Complaints and Appeals Policy

PURPOSE

This policy outlines Trainwest's steps for handling complaints and appeals received from students and clients. It ensures complaints and appeals are resolved in accordance with the *National Vocational Education and Training Regulator (Outcome Standards for NVR Registered Training Organisations) Instrument 2025*, 2.7 and 2.8, (the Standards).

SCOPE

This policy applies to all Trainwest students and clients, including students receiving training and assessment through third-party arrangements.

RESPONSIBILITIES

Complainant / Appellant	• Attempt to resolve the issue with the person involved first. • If not satisfactorily resolved, lodge a written complaint/appeal with Trainwest within 28 days of the incident. • Clearly explain the issue, including any evidence to support the complaint/appeal. • Actively participate in the resolution process with Trainwest and other independent parties if required.
General Manager	• Acknowledge receipt of written complaints/appeals within three (3) working days. • Review and discuss the issue with the complainant, all parties directly involved and other independent parties if required. • Provide written notification of the outcome within seven (7) days of making the decision. • If the issue cannot be resolved within 60 calendar days, inform the complainant/appellant in writing why, providing regular updates on the progress until resolved. • Securely maintain complaints/appeals records and outcomes. • Use the complaint/appeal to identify potential corrective actions. • Take appropriate action to eliminate or mitigate the likelihood of recurrence.

Employees and Third-Party Partner	• Provide timely guidance to all students regarding the complaints and assessment appeals process. • Clarify any aspects of the assessment results a student does not understand. • Guide students who request the opportunity to complain/appeal.

POLICY

Policy Statement

Trainwest students and clients have the right to:

- Complain if they are dissatisfied with the training and/or assessment services they have received
- Appeal an assessment decision if they feel treated unfairly or discriminated against.

Complaints and Appeals Process

1. Lodge the complaint or appeal

- Informal complaint/appeal:
  - In an attempt for early resolution, the Complainant/Appellant is encouraged to raise their complaint/appeal with the relevant person directly involved or speak to our Student Services Team as soon as an issue arises.
- Formal complaint/appeal:
  - If the issue remains unresolved, the Complainant/Appellant is to lodge the complaint/appeal in writing to the Trainwest head office or email feedback@trainwest.com.au within 28 days of the incident, decision, or allegation.
  - Submissions can be made using the Complaints and Appeals Form.
  - The reason for the complaint/appeal should be clearly outlined, and supporting evidence should be included where possible.

2. Acknowledge receipt

- Trainwest will acknowledge receipt of the complaint/appeal and explain the process in writing within three (3) working days, including informing the Complainant/Appellant that they have the right to be assisted by a support person at any meetings relevant to the complaint/appeal process.

3. Review the complaint or appeal

- **Trainwest will:**
  - **Complaint**: Conduct a thorough review, including discussions with all relevant parties, to ensure a fair and impartial investigation that respects the rights and privacy of all involved.
  - **Appeal**: Have a suitably qualified independent panel review the assessment evidence to ensure the principles of assessment and rules of evidence have been implemented. Recommendations from this moderation activity will inform the outcome of the appeal.
- The Complaint/Appellant will be provided the opportunity to present their case formally.
- The Complaint/Appellant will receive regular updates on the progress of the matter until it is resolved.
- The principles of procedural fairness and natural justice will be applied at each stage of the complaint/appeal process.

5. Arrange independent review if necessary

- If the issue cannot be resolved internally, Trainwest will arrange for an independent review.
- The Complainant/Appellant will be allowed to be accompanied by a third party of their choice.

6. Provide the outcome

- Trainwest will notify the Complainant/Appellant of the outcome within seven (7) days after making the decision, including details of the decision and reasons.
- If the complaint/appeal requires more than 60 calendar days to resolve, Trainwest will inform the Complainant/Appellant in writing with reasons for the delay and provide regular updates until finalised.
- If the Complainant/Appellant does respond to communications from Trainwest within 60 calendar days of the initial lodgement, the complaint/appeal will be closed.

Independent Review

If the resolution requires an independent review and/or external mediation, the Complainant/Appellant will be referred to a suitable body or person, which may include:

- Private conciliators or dispute resolution counsellors
- Complaints and appeals body established by a peak industry body
- Representatives of Commonwealth and state or territory government departments, including the Office of the Training Advocate
- Commonwealth and state or territory offices of the Ombudsman may be the appropriate body for a public provider.

The Commonwealth Ombudsman is a free, independent service to support complaints and appeals.

Website: www.ombudsman.gov.au

Telephone: 1300 362 072

Record Keeping

Our Student Handbooks outline our complaints and appeals process. They are available on our website, along with this Complaints and Appeals Policy.

All complaints and appeals will be recorded in our Complaints and Appeals Register and PowerPro, our Student Management System.

Records and outcomes of complaints and appeals are securely stored in the Trainwest Intranet to ensure their privacy and confidentiality.

Refer to the Records Keeping Policy for more information.

Quality Management

Our Quality Management System (QMS) integrates quality control, quality assurance and continuous improvement, demonstrating our commitment to upholding the highest quality standards across all our operations.

This policy undergoes a systematic review during our annual internal audit, as per our Internal Audit Procedure, reinforcing its role in achieving quality objectives and compliance standards. Ongoing review activities are documented as per our Quality Assurance Procedure.

Identified issues and improvements in this process, along with related practices and systems, are recorded in the CI Register as per our Continuous Improvement Procedure. Employees are encouraged to contribute to continual improvement by submitting a CI Request if they identify any issues or improvement opportunities.

DEFINITIONS

Access and Equity	Policies and approaches aimed at ensuring that VET is responsive to the individual needs of clients whose age, gender, cultural or ethnic background, disability, sexuality, language skills, literacy or numeracy level, unemployment, imprisonment or remote location may present a barrier to access, participation and the achievement of suitable outcomes.
Appeal	Requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO's behalf.
Appellant	A person who lodges an appeal against an assessment decision.
Australian Skills Quality Authority (ASQA)	The national regulator for Australia's vocational education and training sector.
Assessment	The process by which an NVR RTO, or a third-party delivering services on its behalf, collects evidence for the purposes of determining whether a VET student is competent to perform to the standard specified in the training product.
Assessment Judgement	A determination of whether competency has been achieved by a VET student consistent with the training product and this instrument.
Assessor	A person who determines a VET student's competency for, or on behalf of, an NVR registered training organisation.
Competency	An individual's consistent application of knowledge and skill to the standard of performance required in the workplace. It embodies the ability to transfer and apply skills and knowledge to new situations and environments.
Complaint	Allegations involving the conduct of: • the RTO, its trainers, assessors or other staff • a third-party providing services on the RTO's behalf, its trainers, assessors or other staff • a learner of the RTO.
Complainant	A person who lodges a complaint.
Registered Training Organisation (RTO)	A training provider registered by a state or national regulatory body, authorised to deliver and assess nationally recognised training in Vocational Education and Training (VET).
Student	Person receiving training and/or assessment services provided by an RTO, or by a third party on their behalf, and includes learners, participants, candidates and trainees.
Third-Party	Any person who has an arrangement with an NVR RTO to deliver services, but does not include: • Employees of the organisation • Experts engaged by the organisation • Government agencies and government-funded agencies that refer VET students to the organisation and do not receive any payment from the organisation for doing so.

Refer to our Glossary for a list of all Trainwest terms and definitions.

RELATED DOCUMENTS

Internal

Policies	Access and Equity Policy Assessment System Policy Privacy Policy Quality Policy Support Services Policy
Procedures	Assessment Procedure Complaints and Appeals Procedure Continuous Improvement Procedure Quality Assurance Procedure Records Keeping Policy
Guides	Code of Conduct Communication Template Toolkit Trainwest Student Handbook (website) Trainwest Third-Party Student Handbook (website)
Forms	CI Request Complaints and Appeals Form (website)
Systems	CI Register Complaints and Appeals Register PowerPro (Student Management System) Trainwest Intranet Trainwest Website

External

Legislation	*National Vocational Education and Training Regulator (Outcome Standards for NVR Registered Training Organisations) Instrument 2025* *National Vocational Education and Training Regulator Act 2011* *Privacy Act 1988*
Resources	Commonwealth Ombudsman