

Complaints and Appeals Procedures

Policy Statement:

FIOA's clients and students have the right to lodge a complaint when they are dissatisfied with the training and / or assessment services that they have been provided by FIOA or to appeal an assessment decision where they feel they have been treated unfairly, discriminated against, or otherwise dealt with in contravention of FIOA's Training System Policy and Procedures Manual.

FIOA will have written processes and procedures for dealing with complaints and appeals in relation to training and assessment activities and assessment decisions. These processes and procedures are communicated to all stakeholders, clients and students.

FIOA will ensure that all complaints and appeals will be handled professionally and confidentially in order to achieve a speedy resolution.

1.1 Right to Lodge an Appeal or Complaint

All stakeholders of FIOA have the right to lodge an appeal or complaint if they are dissatisfied with the services provided.

1.2 Definitions

A **complaint** is any expression of dissatisfaction with an action, product or service of an education and training provider (or of the registering body) made to the registering body. Complaints are usually about the delivery of training, quality of instruction or other issues that need to be handled separately from judgements as to whether competence has been achieved and demonstrated.

A complaint could involve the conduct of:

- The RTO, its trainers, assessors or other staff
- A third party providing services on the RTO's behalf, its trainers, assessors or other staff, or
- A student of the RTO.

An **appeal** is where a client of an RTO, or other interested party, may dispute a decision made by the RTO. The decision made by the RTO may be an assessment decision or may be about any other aspect of the RTO's operations.

An appeal is usually centred on the judgement as to whether competence has been achieved and demonstrated. Grounds for appeal can include:-

- the judgement has been made incorrectly,

- alleged bias of the assessor,
- level of competence of the assessor,
- alleged wrong advice from the assessor regarding the assessment process,
- alleged inappropriate assessment process for the competency,
- faulty or inappropriate equipment, or
- the judgement was not made in accordance with the assessment plan.

1.3 Prior to Submitting an Appeal

Students who are concerned about or disagree with an assessment decision should, in the first instance, consult with the person who made the assessment decision, in order to gain clarification of the basis for the decision.

If the student is not satisfied with the response or resolution offered, they may submit an appeal.

1.4 Appeals Procedure

The following procedure will apply:

1. The candidate wishing to submit an appeal must do so by either:
 - Sending either a letter or email outlining their appeal to FIOA, or
 - completing the CA1a - Appeal Form and submitting it to the Director Operations and Compliance (admin@futureinstitute.com.au).
2. An appeal against an assessment must be submitted in writing and signed by the appellant within twenty-eight (28) working days of the date of the result notification.
3. The documentation should clearly state on what grounds the appeal is based and should include the evidence available to support the claim.
4. If lodging an appeal against an assessment decision, the appellant must state the relevant assessment criteria or Unit of Competency.

NB: Assessments meet the agreed national assessment principles (including the recognition for prior learning). If a student is assessed as “Not Yet Competent” by the trainer / assessor, the student will be given an opportunity to undertake further training and they can undertake another assessment. Students are allowed three (3) re-assessments at no extra fees.

5. All appeals are to be immediately forwarded to the Director Operations and Compliance.
6. All appeals must be recorded on CA 2 - Complaints and Appeals Register by the Director Operations and Compliance within 24 hours of receiving the appeal.
7. The Director Operations and Compliance will discuss the issue with both the appellant, the trainer / assessor and / or any other relevant parties. The appellant may bring a ‘support person’ along to the interview.
8. If the matter cannot be resolved in-house FIOA will agree to the intervention of any qualified independent arbitrator to assess the appeal. The third party independent arbitrator will be mutually agreed by FIOA and the appellant, and may come from another RTO or be an Australian Council for Private Education & Training (ACPET) representative.

9. The Director Operations and Compliance will provide the student with the result of the appeal within seven (7) working days of the decision being made.
10. All parties will receive written notification of the result within one week of the decision being made. This will include:
 - a written statement of the appeal outcomes
 - the reasons for the decision.
11. FIOA to keep a signed copy of written notification of the decision with all the other documentation.
12. Details of the results of the appeal is to be recorded on CA2 – Complaints and Appeals Register.
13. Any actions of improvement identified during an Appeal process will be immediately recorded on the Continuous Improvement Register (STA7) and actioned within the agreed timeframe.

All appeals will be attended to promptly, confidentially (within the framework of the investigation) and will be investigated impartially. At all times, appropriate action will ensure that rights of all parties will be respected.

However, if it takes more than 60 calendar days to process or finalise an appeal, the Director Operations and Compliance will:

- Inform the appellant in writing, including reasons why more than 60 calendar days are required, and
- Regularly update the appellant on the progress of the matter.

1.5 Prior to Submitting a Complaint

Students who are concerned with a training, assessment, support services, WHS or administration process should, in the first instance, consult with the person directly involved, in order to gain clarification of the matter.

If the student is not satisfied with the response or resolution offered, they may submit a complaint.

1.6 Complaints Procedure

The following procedure will apply:

1. The candidate wishing to submit a complaint must do so by either:
 - Sending either a letter or email outlining their complaint to FIOA, or
 - completing the CA1b - Complaint Form and submitting it to the Director Operations and Compliance (admin@futureinstitute.com.au).
2. A complaint must be submitted in writing and signed by the complainant within twenty-eight (28) working days of the incident / allegation occurring.
3. The documentation should clearly state on what the complaint is about and should include, where possible, any evidence available to support the complaint.
4. All complaints are to be immediately toward to the Director Operations and Compliance.

5. The complaint must be recorded on CA 2 - Complaints and Appeals Register by the Director Operations and Compliance within 24 hours of receiving the complaint.
6. The Director Operations and Compliance will discuss the issue with both the complainant, the trainer /assessor, the staff member and / or any other relevant parties. The complainant may bring a 'support person' along to the interview.
7. If the matter cannot be resolved in-house FIOA will agree to the intervention of any qualified independent arbitrator to investigate the complaint. The third party independent arbitrator will be mutually agreed by FIOA and the complainant, and may come from another RTO or be an Australian Council for Private Education & Training (ACPET) representative.
8. The Director Operations and Compliance will provide the student with the result of the complaint within seven (7) working days of the decision being made.
9. All parties will receive written notification of the result within one week of the decision being made. This will include:
 - a written statement of the complaint outcome/s
 - the reasons for the decision.
10. FIOA to keep a signed copy of written notification of the decision with all the other documentation.
11. Details of the results of the complaint is to be recorded on CA2 – Complaints and Appeals Register.
12. Any actions of improvement identified during a Complaint process will be immediately recorded on the Continuous Improvement Register (STA7) and actioned within the agreed timeframe.

All complaints will be attended to promptly, confidentially (within the framework of the investigation) and will be investigated impartially. At all times, appropriate action will ensure that rights of all parties will be respected.

However, if it takes more than 60 calendar days to process or finalise a complaint, the Director Operations and Compliance will:

- Inform the complainant in writing, including reasons why more than 60 calendar days are required, and
- Regularly update the complainant on the progress of the matter.