

Complaints and Appeals Policy and Procedures



Policy

National Health and Fitness Academy are committed to responding to the need of Participants and providing the service expected by Participants. In the event that Participants are not happy with any aspect of the service received we would like the opportunity to address the issue. We encourage Participants to contact us with any concern or cause for dissatisfaction (complaints) or if they disagree with an assessment result they have been issued (an appeal).

The complaints and appeals process must be made publicly available [via the RTO's website](#).

Procedure

Complaints

Complaints are the expression of the dissatisfaction with the quality or any aspect of the business operations and service, including nuisances, discrimination or similar against another person, inclusive of Participants, Staff and Contractors.

The following are examples of issues for which Participants may lodge a complaint:

- enrolment
- training delivery
- training and/or assessment, including Recognition of Prior Learning (RPL)
- any other activities associated with the delivery of training and assessment services
- issues such as discrimination, sexual harassment, participant amenities, etc.

First instance: Participants are encouraged to speak immediately with their Trainer. If the Participant is not comfortable addressing the issue with the Trainer they are encouraged to contact the [Course Coordinator](#).

Second instance: If the issue is not resolved the Participant is encouraged to either speak to or contact in writing the [Director](#).

Third instance: If the matter is still not resolved an independent third party will be requested to assist with resolution. Third parties may include relevant training representative(s), legal representative(s) e.g. Anti-discrimination board or other relevant personnel.

Outcomes of complaints will be provided to the Participant in writing within fifteen (15) working days of the decision.

In the event that a complaint has been lodged an Incident/Complaint Form must be completed and forwarded to the [Director](#) immediately, even if the situation has been resolved to the satisfaction of all parties.

Fourth instance: If the Participant is not satisfied with the outcome of this procedure they should be advised of their right to contact the Australian Skills Quality Authority (ASQA) by completing the complaints form at: <http://www.asqa.gov.au/complaints/making-a-complaint.html>

All complaints, irrespective of the outcome must be recorded in the Complaints Register detailing:

- Date of complaint

- Complaint details
- Complaint outcome
- Outcome date

If at any point throughout the complaint it is anticipated that the process will take longer than 60 days the person submitting the complaint will be advised of the delay and the reason for the delay.

The Complaints Register is to be managed and maintained by the **Director**. Complaints must be updated within the register as soon as is possible, no later than two (2) working days after the complaint is received. The outcome of the complaint must be recorded in the Complaint Register soon as possible, no later than two (2) working days after the outcome determined.

The Complaints Register is to be saved electronically in the RTOs management file in the “Complaints” in “Complaint and Appeals.”

A review of the complaint is to be undertaken and actions implemented to reduce the likelihood of the same complaint being reported in the future.

Appeals

Appeals are the expression of the dissatisfaction of an assessment result. This would occur when a Participant has been deemed not yet competent and does not agree with this decision, including assessment undertaken on behalf of the RTO by third party providing service on the RTOs behalf.

There are various grounds for lodging an assessment appeal. These include, but are not limited to:

- not being fully informed of the assessment process
- Participant’s needs not taken into consideration
- the assessment process is different to that outlined by the Trainer/Assessor
- assessment process not based on Training Package/Unit of Competence requirements
- an inappropriate method used to assess the Training Package/Unit of Competence
- alleged bias of the Trainer/Assessor
- alleged incompetence of the Trainer/Assessor
- faulty or inappropriate equipment or facilities

Step 1

The Participant appealing an assessment outcome and/or the assessment process discusses their issue with the Trainer/Assessor involved.

(This step must commence within ten (10) working days of the assessment outcome being advised).

Step 2

If still not satisfied, the Participant must complete the Assessment Appeals Form - Part A and forward to the **Director**.

(This should occur within five (5) working days of Step 1)

Step 3

The assessment is to be reviewed by a different Assessor and the results of the review summarised on the Assessment Appeals Form. The Participant is to be advised of the appeals outcome within ten (10) working days.

(This should occur within ten 10 working days of Step 2)

Step 4

If still not satisfied with the outcome of the appeal the Participant's appeal is to be reviewed by the **Course Coordinator**. The **Course Coordinator** will send an acknowledgement letter to the Participant, record the receipt of the Assessment Appeals Form, then review. The **Course Coordinator** if necessary will convene a review panel to thoroughly examine the appeal.

(The Participant is to be advised of the outcome within ten (10) working days).

Step 5

If the Participant is not satisfied with the outcome of this procedure they should be advised of their right to contact the Australian Skills Quality Authority (ASQA) by completing the complaints form at; <http://www.asqa.gov.au/complaints/making-a-complaint.html>

If at any point throughout the appeal it is anticipated that the process will take longer than 60 days the person appellant will be advised of the delay and the reason for the delay.

Procedure

1. All Employees/Contractors and prospective Participants are provided with a copy of the Complaints and Appeals Procedure in the Staff and Participant's Handbook.
2. All appeals against assessment results must be lodged within five (5) working days of receipt of the result.
3. All complaints and appeals are to be handled professionally and confidentially in order to achieve a satisfactory resolution.
4. All parties are to have a clear understanding of the steps involved in the procedures.
5. Each Participant will be provided with the opportunity to present his or her case at each stage of the process.
6. All complaints and appeals will be managed fairly and equitably and as efficiently as possible.
7. All discussions relating to formal complaints and appeals are to be recorded in writing and the Appellant/Complainant provided with a written statement of the outcomes, including reasons for the decision.
8. **National Health and Fitness Academy** will provide Trainers and/or Participants with details of external authorities that they may approach with respect to their complaint if required.
9. **National Health and Fitness Academy** will endeavour to resolve any complaint referred to it by ASQA within ten (10) working days of its receipt of the complaint.
10. This policy provides an avenue for most complaints and appeals to be addressed. However, in some cases, alternative measures may need to be explored.
11. **National Health and Fitness Academy** will encourage all parties to approach a complaint or appeal with an open view and attempt to resolve issues through discussion and conciliation. Where resolution cannot be achieved

through discussion and conciliation **National Health and Fitness Academy** will acknowledge the need for an appropriate external and independent agent to mediate between the parties.

12. Once finalised a review of the appeal is to be undertaken and actions implemented to reduce the likelihood of the same issue occurring in the future.
13. Records relating to the complaint or appeal including the associated registers are to be securely retained.

Supporting Documents:

- Appeals Form
- Appeal Register
- Complaints Form
- Complaints Register