

Complaints and Appeals Policy and Procedure

Purpose

The purpose of this policy and procedure is to provide clear and practical guidelines to ensure that all complaints and appeals received by Gateway Training Academy can be resolved in accordance with the principles of natural justice, fairly, efficiently and effectively. All individuals including students, staff and stakeholders, are entitled to lodge complaints and appeals pertaining to Gateway Training Academy, its decisions, processes, services, training and assessment, its trainers, assessors, students, other staff, a third-party providing services on Gateway Training Academy's behalf.

Definitions

Complaint – A complaint is an expression of dissatisfaction by an individual about an issue related to Gateway Training Academy processes, services, products, staff or an individual associated with Gateway Training Academy which requires review, investigation, or action. All students are entitled to access the complaints process and have the right to lodge a complaint.

Appeal – An appeal is a process whereby an individual disputes a decision made by Gateway Training Academy and requests for a review of the said decisions. These decisions can include but are not limited to assessment judgment decisions, made by the RTO or a third-party providing services on the RTO's behalf.

Complainant or Appellant – individual making the complaint or appeal. All individuals, including students, staff and stakeholders, have a right to lodge complaint or an appeal.

Natural Justice - is concerned with ensuring procedural fairness:

- Decisions and processes should be free from bias;
- All parties have the right to be heard;
- The respondent has a right to know of what s/he is accused;
- All parties are told the decision and the reasons for the decision.

Substantiated complaint – means a complaint that is supported by proof or evidence. It is something that is supported or verified by corroborating information.

Contact Gateway Training Academy:

Phone: 1300 881 932

Email: info@gatewayacademy.edu.au

Policy

Gateway Training Academy is committed to ensuring that all students are provided the best possible environment in which to study. Despite all efforts of the RTO to provide superior services to our students, complaints and appeals may occasionally arise that must be addressed and rectified in a timely manner. Gateway Training Academy will address all complaints and appeals in a fair, constructive and timely manner. The Complainant or Appellant has the right for their complaint or appeal to be heard and for an impartial decision to be made. Complainants have the right to appeal a decision and the right to withdraw the complaint at any stage. At Gateway Training Academy complaints and appeals are seen as an opportunity for continuous improvement. If you make a complaint or appeal:

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- The complaint or appeal will be dealt with promptly; the actual length of time involved may vary in accordance with the complexities of the case.
- You will have the opportunity to present your case at each stage of the procedure.
- You have the option of being accompanied/assisted by a third person (such as a family member, friend or counsellor).
- You will not be discriminated against or victimised.

Procedure

Should an individual want to make a complaint or appeal to Gateway Training Academy, the following steps are to be followed:

1. In the first instance Gateway Training Academy, wherever possible, encourages informal discussion and negotiation to resolve concerns or difficulties informally with the person(s) concerned.
2. If you wish to make a formal complaint or appeal, you should do so within seven (7) working days of the incident occurring or the original decision being made. Your complaint or appeal should be made in writing using the *Complaints and Appeals Form* (available on our website) and emailed to info@gatewayacademy.edu.au.
3. Gateway Training Academy will record the information of the complaint or appeal in the Complaints and Appeals Register and notify the Training Manager within 48 hours of receiving the complaint.
4. The Training Manager will contact the Complainant or Appellant within five (5) working days of receiving the complaint or appeal. This contact can be in the form of a face-to-face meeting, telephone conversation or email contact, to advise that the complaint or appeal has been received and to organise a suitable time with the complainant to further investigate/discuss the nature of the complaint or appeal.
5. The Complainant or Appellant has the right to have a support person (of their choice) with them, regardless of the nature of the issue or complaint or appeal throughout the process at all times.
6. The Training Manager will investigate the complaint/appeal and interview other parties that may have an involvement or have witnessed the problem. The Training Manager will continue to investigate the situation until such time they can clearly identify the root cause/s of the problem and determine the appropriate solution.
7. The outcome of the investigation along with the solution, including a timeline for implementation, will be sent to the Complainant or Appellant, as well as other affected parties, in writing within 20 working days of the complaint or appeal being received.
8. Where Gateway Training Academy considers more than 60 calendar days are required to process and finalise the complaint or appeal, Gateway Training Academy will:
 - inform the Complainant or Appellant in writing, including reasons why more than 60 calendar days are required, and
 - regularly update the complainant or appellant on the progress of the matter.
9. If the Complainant or Appellant is unsatisfied with the outcome, they may make a written request to Gateway Training Academy RTO Manager within 5 working days to advise they wish to have the matter dealt with through an external mediation service acceptable to all parties. The written request needs to be emailed to info@gatewayacademy.edu.au.
10. Gateway Training Academy will make arrangements for an independent party to resolve the issue and outline any costs that may be involved with this to happen to the

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Complainant or Appellant. The Complainant or Appellant will be given the opportunity to formally present their case.

11. Once the application is made with the external mediation service for the external review, Gateway Training Academy will be requested to provide documents in support of the application within 14 days, including student records, to the external reviewer. The External Reviewer considers the documents and decides. The decision and determination are forwarded to Gateway Training Academy. The third party will then send the decision to all parties.
12. Turnaround time for an appeal involving an external mediator may be within 4 to 8 weeks from date of lodgment. Contact with the mediator should be initiated by the Complainant or Appellant in all cases. The total cost (if applicable) per external mediation is borne by the Complainant or Appellant. The police may be contacted in cases of possible criminal behaviour. Each complaint, appeal and its outcome are recorded in writing and each party is given a written statement of the appeal outcomes, including reasons for the decision. Nothing in this policy limits the rights of students to act under Australia's Consumer Protection laws. These dispute resolution procedures do not circumscribe a student's rights to pursue other legal remedies.
13. Final outcomes are to be entered into the Complaints and Appeals Register and the Continuous Improvement Register.

Continuous Improvement

Regular review of the Complaints and Appeals Register will be undertaken by the Training and RTO Managers. The review should identify any areas for improvement which arise where complaints and appeals are found to be substantiated and these will be documented in the Continuous Improvement Register.

Record Keeping and Confidentiality

Records of all complaints and appeals handled under this policy and procedure, and their outcomes, shall be maintained by the RTO for a period of at least two years to allow all parties to the complaint appropriate access to these records, upon written request. Gateway Training Academy securely maintains records of all complaints and appeals and their outcomes, and identifies potential causes of complaints and appeals and takes appropriate corrective action to eliminate or mitigate the likelihood of reoccurrence.