

STATEMENT

RTO Management shall ensure that all complaints and appeals are handled with in accordance with the principles of natural justice and procedural fairness, and at no cost to students. The RTO Complaints and Appeals process will be implemented to provide students with a fair and transparent mechanism for resolving disputes and grievances.

The RTO acknowledges the importance of providing easy accessibility to the Complaints and Appeals Policy for all students. To ensure transparency and informed decision-making, the policy will be prominently available on the RTO's website as part of the pre-enrolment information.

DEFINITIONS

CEO – Chief Executive Officer.

COO – Chief Operating Officer.

RTO – Registered Training Organisations:

- Mining Transport and Construction Services Pty Ltd (MTACS) (RTO 52053)

SCOPE

This policy applies to all students, staff and contractors of the RTO and covers complaints about RTO staff and fellow students and individual treatment received by students as well as appeals against assessment judgements and other types of decisions made by the RTO, including, but not limited to:

- Course advice and enrolment
- Personal conflicts, personal safety
- Customer service and administration
- Training/assessment materials and delivery
- Student progress and academic progress decisions
- Issue of certificates and/or statements of attainment
- Marketing and promotional material
- Fees and charges.

RESPONSIBILITY

It is the responsibility of the RTO Management and the CEO to ensure the correct application of this policy.

PROCEDURE

The RTO has established both an Informal and Formal Complaints and Appeals process to address students' training-related concerns. This policy is based on principles of natural justice and procedural fairness, and aims to assist students to resolve disputes, and receive a fair hearing.

Student concerns will be handled in the strictest confidence. Lodging a complaint or appeal will not affect a student's ability to continue studying or obtain other services that the student is eligible to receive.

INFORMAL PROCESS

- Students are encouraged to attempt resolving the complaint directly with the parties concerned through discussion and mutual agreement.

- If needed, students may seek support with an informal complaint by discussing it with their trainer or relevant staff members.
- Student who do not wish to discuss the complaint with the trainer (or if the complaint is about the trainer), may contact the RTO via the provided telephone number or email address to seek support from the RTO Training Coordinator or COO - Training who may refer the matter to other staff members with the student's consent.
- Students have the option to be accompanied by a chosen third party to support them during the informal discussion.
- All informal complaints, regardless of resolution, will be reported to management for review and consideration for continuous improvement actions.
- The complaint will be recorded in RTO QHSE system.
- If an informal complaint is not resolved through mutual agreement, the formal complaints process will be initiated.

FORMAL PROCESS

- Student dissatisfied with the informal resolution or wish to submit a formal complaint may do so utilising the Student Complaint Form and submit it to the COO - Training
- The COO - Training will respond in writing or via email to all formal student complaints within five business days of receiving the Student Complaint Form.
- If the complaint requires more than 60 calendar days to resolve, the complainant will be informed in writing, including reasons for the extended timeframe, and receive regular updates on the matter's progress.
- The RTO Management will respond to formal complaints in writing, proposing a resolution.
- The RTO Management will inform the complainant about their right to appeal the proposed solution and request for an independent adjudicator.
- Regardless of the complaint's resolution, all formal complaints will be reported to the CEO for review and consideration of potential continuous improvement actions.

APPEALS PROCESS FOLLOWING A FORMAL COMPLAINT

- When a student remains dissatisfied with the proposed solution for a formal complaint, the COO - Training will provide an additional opportunity for resolution and apply the External Appeal process.

EXTERNAL APPEALS

- The RTO CEO / COO will inform the student that an Independent Third Party will be sought to consider the nature of the complaint / appeal and seek a possible resolution at no cost to the student.
- The selection of the Independent Third Party will be communicated to the student and the selection must be mutually agreed upon.
- The RTO CEO / COO will provide all documentation related to the formal complaint and student contact details to the independent Third Party.
- The independent Third Party's adjudication response must be provided within seven business days from the receiving all formal complaint / appeal documentation.
- When an Appeal process requires more than 60 calendar days to resolve, the appellant will be informed in writing, with reasons for the extended timeframe, and received regular updates on the matter's progress.
- The independent Third Party will make contact with the RTO Management and student to arrange a suitable time for further discussion pertaining to the formal complaint / appeal.

- All proposed solutions from the independent Third Party will be final and reported to the RTO management and the student in writing, with a requirement for immediate implementation by both parties.

ASSESSMENT RESULT APPEALS

All appeals from students relating to assessment results must be received in a period no longer than three months following the competency decision.

ASSESSMENT APPEALS PROCEDURE

Staff delivering training and assessment services on behalf of the RTO, will be required to:

- Provide timely guidance to all course participants regarding the assessment appeals procedure.
- Clarify any aspects of the assessment results that a student does not understand.
- Provide each student that requests an assessment appeal with the required Student Appeal form or direct them to the website.
- Communicate directly via email as soon as possible with management on any advice (written or verbal) provided by a student that they are seeking to appeal an assessment decision.

RTO Management will be required to:

- Schedule a meeting with the student when a completed assessment appeal form is received from a student.
- Communicate any outcome decision by management to uphold or overturn an assessment appeal to the student in writing clearly identifying the reason for the outcome.
- All assessment appeals will be processed by management within 10 business days of receipt of an appeal. All assessment appeals must be maintained on the student's file.
- Student records will be adjusted to comply with management appeal outcome decisions.

OTHER APPEALS

Students may also appeal any other decision taken by the RTO (e.g., Fee payment issue, exclusion from a course) by using the Student Appeal form.

In this case, RTO Management will be required to:

- Schedule a meeting with the student when a completed appeal form is received.
- Communicate any outcome decision by management to uphold or overturn an assessment appeal to the student in writing clearly identifying the reason for the outcome.
- All appeals will be processed by management within 10 business days of receipt of an appeal. All appeals records must be maintained on the student's file.
- Student records will be adjusted to comply with management appeal outcome decisions.
- Students may avail themselves of the external process should they be dissatisfied with the outcome of the internal appeal process.

NON-RETAILATION AND CONFIDENTIALITY ASSURANCE

The RTO ensures that lodging a complaint or appeal will not result in any adverse consequences or retaliation. Students have the right to voice their concerns without fear of reprisal. All complaints and appeals will be treated with strict confidentiality. The RTO is committed to impartially addressing each complaint and appeal and ensuring that the process is conducted with the utmost discretion and fairness.

COMPLAINTS AND APPEALS RECORDS

RTO Management shall maintain records of all complaints and appeals and their outcomes and reference complaints and appeals in the RTO Management meeting minutes, identifying potential causes of complaints and appeals and taking appropriate corrective actions to eliminate or mitigate the likelihood of reoccurrence.

Records of all informal and formal complaints and appeals will be recorded in the company's QHSE system.

ENDORSEMENT / REVISION NOTES

Approved by Directors.

Approved Date: 15/11/2019

Reviewed On: 01/02/2024