

Purpose

The purpose of this procedure is to ensure all students, staff, employers and other parties who have a relationship with Western Business School are provided with a fair and equitable opportunity to have their complaint and/or appeal addressed and actioned.

Scope

The policy and procedure has been designed to support the Standards for NVR Registered Training Organisations 2015:

- 6 - Manage complaints and Appeals
- 5.2 (d) Learners rights

Government funded contracts:

- New South Wales Smart and Skilled Contract
- Victorian VET Funding Contract - Skills First Program

Definitions

- Compliant
 - Means an expression of grievance. A complaint is an objection to something that is unfair, unacceptable, and can be against a process, or person.
- Appeal
 - Means to appeal a decision that has been made by WBS and/or an assessor
 - Appealing a decision made by WBS from a complaint.
 - Appealing a decision made by the assessor, based on an assessment outcome.

Responsibility

- The General Manager is responsible for implementation of this policy and procedure.
- The National Operations and Administration Manager is responsible for maintaining this policy and procedure.
- All staff, including, but not limited to, trainers, assessors and administration are responsible for upholding this policy and procedure.

Policy

1. WBS will ensure that it follows the principles of fairness and natural justice in dealing with all complaints.
2. This policy/procedure provides the process for complaints and appeals to be heard and actioned.
3. A Consumer Protection Strategy forms part of this policy and procedure and will be published on the website of Western Business School.
4. A Consumer Protection officer will be appointed to act as the contact and referral point for any complaint received.

1. Link checked 1/10/2018

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Document No.: RTO_PP304

Western Business School Provider ID 4183

Authorised by: General Manager

Document Owner: RTO Administration Manager

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Review Date: 01/10/2020

5. All complaints and appeals received by WBS will be viewed as an opportunity for improvement.
6. While a complaint or appeal is in progress, the student/trainee is entitled to continue training and will not be disadvantaged.
7. The internal complaints and appeals process will be at no cost to the student.
8. All students, trainees, contractors and employers are entitled to access this complaints and appeals procedure. Staff of WBS who are making a complaint should access the complaints and appeals process of WPC Group Ltd.
9. In the first instance, WBS will attempt to resolve any complaint or appeal using informal processes.
10. WBS acknowledges the potential causes for complaints and will ensure it takes all reasonable steps to avoid these occurrences. Possible causes include, but are not limited to:
 - Insufficient information being provided to the student before commencement of the course
 - Insufficient information being provided to the student about the fees, charges and refund processes
 - The actual cost of the course
 - The requirement to provide personal information to WBS
 - Providing WBS with permission to access and use personal information
 - Insufficient contact and or support being provided to the student
11. A student may be assisted or accompanied by a support person regardless of the nature of the complaint throughout the process at all times.
12. Complaints and Appeals will be addressed within 10 working days from the day of submission
13. If the internal or any external complaint handling or appeal process results in a decision that supports the student, WBS will immediately implement any decision and/or corrective and preventative action that is required, and advise the student of the outcome.
14. Where corrective actions require amendments to policy, procedure and/or processes, this is to be recorded in the continuous improvement register.
15. If WBS requires more than 60 days to finalise the complaint/appeal, WBS will contact the complainant in writing advising of the circumstances which are causing the delay. Regular updates will be provided to the complainant every 7 – 10 days.
16. Once a complaint or appeal has been resolved, whether in favour of the participant or WBS, WBS Administration Manager will advise the relevant parties in writing of the outcome within 7 working days of the final outcome.
17. The procedures for complaints and appeals will be separated into categories:
 - Informal processes
 - General Complaints
 - Appealing a decision
 - External Avenues

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Procedure

1. *Informal process*

- Where possible all informal attempts shall be made to resolve the complaint. This may include advice, discussions, and general mediation in relation to the issue. Any staff member can be involved in this informal process. The complainant is encouraged to either call or organise a face to face meeting to resolve any issues. Western Business School recommends the following staff members for informal resolution:
 - National Operations and Administration Manager
 - WBS - Workplace Trainer/Assessor
 - WPC – Industry consultant (workplace mentor)
- Once a student has made a formal complaint / appeal the following procedures must be followed.

2. *General Complaints*

- Any student, potential student, or third party may submit a formal complaint to WBS with the reasonable expectation that all complaints will be treated with integrity and privacy. There is no cost for the complaints process unless it is referred to a third party.
- A student wishing to submit a formal complaint or appeal can do so by completing the ‘Complaints and Appeals Form’ and state their case providing as many details as possible. This application form can be obtained by contacting RTO Administration at WBS or by downloading it from our website. <http://www.wbs.org.au/complaints-and-appeals>¹.
- All formally submitted complaints or appeals are submitted to RTO Administration. It is their responsibility to deal with the complaint in the first instance, by reviewing the complaint to ensure all information is included. Complaints are to include the following information:
 - Submission date of complaint
 - Name of complainant;
 - Nature of complaint
 - Date of the event which lead to the complaint
 - Attachments (if applicable);
- Once a complaint has been filed and logged in the ‘Complaints and Appeals Register’ RTO Administration shall notify the Administration Manager of the complaint and provide any further documentation related to the matter.
- The National Operations and Administration Manager shall ensure that WBS will act immediately on any complaint and contact the complainant within 10 days of the date of application.

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- Where the complaint is made by a Student/Trainee, the complaint will be logged on the Trainee/Student Records Spreadsheet by RTO Administration.
- The National Operations and Administration Manager shall then refer the matter to the appropriate staff to resolve, or make a decision on the complaint within 10 working days and keep the complainant informed of any decisions or outcomes concluded, or processes in place to deal with the complaint.
- Once a decision has been reached the National Operations and Administration Manager shall be required to inform all parties involved of any decisions or outcomes that are concluded in writing. Within the notification of the outcome of the formal complaint the students shall also be notified that they have the right of appeal. To appeal a decision WBS must receive, in writing, grounds of the appeal. Students are referred to the appeals procedure.
- Copies of all documentation, outcomes and further action required will be placed into the 'complaints and appeals register' by the National Operations and Administration Manager and the actual complaint form onto the students file.

3. *Appealing a decision*

- All students have the right to appeal decisions made by WBS where reasonable grounds can be established. The areas in which a student may appeal a decision made by WBS may include:
 - Assessments conducted
 - Deferral, suspension, or cancellation decisions made in relation to the student's enrolment
 - Or any other conclusion / decision that is made after a complaint has been dealt with by WBS in the first instance.
- To activate the appeals process the student is to complete a 'Complaints and Appeals Form' which is to include a summary of the grounds the appeal is based upon. The reason the student feels the decision is unfair is to be clearly explained and help and support with this process can be gained from student administrations department.
- The National Operations and Administration Manager shall then determine the validity of the appeal and organise a meeting with all parties involved in the matter and attempt to seek resolution where appropriate.
- The process for all formally lodged appeals will begin within 10 working days of the appeal being lodged.
- The National Operations and Administration Manager shall ensure that WBS acts on any appeal.
- Where an appeal has been lodged it will be defined into one of the following categories and the appropriate procedures followed:

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3.1 General appeals

- Where a student has appealed a decision or outcome of a formal complaint they are required to notify WBS in writing within 20 working days of the grounds of their appeal. Any supporting documentation should also be attached to the appeal.
- The appeal shall be lodged through RTO Administration and the National Operations and Administration Manager shall ensure the details of the appeal are added to the 'Complaints and Appeals Register'.
- The National Operations and Administration Manager shall be notified and shall seek details regarding the initial documentation of the complaint and shall make a decision based on the grounds of the appeal.
- The student shall be notified in writing of the outcome with reasons for the decisions, and the 'complaints and appeals register' updated. The student shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify WBS if they wish to proceed with the external appeals process. Suggested links to external processes are advised in 2.3 External Complaints.

3.2 Assessment Appeals

- Where a student wishes to appeal an assessment they are required to notify their assessor in the first instance. Where appropriate the assessor may decide to re-assess the student to ensure a fair and equitable decision is gained. The assessor shall complete a written report regarding the re-assessment outlining the reasons why assessment was or was not granted.
- If this is still not to the student's satisfaction the student shall formally lodge an appeal by submitting a written letter outlining their reasons for the appeal. The Complaints and Appeals Form will be completed and accompany the written letter. They shall lodge this with RTO Administration and the appeal shall be entered into the 'Complaints and Appeals Register'.
- The National Operations and Administration Manager shall be notified and shall seek details from the assessor involved and any other relevant parties. A decision shall be made regarding the appeal either indicating the assessment decision stands or details of a possible re-assessment by a 'third party'. The third party shall be another assessor appointed by WBS.
- The student shall be notified in writing of the outcome with reasons for the decision, and the 'complaints and appeals register' updated. Notification will be within 10 days of the decision. The student shall also be provided the option of activating the external appeals process if they are not satisfied with the outcome. The student is required to notify WBS if they wish to proceed with the external appeals process.

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4. *External Avenues*

- Any student or staff member of Western Business School may make an external complaint or appeal at any time. External parties are advised below.
- If a student is still dissatisfied with the decision of the RTO, a student may wish to escalate the matter.

- Appeals can relate to assessment decisions but they can also relate to other decisions, such as a decision to exclude a learner from a program. We encourage complaint resolution through internal mechanisms. The right to access resolution is respected and provide the following information:

NATIONAL VET REGULATOR

The VET regulator ASQA <https://www.asqa.gov.au/complaints> ¹

VICTORIA

Consumer Affairs Victoria <https://www.consumer.vic.gov.au/> ¹

DET – Victorian Skills First

<https://www.education.vic.gov.au/about/contact/Pages/compliancecomplain.aspx> ¹

NEW SOUTH WALES

New South Wales Fair Trading

<https://www.fairtrading.nsw.gov.au/help-centre/online-tools/make-a-complaint> ¹

- Where a decision or outcome is in favour of the student WBS shall follow the required action and recommendation from the third party mediator to satisfy the complaint/appeal as soon as practicable and no later than 20 days after the decision is made.

Circulation

- The complaints and appeals policy is to be made available on the website.
- A summary of the complaints and appeals policy and procedure is to be included in the participant hand book
- A complaints and appeals form is to be included in the trainee kit.
- The Consumer Protection Strategy is to be included on the website.

Related documents

- Consumer Protection Strategy
- Complaints and appeals form.

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- NSW purchasing Contract
- Vic Purchasing Contract
- Participant Hand book

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