



1.0 Purpose

The purpose of this policy is to ensure that learners and RTO staff are aware of the learner rights in regards to complaints and appeals and the purpose of the procedure in this document is to outline how a learner can make a complaint or appeal and how this will be managed.

2.0 Scope

This policy and procedure is for Sonic HealthPlus, Registered Training Organisation (RTO Code 51535), and includes:

- All VET learners
- All VET trainer and assessors
- All Sonic HealthPlus stakeholders
- All training products in Sonic HealthPlus' RTO scope of registration as per the national register, Training.gov.au.

This policy and procedure excludes learners and staff in non-accrediting courses delivered by Sonic HealthPlus.

3.0 Responsibilities

Learner's roles and responsibilities include:

- Being aware of this policy and following the outlined procedure
- To seek assistance if they need to clarify understanding of this policy and procedure.

Trainer and assessor roles of responsibilities include:

- Being aware of this policy and following the outlined procedure.

The RTO Coordinator roles and responsibilities include:

- Ensuring this policy and procedure are made publically available to learners, staff, and Sonic HealthPlus stakeholders
- Facilitating the implementation of this policy and procedure
- Ensuring records are maintained and retained for all complaints and appeals lodged.

4.0 Definitions

| | |
|------------------------|--|
| Appeal | Is where a learner, RTO staff, or Sonic HealthPlus disputes a decision arising from a complaint, an assessment judgement, or another decision by the RTO. |
| Assessor | Is a person who assesses a learners competence in accordance with Standards for Registered Training Organisations (RTO's) 2015; Clauses 1.13 to 1.16. |
| Complaint | Is any expression of dissatisfaction with an action or service of the RTO. |
| Learner | Student/Learner/Participant is an individual who is formally enrolled to study at Sonic HealthPlus. The individual person is the person who appears on the RTOs documents such as enrolment and admission document, and who is assigned an individual student number. |
| Natural Justice | Is concerned with ensuring procedural fairness. It involves: <ul style="list-style-type: none"> • Decisions and processes free from bias • All parties having the right to be heard • All parties having a right to know how and of what, they are involved/accused • Investigating a matter appropriately before a decision is made • All parties being told the decision and the reasons for the decision |
| RTO | Registered Training Organisation. |
| Trainer | Is a persons who provides training in accordance with Standards for Registered Training Organisations (RTO's) 2015; Clause 1.13, 1.14 and 1.16. |

5.0 Legislative Context

This policy and procedure reflects the following legislations, regulations, standards, and/or guidelines:

- Standards for Registered Training Organisations (RTO's) 2015; Standard 6, *Complaints and appeals are recorded, acknowledged and dealt with fairly, efficiently and effectively.*
- National Vocational Education and Training Regulator Act 2011.

6.0 Policy Statement

Sonic HealthPlus RTO will provide mechanisms and services for its learners, staff, and Sonic HealthPlus stakeholders to have complaints or appeals lodged, recorded, and addressed. The mechanisms and services provided will see complaints and appeals lodged dealt with fairly, honestly, efficiently and effectively by the RTO.

7.0 Standard

A complaint or appeal can arise from academic and non-academic matters. Academic matters relate to course progression and completion, training and learning resources, assessment activities, educational support, quality of training, competency and achievement in a course. Non-academic matters do not relate to course matters but can include such matters discrimination, harassment, and breach of personal information, unfair treatment or abuse, and concerns about the facilities, training environment or equipment.

Learners will be made aware of complaints and appeal practices prior to course enrolment, during course enrolment, and throughout their studies. The complaints and appeal practices implemented by the RTO are designed to ensure that if a learner has concerns about their training or assessment it will be addressed promptly and equitably by the RTO.

RTO staff will be made aware of complaints and appeal practices on employment. The complaints and appeal practices implemented by the RTO will ensure the RTO manages complaints and appeals and will benefit from increased satisfaction of learners.

Sonic HealthPlus stakeholders who are affected by the actions of the RTO can be assured that with the practices implemented they can have their concerns addressed promptly.

Sonic HealthPlus RTO believes that a person (a learner, RTO staff, or stakeholder) who has a complaint or appeal has the right to raise the complaint or appeal and expect that every effort will be made to resolve it in accordance with this policy and natural justice, and without prejudice or fear of reprisal or victimisation.

The RTO also seeks to prevent complaints by ensuring high levels of satisfaction with its training delivery and assessment, its performance as an RTO, with its public image by identifying possible causes of complaints and appeals and take corrective actions to eliminate or mitigate the likelihood of occurrence of these possible causes.

Costs associated with complaints or appeals will be borne by the RTO until the stage where an independent third party review is required. The person lodging the appeal and requesting an independent third party review will bear the costs of the third party review process.

Note: ASQA (Australian Skills Quality Authority) will not be approached by the RTO for independent third party reviews as ASQA uses received complaints to observe an RTO's pattern of behaviour.



8.0 Procedure

Should a person (learner, staff member or stakeholder) have a complaint or appeal the following steps are to be followed to formalise the procedure. The persons privacy rights will be assured whilst also ensuring victimisation and discrimination will not occur at any time during the flowing steps. Finally each following step will be implemented with the principle of natural justice and procedural fairness.

Steps

The person:

1. Is to discuss the complaint with the relevant trainer and assessor in a timely manner. The trainer and assessor is to, if possible resolve the issue informally.
2. If the person is dissatisfied with the discussions and/or outcomes with the trainer and assessor the person may escalate the complaint as an appeal.

To escalate the complaint to an appeal the person:

3. Is to complete the RTO's Appeal Form ensuring that they provide sufficient details about themselves and the circumstances surrounding the matter for appeal. If the matter is regarding assessment outcomes the person will need to explain why they feel the outcome is not appropriate, and attach a copy of the assessment task/s to the email.
4. Submit the *Appeal Form* via email to the RTO Coordinator where the complaint will be viewed as a 'formal appeal.'

The RTO Coordinator will:

5. Acknowledge, in writing, within 48 hours to the person lodging the appeal that they have received the Appeal Form.
6. Review the information given in the Appeal Form within 5 days of acknowledging the appeal.
7. Investigate the matter with relevant personnel for up to 10 days.
8. Inform the person, in writing, of the outcomes of the review within 10 days, and;
9. If the appeal is regarding assessment outcomes the RTO Coordinator will organise for the assessment activity to be reviewed by another trainer and assessor within 10 days. The trainer and assessor during the review will be asked for their professional opinion of the original assessment outcome. If the trainer and assessor agrees with the original outcomes the learner will be informed and the outcomes shall remain as when first resulted. If the trainer and assessor disagrees with the original outcome the outcome will be amended and the learner informed.
10. If the person is dissatisfied with the discussions and/or outcomes with the RTO Coordinator the person may request to escalate the appeal to an independent third party. This request must be made within 5 working days from the date the person received the formal decision from the RTO Coordinator. Sonic HealthPlus will organise an independent third party if required.

If the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal. The RTO will:

1. Inform the person making the complaint or appeal in writing including the reasons why more than 60 calendar days are required, and
2. Will regularly update the person on the progress of the matter.

The RTO will record and store records of all complaints and appeals and their outcomes in:

1. The individual learner files in the Student Management System (SMS) for complaints and appeals lodged by learners.
2. In files within the RTO Coordinator or Organisational Development Manager drives for complaints and appeals lodged by RTO staff, and
3. In files within the RTO Coordinator or Organisational Development Manager drives for complaints and appeals lodged by Sonic HealthPlus stakeholders.

ASQA provides an online portal, asqaconnect that a person can report their complaint. ASQA however will not investigate and substantiate the complaint. ASQA does not have any consumer protection powers and therefore does not act as an advocate for individual learners nor is it responsible for resolving complaints and appeals between person and the RTO. ASQA will use the observe behaviour information to inform their decisions on when and how their scrutinises the RTO if required.

9.0 Related Documents

[Appeals Form](#)