

CEO

<b>Policy Name:</b>	<b>Complaint Handling and Appeals Policy</b>
<b>Document Number:</b>	HR6.1.01
<b>Approved by:</b>	CEO
<b>Last Approval Date:</b>	April 2022
<b>Review Date:</b>	April 2024
<b>Audience:</b>	All Charlton Brown Staff and Students
<b>Contact Officer:</b>	Director Compliance and Training Management
<b>Related Policies:</b>	Student Integrity & Misconduct Plagiarism Policy Continuous Improvement Policy
<b>Related Documents:</b>	Have Your Say Form Have Your Say Register Have Your say completion form Complaint/Appeals Register Records Management Procedure
<b>Legislation</b>	<a href="#">National Vocational Education and Training Regulator Act 2011</a> <a href="#">VSL Loan Act 2016</a> ; <a href="#">VSL Student Loan Rules 2016</a>

## 1. Purpose and Objective

The purpose of this policy is to ensure that complaint/appeals are recorded and dealt with fairly, efficiently and effectively.

The policy and procedures reflect, practically and philosophically, the expectations and responsibilities of both the College and its students when dealing with complaint/appeals handling.

## 2. Definitions

**Appeal** – is an application made by a student to have a decision reviewed where that decision relates to a matter affecting his or her studies or life as a student.

**Complaint/Appeal** - is any written expression of dissatisfaction with an action or service of the Registered Training Organisation (by the aggrieved or on behalf of the aggrieved person for the RTO to be able to acknowledge the complaint/appeal).

**Procedural fairness** – the processes by which an outcome is reached and not the outcome itself.

## 3. Policy Scope/Coverage

This complaint/appeals procedure will manage allegations involving the conduct of:

- Charlton Brown, its academic staff, 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)
- Students of Charlton Brown.

## 4. Policy Statement

Charlton Brown will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaint/appeals process. All formal complaint/appeals will be heard and decided on within 60 calendar days of receiving the written complaint/appeal. If Charlton Brown considers more than 60 calendar days are required to process and finalise the complaint/appeal, the complainant or appellant will be informed of the reasons in writing and will be regularly updated on the progress of the matter at any stage of the processes fail to resolve the complaint/appeal, a review by an independent party will be provided if requested at no cost to the complainant/appellant.

The policy will be provided on the Charlton Brown website with information about how to submit a complaint/appeal and will be supported by clear procedures for handling complaint/appeals.

A student who lodges a complaint/appeal that is frivolous, will have their complaint/appeal dismissed or discontinued. Such conduct may be considered as misconduct and investigated under the College's Student Integrity & Misconduct Policy.

The Group Compliance Manager will maintain a secure Complaint/Appeals Register which documents all formal complaint/appeals and their outcomes.

Note: If the complaint/appeal is regarding student misconduct, refer also to the Students Integrity & Misconduct Policy

### 4.1 Principles

The following principles guide the complaint/appeal resolution processes:

- a) natural justice and procedural fairness will be adopted at every stage of the complaint/appeal process;
- b) complaint/appeal will be addressed as close as possible to the source of the dissatisfaction;
- c) if the complainant/appellant is a student, their enrolment will be maintained while the complaint/appeal process is ongoing. However, this does not entitle a student to enrol in courses or programs for which they are not eligible;
- d) a complainant/appellant will not suffer any reprisal as a result of lodging a complaint/appeal
- e) a student attending an interview associated with resolving their complaint/appeal may be accompanied by a support person. This person must not be a legal representative or a currently practicing solicitor or barrister.
- f) a complainant/appellant may choose to have their complaint/appeal reviewed by an independent panel.
- g) Where all internal complaint/appeal process options have been exhausted the person will be provided with information or assisted to take their complaint/appeal to a relevant external agency.

### 4.2 Procedural Fairness

With regard to complaint/appeal resolution at Charlton Brown, procedural fairness (natural justice) requires that a respondent to a complaint/appeal must be provided with:

- a) sufficient details of the complaint/appeal to enable the respondent to formulate a response;
- b) information about the process by which the matter is to be resolved, and
- c) opportunity to put their case and respond to the complaint/appeal.

In addition:

- a) any decision-maker must act impartially and without bias;
- b) all relevant submissions and evidence must be considered;
- c) irrelevant matters must not be taken into account; and
- d) the complaint/appeal must be dealt with in a timely manner.

### **4.3 Complaint**

Charlton Brown will record and acknowledge complaint and ensure they are dealt with fairly, efficiently and without bias.

These complaints may involve the conduct of the College, its trainers, assessors or other staff; a third-party providing services on the College's behalf, its trainers, assessors or other staff or a student of the College.

All formal complaints will be heard and decided within 60 calendar days of receiving the written complaint (HYS Form HR5.1.03) If Charlton Brown considers more than 60 calendar days are required to process and finalise the complaint. If the complainant will be informed of the reasons in writing and will be regularly updated on the progress of the matter.

If the processes fail to resolve the complaint/appeal, a review by an independent party will be provided if requested.

### **4.4 Appeals**

An appellant has the right to appeal a decision which must be submitted in writing to the Charlton Brown.

All formal appeals will be heard and decided within 60 calendar days of receiving the written appeal. If Charlton Brown considers more than 60 calendar days are required to process and finalise the appeal, the appellant will be informed of the reasons in writing and will be regularly updated on the progress of the matter.

If the processes fail to resolve the appeal, a review by an independent party will be provided if requested.

### **4.5 Continuous Improvement**

Any substantiated complaint/appeals, as well as the complaint/appeals policy, will be reviewed as part of the continuous improvement processes and appropriate corrective action taken to prevent or reduce the likelihood of reoccurrence.

### **4.6 Confidentiality**

All matters pertaining to complaints/appeals will be securely stored in the relevant files and protected and treated with the utmost confidentiality according to the Records Management Policy.

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## **Approval and Review**

This policy was approved and endorsed by Charlton Brown Executive Management in April 2022. This policy will be reviewed after two years or sooner if required.

<b>Version History</b>				
<b>Review Period:</b>		2 years from date of last approval		
<b>Version Number:</b>	<b>Approved by:</b>	<b>Approval Date:</b>	<b>Effective Date:</b>	<b>Sections Modified:</b>
D1				New policy developed April 2022
1.0	Director	April 2022	April 2022	Updated template