



Complaints and Appeals

In accordance with Clauses 6.1 to 6.6 of the Standards for RTOs 2015 and Standard 10 of the National Code 2018, United Institute is committed to providing a fair and transparent complaints and appeals process that is publicly accessible and easily understandable.

General Complaints and Appeals Principles

United Institute resolves to:

- Review and finalise all complaints and appeals as soon as possible, and no longer than 60-days, unless absolutely necessary;
- Keep the complainant or appellant informed of the process and update them on the progress of their complaint or appeal every fortnight;
- Record the details of the complaint or appeal and all other pertinent information in our Complaints and Appeals register on RTO Manager, and maintain the records securely;
- All written records, including the Complaint or Appeals Form, any follow-up letters and the outcome letter is to be saved on our Complaints and Appeals register on RTO Manager, only accessible by authorised personnel;
- Utilise any complaints and appeals received as an opportunity for continuous improvement and take immediate corrective action to eliminate or mitigate the likelihood of re-occurrence;
- Treat any and all information received in a complaint or appeal in the strictest of confidence;
- Where a complaint is received about a particular staff member, the staff member is not to be involved in the complaints handling process;
- Not negatively impact or discriminate against the complainant or appellant for submitting a complaint or appeal;
- Ensure the principles of natural justice and procedural fairness are adopted at every stage of the complaint and appeal process;
- Ensure this policy is publicly available – in our Student Handbook and on our website
- Handle all complaints and appeals at no cost to the complainant or appellant;
- Provide adequate support mechanisms, such as providing the complainant or appellant to be accompanied or assisted by a support person at any meeting or interview;
- 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 processes fail to resolve the complaint or appeal; and



- Co-operate with any statutory body or external agency that may investigate the handling of a complaint or appeal.

Complaints vs Appeals

A complaint is dissatisfaction expressed about the services or people connected with United Institute. It may involve matters concerning the quality of our courses, the efficiency of our systems and processes, the conduct of another learner, interactions with one of our staff members, or a third-party marketing our courses. Staff members should do their best to address, acknowledge and resolve issues that arise as they occur. Where it is not possible, the individual should be encouraged to lodge a complaint. A complaint can be made in any form and does not need to be formally documented by the complainant in order for us to act on it. However, we should encourage the complainant to complete our *Complaint Form* to ensure the accuracy of the information. This form is available on our website, or it can be requested for by the Student & Administration Support personnel and it is to be submitted either in hard copy, or electronically via e-mail to info@united.edu.au. It can also be made by any person, whether they are a learner, a staff member or even a passer-by. There is no time limitation on a person who is seeking to make a complaint.

A learner can appeal any decision made by United Institute or a third-party providing services on United Institute's behalf, not just assessment judgements. At times, a learner may appeal a decision due to compassionate or compelling circumstances. These circumstances are generally those beyond the control of the learner and they have an impact on the learner's capacity and/or ability to progress through a course. These circumstances may include chronic illness or severe injury sustained (including any mental health illnesses or injuries), where a medical certificate is able to corroborate the illness or injury; the passing of a close family member; major political upheaval or natural disaster; or a traumatic experience. An appellant must complete the *Appeals Form*, which is available on our website, or it can be requested for by the Student & Administration Support personnel and it is to be submitted either in hard copy, or electronically via e-mail to info@united.edu.au. An appeal must be made within **20 business days** from the date the decision is informed to the individual.

Unresolved Complaints and Appeals

Where the person making a complaint or appeal is not satisfied with the handling of the matter by United Institute, they are provided with the opportunity for an independent party – **The Dispute Settlement Centre of Victoria** or **Mediate Today**, to review his or her concerns following the completion of our internal complaints and appeals handling process.



We will advise the complainant or the appellant of the availability of an independent party to review the handling of and the outcome of their complaint or appeal. The independent party is required to respond with their recommendations and their advice will be accepted by United Institute as final, advised to the person making the complaint or appeal in writing, and implemented without prejudice.

Where we appoint an appropriate independent party to review a complaint or appeal, United Institute will meet the full cost to facilitate the review. Where the complainant or appellant objects to this appointment and requests to engage a party of their appointment, United Institute may seek for the complainant or appellant to contribute to the cost of engaging this party to undertake the review.

Where the complainant or appellant is still unsatisfied with the outcome of the independent review, they can be directed to the National Training Complaints hotline – 13 38 73 or the Commonwealth Ombudsman – 1300 362 072.

Complaints Handling Procedure

- 1 Complaint received** – when a complaint is received, the information is to be recorded in our Complaints and Appeals register on RTO Manager. If a *Complaint Form* is submitted, scan and save the form on the Complaints and Appeals register, and securely destroy the physical document. If a complaint is verbally submitted, encourage the complainant to complete a *Complaint Form* which is available on our website. Alternatively, the Student & Administration Support personnel can provide the form to the individual. This is to ensure we capture the information accurately and completely. However, if the complainant is unwilling to complete a form, take down as much information as possible verbally (using the *Complaints Form* as a template) and enter the data into our Complaints and Appeals register on RTO Manager. A note is also to be left on the student's or staff member's file (if applicable) on RTO Manager regarding the complaint and referencing the Complaints number assigned to the complaint.
- 2 Letter of acknowledgement sent to complainant** – within **2 business days** of receiving the complaint, the complainant is to be sent the *Acknowledgement of Complaint* letter, informing them that we have received their complaint, our complaints handling process, and the associated timeframe in which we will endeavour to finalise the matter. Where the complainant is under the age of 18, their parent or legal guardian must also be sent copies of all correspondences regarding the complaint. This information is to be entered into and the documents to be scanned and saved in our Complaints and Appeals register on RTO Manager.



- 1 Forward complaint to the CEO** – the CEO is then to be notified of the complaint via e-mail. The e-mail should contain:

 - The Complaints number assigned so that the CEO is able to easily locate the complaint on RTO Manager;
 - The nature of the complaint with the *Complaint Form* attached;
 - Which business unit, staff member or learner concerned; and
 - When the acknowledgement letter was sent out to the complainant.
- 2 Investigate the complaint** – the CEO is then responsible to investigate the claim. If the complaint is about the CEO, the Student & Administration Support personnel is responsible to investigate the claim. This investigation must commence within **5 business days** from the date the complaint was submitted. The investigation can involve meeting with the complainant, consulting with other parties such as witnesses to the event, as well as reviewing the evidences provided and any other relevant materials to assist the CEO (or the Student & Administration Support personnel) in making a determination. Complaints are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the complaints handling process. This means that the complainant is entitled to be heard with access to all relevant information with the right of reply. The appellant is entitled to have their appeal heard by a person that is without bias and may not be affected by the decision. Finally, the decision must be made based on logical evidence and the decision-maker must take account relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations.
- 3 Finalise the complaint response** – as a benchmark, we will endeavour to resolve all complaints as soon as possible. The CEO must finalise their response to the complainant and prepare the response as soon as possible, but no later than **10 business days** from when the assessment of the complaint commenced. The response to the complainant must include information that demonstrates that the matter was thoroughly reviewed and what actions and outcomes have been identified as a result of the complaint. If a complaint is unable to be finalised within **10 business days**, the complainant should be notified on a fortnightly interval of the progress of the investigation and why the additional time is required. The complaint should be finalised within 60-days, unless absolutely necessary.



- 1 Meet with the complainant in-person** – the Student & Administration Support personnel is to organise a meeting between the CEO and the complainant in order for the CEO to communicate the outcome of the investigation – verbally, and the written response provided in the meeting. Be sure to advise the learner that should they wish, they can bring a support person to the meeting. This should be done as soon as possible, and no later than **5 business days** from when the CEO has finalised their response to the complainant. Under no circumstances is the response to be provided via a third-party. Where the complainant is unable to meet in person, a Skype session should be organised. Should the complainant be dissatisfied with the outcome of their complaint, advise the complainant of the options available.
- 2 Independent review** – where the complainant is dissatisfied with the outcome of their complaint or the handling of the complaint, the CEO is to arrange for the complaint to be considered by an appropriate independent third-party – **The Dispute Settlement Centre of Victoria** or **Mediate Today**. Any recommendations made by the independent third-party will be accepted as final, advised to the complainant and implemented by United Institute within **10 business days** (unless circumstances does not permit) without prejudice. Where the complainant is still unsatisfied with the outcome, they may refer the matter to the National Training Complaints Service – 13 38 73 or the Commonwealth Ombudsman – 1300 362 072.
- 3 Continuous improvement** – opportunities for improvement identified as a result of the complaint are to be recorded in our Continuous Improvement register on RTO Manager and submitted to be discussed at the next management meeting. Any decisions or outcomes of the complaints handling process that find in the favour of the complainant shall be implemented immediately.
- 4 Records entered into and documents saved** – the Student & Administration Support personnel is responsible for ensuring that all of the information relating to the complaint is entered into and any pertinent document saved into the Complaints and Appeals register on RTO Manager.



Appeals Handling Procedure

- 1 Appeal received** – when an appeal is received, it is important that the Student & Administration Support personnel checks the form for its completeness, and that the appeal is made no later than **20 business days** from when the decision was advised to the individual. The information regarding the appeal is to be recorded in our Complaints and Appeals register on RTO Manager. It is also important to scan and save the *Appeals Form* on the Complaints and Appeals register, and securely destroy the physical document. If an appeal is verbally submitted, advise the appellant to complete an *Appeals Form* which is available on website before we will review their appeal request. Alternatively, the Student & Administration Support personnel can provide the form to the individual. This is to ensure we capture the information accurately and completely. A note is also to be left on the student's file on RTO Manager regarding the appeal, and referencing the Appeals number assigned to the appeal.
- 2 Letter of acknowledgement sent to appellant** – within **2 business days** of receiving the appeal, the appellant is to be sent the *Acknowledgement of Appeal* letter, informing them that we have received their appeal, our appeals handling process, and the associated timeframe in which we will endeavour to reach an outcome. Where the appellant is under the age of 18, their parent or legal guardian must also be sent copies of all correspondences regarding the appeal. This information is to be entered into and the documents to be scanned and saved in our Complaints and Appeals register on RTO Manager.
- 3 Forward appeal to the CEO** – the CEO is then to be notified of the appeal via e-mail. The e-mail should contain:
 - The Appeals number assigned so that the CEO is able to easily locate the appeal on RTO Manager;
 - Learner concerned;
 - The nature of the appeal with the *Appeals Form* attached;
 - Personnel involved in making the decision – i.e. Trainer and Assessor or CEO;
 - Which course and assessment activity; and
 - When the acknowledgement letter was sent out to the appellant.



- 1 Review the facts, materials and evidences pertaining to the appeal** – the CEO is then responsible to review the appeal. This review must commence within **5 business days** from the date the appeal was submitted. The investigation can involve consulting with the Trainer and Assessor, as well as reviewing the materials and evidences such as the completed assessment tools to assist the CEO in making a determination. Appeals are to be considered and handled to ensure the principles of natural justice and procedural fairness are applied at every stage of the appeal handling process. This means that the appellant is entitled to be heard with access to all relevant information with the right of reply. The appellant is entitled to have their appeal heard by a person that is without bias and may not be affected by the decision. Finally, the decision must be made based on logical evidence and the decision-maker must take account relevant considerations, must act for a proper purpose and must not take into account irrelevant considerations. Where the appeal is in relation to an assessment decision, a re-assessment may be recommended. Learners participating in a re-assessment should be provided with detailed counselling about the perceived gaps in their skills and knowledge, along with additional training to support the improvement and ability to demonstrate competence. Re-assessments should be scheduled to occur as soon as possible following the outcome of an appeal. The re-assessment should be undertaken by a different Assessor than used during the initial assessment and following the re-assessment, the learner must be provided with detailed feedback about their performance and the outcome.
- 2 Finalise the appeal response** – as a benchmark, we will endeavour to resolve all appeals as soon as possible. The CEO must finalise their response to the appellant and prepare the response as soon as possible, but no later than **10 business days** from when the assessment of the appeal commenced. The response to the appellant must include information that demonstrates that the matter was thoroughly reviewed and what actions and outcomes have been identified as a result of the appeal. If an appeal is unable to be finalised within **10 business days**, the appellant should be notified on a fortnightly interval of the progress of the review and why the additional time is required. The appeal should be finalised within 60-days, unless absolutely necessary.



- 1 Meet with the appellant in-person** – the Student & Administration Support personnel is to organise a meeting between the CEO and the appellant in order for the CEO to communicate the outcome of the appeal – verbally, and the written response provided in the meeting. Be sure to advise the learner that should they wish, they can bring a support person to the meeting. This should be done as soon as possible, and no later than **5 business days** from when the CEO has finalised their response to the appellant. Under no circumstances is the response to be provided via a third-party. Where the learner is unable to meet in person, a Skype session should be organised. Should the appellant be dissatisfied with the outcome of their appeal, advise the appellant of the options available.
- 2 Independent review** – where the appellant is dissatisfied with the outcome of appeal or the handling of the appeal, the CEO is to arrange for the appeal to be considered by an appropriate independent third-party – **The Dispute Settlement Centre of Victoria** or **Mediate Today**. Any recommendations made by the independent third-party will be accepted as final, advised to the appellant and implemented by United Institute within **10 business days** (unless circumstances does not permit) without prejudice. Where the appellant is still unsatisfied with the outcome, they may refer the matter to the National Training Complaints Service – 13 38 73 or the Commonwealth Ombudsman – 1300 362 072.
- 3 Continuous improvement** – opportunities for improvement identified as a result of the appeal are to be recorded in our Continuous Improvement register on RTO Manager and submitted to be discussed at the next management meeting. Any decisions or outcomes of the appeal handling process that find in the favour of the appellant shall be implemented immediately.
- 4 Records entered into and documents saved** – the Student & Administration Support personnel is responsible for ensuring that all of the information relating to the appeal is entered into and any pertinent document saved into the Complaints and Appeals register on RTO Manager, and on the student's file on RTO Manager.

Complaints Handling Process If more time is needed, send communication to complainant every fortnightly

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Start

Complaint is received

Complaint is forwarded to CEO

Has Complaints Form been submitted?



Enter complaint into Complaints and Appeals Register and student or employee file (if applicable), and send out acknowledgement letter within 2 business days

Person receiving complaint completes Form

CEO reviews the complaint within 5 business days of receipt of complaint

CEO communicates complaint response to complainant within 5 business days (unless not possible)

Complainant is provided with options for escalating complaint

Is investigation / consultation required?

CEO determines complaint response within 10 business days

Is complainant satisfied?

Implement complaint outcomes and raise opportunity for improvement action

CEO or delegate completes investigation / consultation

CEO review outcomes of investigation / consultation

Update Complaints and Appeals Register and the Continuous Improvement Register on RTO Manager

Y

N

N

Y

N

Y

Start

Complaint is received

Complaint is forwarded to CEO

Has Complaints Form been submitted?

Enter complaint into Complaints and Appeals Register and student or employee file (if applicable), and send out acknowledgement letter within 2 business days

Person receiving complaint completes Form

CEO reviews the complaint within 5 business days of receipt of complaint



CEO communicates complaint response to complainant within 5 business days (unless not possible)

Complainant is provided with options for escalating complaint

Is investigation / consultation required?

CEO determines complaint response within 10 business days

Is complainant satisfied?

Implement complaint outcomes and raise opportunity for improvement action

CEO or delegate completes investigation / consultation

CEO review outcomes of investigation / consultation

Update Complaints and Appeals Register and the Continuous Improvement Register on RTO Manager

Y

N

N

Y

N

Y

Appeals Handling Process

If more time is needed, send communication to appellant every fortnightly

If more time is needed, send communication to appellant every fortnightly

Start

Appeal is received

Appeal is forwarded to CEO

CEO reviews the appeal within 5 business days from receipt of appeal

CEO communicates appeal response to appellant within 5 business days (unless not possible)

Appellant is provided with options for third-party review

Has an Appeal Form been submitted?



Enter appeal into the Appeals Register and student file (if applicable), and send an acknowledgement letter to appellant within 2 business days

Is investigation / consultation required?

CEO determines appeal response within 10 business days

Is appellant satisfied?

CEO or delegate appeal investigation / consultation

CEO review outcomes of investigation / consultation

Update Complaints and Appeals Register and student's file on RTO Manager (if applicable)

A completed Appeal Form is requested

N

N

Y

Y

Y

N

Opportunity for improvement raised and decision to be implemented

Start

Appeal is received

Appeal is forwarded to CEO

CEO reviews the appeal within 5 business days from receipt of appeal

CEO communicates appeal response to appellant within 5 business days (unless not possible)

Appellant is provided with options for third-party review

Has an Appeal Form been submitted?

Enter appeal into the Appeals Register and student file (if applicable), and send an acknowledgement letter to appellant within 2 business days

Is investigation / consultation required?

CEO determines appeal response within 10 business days



Is appellant satisfied?

CEO or delegate appeal investigation / consultation

CEO review outcomes of investigation / consultation

Update Complaints and Appeals Register and student's file on RTO Manager (if applicable)

A completed Appeal Form is requested

N

N

Y

Y

Y

N

Opportunity for improvement raised and decision to be implemented