



**HAMILTON**  
SECONDARY COLLEGE

# 2019 Complaints and Appeals Policy



Government  
of South Australia  
Department for Education

**Respect. Excellence. Integrity.**

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## Complaints and Appeals Policy

Hamilton Secondary College RTO has a complaints policy to manage and respond to allegations involving the conduct of:

- a. The RTO, its trainers, assessors or other staff
- b. A third-party providing services on the RTO's behalf, its trainers, assessors or other staff
- c. A student of the RTO

Hamilton Secondary College RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third-party providing services on the RTO's behalf.

Hamilton Secondary College RTO complaints policy and appeals policy:

- a. Ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process
- b. Are publicly available
- c. Set out the procedure for making a complaint or requesting an appeal
- d. Ensure complaints and requests for an appeal are acknowledged in writing and finalised as soon as practicable, and
- e. Provide for review by an appropriate party independent of the RTO and the complainant or appellant, at the request of the individual making the complaint or appeal, if the process fails to resolve the complaint or appeal.

Where the RTO considers more than 60 calendar days are required to process and finalise the complaint or appeal, the RTO will:

- a. Inform the complainant or appellant in writing, including the reasons why more than 60 calendar days are required
- b. Regularly update the complainant or appellant on the progress of the matter.

Hamilton Secondary College RTO will:

- a. Securely maintain records of all complaints and appeals and their outcomes
- b. Identify potential causes of complaints and appeals and take appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.

### Policy Statement

Hamilton Secondary College RTO has a complaints and appeals policy specific to its RTO operations.

The RTO Chief Executive Officer and the RTO Manager are ultimately responsible for ensuring that the RTO complies with the VET Quality Framework.

Complaints and appeals can be made to a trainer, the VET Coordinator or directly to the RTO Manager or Chief Executive Officer.

Hamilton Secondary College will ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaints and appeals process.

- Where possible, complaints will be resolved immediately.
- All complaints and appeals will be heard, and Hamilton Secondary College will attempt to resolve the matter within 60 calendar days of receipt.
- If Hamilton Secondary College considers that more than 60 calendar days are required to process and finalise the complaint or appeal, the complainant or appellant will be informed of the reasons for the extended timeframe in writing and will be regularly updated on the progress of the matter.
- Hamilton Secondary College will maintain a secure Complaints and Appeals Register, where all all complaints and appeals received, as well as actions taken and decisions made, will be documented.

- Hamilton Secondary College will undertake a continuous improvement process that includes reviewing both the details in the Complaints and Appeals Register, and the complaints and appeals policy and procedures, and take appropriate corrective action to eliminate or mitigate the likelihood of the same problems occurring again.

## Complaints and Appeals Procedures

- On receipt of a verbal complaint or appeal, Hamilton Secondary College staff must:
  - Resolve the complaint or appeal, if possible, documenting the complaint or appeal, its cause, actions taken and decisions made, in the secure Complaints and Appeals Register.
  - If the complaint cannot be promptly and simply resolved, advise that an appropriate staff member will deal with the complaint, but a written record of the complaint is required.
- To put a complaint or appeal in writing, advise the complainant/appellant they may use the support of a third-party in progressing the complaint or appeal.
- On receipt of a written complaint/appeal (If the complaint/appeal is not in relation to the VET Coordinator and/or RTO Manager):
  - Forward it to the VET Coordinator.
  - Enter it into the secure Complaints and Appeals Register.
- If the complaint is in relation to the VET Coordinator and/ or RTO Manager:
  - Forward it to the CEO (Principal).
- Send a prompt written acknowledgement to the complainant/appellant from either the VET Coordinator, RTO Manager or CEO (Principal).
- To resolve the complaint/appeal, the VET Coordinator, RTO Manager or CEO (Principal) will:
  - Discuss the issue/s with the staff member to whom the complaint/appeal was made.
  - Give the complainant/appellant an opportunity to present their case (they may be accompanied by other people for support).
  - Provide an opportunity for the relevant staff member, third-party or student (as applicable) an opportunity to present their case once the complaint/appeal has been documented. They also may be accompanied by other people for support.
  - If necessary, convene an independent panel, the Complaints and Appeals Committee, to hear the complaint/appeal.
- The committee must not have had previous involvement with the complaint/appeal, and must include:
  - A representative of the CEO (Principal).
  - One or more representative/s of the teaching staff.
  - An independent person.
- The committee must:
  - Deal with the issue/s.
  - Communicate the outcome/decision to all parties in writing within 60 days of receipt of the complaint/appeal.
  - Document the complaint/appeal — including the cause, actions taken and decisions made — in the appropriate secure Complaints and Appeals Register.
  - If the complaint/appeal is not finalised within 60 calendar days of its receipt, inform the complainant/appellant of the reasons in writing and regularly update them on the progress of the matter.
  - If the procedures fail to resolve the issue/s, the complainant/appellant may have the outcome reviewed (on request) by an appropriate party-independent of the RTO.

- If the complainant is still not satisfied, the CEO (Principal) or RTO Manager will refer them to the Senior Policy and Project Officer from Systems Performance Further Education and Pathways within the Department for Education.
- If the matter is unresolved and/or the student prefers to raise the complaint or appeal through a third-party, they may contact the Office of the Training Advocate.

The root cause of any complaints or appeals will be included in the systematic monitoring and evaluation processes of the RTO so that appropriate corrective action will be instigated to eliminate or mitigate the likelihood of reoccurrence.