

Complaints and Appeals Policy and Procedures

1. Purpose

- To provide a clear and transparent policy that enables students and relevant parties to freely raise any concerns regarding the course or service provided by First Choice College or its representatives.
- Aims to address complaints promptly, fairly, and efficiently; while ensuring confidentiality, procedural fairness and a productive learning and working environment is upheld.
- To ensure compliance with the [Standards for Registered Training Organisations \(RTOs\) 2015, Standard 6](#). *Clause 6.1 - 6.6 must be considered in conjunction with this policy.

2. Scope

The complaints and appeals policy and procedure will manage allegations involving the conduct of:

- First Choice College, its trainers, assessors, and other staff
- Stakeholders and others
- A third-party providing services on the RTO's behalf, its trainers, assessors, or other staff (where this may be relevant to its operations)
- A student of First Choice College

3. Definitions

Grievance – A grievance is an expression of dissatisfaction by an individual about an issue related to an individual associated with First Choice College, or an issue with a course or qualification delivered by First Choice College. A grievance may not require investigation and can be handled in an informal and direct manner. The goal of dealing with a grievance is to de-escalate the issue and find a mutually agreeable resolution within First Choice College's processes. Grievances can be made by students, parents/guardians, employers, schools, external partners, prospective students, or other relevant parties. If a grievance cannot be resolved, it would be escalated to a complaint.

Complaint - A complaint is an expression of dissatisfaction by an individual (hereafter referenced as the complainant) about an issue related to an individual associated with First Choice College, or an issue with a course or qualification delivered by First Choice College, which warrants the need for review, investigation, and action.

Complaints can be made by students, parents/guardians, employers, schools, external partners, prospective students, or other relevant parties.

All parties are entitled to access the complaints process. Activities which may give rise to academic and or non-academic complaints covered by this policy are:

- Academic programs/courses content, structure, materials, resources and access
- Administrative or Training Officer customer service, action/inaction, procedure, or decision
- Subject enrolment, training delivery, assessment, and feedback, learning or facility environment outcomes and quality
- Student services, support, processes, and communication
- Individuals who believe that they have been treated unfairly, harassed, or discriminated against on the grounds of access and equity
- WHS concerns related to subject delivery and/or assessment

Appeal - An appeal is a process whereby the complainant may wish to dispute a decision made by First Choice College. The complainant may appeal decisions such as:

- An RPL decision
- An assessment or feedback decision
- A penalty imposed due to plagiarism / cheating
- A penalty imposed due to an act of misconduct and breach of code of ethics
- A refund decision
- A course extension decision

The complainant has the right to appeal any decision made by First Choice College and must follow the appropriate appeals procedure.

Natural Justice - is concerned with ensuring procedural fairness. It involves:

- Decisions and processes free from bias
- All parties having the right to be heard
- All parties having a right to know how and of what, they are involved/accused
- Investigating a matter appropriately before a decision is made
- All parties being told the decision and the reasons for the decision

4 Values and Principles

Our policy is governed by the following values and principles:

- All students will have a clear opportunity to express their view on their learning experience, whether positive or negative
- The process will be transparent, and no student will receive any disadvantage by expressing their views
- High-risk complaints, including allegations of sexual harassment, discrimination and bullying will be directed to the First Choice College Director
- Student feedback will be dealt with in a timely, confidential, and open manner and students will be kept informed of all progress
- If the complaint is related to training, we will arrange a meeting with the trainer and student to discuss the issue and seek resolution
- All complaints will be acknowledged within five working days of receipt
- The First Choice College representative handling the complaint or appeal will be independent of the decision being reviewed (e.g. an assessor will not consider or decide an appeal against an assessment decision that they made).
- Students are given the opportunity to escalate the complaint if they feel it has not been adequately addressed
- In the event of a complaint against an First Choice College trainer and assessor involved in an alleged breach of civil law, the matter should be reported directly to the Director
- First Choice College aims to address any complaints within 14 days, however if a complaint is complex, it may take longer
- If more than 60 calendar days are required to process the complaint or appeal, the complainant or appellant will be notified in writing and include the reasons why this timeframe is required. First Choice College will regularly provide updates
- All feedback will be analysed, and trends built into the company's continuous improvement process so that all students benefit from the learning of the feedback.

5 Application

First Choice College actively encourages feedback and dialogue with our students and trainers as part of its continuous improvement philosophy. Students have the right to complain or appeal if they feel that they have been unfairly treated in some way. Complaints are welcomed as a means of ensuring that we identify and overcome problems faced by students and provide an opportunity to improve our business and/or the delivery of our training programs.

We have established an equitable and transparent process for encouraging and dealing with feedback, complaints, grievances and appeals which is documented in our Complaints and Appeals Procedure. This Policy supported by the accompanying procedure which outlines in detail the steps undertaken in submitting a complaint and appeal and having that responded to.

6 Grievance, Complaint or Appeal

Should a person have a grievance, complaint or appeal, the following steps are to be followed:

1. Communicate the grievance directly with the person(s) involved to try and resolve it.
2. If there is no resolution, the grievance should be escalated to a complaint or appeal, the person should put the following information relating to the complaint or appeal in writing to the First Choice College Operations Manager rto@fcc.edu.au or by post to PO Box 604, Surfers Paradise, QLD 4217
3. The notification must complete the Complaints and Appeals form, which can be accessed via: <https://form.jotform.com/241341385792056>
Note: Assessment appeals must be submitted within two weeks of receiving your results.
4. A written acknowledgement of receipt of the complaint/appeal will be forwarded to the complainant or appellant within five working days. The written complaint will be sent to the Operations Manager at time of confirmation of receipt.
5. The Operations Manager will either deal with the issue personally or arrange for it to be dealt with by a management representative. The management representative will be independent of the decision being reviewed.

The Operations Manager will:

- Undertake a preliminary enquiry to determine nature of the complaint/appeal
 - 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)
6. All parties involved will receive a written statement of the outcomes, including reasons for the decision within the 14-working day period. If First Choice College expects more than 60 calendar days are required to process and finalise the complaint or appeal, the person will be notified in writing of the reason for the delay and kept informed of all progress.
 7. Should the issue still not be resolved to the person's satisfaction, upon request, First Choice College will make arrangements for an independent party to resolve the issue. First Choice College will outline, in advance, any costs that may be incurred by the complainant or appellant. The person will be given the opportunity to formally present their case. Where suitable, the independent party selected to review complaints and appeals will be the Queensland Training Ombudsman, in which no cost will be incurred by the complainant or appellant. The time frame for this process will be determined by the third party facilitating the independent review. Details regarding timeframes will be shared with all parties.

8. If the person is still not satisfied with outcomes from the independent process, they may take their complaint to the VET Regulator - the Australian Skills Quality Authority. Information about the process can be found at <https://www.asqa.gov.au/complaints/complaints-about-training-providers> or National Complaints Hotline at <https://www.dese.gov.au/national-training-complaints-hotline>.

Results from the review of the complaint / appeal

From any substantiated complaints and appeals, the causes will be reviewed as part of the RTO's continuous improvement processes, and appropriate corrective action will be taken to prevent or reduce the likelihood of reoccurrence. Actions will be recorded on the Continuous Improvement Register.

Any complaint that is related to illegal activity e.g. theft, assault, will be immediately referred to the appropriate authority.

All documentation relating to complaints or appeals will be stored securely as per the Records Management Policy and Procedure and recorded on the Complaints Register.

The First Choice College Operations Manager will be personally responsible for the implementation and maintenance of this policy.