

COMPLAINTS AND APPEALS PROCEDURE

PHASE 3 SUPPORT AND PROGRESSION AMATS Procedure 3.04.01

1. **Applicable Policy**

3.04 AMATS Complaints and Appeals Policy

2. **Purpose**

AMA Training Services will ensure that students have a fair, transparent and accessible process for the handling of complaints and appeals.

3. **Definitions**

In this Procedure, terms used have the same meaning as defined in the Policy.

4. **Procedure**

Complaints

Students should be encouraged to raise their complaint in the first instance directly with the person concerned although may wish to discuss the matter and seek resolution with the Training Manager or a senior staff member within the RTO.

A formal complaints process is activated where in the opinion of the General Manager VET or Training Manager, the severity of the concern is such as to warrant a formal review. As a general rule, the complaint should be lodged in writing and acknowledged in writing by the Student completing the Student Complaint Form.

In dealing with all complaints, AMA Training Services should ensure that the principles of natural justice and procedural fairness are adopted at every stage of the complaint.

As a general rule, complaints should be dealt with within 14 working days from the registered date of the complaint. If the complaint cannot be dealt with within that timeframe the complainant should be contacted to advise that the complaint is still under review. Where it is considered that more than 60 calendar days will be required to process and finalise the complaint, the complainant is to be informed in writing including reasons why more than 60 days are required. In such cases, there should be regular contact with the complainant to advise progress.

The AMA Training Services complaints policy is to be referenced in the Record Book handbook and available on the AMA Training Services website.

Complaint Procedures

- A formal complaint must be submitted to the General Manager VET by the complainant detailing the relevant complaint in writing by completing the Student Complaint Form.
- The complaint is formally recorded on the Complaints Register by the Training Manager.
- Receipt of the complaint is acknowledged in writing.
- The complainant may at any time prior or during the process consult the AMA Training Services staff involved in the complaint process on progress with the complaint.

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- Where appropriate, complaints will be resolved by the Training Manager. If this person does not believe they can handle the complaint in an impartial way, or have been directly involved in the matter under complaint, it will be referred to a more senior person in the General Manager VET.
- The Training Manager will forward the detailed record of complaint to this independent person. The General Manager VET may interview the complainant, staff, or determine the merits of the complaint provided by the Training Manager.
- Should an incident arise where the General Manager VET is not available throughout the process, the appointed authorised person for the position will be called upon.
- Once a decision is made the complainant is formally advised in writing by the General Manager VET detailing the outcome and reason for the decision. The complainant will be advised of the option to refer the complaint to ASQA if not satisfied with the outcome and reason for decision or to the Apprenticeship Office if the student is undertaking a Traineeship.
- The Training Manager will be responsible for any action required to address reviews or improvements to its operations and practices.
- All documentation relating to the complaint and outcome of the decision will be held in a secure storage by the Training Manager.

Appeals

All students have the right to appeal the outcome of an assessment on the grounds that there is a perceived flaw in the assessment process.

The Appeals Policy is available to all potential and current students on the AMA Training Services website.

Student should be encouraged to raise their issue in the first instance directly with the person concerned. If these parties cannot achieve a resolution, then it may be necessary to resort to a formal appeals process.

Grounds for Appeal

The grounds on which an appeal can be lodged are as follows:

1. The student perceives the process of assessment procedures as stated in the Assessment Plan were not followed by the Assessor.
2. The student believes their performance was degenerated by shortfalls in the assessment procedures beyond their control.
3. The student believes the assessment did not comply with the Principles of Assessment - validity, reliability, fairness and flexibility.

As a general rule, an appeal should be dealt with within 14 working days. If the appeal cannot be dealt within that time frame, the student will be contacted to advise that the appeal is still under review. Where the appeal cannot be resolved within 60 days, the student is to be advised in writing the reasons why more than 60 days is required.

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Appeals Process

AMA Training Services' procedure for handling appeals is to ensure all appeals are treated with fairness, neutrality and confidentiality.

- Appeal must be submitted to the Training Manager in writing detailing the grounds for appeal and contain copies of all relevant supporting documentation.
- The appeal is formally recorded on the Appeals Register by the Training Manager.
- Receipt of the appeal is acknowledged in writing.
- Where appropriate, appeals will be considered by the Training Manager. If this person does not believe they can handle the appeal in an impartial way, or have been directly involved in the matter under appeal, it will be referred to the General Manager VET.
- The outcome of the appeal and reasons for decisions must be documented by the Training Manager or General Manager VET, as the case may be.
- The appellant is formally advised in writing by a statement detailing the outcome and reason for the decision.
- The General Manager VET will be responsible for any action required to address reviews or improvements to its operations and practices.
- All documentation relating to the appeal and outcome of the decision will be held on the student file by the Training Manager, with a copy forwarded to the General Manager VET.
- The outcome of the appeal will be recorded on the Appeals Register and will be used to identify themes or trends that may signal system weaknesses in the operations and practices of AMA Training Services.

Outcome of the Appeal

The outcome of the appeal may include:

- The appeal being upheld, resulting in an independent re-assessment of the student.
- Rejection of the appeal.

5. Procedure Documents and Supporting Material

- 3.04.02 AMATS Complaint Form
- 3.04.03 AMATS Compliant Register
- 3.04.04 AMATS Appeals Register

6. Procedure Review and Implementation

This Procedure is to be reviewed on an annual basis, or more frequently as required, with revisions detailed below.

Date of Issue and Revision	Description of Amendment	Reviewed (Coordinator/Manager)	Authorised (General Manager)
22.06.2018	Initial Draft	Peigi Hinton	Jan Norberger