal written complaints should be submitted to the Director of RTO and must include:
 - d. The reasons for the formal complaint (the why), and
 - e. Situational background to the complaint (what, when, who, where and how)
4. The Director of RTO will acknowledge receipt of the complaint in writing within 2 working days.

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5. **Investigation:** Having regard to all relevant circumstances, the Director of RTO will consider the formal complaint by:
 - f. Reviewing the complainant's written submission
 - g. Verifying that all appropriate College procedures have been correctly followed
 - h. Sourcing additional information from appropriate staff
 - i. Discussing the matter directly with the complainant
 - j. Undertaking any other investigation or action appropriate to the circumstances
6. **Outcome:** After consideration of all available evidence, the Director of RTO may decide to:
 - k. Dismiss the complaint, or
 - l. Uphold the complaint, and direct that appropriate action be taken, which may include compensation to the complainant, a review of relevant procedures, appropriate preventative action, or other action as required
7. The complainant will be informed of the outcome in writing within 10 working days of submission of the formal complaint. The written advice will include the reasons for the decision and will advise the complainant of their right of appeal.
8. If the management of a complaint takes longer than 10 working days for any reason, the complainant will be informed of the reasons for the delay and provided with regular progress updates.

Appeals Management

Grounds for Appeal

A student, parent/guardian, staff member, industry representative or other stakeholder has the right to appeal a decision on one or more of the following grounds:

- m. The investigation process did not take account of all matters related to the complaint
- n. New evidence is available which could not reasonably have been provided at the time of the formal complaint resolution process, or
- o. A procedural irregularity occurred during the formal resolution process

Appeal Process

9. An appeal must be lodged in writing to the College Principal within 5 working days of receiving written notice of the outcome of the formal complaints process.
10. Upon receipt of the written appeal, the College Principal will:
 - p. Acknowledge receipt of the appeal in writing within 2 working days
 - q. Consider the matter and complete the investigation within 5 working days of notification of the appeal
 - r. Report findings, decision and recommendations to the College RTO Management Group
11. The College RTO Management Group will consider all evidence and, on reaching a decision, notify the appellant in writing of the outcome, the reasons for the decision, and any specific action to be taken.

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12. If the management of an appeal takes longer than 5 working days for any reason, the appellant will be informed of the reasons for the delay and provided with regular progress updates.
13. The decision of the RTO Management Group is the final step in St Joseph's College's internal Complaints and Appeals process.

Student enrolment during appeals: A student's enrolment will be maintained throughout the internal complaints and appeals process. Where a matter is referred to external mediation, enrolment will also be maintained until the external process is finalised.

Appeal Against an Assessment Decision

Any student dissatisfied with the outcome of an assessment task, or with their result for a unit of competency, may submit a written request for review to the Director of RTO.

In the first instance, the review will be undertaken by the original assessor. If the student remains dissatisfied, they may lodge a formal appeal. The appeal must:

- Be submitted in writing to the Director of RTO
- Explain the grounds for the appeal
- Be submitted within 10 working days of the student being notified of the review outcome

Where reasonable grounds for appeal exist, the Director of RTO will arrange for an independent external review. Any costs associated with the external review will be borne by St Joseph's College. The student will be notified in writing of the outcome of the external review. The outcome of the external review is final.

Independent Mediation and External Consultation

At any stage of the complaint or appeal process, the complainant or appellant may seek the advice or mediation services of an independent external body. Where the complainant or appellant chooses to access alternative advisory or mediation services independently, they will meet the costs of those services.

The following external services are available:

Service	Contact Details
National Training Complaints Hotline	Telephone: 13 38 73 (Monday to Friday, 8:00 am – 6:00 pm) Email: skilling@education.gov.au
Dispute Settlement Centre of Victoria (DSCV) Free mediation service	Telephone: 1300 372 888 Website: www.disputes.vic.gov.au
Victorian Registration and Qualifications Authority (VRQA)	Website: www.vrqa.vic.gov.au/complaints

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Record Keeping

14. All staff involved in investigating and resolving a complaint or appeal are required to keep file notes of related discussions and actions. Such file notes are to be marked 'Strictly Confidential' and held securely. All official correspondence with the complainant or appellant will be retained in the same secure location.
15. Notes should be factual and concise, recording only relevant details. Dates and times of all interactions should be recorded.
16. All complaints and appeals – including their nature and outcomes – will be recorded in the College's Complaints and Appeals Register.
17. Data from the Complaints and Appeals Register will be reviewed regularly and used to drive continuous improvement in the College's systems and operations.
18. Complaint and appeal records will be retained for a minimum of five years in accordance with the College's Records Management Policy.

Policy Review

This policy and procedure will be reviewed annually in February by the RTO Management Team to ensure ongoing compliance with the VRQA Guidelines for VET Providers, the Standards for RTOs 2025 (Outcome Standard 2.3), and all relevant legislation. Reviews will also be triggered by a significant complaint outcome, a change in regulatory requirements, or identification of a systemic issue through the Complaints and Appeals Register.

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Documentation Modification

The College will maintain a history of updates to this policy and procedure.

Date	Version	Comment
January 2014	V1.0	Developed by the RTO Management Team.
February 2015	V1.1	Annual review by RTO Management Team – No Change.
February 2016	V1.2	Annual review by RTO Management Team – No Change.
February 2017	V1.3	Annual review by RTO Management Team – No Change.
February 2018	V1.4	Annual review by RTO Management Team – No Change.
February 2019	V1.5	Annual review by RTO Management Team – No Change.
February 2020	V1.6	Annual review by RTO Management Team – No Change.
February 2021	V1.7	Annual review by RTO Management Team – No Change.
February 2022	V1.8	Annual review by RTO Management Team – No Change.
February 2023	V1.9	Annual review by RTO Management Team – No Change.
February 2024	V1.10	Annual review by RTO Management Team – No Change.
February 2025	V1.11	Annual review by RTO Management Team – No Change.
February 2026	V2.0	Major review by RTO Management Team. Document retitled from 'Procedure' to 'Policy and Procedure'. Updated to align with Standards for RTOs 2025 (Outcome Standard 2.3). Added: Legislative Framework, Policy Statement, and Policy Review sections. Formalised step-by-step management procedure with acknowledgement timeframes (2 working days). Added student enrolment protection during appeals. Updated DSCV contact details (1300 372 888).