

RTO Policy | Complaints and Appeals

Policy

Rural Medical Education Australia (RMEA) is committed to fostering a culture that welcomes complaints as a valuable opportunity to improve their organisational or academic processes. RMEA ensures that complaints are resolved promptly, objectively, fairly, and confidentially; and ensures that both corrective and preventive actions are implemented to prevent recurrence of issues.

This Complaint and Appeal policy and procedure outline the management process undertaken by Rural Medical Education Australia (RMEA) for receiving and responding to complaints or appeals.

Scope

This policy applies to all RMEA Students irrespective of training location, course or unit being delivered.

Definitions

Appeal – A request by a Student to reconsider a result or decision regarding assessment

Appellant – A person submitting an appeal

Complaint – An expression of dissatisfaction that arises when a person believes they have been wronged because of an action, decision or omission within the control or responsibility of RMEA. This may include complaints against RMEA, RMEA trainers and staff, third party arrangements, other parties related to RMEA's training activities, and other students

Complainant – A person making a complaint.

1. RMEA's responsibility

- 1.1. RMEA provides a system for the receiving and managing complaints or appeals which are publicly accessible, easy to understand and embraces the principles of fairness and transparency throughout all stages of the process.
- 1.2. Where reasonably practicable, a complaint or appeal will be resolved in the earliest possible time frame. All complaints and appeals will be recorded within 24 hours of receipt on the RMEA Actions Register.
- 1.3. All complaints and appeals will be acknowledged in writing within 14 business days of receipt and outline the actions or investigations to be taken.
- 1.4. All complaints and appeals will be dealt with in a sensitive and fair manner. The decision regarding the outcome of any complaint or appeal will be communicated in writing within 14 business days of the decision. All complaints and appeals will, where practicable, be finalised within 60 days from the date of receipt.
- 1.5. Where a resolution is unable to be achieved, a third party will be engaged to conciliate. Any cost of the engagement of the third party will be made available to the complainant at this stage.

2. Informal complaints and appeals

- 2.1. It is expected that prior to initiating a formal complaint and appeal process, the parties involved will attempt to resolve concerns directly wherever possible. It is expected that many concerns will be resolved in the first instance.
- 2.2. It is expected that all parties will participate in good faith in resolving concerns. This means that all parties will work together to resolve the matter and avoid any actions that are antagonistic to achieving a resolution.
- 2.3. Students are encouraged to raise concerns directly with the trainer, particularly where the concerns are adversely affecting the learning environment.

3. Formal Complaints and Appeals Procedure

- 3.1. Stage 1 | Formal Complaint or Appeal
 - 3.1.1. Where the parties involved are unable to successfully resolve the concern informally, a formal complaint or appeal may be lodged with RMEA in writing using the RMEA Complaints and Appeals Form (with assistance where required). A copy of the form can be found on the

RMEA website. The RMEA Complaints and Appeals form records the following information:

- Complainant's full name, address, phone number, email address;
- Details of the concern raised by the complainant;
- Reasons outlining the escalation to a formal process;
- The complainants desired outcome;
- If the complaint relates to another party, that party's full name and role;
- The particulars of the decision or finding in dispute (for a review of decision); and
- Any evidence substantiating the complaint or appeal.

3.1.2. RMEA acknowledges receipt of all complaints and appeals in writing within 10 business days. The acknowledgement outlines the anticipated review period.

3.1.3. The complaint will be recorded.

3.1.4. Where RMEA considers more than 60 days are required to process and finalise the complaint or appeal, the complainant or appellant will be informed in writing, outlining reasons why more than 60 business days are required, and regularly update the complainant or appellant on the progress of the matter

3.2. Stage 2 - Determination of Outcome

3.2.1 Where RMEA determines that they have the decision-making capacity they will make a determination and inform the complainant of the outcome in writing within 60 days.

3.2.2 Decisions or outcomes of the complaint or appeal process that resolve the complaint or appeal and favour the complainant/appellant will be implemented immediately.

3.2.3 Outcomes and actions implemented from all complaints or appeals will be documented and the outcome and continuous improvement actions will be noted in the 3.1.4 RMEA Complaints and Appeals Register.

3.2.4 If a complaint cannot be investigated by RMEA (for whatever reason), then the RTO Lead will inform the complainant and refer them to the most appropriate body.

3.3. Stage 3 – Internal Review of Determination

3.2.1 If the complainant is not satisfied with the outcome of Stage Two (2), they may lodge an appeal with RMEA Chief Executive Officer (CEO).

- 3.2.2 To enable timely resolution, the appeal should be submitted by the complainant within fourteen (14) days of notification of the formal complaint decision.
 - 3.2.3 An appeal committee consisting of the CEO (or delegated Senior Officer) and one other person with relevant RTO Training or Industry relevant expertise (as required by the nature of the complaint) will:
 - a. Consider the nature of the appeal, the decision in question and all other relevant material or information including information supplied by relevant RTO staff; and
 - b. Meet with the complainant and respondent and the RTO Lead who investigated the issue(s) initially, if necessary.
 - 3.2.4 Immediately on reaching its decision, or within 28 days of receipt of the appeal, the committee will communicate their decision to the complainant in writing. The written notification of the final decision must state that if the complainant is not satisfied with the final decision, they will have the right to access an external independent appeals process.
- 3.4. Stage 4 – External/Independent Review
- 3.4.1 Where the complainant or appellant is dissatisfied with the outcome of the internal review they can appeal and request a review of the decision from an independent external third party. Appeals or requests for independent third-party review decisions are to be lodged in writing within 14 days of the decision or outcome.
 - 3.4.2 Requests for appeal or review of decisions are referred to an independent third party or external mediator determined by the Chief Executive Officer.
 - 3.4.3 RMEA acknowledges receipt of the request for an independent third-party review in writing. The acknowledgement outlines the anticipated review period. The review process and the review officer is recorded in the RMEA Complaints and Appeals Register.
 - 3.4.4 RMEA discloses any costs associated with a third-party review, so all parties are aware of any costs they may incur. Australian Skills Quality Authority (ASQA) is not able to act as the independent third-party for reviewing complaints.
 - 3.4.5 The independent review officer will make a determination, and RMEA will advise the complainant/appellant of the decision or outcome in writing. Decisions or outcomes of the appeal or review process that find in favour of the complainant/appellant are implemented immediately
 - 3.4.6 Outcomes and actions to be implemented will be documented in the RMEA Complaints and Appeals Register

4. Withdrawal of a complaint

- 4.1 A complainant may withdraw their complaint at any stage of the informal or formal process.
- 4.2 If the formal process is underway, any withdrawal request must be in writing.
- 4.3 Notwithstanding the withdrawal of a complaint, RMEA reserves the right to continue any investigation into the complaint it has initiated or refer the matter to another agency for investigation.

5. Implementation

- 5.1 This Policy will be implemented using the following strategies:
 - a. This Policy will be introduced and discussed with students in the orientation session of each course; and
 - b. Inclusion on the RMEA online policy library.

Approval

Policy Name	RTO Policy Complaints And Appeals
Approved By	Megan O'Shannessy (CEO)
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Modification history

Review date	Details	Author/Reference	Version

Information

RTO must have a policy for complaints against RTO, 3rd parties, staff and other students.

Policies must be publicly available.

Ensure that

1. Process is clear
2. Explain what will happen as a result
3. People are not disadvantaged (too much writing)

Must include natural justice and procedural fairness by allowing anyone subject to a decision by your RTO, or anyone who has allegations made against them, to tell their side of the story before a decision is made

Nil conflicts of interest – decision-maker is independent of the complaint/appeal

If person making complaint is dissatisfied with decision; then arrangements must be made for a 3rd party review.

Complainants should receive acknowledgement that their complaint has been received and a timeframe given for finalisation of a decision. If a decision is likely to extend beyond 60 days, the complainant should receive advice explaining the reason for the delay.

All complaints and appeals received should be recorded including outcomes. Add to quality and risk register for improvement and mitigation.

Your complaints policy should specify that anyone lodging a complaint must follow your RTO's complaints process before making a complaint about the RTO to ASQA.

While complaints can be submitted online, the policy sets out that people are able to speak with a staff member about their concerns and the staff member will complete the form on their behalf if required.

In the case of appeals against assessment decisions, the training manager initially reviews the decision and the evidence used to make the decision. The assessor and the student are interviewed separately to find out whether there is any relevant information not contained in the student's file.

Regardless of the outcome, all parties are to be notified of the outcome within 30 days.

Once complaints and appeals are finalised, they are presented to the management team at their monthly meeting, where they are reviewed to see if there is a need to change any procedures or practices.