

Complaints and Appeals Policy

PURPOSE

This policy outlines Trainwest’s steps for handling complaints and appeals received from students, clients, employees, third parties and stakeholders.

This policy ensures complaints and appeals are resolved in accordance with the [Standards for Registered Training Organisations \(RTOs\) 2015, Clauses 6.1 to 6.5](#).

SCOPE

This policy applies to all Trainwest students, clients, employees, third parties and stakeholders, including students receiving training and assessment services provided through third-party arrangements.

RESPONSIBILITIES

Complainant / Appellant	<ul style="list-style-type: none"> • Attempt to resolve the issue with the person involved first. • If not satisfactorily resolved, lodge a written complaint/appeal with Trainwest within 28 days of the incident. • Clearly explain the issue, including any evidence to support the complaint/appeal. • Actively participate in the resolution process with Trainwest and other independent parties if required.
Directors	<ul style="list-style-type: none"> • Respond to written complaints/appeals within one (1) working day. • Review and discuss the issue with the complainant, all parties directly involved and other independent parties if required. • Provide written notification of the outcome within seven (7) days of the decision being made. • If the issue cannot be resolved within 60 calendar days, inform the complainant/appellant in writing the reasons why, providing regular updates on the progress until resolved. • Securely maintain complaints/appeals records and outcomes. • Use the complaint/appeal to identify potential corrective actions. • Take appropriate action to eliminate or mitigate the likelihood of recurrence.
Employees and Third-Party Partners	<ul style="list-style-type: none"> • Provide timely guidance to all students regarding the complaints and assessment appeals process.

- Clarify any aspects of the assessment results that a student does not understand.
- Provide guidance to students who request the opportunity to complain/appeal.

Policy Statement

Trainwest students, clients, employees, third parties and stakeholders have the right to:

- Lodge a complaint if they are dissatisfied with the training and/or assessment services they have received
- Appeal an assessment decision if they feel they have been treated unfairly or discriminated against.

Trainwest is committed to supporting and protecting these rights, and RTO responsibilities, in accordance with the [Standards for Registered Training Organisations \(RTOs\) 2015, Clause 6.1 to 6.5](#).

Our complaints and appeals process is outlined in our Student Handbooks and [Complaints and Appeals Policy](#), available to the public on our [website](#).

Complaints Process

A complaint is an expression of dissatisfaction with an action, product or service provided by Trainwest.

Trainwest will manage and respond to complaints involving the conduct of:

- Trainwest employees, including our trainers and assessors
- Third parties providing services on Trainwest's behalf
- Trainwest students, including students receiving services through a third-party partner.

Prior to submitting a complaint, if a student is concerned with the training, assessment, support services or administration process, they will be encouraged to first consult with the person directly involved in order to gain clarification of the matter.

If they are not satisfied with the response or resolution offered, the following procedure will apply:

1. Submit your appeal to Trainwest, in writing to our head office and/or to feedback@trainwest.com.au, within twenty-eight (28) days of the incident/allegation occurring:
 - A [Complaints and Appeals Form](#) is available and can be requested from admin@trainwest.com.au
 - Ensure your documentation clearly states what the complaint is about and, where possible, include any evidence to support the complaint.
2. Trainwest will acknowledge the complaint and explain the process in writing within one (1) working day.
3. Trainwest will review the complaint with you, the person/s involved and any other relevant parties.
4. If the matter cannot be resolved internally, Trainwest will arrange for mediation in which you may be accompanied by a third-party of your choice for support.
5. Trainwest will provide you with the result of the complaint within seven (7) working days of the decision being made:
 - If the complaint requires more than 60 calendar days to process and finalise, Trainwest will inform you in writing, including reasons why more time is required
 - You will receive regular updates on the progress of the matter until it is resolved
 - All parties will receive written notification of the result, including details of the outcome and the reason for the decision made.

Appeals Process

An appeal is usually centred on an assessment decision and judgement as to whether competency has been achieved and demonstrated.

Prior to submitting an appeal, if a student is concerned about, or disagrees with, an assessment decision, they will be encouraged to first consult with the Trainer/Assessor directly involved in order to gain clarification of the matter.

If they are not satisfied with the response or resolution offered, the following procedure will apply:

1. Submit your appeal to Trainwest, to our head office and/or to feedback@trainwest.com.au, within twenty-eight (28) days of the incident/allegation occurring:
 - A [Complaints and Appeals Form](#) is available and can be requested from admin@trainwest.com.au
 - Ensure your documentation clearly states what grounds the appeal is based on and include any evidence available to support your claim
 - If the appeal is against an assessment decision, you must state the relevant assessment criteria or unit of competency the appeal relates to.
2. Trainwest will acknowledge the appeal and explain the process in writing within one (1) working day.
3. Trainwest will review the appeal with you, the Trainer/Assessor involved and any other relevant parties.
4. If the matter cannot be resolved internally, Trainwest will arrange for mediation in which you may be accompanied by a third-party of your choice for support.
5. Trainwest will provide you with the result of the appeal within seven (7) working days of the decision being made:
 - If the appeal requires more than 60 calendar days to process and finalise, Trainwest will inform you in writing, including reasons why more time is required
 - You will receive regular updates on the progress of the matter until it is resolved
 - All parties will receive written notification of the result, including details of the outcome and the reason for the decision made.

Independent Mediation

If resolution requires an independent and/or external mediation, the Complainant / Appellant will be referred to a suitable body or person to, which may include:

- Private conciliators or dispute resolution counsellors
- Complaints and appeals body established by a peak industry body
- Representatives of Commonwealth and state or territory government departments including the Office of the Training Advocate
- Commonwealth and state or territory offices of the Ombudsman may be the appropriate body for a public provider.

Commonwealth Ombudsman

The Commonwealth Ombudsman is a free and independent service available to support complaints and appeals.

Website: www.ombudsman.gov.au

Telephone: 1300 362 072

Records Management

All complaints and appeals will be recorded in our [Complaints and Appeals Register](#) and PowerPro, our Student Management System, under the student and/or third-party contact log, depending on the situation.

Records and outcomes of complaints and appeals are securely stored in the [Trainwest Intranet – Complaints and Appeals](#) to ensure they are kept private and confidential.

Quality Management

In our commitment to uphold the highest standards of quality across all our operations, our [Quality Management System \(QMS\)](#) integrates measures for quality control, quality assurance and continuous improvement.

This policy undergoes a systematic review during our annual internal audit, as per our [Internal Audit Procedure](#), reinforcing its role in achieving quality objectives and compliance standards. Ongoing review activities are documented as per our [Quality Assurance Procedure](#).

Identified issues and improvements in this process, along with related practices and systems, are recorded in the [CI Register](#), as per our [Continuous Improvement Procedure](#). Employees are encouraged to contribute to continual improvement by submitting a [CI Request](#) if they identify any issues or improvement opportunities.

DEFINITIONS

Access and Equity	Policies and approaches aimed at ensuring that VET is responsive to the individual needs of clients whose age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location may present a barrier to access, participation and the achievement of suitable outcomes.
Appeal	A formal process enacted when a student does not agree with a judgment made by an Assessor in the context of VET.
Appellant	A person who lodges an appeal against an assessment decision.
Australian Skills Quality Authority (ASQA)	The national regulator for Australia's vocational education and training sector.
Assessment	Process of collecting evidence and making judgements on whether competency has been achieved, to confirm that an individual can perform to the standard required in the workplace, as specified in a training package or VET accredited course.
Assessor	A person who has the training and assessment credential(s) in compliance with Australian Skills Quality Authority (ASQA) requirements, from time-to-time.
Competency	The consistent application of knowledge and skill to the standard of performance required in the workplace. It embodies the ability to transfer and apply skills and knowledge to new situations and environments.
Complaint	An expression of dissatisfaction about an act, omission, decision, or a service provided by us.
Complainant	A person who lodges a complaint.
Learner	A person being trained and/or assessed by the RTO for the purpose of issuing AQF certification documentation. Refer to Student.
Registered Training Organisation (RTO)	An organisation, registered with ASQA in accordance with the requirements of the VET Quality Framework, to provide specific vocational education and training and/or assessment services.
Standards for Registered Training Organisations (RTOs) 2015	Also referred to as the Standards, they form part of the VET Quality Framework, a system which ensures the integrity of nationally recognised qualifications. The Standards are enabled by the <i>National Vocational Education and Training Regulator Act 2011 (NVR Act)</i> . RTOs are required to comply with these Standards in order to be an RTO in Australia.
Student	Person receiving training and/or assessment services provided by Trainwest, or by a third-party on our behalf. This includes learners, participants, candidates and trainees. Trainwest uses the term Candidate to describe a Student.
Third-Party	Any party that provides services on behalf of the RTO but does not include a contract of employment between an RTO and its employee.

Refer to our [Glossary](#) for a list of all Trainwest terms and definitions.

RELATED DOCUMENTS

Internal

Policies	Access and Equity Policy Assessment Policy Privacy Policy Quality Policy Support Services Policy
Procedures	Assessment Procedure Assessment System Procedure Complaints and Appeals Procedure
Guides	Code of Conduct Student Handbook Student Handbook – Third Party
Forms	CI Request Complaints and Appeals Form
Systems	CI Register Complaints and Appeals Register PowerPro (Student Management System) Trainwest Intranet Trainwest Intranet – Complaints and Appeals Trainwest Website

External

Legislation	Standards for Registered Training Organisations (RTOs) 2015, Clauses 6.1 to 6.5 Privacy Act 1988
Independent Mediation	Commonwealth Ombudsman