

## Complaints & Appeals Policy

### Purpose

The purpose of this policy and procedure is to provide information and outline the determination for proceeding with complaints & appeals.

### Definitions

#### What is a complaint?

A complaint is generally negative feedback about services or people which has not been resolved locally. It may involve issues concerning:

- Connect Skills Institute Pty Ltd, its trainers, assessors or other staff;
- a third party's services provided on the Connect Skills Institute Pty Ltd behalf, its trainers, assessors or other staff; or
- a learner of Connect Skills Institute Pty Ltd.

#### What is an appeal?

An appeal is an application by a learner for reconsideration of an unfavourable decision or finding during their time with Connect Skills Institute Pty Ltd. An appeal must be made in writing and specify the particulars of the decision or finding in dispute. Appeals must be lodged within twenty-eight (28) working days of the decision or finding is informed to the learner.

It is important to note that a learner may appeal any decision made by Connect Skills Institute Pty Ltd or a third party providing services on Connect Skills Institute's Pty Ltd behalf. Contrary to the popular belief that appeal relates only to assessment decisions, appeals can relate to administrative decisions that Connect Skills Institute Pty Ltd may make. Examples of this include an appeal of a decision to deny a refund or to deny an application for credit transfer. As the process for handling and assessment appeal compared with an appeal of an administrative decision is slightly different, this difference has been catered for within this policy with adjusted processes for both situations.

## Policy Outline

Staff, contractors and students have the right to lodge a complaint. Connect Skills Institute Pty Ltd is committed to providing a fair and transparent complaint and appeals handling processes. Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.

Connect Skills Institute Pty Ltd wishes to find out early when a student has a complaint and will do all it possibly can to overcome any complaints or issues that a student has. Students are advised to talk to our staff to resolve any issues of concern either by visiting the office in person or contacting the office by phone on 1300 206 632.

Connect Skills Institute Pty Ltd encourages the parties to approach the complaint or appeal with an open mind and to resolve problems through discussion and conciliation. Where a complaint or appeal cannot be resolved, Connect Skills Institute Pty Ltd recognizes the need for an appropriate independent person to mediate both parties. The parties will be given the opportunity to formally present their case to the independent person.

This policy ensures the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process.

Connect Skills Institute Pty Ltd will securely maintain records of all complaints and appeals and their outcomes and identify potential causes of complaints and appeals and will take appropriate corrective action to eliminate or mitigate the likelihood of a reoccurrence.

## Complaints Policy Detail

### Early resolution of complaints

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time they occur between the persons involved. It is often the case that complaints can be avoided by proper communication and respect between persons involved.

#### >Relationship to continuous improvement

Frequently, the complaints handling process will expose weaknesses in the training and assessment or administrative system that can flow into the continuous improvement system as opportunities for improvement. This outcome of complaints handling is very positive and should be actively applied by all

persons involved. It is for this reason that complaints received from stakeholders should be seen in a positive light and as opportunities for improvement.

### Making a complaint

A complaint may be received by Connect Skills Institute Pty Ltd in any form and does not need to be formally documented by the complainant in order to be acted on. Complaints may be made by any person but are generally made by learners and/or employers. To make a complaint, the person is recommended to complete the Connect Skills Institute Pty Ltd complaint/appeal form found on the Vasto online learning portal. The completed complaint/appeal form is to be submitted to the Office Manager either in hard copy or electronically. These instructions are detailed within the Student Handbook.

### Complaint handling principles

Connect Skills Institute Pty Ltd will apply the following principles to its complaints handling:

- A complaint may be received in any form (written, verbal) although persons seeking to make a complaint are recommended to complete the complaint/appeal form which is available to them on the Vasto Online Learning Portal. There is no time limitation on a person who is seeking to make a complaint.
- A written record of all complaints is to be kept by Connect Skills Institute Pty Ltd including all details of lodgement, response and resolution. The complaints register within Vasto is to be used to record the details of the complaint and to maintain a chronological journal of events during the complaint handling process. Records relating to complaint handling must be stored securely to prevent access to unauthorised personnel.
- A complainant is to be provided an opportunity to formally present his or her case at no cost.
- Each complainant may be accompanied and/or assisted by a support person at any relevant meeting.
- The complaints & appeals policy must be publicly available. This means that the complaints & appeals policy and procedure is published on the Connect Skills Institute Pty Ltd website.

- The handling of a complaint is to commence within seven (7) working days of the lodgement of the complaint and all reasonable measures are taken to finalise the process as soon as practicable.
- The complainant is to be provided a written response to the complaint, including details of the reasons for the outcome. A written response must be provided to the complainant within fourteen (14) working days of the lodgement of the complaint.
- Complaints must be resolved to a final outcome within sixty (60) calendar days of the complaint being initially received. Where Connect Skills Institute Pty Ltd Chief Executive Officer considers that more than 60 calendar days are required to process and finalise the complaint, the CEO must inform the complainant in writing, including reasons why more than 60 calendar days are required. As a benchmark, Connect Skills Institute Pty Ltd should attempt to resolve complaints as soon as possible. A timeframe to resolve a complaint within thirty (30) calendar days is considered acceptable and in the best interest of Connect Skills Institute Pty Ltd and the complainant. A complainant should also be provided with regular updates to inform them of the progress of the complaint handling. Updates should be provided to the complainant at a minimum of four (4) weekly intervals.
- Connect Skills Institute Pty Ltd shall maintain the enrolment of the complainant during the complaint handling process.
- Decisions or outcomes of the complaint handling process that find in the favour of the learner shall be implemented immediately.
- Complaints are to be handled in the strictest of confidence. No Connect Skills Institute Pty Ltd representative is to disclose information to any person without the permission of Connect Skills Institute Pty Ltd Chief Executive Officer. A decision to release information to third parties can only to be made after the complainant has given permission for this to occur. This permission should be given using the Information Release Form.
- Complaints are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the complaint handling process. This means that the complainant is entitled to be heard with access to all relevant information and with the right of reply. The complainant is entitled to have their complaint heard by a person that is without bias and may not be affected by the decision. Finally, the decision must be made based on logical evidence and the decision-maker must take account of relevant considerations, must act for a proper purpose and must

not consider irrelevant considerations. Further guidance on principles of natural justice and procedural fairness can be accessed at the following link: [Principles of Natural Justice and Procedural Fairness](#)

### Third Party Review

Where the person making a complaint is not satisfied with the handling of the matter by Connect Skills Institute Pty Ltd, they have the opportunity for a body or person that is independent of Connect Skills Institute Pty Ltd to review his or her complaint following the internal completion of complaint handling process. In these circumstances the Connect Skills Institute Pty Ltd Chief Executive Officer will advise of an appropriate party independent of Connect Skills Institute Pty Ltd to review the complaint outcome (and its subsequent handling) and provide advice to Connect Skills Institute Pty Ltd in regards to the recommended outcomes. The independent third-party is required to respond with their recommendations within fourteen (14) working days of their review being requested. This advice is to be accepted by Connect Skills Institute Pty Ltd as final, advised to the person making a complaint in writing and implemented without prejudice.

Where the Connect Skills Institute Pty Ltd appoints or engages an appropriate independent person to review a complaint, the Connect Skills Institute Pty Ltd will meet the full cost to facilitate the independent review. Where the person seeking an appeal objects to this appointment and requests to engage a person or organisation they nominate to undertake the review, the Connect Skills Institute Pty Ltd may seek the person making a complaint to contribute to the cost of engaging this person to undertake the review. This is advised to the person making a complaint within the Student Handbook.

### Unresolved Appeals

Where the person making a complaint remains not satisfied with the outcome of the complaint handling procedure, the person making a complaint is to be directed to the following external agencies:

- In relation to consumer protection issues, these may be referred to the Office of Fair Trading.
- In relation to the delivery of training and assessment services, these may be referred to the National Training Complaints Service via the following phone number: 13 38 73.

This guidance is communicated to learners within the Learner Handbook. It is expected that the above agencies will investigate the persons concerns and contact the Connect Skills Institute Pty Ltd for information.

The Connect Skills Institute Pty Ltd is to cooperate fully with agencies such as the National Training Complaints Service, the Office of Fair Trading or ASQA that may investigate the handling of a complaint. Connect Skills Institute Pty Ltd considers that it would be extremely unlikely that a complaint is not able to be resolved quickly within Connect Skills Institute Pty Ltd internal arrangements.

### Complaints Handling Procedure

Matters that cannot be resolved at the time they occur should be referred to Connect Skills Institute Pty Ltd Chief Executive Officer for review. The following procedure is to be followed when a complaint form is received:

- A Complaints Form is received by Connect Skills Institute Pty Ltd and is to be immediately recorded into Connect Skills Institute Pty Ltd Complaints and Appeals Register on Vasto.
- Complaints which are received in other forms such as phone or email are to be detailed on a Complaints and Appeals Form by the person (staff member) receiving the complaint and then recorded in the Complaints and Appeals Register on Vasto.
- The Complaints and Appeals Form is to be forwarded to the Chief Executive Officer who is to review the matter and make recommendation as to how to respond to the matter. The Chief Executive Officer may choose to consult with the complainant, with others within Connect Skills Institute Pty Ltd or relevant agencies external to Connect Skills Institute Pty Ltd in determining their recommendations.
- The Chief Executive Officer may choose to make inquiries about the matter or may task another person to research the matter against relevant policy.
- The Chief Executive Officer is to commence their review of the complaint within seven (7) working days from the date the complaint was submitted.
- The Chief Executive Officer is to finalise their response to the complainant and provide the complainant a response as soon as possible but no later than fourteen (14) working days from when the complaint was submitted.

- The Chief Executive Officer is to communicate the response to the complainant personally either during a meeting or via the telephone. Complaint responses are not to be provided to the complainant via any third-party or via electronic communication such as e-mail. The Chief Executive Officer is to seek feedback from the complainant about their level of satisfaction with the complaint outcome and advise the complainant of their options if they are not completely satisfied with the outcome.
- Where the complainant is not satisfied with the outcome of the complaint handling, the Chief Executive Officer is to arrange for the complaint to be considered by an appropriate independent third-party (appointed by the CEO). The independent third-party is required to respond with their recommendations within fourteen (14) working days of their review being requested.
- A complainant who remains not satisfied with the process applied by Connect Skills Institute Pty Ltd may refer the matter to the Office of Fair Trading (in relation to consumer protection matters) or National Training Complaints Service via the following phone number: 13 38 73.
- The response to the complainant must include information that demonstrates that the matter was thoroughly reviewed and what actions and outcomes have been identified as a result of the complaint.
- Opportunities for improvement that were identified as a result of the complaint are to be recorded in a Continuous Improvement Report and submitted for the next Management Team meeting. The Chief Executive Officer may, at his or her discretion, follow-up with the complainant after consideration by the Management Team to inform the complainant of the improvement actions identified.

The Complaints and Appeals Register on Vasto is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the complaint was received to the date the complaint was resolved. Complaints and appeals which are open or subject to ongoing consideration are discussed at the management meeting as detailed within the agenda.

## Appeals Policy Detail

### Early resolution of appeals

In all cases, issues that arise during training and assessment that are the source of frustration or are in dispute should be resolved at the time they occur between the persons involved. It can often be the case that a learner's decision to make an appeal can be avoided by proper communication and consultation with learners at the time a decision is made.

### Relationship to continuous improvement

Frequently, the appeals handling process will expose weaknesses in the training and assessment or administrative system that can flow into the continuous improvement system as opportunities for improvement. This outcome of appeals handling is very positive and should be actively applied by all persons involved. It is for this reason that appeals received from stakeholders should be seen in a positive light and as opportunities for improvement.

### Making an appeal

An appeal must be received by Connect Skills Institute Pty Ltd in writing using the specified form within twenty-eight (28) working days of the decision or finding being informed to the person. Complaints may be made by any person but are generally made by learners and/or employers.

To appeal a decision, the person is required to complete the Connect Skills Institute Pty Ltd complaint/appeal form found on the Vasto online learning portal. The completed complaint/appeal form is to be submitted to the Office Manager either in hard copy or electronically. These instructions are detailed within the Student Handbook.

### Appeal handling principles

Connect Skills Institute Pty Ltd Pty Ltd will apply the following principles to its appeals handling:

- Appeals must be lodged within twenty-eight (28) working days of the decision or finding being informed to the person.
- A written record of all appeals is to be kept by Connect Skills Institute Pty Ltd Pty Ltd including all details of lodgement, response and resolution. The appeals register within Vasto is to be used to record the details of the appeal

and to maintain a chronological journal of events during the appeal handling process. Records relating to appeal handling must be stored securely to prevent access to unauthorised personnel.

- An appellant is to be provided an opportunity to formally present his or her case at no cost.
- Each appellant may be accompanied and/or assisted by a support person at any relevant meeting.
- The appeals policy must be publicly available. This means that the appeals policy and procedure must be published on the Connect Skills Institute Pty Ltd Pty Ltd website.
- The handling of an appeal is to commence within seven (7) working days of the lodgement of the appeal and all reasonable measures are taken to finalise the process as soon as practicable.
- The appellant is to be provided a written response to the appeal, including details of the reasons for the outcome. A written response must be provided to the appellant within fourteen (14) working days of the lodgement of the appeal.
- Appeals must be resolved to a final outcome within sixty (60) calendar days of the appeal being initially received. Where Connect Skills Institute Pty Ltd Chief Executive Officer considers that more than 60 calendar days are required to process and finalise the appeal, the CEO must inform the appellant in writing, including reasons why more than 60 calendar days are required. As a benchmark, Connect Skills Institute Pty Ltd Pty Ltd should attempt to resolve appeals as soon as possible. A timeframe to resolve an appeal within thirty (30) calendar days is considered acceptable and in the best interest of Connect Skills Institute Pty Ltd Pty Ltd and the appellant. An appellant should also be provided with regular updates to inform them of the progress of the appeal handling. Updates should be provided to the appellant at a minimum of four (4) weekly intervals.
- Connect Skills Institute Pty Ltd Pty Ltd shall maintain the enrolment of the appellant during the appeal handling process.
- Decisions or outcomes of the appeal handling process that find in the favour of the appellant shall be implemented immediately.

- Appeals are to be handled in the strictest of confidence. No Connect Skills Institute Pty Ltd Pty Ltd representative is to disclose information to any person without the permission of Connect Skills Institute Pty Ltd Pty Ltd Chief Executive Officer. A decision to release information to third parties can only to be made after the appellant has given permission for this release to occur. This permission should be given using the Information Release Form.
- Appeals are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the appeal handling process. This means that the appellant is entitled to be heard with access to all relevant information and with the right of reply. The appellant is entitled to have their appeal heard by a person that is without bias and may not be affected by the decision. Finally, the decision must be made based on logical evidence and the decision-maker must take account of relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations. Further guidance on principles of natural justice and procedural fairness can be accessed at the following link: [Principles of Natural Justice and Procedural Fairness](#)

### Third Party Review

Where the appellant is not satisfied with the handling of the matter by Connect Skills Institute Pty Ltd, they have the opportunity for a body or person that is independent of Connect Skills Institute Pty Ltd to review his or her appeal following the internal completion of appeals handling process. In these circumstances the Connect Skills Institute Pty Ltd Chief Executive Officer will advise of an appropriate party independent of Connect Skills Institute Pty Ltd to review the appeal outcome (and its subsequent handling) and provide advice to Connect Skills Institute Pty Ltd in regards to the recommended outcomes. The independent third-party is required to respond with their recommendations within fourteen (14) working days of their review being requested. This advice is to be accepted by Connect Skills Institute Pty Ltd as final, advised to the appellant in writing and implemented without prejudice.

Where the Connect Skills Institute Pty Ltd appoints or engages an appropriate independent person to review an appeal, the Connect Skills Institute Pty Ltd will meet the full cost to facilitate the independent review. Where the person seeking an appeal objects to this appointment and requests to engage a person or organisation they nominate to undertake the review, Connect Skills Institute Pty Ltd may seek the person seeking an appeal to contribute to the cost of engaging this person to undertake the review. This is advised to the person seeking an appeal within the Student Handbook.

## Unresolved Appeals

Where the appellant remains not satisfied with the outcome of the appeals handling procedure, the appellant is to be directed to the following external agencies:

- In relation to consumer protection issues, these may be referred to the Office of Fair Trading.
- In relation to the delivery of training and assessment services, these may be referred to the National Training Complaints Service via the following phone number: 13 38 73.

This guidance is communicated to learners within the Student Handbook. It is expected that the above agencies will investigate the persons concerns and contact the Connect Skills Institute Pty Ltd for information. Connect Skills Institute Pty Ltd is to cooperate fully with agencies such as the National Training Complaints Service or ASQA that may investigate the handling of an appeal. Connect Skills Institute Pty Ltd considers that it would be extremely unlikely that appeals are not able to be resolved quickly within Connect Skills Institute Pty Ltd internal arrangements.

### >Appeals Handling Procedure

The following procedure is to be followed when an application to appeal a decision is received:

- An application to appeal a decision is received by Connect Skills Institute Pty Ltd and is immediately recorded into Connect Skills Institute Pty Ltd Complaints and Appeals Register on Vasto. An application to appeal a decision must be submitted online through Vasto. Appeals must be lodged within twenty-eight (28) working days of the decision or finding being informed to the person.
- The application to appeal a decision is to be forwarded to the Chief Executive Officer who is to review the matter and make recommendation as to how to respond to the matter. The Chief Executive Officer may choose to consult with the appellant, with others within Connect Skills Institute Pty Ltd or relevant agencies external to Connect Skills Institute Pty Ltd in determining their recommendations.

- The Chief Executive Officer may choose to make inquiries about the matter or may task another person to research the matter against relevant policy or legislation.
- The Chief Executive Officer is to commence their review of an appeal within seven (7) working days from the date the appeal being submitted.
- The Chief Executive Officer is to finalise their response to the appellant and provide the appellant a response as soon as possible but no later than fourteen (14) working days from when the appeal was submitted.
- The Chief Executive Officer is to communicate the response to the appellant personally either during a meeting or via the telephone. Appeal responses are not to be provided to the appellant via any third-party or via electronic communication such as e-mail. The Chief Executive Officer is to seek feedback from the appellant about their level of satisfaction with the appeal outcome and advise the appellant of their options if they are not completely satisfied with the outcome.
- Where the appellant is not satisfied with the outcome of the complaint handling, the Chief Executive Officer is to arrange for the appeal to be considered by an appropriate independent third-party. The independent third-party is required to respond with their recommendations within fourteen (14) working days of their review being requested.
- Where the appeal is in relation to an assessment decision, a reassessment should be recommended. Learners participating in a reassessment should be provided with detail counselling about the perceived gaps in their skills and knowledge along with additional training to support their improvement and ability to demonstrate competence. Reassessments should be scheduled to occur as soon as practicable following the outcome of an appeal. The reassessment must be undertaken by a different assessor that was used during the initial assessment. Following the reassessment, the learner must be provided with detailed feedback about their performance and the outcome.
- An appellant who remains not satisfied with the process applied by Connect Skills Institute Pty Ltd may refer the matter to the Office of Fair Trading (in relation to consumer protection matters) or National Training Complaints Service via the following phone number: 13 38 73.
- Opportunities for improvement that were identified as a result of the appeal are to be recorded in a Continuous Improvement Report and submitted for the next Management Team meeting. The Chief Executive Officer may, at their

discretion, follow-up with the appellant after consideration by the Management Team to inform the appellant of the improvement actions identified.

The Complaints and Appeals Register is to be kept up to date at all times to accurately reflect how the matter was responded to and the duration from the date the appeal was received to the date the appeal was resolved. Complaints and appeals which are open or subject to ongoing consideration are discussed at the management meeting as detailed within the agenda.

### Approval Authority

This document is approved by the Executive Management as indicated with the electronic control copy maintained within the Quality Management System and as such all hard copies need to be verified.

### Documents Referenced

- Natural Justice or Procedural Fairness (Ombudsman WA)
- Connect Skills Institute Pty Ltd Student Handbook