

RTO Complaints and Appeals Policy and Procedure

Purpose

The purpose of this policy is to ensure that AGA RTO responds to complaints by its stakeholders in a timely, appropriate, fair and equitable manner, and to outline the steps for handling complaints and appeals received from stakeholders of AGA RTO.

Scope

This policy applies to all students past or present, employees, trainers, third parties, management and corporate governance representatives of AGA RTO as each of these categories of person may be involved in the handling of complaints or be a respondent to them.

General principles

This policy is based on the following principles

- AGA RTO is committed to resolving complaints and fostering a culture that recognises an individual's right to complain.
- Complaints are recognised as being part of AGA RTO's business of serving our students and stakeholders and improving service delivery.
- People with a range of needs can easily complain and staff will actively assist them to navigate the complaints process.
- Complainants will be notified, when:
 - their complaint is received
 - a panel or committee meets to discuss their complaint
 - a decision is announced regarding their complaint
 - any action is taken to resolve their complaint by AGA RTO or its employees
- Principles of natural justice and procedural fairness are followed at every stage of the complaint and appeal process by allowing anyone subject to a decision by AGA RTO, or anyone who has allegations made against them, to a right to a hearing before a decision is made.
- AGA RTO will endeavour to respond to and resolve complaints within reasonable timeframes.
- A complaint may be dismissed if AGA RTO, after deliberation and investigation, has deemed it as vexatious, frivolous, trivial or false.
- Complainants who make repeated vexatious, false or frivolous complaints may be subject to disciplinary action and such instances will be referred to the Education and Training manager for review.
- Complaints and appeals are handled in the strictest of confidence and records are secured in accordance with AGA RTO's Record Keeping Policy and Australian Privacy Principles in AGA RTO's electronic records management system.
- Each complainant or party lodging an appeal may be accompanied and/or assisted by a support person throughout the process.
- Complainants have the right to know what is being done to address their complaint and what progress has been made.

- All complaints, appeals and outcomes are documented in AGA RTO's Complaints and Appeals Register.
- Outcomes of complaints and appeals processes are used to identify their root causes to inform continuous improvement activities.
- If a complainant raises a concern but is not willing to proceed with the complaint, they are advised that because of the requirements of procedural fairness, in most circumstances no further action can be taken by AGA RTO.
- Appeals of assessment outcomes are to be lodged within twenty eight (28) days of when the assessment outcome is communicated to the learner.
- Investigations into plagiarism will be handled in accordance with the complaints and appeals procedure and will follow the principles of natural justice and procedural fairness.

Definitions

Appeal means a request for a decision made by AGA RTO to be reviewed. Appeals can be made for decisions that may adversely affect students, such as:

- outcomes of the formal complaints handling process
- assessment decisions
- disciplinary decisions

Appellant means a person who appeals the decision on their complaint.

ASQA refers to the Australian Skills Quality Authority.

Complainant means a person who is making a complaint.

Complaint means a person's formal expression of dissatisfaction with any product or service provided by AGA RTO or a third party acting on its behalf.

- **Academic Complaint:** A complaint that relates directly to teaching, learning and assessment. Examples may include complaints about the effectiveness of teaching and the quality of teaching materials.
- **Non-Academic Complaint:** A complaint that is not directly related to teaching and learning, such as discrimination, harassment or a complaint about finance or advertising.

Continuous improvement refers to a systematic, ongoing effort by a provider to raise an organisation's performance to provide quality VET and improve outcomes for students under the applicable standards.

Informal resolution means direct action or discussion to resolve a complaint by the staff member who has received it.

VET means Vocational Education and Training.

Services means training, assessment, related educational and support services and/or activities related to the recruitment of prospective learners.

Standards means the Standards for Registered Training Organisations (RTOs) 2015, made under the National Vocational Education and Training Regulator Act 2011 (the Act).

VRQA refers to the Victorian Registration and Qualifications Authority.

Overview

1. AGA RTO manages complaints and appeals in a transparent manner which enables complainants and appellants to be informed of, and to understand their rights and obligations and AGA RTO's responsibilities in relation to complaints and appeals under the Revised Standards for RTOs 2025 (the Standards) specifically, clauses 2.7 and 2.8, and any other relevant state and federal funding contracts.
2. AGA RTO manages and responds to complaints in relation to the quality of training and assessment; the quality of client service; and compliance with the VET Quality Framework, including allegations involving the conduct of:
 - AGA RTO, its trainers, assessors or other employees
 - a third-party providing services on AGA RTO's behalf, its trainers, assessors or other employees
 - a learner of AGA RTO
3. AGA RTO manages appeals or requests for a review of decisions, including assessment decisions, made by AGA RTO or a third-party providing services on AGA RTO's behalf. An appeal is an application by a learner or complainant for reconsideration or review of an unfavourable decision or finding during training and/or assessment or investigation.

Responsibilities

1. All AGA RTO employees are responsible for:
 - conducting themselves in a manner consistent with the AGA Code of Conduct to minimise the incidence of complaints and allegations
 - the accurate and timely documenting of complaints and appeals as outlined in this procedure
 - ensuring that learners are fully informed of AGA RTO's policy and procedures for handling complaints and appeals
 - assisting a complainant or appellant to resolve concerns directly and informally with parties involved in the first instance
 - assisting a complainant or appellant to lodge a formal complaint or appeal written in any form, but preferably the AGA's Complaints and Appeals Form, where required.
2. The Chief Executive Officer is responsible for:
 - ensuring that complaints and appeals are managed in a transparent manner in accordance with the principles of natural justice and procedural fairness
 - offering independent review of decisions, where required.
3. The Education and Training Manager is responsible for:
 - ensuring that the complaints and appeals process operates in a transparent manner in accordance with the principles of natural justice and procedural fairness
 - considering independent review of decisions where required
 - determining independent internal or external third parties to review complaint and appeal processes

- ensuring that complaints and appeals outcomes are used to inform continuous improvement strategies within AGA RTO, through the internal audit process
 - reporting to the CEO through the monthly report.
4. The Education and Training Manager is responsible for:
- maintaining the AGA RTO Complaints and Appeals Register
 - ensuring that complaints and appeals outcomes are used to inform continuous improvement strategies within AGA RTO, through the internal audit process
5. The Education and Training Manager, or delegate, is responsible for:
- assisting the complainant or appellant with form completion and submission (as required)
 - ensuring that an acknowledgment of the receipt of the complaint/appeal within three (3) days by the appropriate person.
 - ensuring the resolution phase commences within five (5) business days of the written complaint/appeal being lodged and attempt to resolve any complaint or appeal fairly and equitably within thirty (30) working days. If the matter is particularly complex and it is going to take longer to resolve, the complainant/appellant is to be advised in writing along with the reasons for the extra time. They will also be given regular updates for the progress of the complaint/appeal.
 - providing written communication and advice related to the complaint/appeal, such as acknowledgement of receipt of complaint/appeal, communication of outcomes and reasons, as well as further actions and avenues of independent review, advice about timelines,
 - ensuring that the proposed resolution is agreed to by the complainant/appellant.
 - ensuring that the processing of the complaint/appeal is recorded in the Complaints and Appeals Register, and
 - incorporate outcome action into continuous improvement process as applicable
6. AGA RTO training coordinators, trainers and assessors are responsible for:
- assisting a complainant or appellant to resolve concerns directly and informally with parties involved, in the first instance
 - assisting a complainant or appellant to lodge a formal complaint or appeal using the AGA Complaints and Appeals Form, where required
 - considering complaints and appeals, where required

Procedure

- Information about how to make complaints and appeals will be made easily accessible to all AGA stakeholders, via the website.
- All students will be provided with Student Handbook which contains information on complaints and appeals, prior to enrolment and explained again during orientation.
- All students are encouraged to resolve complaints informally with the Trainer/ Student Support Staff before making a formal complaint.
- Formal complaints must be lodged in writing, using the AGA complaints form available on the website or in any other suitable format – e.g. email, letter, etc.
- Students may raise any matters of concern relating to course delivery and assessment, the quality of the teaching, learning resources and educational support, student amenities, discrimination, sexual harassment or issues that may arise out of dealings with third parties.

- All information about the complaints and appeals process will be kept confidential.
- Complainants and appellants are entitled to resolve any dispute by exercising their rights to pursue other legal remedies.
- All parties to a complaint or appeal will be provided a clear understanding of the steps involved in the procedures.
- At any stage in the complaints or appeals process students are entitled to have their own nominee included in the resolution process. The nominee will also ensure the confidentiality of the complainant and the process to ensure procedural fairness.
- AGA RTO will respond to any formal complaint or appeal in writing within five (5) working days.

I. Informal Complaints Process

Informal complaints are considered to those that are likely to be resolved quickly and easily without involvement by multiple departments. Examples of this may be feedback regarding training delivery, or a situation where a process breakdown has meant that a student has needed to follow up with AGA RTO regarding something that should have occurred automatically, etc. Other examples may be of instances from employers, schools or parents who are providing feedback, seeking clarification or following up on a situation that should have been simply resolved. This informal feedback will be shared to the continuous improvement committee for review, but does not require the formal process. This may occur verbally, or in writing, and the receiver of the feedback will check with the wider RTO team for guidance when required.

1. Students are encouraged to resolve issues informally by speaking to the Trainer or any other AGA RTO staff with whom they have a complaint.
2. If not satisfied, students are further encouraged to speak to the Training Coordinator of their enrolled course or Training Manager and present their complaint. The Training Coordinator or Manager will try and resolve the issue and come to a satisfactory solution. If not satisfied, the student can follow the formal complaints process.

II. Formal Complaints Process

The formal process is required when the feedback or complaint is of a serious nature that has the potential for implications against contractual obligations, student or staff safety, or potentially pose a serious risk to the organisation. This includes all matters that require the involvement of HR.

1. A formal complaint must be lodged in writing, using the AGA complaints form available on the website or in any other suitable format – e.g. email, letter, etc.
2. The complaint will be recorded in the Complaints and Appeals register on the I drive and on Monday.com, and in the Complaints folder on the I drive.
3. A written acknowledgement of receipt of the complaint will be provided to the complainant within three (3) business days.
4. Within five (5) business days of acknowledgement, complainants will be advised of the next steps in the formal complaints process, including the complaint investigation and resolution timeline.
5. AGA RTO will endeavor to investigate and resolve the complaint, and communicate the outcome to the complainant within thirty (30) business days. If the outcome of the complaint is successful, this communication will also include specific actions to be taken to resolve the complaint.
6. If a complaint (including any review process) is expected to take more than thirty (30) business days to finalise, AGA RTO will write to the complainant explaining the delay.

7. AGA's Education and Training Manager will convene an appropriate panel including independent persons who will investigate the complaint in a timeframe that supports meeting the 30 day commitment.
8. During the investigation the complainant will be given an opportunity to formally present their case and have the option of being accompanied/assisted by a support person.
9. The complaint is discussed with ALL parties involved, to ensure a procedurally fair hearing and an unbiased decision is made.
10. The complainant will be informed by email of the outcome of the complaint and any actions agreed to by all parties.
11. The outcome will be recorded in the Complaints and Appeals register and supporting documents will be stored in the Complaints folder.
12. Complainants may request a formal appeal if they are not satisfied with the outcome of the complaint resolution process.
13. AGA's decision will be reviewed by the Senior Leadership team for opportunities for continuous improvement. Any opportunities identified will be recorded in the continuous improvement register and will be actioned and reviewed by the Management team.

ii. **Formal Appeals Process for Students**

1. Students not satisfied with their complaint's resolution may submit an appeal within twenty (20) business days, three (3) business days after the date on which the original decision or finding is communicated to the student. A formal appeal must be lodged in writing, using the AGA appeals form available on the website or in any other suitable format – e.g. email, letter, etc.
2. The appeal is recorded in the Student Complaints and Appeals register on the I drive and on Monday.com, and in the Appeals folder on the I drive.
3. A written acknowledgement of receipt of the appeal will be provided to the appellant within three (3) business days.
4. Within five (5) business days of acknowledgement, appellants will be advised of the next steps in the formal appeals process, including the investigation and resolution timeline.
5. AGA RTO will endeavor to investigate the appeal and communicate the outcome to the appellant within thirty (30) business days. If the appeal is successful, this communication will also include specific actions to be taken to address the appeal.
6. AGA RTO's Education and Training Manager will convene an appropriate panel including relevant independent persons to investigate the appeal and decide to uphold or dismiss the complaint's outcome. If a senior manager is party to the complaint, they will not be included in the panel, to ensure procedural fairness.
7. The appellant will be given a chance to formally present their case to the panel and can be accompanied/assisted by a nominee (such as a family member, friend, or counsellor) if they so desire.
8. The appellant will be notified of the outcome of the appeal within thirty (30) business days after the receipt of the appeal, via email.
9. The outcome will be recorded in the Complaints and Appeals register and supporting documents will be stored in the Appeals folder.
10. If the appeal has been successful, the appellant will be advised in writing of further actions to be taken by either party.
11. If the appeal has been unsuccessful the appellant will be advised in writing that they may use an independent mediator if they are not satisfied with the outcome of their appeal. This is only applicable for appeals against non-academic decisions. In the case of appeals against academic decisions, the appeal outcome as decided by AGA is final.
12. To access the external review and mediation service, the appellant will need to contact the Education and Training Manager in writing within twenty (20) business days, three (3) business days after the date of the unsuccessful outcome of appeal is communicated to the appellant, to organise the external mediation with Resolution Institute, a mediation service.

iii. External Review for Non-Academic Student Appeals

1. AGA RTO is committed to providing students with a fair and equitable process for resolving any appeals they may have, and even refers the appellant to the external review body the Resolution Institute once AGA RTO's internal grievance system has been exhausted. This includes provision of an independent mediator, who is not part of AGA.
2. Although the referral service is free of charge, the mediator's fees are payable per the schedule of fees published by the Resolution Institute, available at:
<https://resolution.institute/Web/Web/Public-In-Dispute/What-are-the-Dispute-Resolver-schemes/Student-mediation-scheme.aspx>

If the student is dissatisfied with the resolution proposed by AGA, they can access the Student Mediation Scheme provided by the Resolution Institute

Contact details of Independent Mediator:

Resolution Institute

+61 2 9251 3366

1800 651 650

infoaus@resolution.institute

- The steps below need to be followed by the student for external review:
 - Advise AGA within twenty (20) business days, three (3) business days after the date of the unsuccessful outcome of appeal letter, about their decision to proceed with the external mediation process.
 - Request a Student Application for External Review Form from AGA RTO's Education and Training Manager.
 - Lodge the Student Application for External Review Form, and any supporting documents, with the Resolution Institute and pay their own share of the application fee.
 - The Resolution Institute will liaise with the student and AGA to facilitate mediation proceedings.
3. If the appellant is still not satisfied after the external mediation, they can contact relevant higher/ regulatory bodies as given below:
 - Training related complaints can also be lodged on the National Training Complaints Hotline at <https://www.dewr.gov.au/national-training-complaints-hotline/national-training-and-complaints-hotline-complaints-form>
Phone: 13 38 73, Monday–Friday, 8am to 6pm nationally
 - Complaints about apprenticeship or traineeship can be lodged with the Victorian Registration and Qualifications Authority at vrqa.apprenticeships@education.vic.gov.au
Phone: 1300 722 603
 - Complaints about issues involving monies, service agreements or fair business practices can be lodged with: Consumer Affairs Victoria
<https://www.consumer.vic.gov.au/businesses/fair-trading>

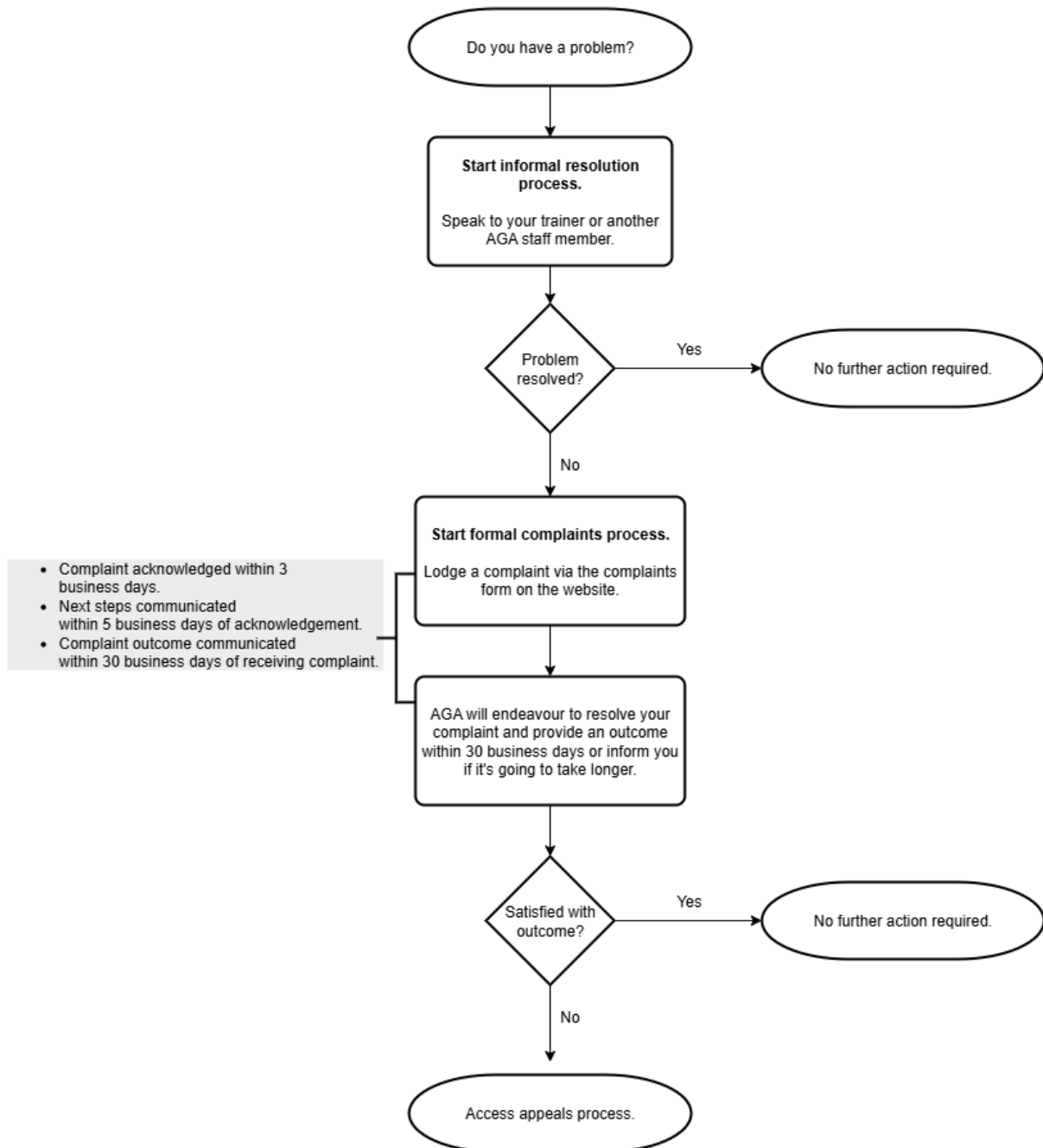
iv. Managing and Recording of Complaints, Appeals and External Review Outcomes

1. The summary of the complaints appeals and external review procedures followed, recommendations and outcomes are recorded in the AGA RTO complaints and appeals register and the folders.
2. If the complaint or appeal is against a staff member, it will be recorded in the staff's HR files. The appropriate manager concerned will inform HR about the details of the complaint and/or appeal and the outcome(s).
3. Complaints and appeals are opportunities for improvement. All outcomes of complaints and appeals and the tasks generated consequently will be logged in the Continuous Improvement Register.

4. The outcomes and details of the appeals will be saved for record keeping purposes for at least seven (7) years in the student file.
5. AGA RTO will maintain the student's enrolment throughout the internal processes for all types of complaints or appeals.
6. If the internal or any external complaint handling or appeal process results in a decision that supports the complainant, AGA RTO will immediately implement any decision and / or corrective and preventative action required and advise the complainant of the outcome.

Complaints and Appeals Process Flow Chart

AGA RTO Complaints Process



AGA RTO Appeals Process

- Submit appeal within 20 business days, 3 business days after the complaint outcome was communicated to you.
- Appeal acknowledged within 3 business days.
- Next steps communicated within 5 business days of acknowledgement.
- Appeal outcome communicated within 30 business days of receiving appeal.

Start formal appeals process.
Lodge an appeal via the appeals form on the website.

AGA will endeavour to investigate your appeal and provide an outcome within 30 business days or inform you if its going to take longer.

Satisfied with outcome?

Yes

No further action required.

No

Appealing an academic decision?

Yes

AGA's decision is final.

No

- Submit a request within 20 business days, 3 business days after the date on which the original finding was communicated to you.

Request external review.
Email AGA's Education and Training Manager to start the external review and mediation process through the Resolution Institute.

Satisfied with outcome?

Yes

No further action required.

No

Contact relevant higher/ regulatory body as advised by AGA.

Supplementary Information

References/ Relevant Legislation

- National Vocational Education and Training Regulator Act 2011 (the Act).
- Education and Training Reform Act 2006
- Revised Standards for Registered Training Organisations (RTOs) 2025
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Freedom of Information Act 1982 (Vic)
- Privacy and Data Protection Act 2014 (Vic)

Related Policies / Procedures/Documents

- All AGA RTO policies and procedures
- Complaints and Appeals Forms
- Complaints and Appeals Register
- Continuous Improvement Register

Responsibilities for Implementation

- Education and Training Manager
- AGA RTO Managers
- Training Coordinators
- Officers
- Trainers and Assessors

Document Control

Document Name:	Complaints and Appeals Policy and Procedure
Document Owner:	Education and Training Manager
Approved by- Name & Role:	Nicolas West, Chief Executive Officer
Date Approved:	20/06/25
Evidence of Approval:	Email
Version No:	V3.0
Next Review Due:	June 2026

Revision Record

Date	Version	Revision description
13/12/2024	V2.0	Implementation of new Complaints and Appeals Policy and Procedure
7/06/2024	V2.1	Revision to reflect NSW Smart and Skilled requirements
20/06/25	V3.0	Revision to reflect Revised Standards for RTOs 2025 and to remove references to NSW Smart and Skilled requirements.