

# SC14: Complaints and Appeals Policy & Procedure

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## Purpose

The purpose of this policy and procedure is to outline TechKnowledgegy Pty Ltd's approach to managing dissatisfaction, formal complaints and appeals of students, clients, staff and other members of the community. It provides a transparent approach for all complaints and appeals to be addressed in a fair, efficient and confidential manner.

This policy and procedure ensures compliance with Standard 6 of the Standards.

## Definitions

**Appeal** means a request for a decision made by TechKnowledgegy Pty Ltd to be reviewed

**Complaint** means a person's formal expression of dissatisfaction with any product or service provided by TechKnowledgegy Pty Ltd.

**Services** means training, assessment, related educational and support services and/or activities related to the recruitment of prospective learners. It does not include services such as student counselling, mediation or ICT support

**Standards** means the Standards for Registered Training Organisations (RTOs) 2015 from the VET Quality Framework

## Policy

### 1. Nature of complaints and appeals

- TechKnowledgegy Pty Ltd responds to all allegations involving the conduct of:
  - The RTO, its trainers and assessors and other staff.
  - Any third party providing Services on behalf of TechKnowledgegy Pty Ltd.
  - Any student or client of TechKnowledgegy Pty Ltd.
- Complaints may be made in relation to any of TechKnowledgegy Pty Ltd's services and activities such as:
  - the application and enrolment process
  - marketing information
  - the quality of training and assessment provided
  - training and assessment matters, including student progress, student support and assessment requirements
  - the way someone has been treated
  - the actions of another student
- An appeal is a request for a decision made by TechKnowledgegy Pty Ltd to be reviewed. Decisions may have been about:
  - course admissions
  - refund assessments
  - response to a complaint
  - assessment outcomes / results
  - other general decisions made by TechKnowledgegy Pty Ltd

# SC14: Complaints and Appeals Policy & Procedure

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## 2. Principles of resolution

- TechKnowledge Pty Ltd is committed to developing a procedurally fair complaints and appeals process that is carried out free from bias, following the principles of natural justice. Through this policy and procedure, TechKnowledge Pty Ltd ensures that complaints and appeals:
  - Are responded to in a consistent and transparent manner.
  - Are responded to promptly, objectively, with sensitivity and confidentiality.
  - Are able to be made at no cost to the individual.
  - Are used as an opportunity to identify potential causes of the complaint or appeal and take actions to prevent the issues from recurring as well as identifying any areas for improvement.
- TechKnowledge Pty Ltd will inform all persons or parties involved in any allegations made as well as providing them with an opportunity to present their side of the matter.
- Nothing in this policy and procedure limits the rights of an individual to take action under Australia's Consumer Protection laws and it does not circumscribe an individual's rights to pursue other legal remedies.
- Where a student chooses to access this policy and procedure, TechKnowledge Pty Ltd will maintain the student's enrolment while the complaints/appeals handling process is ongoing.

## 3. Timeframes for resolution

Complaints and appeals will be finalised as soon as practicable or at least within 30 calendar days unless there is a significant reason for the matter to take longer. In matters where additional time is needed, the complainant or appellant will be advised in writing of the reasons and will be updated weekly on the progress of the matter until such a time that the matter is resolved.

## 4. Records of complaints and appeals

TechKnowledge Pty Ltd will maintain a record of all complaints and appeals and their outcomes on the *Complaints and Appeals Register*, which will be securely stored according to the Privacy Policy and Procedures.

## 5. Making a complaint or appeal

- Complaints about a particular incident should be made within ninety (90) calendar days of the incident occurring and appeals must be made within thirty (30) calendar days of the original decision being made.
- Complaints and appeals must be made in writing using the *Complaints and Appeals Form*, or other written format and sent to TechKnowledge Pty Ltd's head office at Suite 11, First Floor, Midway Arcade, 974 Main Street Eltham VIC 3095 attention to the Chief Executive Officer.
- When making a complaint or appeal, provide as much information as possible to enable TechKnowledge Pty Ltd to investigate and determine an appropriate solution. This should include:
  - The issue you are complaining about or the decision you are appealing – describe what happened and how it affected you.
  - Any evidence you have to support your complaint or appeal.
  - Details about the steps you have already taken to resolve the issue.
  - Suggestions about how the matter might be resolved.
- Your complaint or appeal will be acknowledged in writing via email or post within 7 days.

## 6. Resolution of complaints and appeals

## SC14: Complaints and Appeals Policy & Procedure

---

- Some or all members of the management team of TechKnowledge Pty Ltd will be involved in resolving complaints and appeals as outlined in the procedures.
- Where a complaint or appeal involves another individual or organisation, they will be given the opportunity to respond to any allegations made.
- Where a third-party delivering Services on behalf of the RTO is involved, they will be included in the process of resolving the complaint or appeal.
- In the case of an assessment appeal, an assessor who is independent from the original decision will assess the original task again. The outcome of this assessment will be the result granted for the assessment task.

### 7. Independent parties

- TechKnowledge Pty Ltd acknowledges the need for an appropriate independent party to be appointed to review a matter where this is requested by the complainant or appellant and the internal processes have failed to resolve the matter. Costs associated with independent parties to review a matter must be covered by the complainant/appellant unless the decision to include an independent party was made by TechKnowledge Pty Ltd.
- TechKnowledge Pty Ltd may also appoint the independent party to be involved in the resolution of a complaint or appeal where it is deemed necessary.
- The independent party recommended by TechKnowledge Pty Ltd is Melbourne Arbitration and Mediation Centre who have a cost of \$950 per matter, however complainants and appellants are able to use their own external party at their own cost.
- TechKnowledge Pty Ltd will provide complete cooperation with the external mediator investigating the complaint/appeal and will be bound by the recommendations arising out of this process.
- The CEO will ensure that any recommendations made are implemented within twenty (20) days of being notified of the recommendations. The complainant or appellant will also be formally notified in writing of the outcome of the mediation.

### 8. External complaint avenues

Complaints can also be made via the following avenues:

- National Training Complaints Hotline:

The National Training Complaints Hotline is a national service for consumers to register complaints concerning vocational education and training. The service refers consumers to the appropriate agency/authority/jurisdiction to assist with their complaint. Consumers can register a complaint with the National Training Complaints Hotline by:

- Phone: 13 38 73, Monday–Friday, 8am to 6pm nationally.
- Email: [ntch@education.gov.au](mailto:ntch@education.gov.au)

For more information about the National Training Complaints Hotline, refer to the following webpage: <https://www.education.gov.au/NTCH>

- Australian Skills Quality Authority (ASQA):

Complainants may also complain to TechKnowledge's registering body, Australian Skills Quality Authority (ASQA).

ASQA can investigate complaints about TechKnowledge Pty Ltd in relation to:

- the quality of our training and assessment
- our marketing and advertising practices

## SC14: Complaints and Appeals Policy & Procedure

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Please refer to the following webpage below before making a complaint to ASQA:

<https://www.asqa.gov.au/complaints/getting-started-making-complaint-about-training-provider>

**For students:** ASQA may not be able to investigate complaint if you do not include evidence that you have already exhausted our formal internal complaints process as above.

### 9. Publication

This policy and procedure will be published in the Student Handbook and on TechKnowledge Pty Ltd's website.