

COMPLAINTS AND APPEALS POLICY



Date of Implementation: 12 March 2025

Authorisation: Chief Executive Officer

POLICY

During course activities, students may have some concerns with the processes they are being exposed to, or they may be unhappy with a particular aspect of the program. Lead Institute undertakes and provides a mechanism allowing for the fair and equitable resolution of all issues.

Lead Institute complaints process is available to manage and respond to allegations involving the conduct of:

- Lead Institute, its trainers, assessors or other personnel; or
- A Lead Institute contracted third party providing services of Lead Institute, including the third party representatives trainers, assessors or other personnel; or
- A student at Lead Institute.

Allowing students to easily engage with the personnel of Lead Institute about any concerns they have can stop minor issues becoming larger. There is no fee or charge levied for any complaint processed. Lead Institute will maintain a student complainant's enrolment during any appeal process.

1.0 COMPLAINTS

Lead Institute's complaints process is publicly available on Lead Institute's website, and is provided to all prospective clients via the relevant student handbook prior to enrolment.

Lead Institute's complaints process follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by Lead Institute, or anyone who has allegations made against them, to tell their side of the story before a decision is made.

1.1 COMPLAINT PROCEDURE

The following problem resolution framework has therefore been implemented for all stakeholders raising a complaint or issue, with a desire to resolve matters as positive adults. This procedure applies to all complaints about:

- Academic matters from students;
- Non-academic matters from students; and
- Non-academic matters from persons seeking to enrol with the Lead Institute in a VET course or unit of study.

1. In the first instance a student should discuss the matter with the personnel member or responsible person. Where this is not considered appropriate then the complainant is encouraged to discuss the matter with Lead Institute Management. If the complainant is satisfied with the outcome of the discussion, it would mean that the matter is resolved.

2. Any client may submit a formal complaint to Lead Institute in writing. Complaints are to include the following information:

- Submission date of complaint;
- Name of complainant;
- Nature of complaint;
- Date of the event which lead to the complaint; and
- Any other relevant information or attachments (if applicable).

3. The Lead Institute **Complaint and Appeal Officer** will acknowledge receipt of the complaint in writing within five working days and arrange a suitable time if needed to discuss the complaint.

Lead Institute Complaint and Appeal Officer

Karen Powell

compliance@leadinstitute.edu.au

1300 170 895

4. **The Complaint and Appeal Officer** will investigate the complaint or refer the matter to appropriate Lead Institute personnel to investigate. In either case, the investigation will be resolved and decisions made on the complaint within twenty (20) working days of the complaint being received in writing. In all cases, each party may be accompanied and assisted by a third party at any relevant meeting.

5. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcome. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.

6. If the complainant is not satisfied with the outcome, they may escalate the complaint in writing to Lead Institute's Chief Executive Officer.

7. Escalated complaints are to include the following information:

- Submission date of complaint;
- Name of complainant;
- Nature of complaint;
- Reason why the complainant is not satisfied with the outcome of the original complain in writing to Lead Institute's Chief Executive Officer.
- Any other relevant information or attachments (if applicable).

8. Lead Institute's Chief Executive Officer will acknowledge receipt of the escalated complaint in writing within five working days and arrange a suitable time if needed to discuss the complaint.

9. The Chief Executive Officer will investigate the complaint or refer the matter to an external dispute resolution process by a body appointed for this purpose by Lead Institute. The *default* external body is:

Resolution Institute

1800 651 650

infoaus@resolution.institute

In either case, the investigation will be resolved and decisions made on the escalated complaint within twenty (20) working days of the complaint being received in writing.

10. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcome. With this notification, all complainants will receive information on how they can progress their complaint if still unhappy.

11. The complainant is not satisfied with the outcome, and the complaint is yet to be mediated by an external dispute resolution process, they may escalate the complaint in writing to the Lead Institute's *Chief Executive Officer*. In this situation, the *Chief Executive Officer* will:

Acknowledge receipt of the escalated complaint in writing within five working days; and

- Refer the matter to an external dispute resolution process by a body appointed for this purpose by Lead Institute.
- Lead Institute will give due consideration to any recommendations arising from the external review within ten working days of the receipt of the recommendation
- The investigation will be resolved and decisions made on the complaint within thirty working days of the escalated complaint being received in writing.

12. The complainant will be informed of any decisions or outcomes concluded in writing, with reasons provided for the decisions or outcome. With the notification, all complainants will receive information on how they can progress their complaint if still unhappy.

All stages of the complaint process are documented and notes provided to all parties involved, including the outcomes of the complaint at each stage and reasons for the decision made. Each complaint and its outcome are recorded in writing and stored on the *Complaints and Appeals Register*.

Complaints and Appeals Register is in SharePoint/ Quality System Framework.

If at any stage, Lead Institute considers more than sixty (60) calendar days are required to process and finalise the complaint, Lead Institute:

- Inform the complainant in writing; including reasons why more than 60 calendar days are required; and
- regularly updates the complainant on the progress of the matter.

If the internal or external complaint handling or appeal process results in a decision that supports the complainant, Lead Institute immediately implements any decision and/or corrective and preventative action required and advises the student of the outcome.

At all times records of complaints are maintained confidentially. Lead Institute retains records of all complaints for a period of at least five years, allowing parties to the complaint or grievance appropriate access to these records.

1.2 COMPLAINTS - KEY CONTACTS

If the complainant is still not satisfied with the resolution of the complaint, they are directed to seek further assistance from the following additional parties;

ORGANISATION

<i>Vocational Education & Training Programs</i> <i>Australia Skills & Quality Authority (ASQA)</i>	1300 701 801 enquiries@asqa.gov.au
<i>Skills Canberra</i>	www.cmd.act.gov.au/skillscanberra/individuals
<i>NSW Department of Education & Training</i>	www.training.nsw.gov.au
<i>NT Department of Education & Training</i>	www.det.nt.gov.au
<i>QLD Department of Education, Training & Employment</i>	www.training.qld.gov.au
<i>SA Department of Further Education, Employment, Science and Technology</i>	www.training.sa.gov.au
<i>Skills Tasmania</i>	www.skills.tas.gov.au
<i>Victorian Department of Education & Training</i>	www.skills.vic.gov.au
<i>WA Department of Training and Workforce Development</i>	www.dtwd.wa.gov.au

1.3 IMPROVED ACTIONS

Lead Institute confirms its commitment to investigate and act on any complaint raised, and to take appropriate action in any case where complaints are substantiated. In cases where a complaint is upheld, Lead Institute endeavours to identify the cause of the complaint and implement steps to prevent the situation happening again. All improvement actions arising from complaints are raised via an Improvement Record. Lead Institute maintains a *Continuous Improvement Register* for recording the receipt and management of improvement records.

Once improvement records are raised, the Chief Executive Officer will review complaints and their causes, evaluate corrective actions to resolve the issue and prevent reoccurrence, implement appropriate actions, record results of actions undertaken and review these actions to ensure effectiveness after implementation. *The Continuous Improvement Register* is in SharePoint/Quality System Framework.

2.0 ASSESSMENT APPEALS

Lead Institute provides all students with a formal appeals process, which draws on a commitment to all parties understanding their rights and responsibilities in the assessment process. Other complaints or issues not pertaining to assessments should be referred to Lead Institute's complaints processes.

Lead Institute's appeals process facilitates requests for a review of decisions, including assessment decisions, made by Lead Institute or a third party representative providing services on Lead Institute's behalf.

Lead Institute's appeals process follows the principles of natural justice and procedural fairness by allowing anyone subject to a decision by Lead Institute, or anyone who has allegations made against them, to tell their side of the story before a decision is made. There is no fee or charge levied for any appeal processed. Lead Institute will maintain a student appellant's enrolment during any appeal process.

Lead Institute's process ensures that the decision-maker is independent of the decision being reviewed (for example, an assessor does not consider or decide an appeal against an assessment decision they made). If a student objects to actions taken or decisions made by Lead Institute personnel in conducting Recognition of Prior Learning and assessment services, they have the right to lodge an appeal.

Students also have the right to lodge an appeal against competency decisions made if:

- They believe the outcomes invalid; or
- They feel the process was invalid, inappropriate or unfair

2.1 APPEALS PROCESS

Lead Institute appeals process is publicly available on the Lead Institute's website.

1. Before making a formal appeal, complainant's are required to discuss the matter with the relevant Lead Institute personnel in an effort to reach an agreement Lead Institute personnel will undertake to reassess the decision that has been made.

2. If a complainant is still unhappy, they must lodge a formal appeal in writing to Lead Institute Chief Executive Officer.

3. Upon receiving a formal appeal, Lead Institute Chief Executive Officer will:

- Acknowledge receipt of the appeal in writing within five working days; and
- Appoint an independent member of personnel as a third party to try to resolve the issue. Any decision recommended by the third part is not binding to either party.

The independent member will review the information provided by all parties and either reject or uphold the appeal. The complainant will be advised of the outcome of the appeal in writing within 10 working days of lodging the appeal, including reasons for the decision made, and any additional appeal or complaint options available to them.

4. If a complainant, on receiving written advice on the initial appeal, is still unhappy they may lodge a second appeal to the Lead Institute Chief Executive Officer. Lead Institute's Chief Executive Officer will:

- Acknowledge receipt of the further appeal in writing within five working days; and
- Appoint another Registered Training Organisation (RTO) to review the appeal, at no additional cost to the student. This second registered training organisation will:
 1. Uphold the appeal;
 2. Reject the appeal; or
 3. Recommend further evidence gathering by either party.

The complainant will be advised of the outcome of the appeal in writing within twenty (20) working days of lodging the further appeal, including reasons for the decision made, and any additional appeal or complaint options available to them.

5. If a complainant, on receiving written advice on the further appeal, is still unhappy they have a right of appeal to:

- Their relevant State Training Authority (STA) in each state and territory if an apprenticeship/traineeship based course; or
- Alternatively to the Australian Skills & Quality Authority (ASQA) via the appropriate process.

<http://www.asqa.gov.au/complaints/making-a-complaint.html>

If at any stage Lead Institute considers more than sixty (60) calendar days are required to process and finalise the appeal, Lead Institute:

- Informs the appellant in writing, including reasons why more than sixty (60) calendar days are required; and
- regularly updates the appellant on the progress of the matter.

All stages of the appeals process are documented and notes provided to all parties involved, including the outcomes of the appeal and reasons for the decisions made. Each appeal and its outcome are recorded in writing and stored on the Complaints and Appeals Register. This register is located in SharePoint/Quality System Framework.

2.2 IMPROVED ACTIONS

Lead Institute confirms its commitment to investigate and act on any appeal raised, and also to take appropriate action in any case where appeals are substantiated. In cases where an appeal is upheld, Lead Institute endeavours to identify the cause of the appeal and implement steps to prevent the situation happening again.

All improvement actions arising from appeals are raised via the Continuous Improvement Register. Lead Institute maintains a Continuous Improvement Register for recording the receipt and management of improvement records. This register is in SharePoint/Quality System Framework.

Once improvement records are raised, the Chief Executive Officer will review appeals and their causes, evaluate corrective actions to resolve the issue and prevent reoccurrence, implement appropriate actions, record results of actions undertaken and review these actions to ensure effectiveness after implementation.

PUBLICATION

Publication This policy is available through publication on the website, www.leadinstitute.edu.au and in summary within the Student Handbook.

RELATED DOCUMENTS

SUPPORTING DOCUMENT Continuous Improvement Register

SUPPORTING DOCUMENT FORM Complaints and Appeals Submission

SUPPORTING DOCUMENT Student Handbook

ASSOCIATED POLICIES AND PROCEDURES

POLICY AND PROCEDURE Commitment to All Legislative and Regulatory Requirements

POLICY AND PROCEDURE Access and Equity

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RESPONSIBLE OFFICER

The responsible officer for the implementation and training for this Policy and Procedure is the Chief Executive Officer and Operations and Quality Assurance Manager.

AMENDMENTS

VERSION HISTORY		
VERSION	DATE	DESCRIPTOR
V1.0	10 February 2024	Newly developed policy
V2.0	12 March 2025	Annual review conducted

Authorised by

Title: Operations and Quality Assurance Manager

Date: Authorised: 12 March 2025

