

Complaints and Appeals Policy

Relevant Standards: *Standards for Registered Training Organisations (RTOs) 2015 Standard 2 and 6*

Purpose

Australian Institute of Arboriculture is committed to providing quality training and assessment in accordance with the Standards for Registered Training Organisations (SRTOs 2015). This policy provides the framework and general principles for complaints and appeals to the **Australian Institute of Arboriculture**.

This policy is based on providing and maintaining training services that are fair and reasonable and afford a forum where issues or inadequacies can be resolved. The **Australian Institute of Arboriculture** process provides adequate opportunity for complaints and appeals to be forwarded to **Australian Institute of Arboriculture** management for resolution in a timely, confidential, and sensitive manner. The **Australian Institute of Arboriculture** will ensure that the principles of natural justice and procedural fairness will be adhered to throughout the hearing of all complaints and appeals.

The object of this policy is to ensure that **Australian Institute of Arboriculture** staff act in a professional manner at all times. This policy provides clients with a clear process to register a complaint. It ensures all parties involved are kept informed of the resulting actions and outcomes.

Scope

Australian Institute of Arboriculture acknowledges the learner's right to lodge a complaint or appeal when they are dissatisfied with the training and/or assessment services and experiences that they have been provided by **Australian Institute of Arboriculture** or by a third-party provider (if applicable).

The **Australian Institute of Arboriculture** ensures that clients have access to a fair and equitable process for expressing complaints and appeals, and that the **Australian Institute of Arboriculture** will manage the complaint by implementing principles of natural justice and procedural fairness.

With this **Australian Institute of Arboriculture** ensures that:

1. it has a procedure for collecting and managing complaints and appeals in a constructive, timely, confidential and sensitive manner;
2. these procedures are communicated to all staff, contractors, third party partners and learners;
3. each complaint and appeal and its outcome are recorded in writing;
4. complainants and appellants are given written statements or communication of the appeal or complaints handling outcomes, including decisions and reasons for the decisions;
5. outcomes of complaints and appeals are utilised to review current practices which may potentially lead to continuous improvement initiatives in order to mitigate the likelihood of the complaints and appeals.

Policy principles

Complaints and Appeals Policy:

1. Details concerning the scope of **Australian Institute of Arboriculture** Complaints and Appeals Policy are to be clearly displayed throughout the **Australian Institute of Arboriculture** and contained within the Learner Handbook, Staff Handbook and Website.
2. Complaints and appeals are treated seriously and dealt promptly, impartially, sensitively and in confidence.
3. Complaints and appeals will be resolved on an individual case basis and as the needs arise.
4. All **Australian Institute of Arboriculture** learners have the right to express a concern or problem and/or lodge a formal complaint if they are dissatisfied with the training and assessment services they have been provided, including through a third party (if applicable) or the behavioural conduct of another learner or **Australian Institute of Arboriculture**.
5. The **Australian Institute of Arboriculture** supports the right of a learner to lodge an appeal against any assessment decision and will not impair that right in any way. The **Australian Institute of Arboriculture** will do everything possible to address the appeal in an unbiased and professional manner.
6. The handling of a complaint or appeal is to commence within 10 working days of the lodgement of the complaint or appeal and all reasonable measures are taken to finalise the process as soon as practicable.
7. All complaints and appeals are acknowledged in writing and finalised as soon as practicable. The **Australian Institute of Arboriculture** will aim to complete the process as quickly as possible and will keep the learner informed of the progress of the complaint or appeal throughout the process by phone communication, email correspondence, face-to-face meeting or in writing.
8. If the complaint or appeal will take an excess of 60 calendar days to be finalised, **Australian Institute of Arboriculture** will inform the complainant or appellant in writing providing the reasons why more than 60 calendar days are required.
9. All complaints and appeals will be recorded in the **Australian Institute of Arboriculture** Complaints and Appeals Register and on the learner record in the Learner Management System. These records including the outcomes will be secured and maintained by The **Australian Institute of Arboriculture**.
10. No **Australian Institute of Arboriculture** staff shall disclose information to any person without the permission of the **Training Manager**. A decision to release information to third parties can only be made after the complainant or appellant is given permission for this to occur.

Types of Complaints

A complaint or grievance may include allegations involving the conduct of:

1. the RTO, its trainers and assessors or other staff members;
2. a third party providing services on behalf of **Australian Institute of Arboriculture**; or
3. a learner of the **Australian Institute of Arboriculture**.

Grounds for Appeal

Valid grounds for an appeal against an assessment decision (where the client feels the assessment decision is incorrect) could include the following:

1. the judgment as to whether competency has been achieved and demonstrated was made incorrectly;
2. the judgement was not made in accordance with the assessment plan;
3. alleged bias of the assessor;
4. alleged lack of competence of the assessor;
5. alleged wrong information from the assessor regarding the assessment process;
6. alleged inappropriate assessment process for the particular competency;
7. faulty or inappropriate equipment; and/or
8. inappropriate conditions.

Appeal Outcomes

1. Appeal is upheld; in this event the following options will be available:
 - a. The **Australian Institute of Arboriculture** assessment will be re-assessed, potentially by another assessor.
 - b. Appropriate recognition will be granted.
 - c. A new assessment shall be conducted / arranged.

2. Appeal is rejected / not upheld; in accordance with the **Australian Institute of Arboriculture** assessment policy, the client will be required to:
 - a. undertake further training or experience prior to further assessment; or
 - b. re-submit further evidence; or
 - c. submit / undertake a new assessment

Complaints and Appeals Process

1. The **Australian Institute of Arboriculture** adopts the principles of natural justice and procedural fairness at every stage of the complaints and appeals process. **Australian Institute of Arboriculture** handles and manages all complaints and appeals in accordance with the **Complaints Procedure** and **Appeals Procedure** document.
2. Learners are provided with a clear process to follow in order to lodge a complaint or an appeal. All parties involved will be kept informed of the resulting actions and outcomes.
3. If a learner has a complaint or an appeal, they are encouraged to speak immediately with the trainer / assessor to resolve the issue. If the complainant or appellant is not satisfied that the issue has been resolved, they will be asked to complete a **Complaints Lodgement Form** or **Appeals Lodgement Form** whichever is applicable and lodge a formal complaint or appeal.
4. The complaint and appeal resolution procedure is based on the understanding that no action will be taken without consulting the complainant or appellant, using a process of discussion, cooperation and conciliation. The rights of the complainant or appellant will be acknowledged and protected throughout the complaint or appeal resolution process, including the conduct of separate interviews initially.
5. In the interest of confidentiality, the number of people involved in the resolution process will be kept to a minimum. All complaints and appeals will be handled as staff-in-confidence and will not affect or bias the progress of the client in any current or future training.
6. Final decisions will be made by the **Training Manager** of **Australian Institute of Arboriculture** or an independent party to the complainant or appellant.
7. If the complaints or appeals process fails to resolve the complaint or the complainant is not satisfied with the outcome of the complaint, the matter will be referred to an independent third party for review, at the request of the complainant. The complainant will be advised of all costs incurred by the third-party review.
8. The **Australian Institute of Arboriculture** reserves the right to nominate or agree to the independent party and will cooperate fully with the independent third-party review.

Consumer Protection Officer

At the **Australian Institute of Arboriculture**, the **Training Manager** will be appointed the Consumer Protection Officer. The Consumer Protection Officer will be the primary point of contact for all complaints and appeals.

The **Training Manager** may delegate responsibility for the resolution of the complaint and appeal if necessary. **Australian Institute of Arboriculture** will ensure that its staff and those acting on its behalf in accordance with the **Australian Institute of Arboriculture's** Code of Conduct and Appeals Policy.

Monitoring and Improvement

All complaints and appeals will be discussed at Management Meetings and/or at Continuous Improvement Meetings to identify potential causes of complaints or appeals, to discuss appropriate corrective action to eliminate or mitigate the likelihood of recurrence, and to identify an opportunity for continuous improvement of the processes.