COMPLAINTS AND APPEALS PROCEDURE

PURPOSE

The purpose of this procedure is to establish an accessible, fair, transparent and timely process for receiving, managing and resolving complaints and appeals, communicating outcomes, providing independent review, maintaining records and using findings to inform continuous improvement.

SCOPE

This procedure applies to:

- All current and former ATEC students, prospective students, employers, host employers and other stakeholders.
- Complaints may concern ATEC's RTO services, GTO services, Support Services or any person employed or contracted by ATEC.
- Assessment Appeals may be made against assessment decisions and other decisions made by ATEC that affect a student.

PROCEDURE

Should a person have a complaint, appeal or would like to lodge feedback, the following steps are to be followed:

1. **Lodging a complaint:**
    - Discuss the issue directly with those involved to try and resolve it verbally if you feel comfortable doing so.
    - If no resolution is reached, discuss the issue with your Trainer or Case Manager to see if it can be resolved.
    - If the matter is not resolved, or the person does not wish to use the informal process, they may lodge a complaint with the Compliance Manager through ATEC's website, by email, by telephone or by scanning the QR code displayed on posters at both training sites. ATEC staff will provide reasonable assistance to any person who needs help to lodge a complaint. The complaint should include, where available:
        - A description of the complaint.
        - A statement about whether the person wishes to formally present their case.
        - Information about any prior steps taken to deal with the complaint or appeal.
        - What they would like to happen to fix the problem and prevent it from happening again.
    - The Compliance Manager will email an acknowledgement of receipt to the complaint within five working days and will forward the complaint to the Chief Operations Officer (COO).

- The COO will either deal with the issue personally or arrange for it to be dealt with by a management representative. This process will commence within two working days from the time the Compliance Manager receives the written notification, and a response/resolution must be presented within 14 working days.
- Should the issue still not be resolved to the person's satisfaction, the Human Resources Manager will make arrangements for an independent party to resolve the issue and outline any costs that may be involved. The person will be given the opportunity to formally present their case. The time frame for this process may vary but should take no longer than 14 working days.
- All parties involved will receive a written statement of the outcomes, including reasons for the decision within the 14-working day period. If the process is taking longer than 60 days from the complaint or appeal being received, the person will be notified in writing of the reason for the delay and kept informed of all progress.
- If the person is still not happy with outcomes from the independent process, they may take their complaint to the National Training Complaints Hotline.
- From any substantiated complaints and appeals, the causes will be reviewed as part of ATEC's continuous improvement processes, and appropriate corrective action will be taken to prevent or reduce the likelihood of reoccurrence. Actions will be recorded in the Continuous Improvement Register.
- Any complaint that is related to illegal activity, such as theft, assault etc., will be immediately referred to the appropriate authority.
- All documentation relating to complaints or appeals will be stored securely as per ATEC's Control of Records procedure.

2. **Lodging an assessment appeal:**

- A student may appeal an assessment decision or another decision made by ATEC that affects them. The student may first discuss the decision with the relevant Trainer, Case Manager or ATEC staff member if they feel comfortable doing so.
- If the matter is not resolved, or the student does not wish to use the informal process, they may lodge an appeal with the Compliance Manager through ATEC's website, by email, by telephone or by scanning the QR code displayed at ATEC training sites. ATEC staff will provide reasonable assistance to any person who needs help to lodge an appeal.
- The Compliance Manager will email an acknowledgement of receipt to the appellant within five working days and will forward the appeal to the relevant Head of Trade (HoT).
- The HoT will arrange for the appeal to be reviewed by a suitably qualified person who was not involved in the original assessment decision and who has no actual, potential or perceived conflict of interest.

- The reviewer will consider the assessment requirements, assessment tool, evidence submitted, assessor judgement and information provided by the student and assessor. This review will occur within two working days after the compliance manager receives the appeal, and written outcomes will be provided within 14 working days.

3. Lodging feedback:

- A person may provide positive, negative or neutral feedback through ATEC's website, by email, by telephone, through student surveys or by scanning the QR code displayed at ATEC training sites. Feedback does not need to be submitted as a formal complaint.
- ATEC will record, review and analyse feedback, identify recurring themes and use relevant findings to inform continuous improvement.

4. Complaints and appeals resolution:

- Should the issue still not be resolved to the person's satisfaction, the Human Resources Manager will arrange a review by an independent party who was not involved in the original decision or internal review. Before the review begins, the person will be advised of the process, expected timeframe and any costs for which they may be responsible. Each party will be given a reasonable opportunity to present their case and may use a support person.
- ATEC will document the outcome and provide each party with a written statement of the decision, the reasons for the decision and any actions to be taken within 14 working days. If the complaint or appeal cannot be finalised within 60 calendar days after receipt, ATEC will notify the person in writing before that period expires, explain the reason for the delay and provide regular written progress updates until the matter is finalised.
- If the person is still not happy with outcomes from the independent process, they may take their case to the National Training Complaints Hotline.
- ATEC will analyse substantiated complaints and appeals, recurring trends and identified causes as part of its continuous improvement processes. Corrective actions may include changes to assessment tools, assessor guidance, validation, training and assessment practices, student information or other controls. Actions, responsibilities and completion dates will be recorded and monitored through the Continuous Improvement Register.
- Where an appeal is upheld, ATEC will promptly implement the decision and corrective action. This may include amending an assessment result or student record, arranging reassessment by another suitably qualified assessor, using correct corrected certification documentation where applicable, reviewing the assessment tool or practice, and notifying affected parties.
- All documentation relating to complaints or appeals will be stored securely as per ATEC's Control of Records procedure.

ROLES AND RESPONSIBILITIES

- **ATEC Staff**:
  - Will maintain confidentiality.
  - Support students to make a lodge complaint or assessment appeal.
  - Act within the constraints of legal obligations to disclose information.
  - Ensure as far reasonably possible that there is no victimisation of complainants, appellants, witnesses or anyone involved in the complaint resolution process.
  - Ensure that all complaints are forwarded immediately to the RTO Manager and Compliance Manager.
- **Head of Trade:**
  - Undertake a preliminary enquiry to determine nature of the assessment appeal.
  - Inform other relevant parties (if necessary).
  - Discuss with the parties any resolution and any arrangements required by the RTO.
- **Chief Operations Officer**:
  - Undertake a preliminary enquiry to determine nature of the complaint.
  - Inform other relevant parties (if necessary).
  - Provide all parties an opportunity to present their case (with a support person and/or parent/guardian if a student is under 18 years of age).
  - Discuss with the parties any resolution and any arrangements required by the RTO.
  - Provide the outcome in writing to the person (and other parties if relevant).
- **Compliance Manager**:
  - Provide a receipt of written acknowledgement to the complainant or appellant.
  - Notify the COO of complaints.
  - Notify the relevant HoT of assessment appeals.
  - Record all details of complaints and appeals in the Complaints and Appeals Register.
  - Record identified non-conformances, causes, corrective actions and opportunities for improvement in the Continuous Improvement Register, assign responsibility and due dates, and monitor actions through to completion.
  - Ensure all staff adhere to this policy and procedure.

RELATED LEGISLATION AND DOCUMENTATION

- Standards for Registered Training Organisations (RTOs) 2025
- Privacy Act 1988
- SUP-POL-006 Complaints and Appeals Policy
- SUP-PRO-DOC-003 Control of Records Procedure
- SUP-PRO-DOC-012 Preventative and Corrective Action
- SUP-POL-015 Code of Ethics
- SUP-POL-019 Privacy Policy

COMPLAINTS AND APPEALS PROCESS FLOWCHART

